BYLAWS
OF THE HASTINGS CONSTITUTIONAL LAW QUARTERLY
OF THE UNIVERSITY OF CALIFORNIA, HASTINGS COLLEGE OF THE LAW
SAN FRANCISCO, CALIFORNIA

Effective June 29, 2012

ARTICLE I
NAME & PURPOSE

SECTION 1. NAME
The name of this organization shall be formally known as the Hastings Constitutional Law Quarterly, and informally and hereafter as the Quarterly.

SECTION 2. PURPOSE
The purpose of the Quarterly shall be to publish an annual volume of four issues which will serve as a forum for legal scholarship of the highest quality and of the greatest use to legal scholars, judges, and practitioners; to manage and operate the Quarterly entirely by currently enrolled students of the University of California, Hastings College of the Law (hereafter the College); to provide Quarterly members the opportunity to improve and develop their research, writing, and leadership skills in a scholastic and collegial environment; and to function as an entity organized not for profit but for the public good.

ARTICLE II
ORGANIZATION & STRUCTURE

SECTION 1. COMPOSITION
The Quarterly shall be composed of an Editorial Board, an Executive Board, Staff Editors, and a Faculty Advisory Board.

SECTION 2. EDITORIAL BOARD
Unless provided otherwise in these Bylaws, all third year, matriculated students of the College who are members of the Quarterly, including members of the Executive Board, are members of the Editorial Board. Under special circumstances, additional Quarterly members may become members of the Editorial Board, but such members cannot become members of the Executive Board. The judicial powers of the Quarterly shall be vested in the Editorial Board. The Editorial Board shall be responsible for all disciplinary decisions and shall have full charge of all property of the Quarterly.

SECTION 3. EXECUTIVE BOARD
The Executive Board shall consist of the Editor in Chief, the Executive Managing Editors, the Executive Internal Editors, the Executive Note Editors, the Executive Symposium Editors, the Executive Production Editors, the Executive Development Editors, and the Executive Online Editors. Each member of the Executive Board shall also be a member of the Editorial Board and shall be governed by the same bylaws as those pertaining to the Editorial Board. A person is ineligible to be a member of the Executive Board if such person is ineligible to be a member of the Editorial Board. The Executive Board shall be vested with all executive and legislative powers of the Quarterly and shall set the general policies and procedures of the Quarterly.

SECTION 4. STAFF EDITORS
Unless provided otherwise in these Bylaws, Staff Editors shall be second year, matriculated students of the College who have successfully completed the Inter-Journal Writing Competition and are otherwise eligible under these Bylaws and the Academic Regulations of the College then in force.
SECTION 5. FACULTY ADVISORY BOARD
The Faculty Advisory Board shall advise the Quarterly on the publishable quality of submitted articles, suggest potential topics and authors to pursue for publication, assist students with choosing a Note topic, and attend Quarterly events.

SECTION 6. DEFINITIONS
A. “Active Membership” shall include all Editorial Board members and Staff Editors who are fully matriculated at the College.
B. “Quorum” means 50% plus 1 of the membership of the body described, so that a quorum of the Executive Board is 50% plus 1 of the total membership of the Executive Board, and a quorum of the Editorial Board is 50% plus 1 of the total membership of the Editorial Board, and a quorum of the Quarterly membership is 50% plus 1 of the total membership of the Quarterly.

SECTION 7. LOCATION OF QUARTERLY OFFICES
The offices of the Quarterly shall be located at the College.

ARTICLE III
EDITORIAL BOARD MEMBERS

SECTION 1. ELIGIBILITY
All Staff Editors, or L.L.M. students with prior law journal experience, who are in good standing with the College and the Quarterly are eligible for appointment to the Editorial Board. Good Standing includes having successfully completed all Staff Editor duties and requirements, as described in Article IV.

SECTION 2. SELECTION
The Editor in Chief, or a delegatee, shall appoint all Editorial Board members. The Editor in Chief may consult with the outgoing Editorial Board members and others when selecting Editorial Board members, but shall retain ultimate decision-making authority. Each Editorial Board member shall serve a term of one year beginning at the end of the academic year following the election of the Editor in Chief.

SECTION 3. DUTIES AND RESPONSIBILITIES GENERALLY
Each Editorial Board member shall act as a representative of the Quarterly in good faith by upholding the highest standards of integrity and professional excellence. Each Editorial Board member shall be responsible for the training and instruction of his or her replacement in successor volumes or otherwise regarding the scope and duties of the office.

SECTION 4. DUTIES AND RESPONSIBILITIES FOR SPECIFIC OFFICES
A. Editor in Chief
The Editor in Chief shall have general supervision, direction, and control of the business and affairs of the Quarterly. The Editor in Chief has ultimate responsibility for the operations and policies employed and adopted by the Quarterly and has final authority to determine its content.
B. Managing Editors
The Managing Editors shall be responsible for the production of the Quarterly. This includes soliciting new articles; organizing and supervising the article vetting, substantive edit, technical edit, and production-edit processes; and ensuring that publications are on time.
C. Internal Editors
The Internal Editors shall be responsible for all membership matters and financial business of the Quarterly. This includes preparing a budget, supervising and organizing the grading of the Inter-Journal Writing Competition applications, maintaining current member information, scheduling activities and events, maintaining the Quarterly office, and tracking Staff Editor performance for disciplinary purposes.
D. Articles Editors
The Articles Editors shall solicit, receive, review, and select submissions for publication in the Quarterly. Articles Editors shall also perform a substantive edit on each article selected for publication.

E. Supervising Editors
The Supervising Editors shall check all citations for substantive and technical accuracy by reference to the cited source and the most recent edition of the Bluebook: A Uniform System of Citation.

F. Production Editors
The Production Editors shall be responsible for all general and particular formatting of the Quarterly and all published articles.

G. Note Editors
The Notes Editors shall organize and supervise the Note writing process. This includes planning a Note orientation meeting and individual meetings with Note writers, reviewing final Note submissions, and nominating Notes for publication.

H. Symposium Editors
The Symposium Editors shall plan the annual symposium. This includes selecting a topic; securing authors and speakers; preparing a symposium event budget; arranging for Mandatory Continuing Legal Education event eligibility as feasible; coordinating travel, lodging, venue, and catering services for the event as needed; and creating an event promotion and marketing strategy.

I. Development Editors
The Development Editors shall be responsible for creating and maintaining an alumni database, organizing alumni events, soliciting donations on behalf of the Quarterly, and other similar duties established by the Executive Board.

J. Online Editors
The Online Editors shall be responsible for ensuring the functionality of all technological aspects of the Quarterly, including maintenance of office computers, websites, and any other online information regarding the Quarterly and its operations.

ARTICLE IV
STAFF EDITORS

SECTION 1. ELIGIBILITY
A. First Year Students
Only first year students who are in good standing with the College and who have completed the Inter-Journal Writing Competition are eligible to be Staff Editors.

B. Transfer Students
Second-year transfer students may gain membership with the Quarterly by participating in the Inter-Journal Writing Competition for the year that they transfer into the College.

C. Continuing Students
Students in joint degree programs and on academic leave of absence will be offered deferred membership on the Quarterly. In such a case, students will be Staff Editors during the year they resume their full-time matriculation at the College. If continuing students were not previously members of the Quarterly, such students may gain membership with the Quarterly by participating in the Inter-Journal Writing Competition for the year that they resume their full-time matriculation at the College.

D. Other Students
Students who are not eligible to be Staff Editors by reason of failing to satisfy the above eligibility requirements of this section shall not be made eligible to become Staff Editors by other means.

SECTION 2. SELECTION
A. Inter-Journal Writing Competition Committee
All Staff Editors shall be selected according to the procedures outlined by the Inter-Journal Writing Competition Committee and these Bylaws.
B. Quarterly Writing Competition
In the event that the Inter-Journal Writing Competition Committee fails to produce a writing competition or grading criteria, the Quarterly shall design and execute its own writing competition based on past competitions or its own grading criteria, as necessary. In such event, the Quarterly’s writing competition shall be based on a challenging legal problem; applicants will be provided with research materials sufficient to complete the competition; the competition shall require factual analysis as well as application, comparison, and distinguishing of the supplied materials; and the form of the writing competition will emphasize balance rather than advocacy.

C. Grading Criteria
In general, application evaluations shall be based on citation format and proper use of authority, grammar, organization, clarity, and rhetorical style. The Internal Editors shall be responsible for formulating the details of the grading procedures and criteria, but may rely on the recommendation of the Inter-Journal Writing Competition Committee provided these recommendations meet or exceed the standards of the Quarterly.

D. Honor Code
Each applicant must work independently. All applicants shall be admonished not to discuss with or seek help from any other person regarding the writing competition during its administration. Outside research is not permitted. Any applicant found to be in violation of the Honor Code shall forfeit his or her application.

SECTION 3. DUTIES AND RESPONSIBILITIES GENERALLY
Each Staff Editor shall act as a representative of the Quarterly in good faith by upholding the highest standards of integrity and professional excellence. Each Staff Editor shall fulfill their duties and responsibilities in a timely manner and promptly notify their supervising member of the Editorial Board or, failing that, another Editorial Board member if he or she is unable to perform any of his or her duties or responsibilities.

SECTION 4. DUTIES AND RESPONSIBILITIES SPECIFICALLY
The following duties and responsibilities of Staff Editors must be fulfilled in order to receive academic credit and maintain good standing with the Quarterly. Failure to complete any one of these duties and responsibilities may result in removal of that Staff Editor from the Quarterly and forfeiture of academic credit.

A. Payment of Dues
All Staff Editors shall pay their dues in full by the second week of classes. If a Staff Editor is unable to pay his or her dues within this period, he or she must promptly notify an Executive Internal Editor.

B. Orientation and Training
All Staff Editors must attend orientation and complete technical edit and source pull training.

C. Office Hours
All Staff Editors must sign up for and attend one weekly office hour shift per semester. Staff Editors must not be late to their office-hour shifts and must follow those procedures as established by the Internal Editors while on shift, including as necessary, signing in and signing out; archiving new submissions; general office maintenance; and any other assigned tasks.

D. Editing Assignments
All Staff Editors shall complete all editing assignments, including source pulls and technical edits, in a timely and satisfactory manner. The Supervising Editors shall determine what constitutes timely and satisfactory completion of all editing assignments.

E. Note Assignment
All Staff Editors shall complete a Note of publishable quality. The Note shall make a novel, non-obvious, and useful argument about a constitutional legal issue. The Note Editors shall determine the particular requirements for the Note to be considered of publishable quality.

F. Symposium Event
All Staff Editors shall host, attend, and otherwise participate in the Symposium Event. The Symposium Editors shall direct all Staff Editor participation in this event.
G. Annual Alumni Event
All Staff Editors shall host, attend, and otherwise participate in the Annual Alumni Event. The Development Editors shall direct all Staff Editor participation in this event.

H. Inter-Journal Writing Competition Grading
All Staff Editors, regardless of whether they have been appointed to the incoming Editorial Board, shall assist in the grading of the Inter-Journal Writing Competition applications during the Summer following the completion of their second year.

ARTICLE V
ELECTIONS & APPOINTMENTS

SECTION 1. ELIGIBILITY OF EDITOR IN CHIEF
Any Staff Editor who is in good standing with the College and the Quarterly, and who has submitted a Statement of Candidacy, may run for Editor in Chief as an official candidate. Only official candidates will be considered eligible for election.

SECTION 2. STATEMENT OF CANDIDACY
Official candidacy is obtained by submitting a Statement of Candidacy to the Editor in Chief no later than two weeks before the election. The Quarterly shall copy and distribute, at its own expense, any Statement of Candidacy that is timely submitted. All Statements of Candidacy shall be limited to one page.

SECTION 3. CANDIDATES’ FORUM
The Candidates’ Forum shall be held during the Spring Semester. During the Candidates’ Forum, each candidate shall present a brief statement and answer questions from the floor. The Editorial Board retains authority to determine at its discretion the particular procedures of how the Candidates’ Forum is to be conducted.

SECTION 4. VOTING FOR EDITOR IN CHIEF CANDIDATES
Voting shall occur within two weekdays following the Candidates’ Forum, but not on a Monday or Friday. The candidate who obtains a simple majority (50% plus 1) of the votes cast by the active membership wins the election. If no candidate receives a simple majority of the votes cast, there shall be a run-off election between the two candidates receiving the highest vote totals. Voting shall be done by secret ballot. Each Editorial Board member and Staff Editor is entitled to one vote. The Executive Board will administer and monitor the voting. Specific vote counts shall not be disclosed to persons other than the candidates.

SECTION 5. APPOINTMENTS
Following the election of the Editor in Chief, all other Editorial Board positions shall be filled through appointment by the Editor in Chief.

ARTICLE VI
REMOVAL, RESIGNATION, WITHDRAWAL, AND VACANCY

SECTION 1. REMOVAL
A. Editorial Board Members
Any member of the Editorial Board may be removed by the Editor in Chief at his or her discretion, or by a two-thirds vote by the remaining members of the Editorial Board.

B. Staff Editors
Any Staff Editor may be removed by a three-fourths vote by the Editorial Board. In the event that such a removal is contemplated, the Editor in Chief shall meet with and discuss the proposed removal with the Director of Scholarly Publications and the Academic Dean or their equivalents. If membership is thereafter revoked by a three-fourths vote by the Editorial Board, the former Staff Editor must expunge
any and all references to current or future membership on the Quarterly on his or her résumé and employment applications. Removal of a Staff Editor may occur due to any, but not limited to the following:
1. Plagiarism
2. Failure to satisfy any of the Quarterly’s Staff Editor duties and responsibilities
3. Inappropriate behavior as determined by the Editor in Chief

SECTION 2. RESIGNATION
Any Editorial Board member may resign from the Quarterly for any reason at any time by notifying the Editor in Chief in writing. Once resigned, the former Editorial Board member must expunge any and all references of the Editorial Board position on his or her résumé or employment applications.

SECTION 3. WITHDRAWAL
Any Staff Editor may withdraw from the Quarterly at any time for any reason by notifying the Editor in Chief in writing. Once withdrawn, the former Staff Editor must expunge any and all references to current or future membership on the Quarterly on his or her résumé or employment applications. Withdrawal shall result in forfeiture of any and all academic credit for Quarterly membership.

SECTION 4. VACANCY
A vacancy on the Editorial Board that occurs outside of the regular electoral process shall be filled with an Editorial Board member selected by the Editor in Chief. If the office of the Editor in Chief becomes vacant, the Editorial Board shall select one of its members to fill the vacancy for the remainder of the term. The Editorial Board may select either an Editorial Board member or a Staff Editor to fill the resulting Editorial Board vacancy caused by filling a vacancy in the position of Editor in Chief.

ARTICLE VII
TRANSITION

SECTION 1. RESPONSIBILITIES OF THE OUTGOING EDITORIAL BOARD
The outgoing Editorial Board is responsible for ensuring a smooth transition between academic years, and for helping incoming Editorial Board members to understand their new positions. All outgoing Editorial Board members shall prepare documents (both paper and electronic as necessary) to be presented to the incoming Editorial Board. The documents shall contain the current status of all responsibilities of the Editorial Board position, any problems encountered in carrying out the duties of the position and any solution(s) implemented, any suggestions for the incoming editor(s) regarding the execution of the position, and any other pertinent information.

SECTION 2. TRANSITION PERIOD
The transition period will begin upon the announcement of the results of the election of the Editor in Chief. The transition period will end at the conclusion of that same academic year. As the incoming Editor in Chief appoints all Executive Board members, the two Executive Boards will serve concurrently until the end of the transition period. The incoming Executive and Editorial Board members will be considered in training during this period and will have authority in accordance with the scope of their particular offices, but the outgoing Editorial Board shall retain superior authority for all matters concerning its volume. At the end of the transition period, the incoming Editorial Board shall officially take over all editorial duties of the Quarterly.

SECTION 3. TRANSITION PROCESS
The transition process will consist of no less than two meetings of the outgoing Executive Board attended by the incoming Executive Board members; no less than one meeting of the incoming and outgoing Editor in Chiefs and internal Editors to discuss the Quarterly’s budget and other administrative matters; and no less than one meeting between the outgoing and incoming Managing Editors and Articles Editors. There shall be meetings as
necessary between incoming and outgoing Editor in Chiefs, Executive Managing Editors, Executive Internal Editors, Executive Note Editors, Executive Symposium Editors, Executive Production Editors, Executive Development Editors, and Executive Online Editors. The purpose of the specific editors’ meetings is to introduce incoming editors to the specific responsibilities of their position and to offer suggestions on how to improve the position.

SECTION 4. MEMBER HANDBOOK
The Editor in Chief, or a designee, shall be responsible for the creation and maintenance of a Member Handbook that shall serve as a guide for all the policies and practices of the Quarterly. The Member Handbook will include a copy of the most recently ratified Bylaws; guides to article processing, technical editing, and source pulling; the Note Handbook; a description of the structure and organization of the Quarterly; and a list of specific responsibilities of all Quarterly members.

ARTICLE VIII
MEETINGS

SECTION 1. EXECUTIVE BOARD MEETINGS
The Executive Board shall hold meetings at least once a month during the academic year, or as necessary. The attendance of a simple majority (50% plus 1) of all current Executive Board members shall constitute a quorum for the transaction of business. Business may be transacted when meetings are attended by a quorum of the Executive Board. Additional meetings may be convened by the Editor in Chief or at the request of 1/3 of the Executive Board members, as needed. Meetings of the Executive Board shall be open to all Quarterly members.

SECTION 2. GENERAL MEETINGS
The Quarterly shall hold a general meeting for the entire active membership at least once a semester. A simple majority (50% plus 1) of all active members shall constitute a quorum for the transaction of business. Business may be transacted when meetings are attended by a quorum of the active membership. Additional meetings may be convened by the Editor in Chief or at the request of 1/3 of the Executive Board members, as needed.

SECTION 3. SPECIAL MEETINGS
A Special Meeting may be convened by the Editor in Chief, 1/3 of the Executive Board members, or 1/3 of the active members. A Special Meeting shall include the entire active membership. At least five (5) days notice shall be given to all Quarterly members about the occurrence of an upcoming Special Meeting. A simple majority (50% plus 1) of all active members shall constitute a quorum for the transaction of business. Business may be transacted when meetings are attended by a quorum of the Quarterly membership.

SECTION 4. ELECTRONIC VOTING TO ASCERTAIN WILL OF THE ACTIVE MEMBERSHIP
The Editor in Chief, 1/3 of the Executive Board members, or 1/3 of the active membership may call for an electronic vote to be taken of the active membership of the Quarterly to determine the will of the membership with regard to an urgent issue not involving the expenditure of Quarterly funds. Such a vote would be taken of the membership by electronic ballot to ascertain only the will of the active membership with regard to such an issue. To the extent practicable, notice of an upcoming electronic vote shall be given to the members and the time for voting shall be made as long as possible under the circumstances. Such a vote will be used to express the official will of the active membership where the number of votes cast constitute a quorum (50% plus 1) of the active membership; but where the number of votes cast is less than this amount, the vote will be used to express the unofficial will of the active membership. In either case, a simple majority (50% plus 1) of the votes cast will establish the will, official or not, of the active membership on that issue.
SECTION 5. MINUTES
The Editor in Chief, or a designee, shall be responsible for the taking of minutes at every meeting at which business may be transacted. Minutes shall be typed up and posted in the Quarterly office within a week of the meeting.

SECTION 6. PRESIDING OFFICER
The Editor in Chief, or a designee, shall preside over all meetings.

ARTICLE IX
COMMITTEES

SECTION 1. COMMITTEES GENERALLY
The Executive Board shall designate Committees as necessary, and shall act on committee recommendations in a timely manner. The Executive Board shall appoint members to such committees, which may be organized with regard to any aspect of the Quarterly's management or organization. Membership on a Standing Committee shall continue throughout one academic year, ending when a member’s current position or office terminates at the close of the academic year.

ARTICLE X
NON-DISCRIMINATION AND STUDENT ORGANIZATION POLICIES

SECTION 1. ADHERENCE TO NON-DISCRIMINATION AND OTHER POLICIES
The Quarterly adheres to and adopts as its own the Policy on Non-Discrimination of the College, and complies with the Policies and Regulations Applying to College Activities, Organizations, and Students of the College. If a provision of these bylaws is found to conflict with an official College regulation or policy, the College regulation or policy will govern.

ARTICLE XI
PUBLICATION, AMENDMENT, AND RATIFICATION

SECTION 1. PUBLICATION
A copy of these Bylaws shall be provided to every Quarterly member. A copy of these Bylaws shall also be kept on file in the Quarterly offices for inspection by any member.

SECTION 2. AMENDMENT
These Bylaws may be amended or repealed and new bylaws adopted by the vote of a simple majority (50% plus 1) of the active membership.

SECTION 3. RATIFICATION
These Bylaws and any amendments shall be ratified annually at the Fall general meeting by a simple majority (50% plus 1) of the active membership; if they are not so ratified, the Bylaws and any amendments shall continue in force until the Spring Semester General Meeting where they must be ratified by a simple majority (50% plus 1) of the active membership.