Student Note Submission Guidelines and Requirements

Texas Environmental Law Journal

The Texas Environmental Law Journal is currently is accepting submissions for student notes for Volume No. 50 to be published 2019–2020. This volume will consist of two issues, each containing two to three student notes.

The Journal is produced for publication by a group of students of the University of Texas School of Law in association with the Environmental and Natural Resources Law Section of the State Bar of Texas. The Journal publishes lead articles, student notes, and recent developments twice annually to provide and maintain strong academic discourse in environmental law.

Topic

The Journal publishes timely and important pieces addressing a broad range of environmental law topics. Often, environmental issues stretch into other intimately related fields such as natural resource law, property law, administrative procedure, constitutional law, policy, and economics. The Journal generally only publishes notes that address significant current issues in environmental law and its neighboring topic areas.

Most student notes address narrow legal questions with a well-developed (and well-cited) argument. The Journal publishes student notes that *advance* *or developing an argument*, (rather than merely summarizing) and that are not preempted by past scholarship in the Journal or other legal publications. One of the most common shortcomings of Notes not selected for publication is that they are overly descriptive and fail to make an argument.

Examples of Student Note Approaches:[[1]](#footnote-1)

* **Case Law Model**: This approach addresses an area where case law is tangled, conflicting, incoherent, or transitioning and suggests reshaping the doctrine in a particular way to resolve the issue. These notes will often refer to policy (equity, efficiency, etc.) and often focus on circuit splits or other conflicts among the courts.
* **Law Reform**: This approach addresses an area where the law (legal rule, institution, statute, regulation, etc.) is flawed and argues how to change the law to avoid particular, articulated problems.
* **Legislative Note**: This approach focuses in depth on proposed or recently enacted legislation (or rulemakings), with comments on impacts, criticisms of choices, and suggestions for alternations.
* **Interdisciplinary Note**: This approach relies on both legal analysis and analysis from another field (psychology, economics, environmental science, etc.) to address a troublesome legal issue.
* **Theory-Fitting Note**: This approach looks to articulate a novel theory of the underlying behavior of a legal theory in practice (e.g. how does *Chevron* deference work as a matter of practice as opposed to focusing on the theoretical language borrowed across cases). The goal of this approach is to articulate what a legal doctrine actually is rather than what the language in the case law purports the legal doctrine to be
* **The Legal History**: This approach focuses on the origins and development of a legal regime (or institution) to discuss current operation and shortcomings (or benefits).
* **Comparative Law**: This approach looks to different legal systems (international law or foreign law) to elucidate possible lessons for the legal system in the United States.

Page Limits, Citations, and Formatting

There are no page limits or minimums for student notes. Students often submit seminar papers written for academic credit without addition or subtraction. However, we greatly value both depth and concision. Accordingly, the ideal note provides enough detail to adequately discuss the topic without including excessive tangents that detract from the focus of the work. In other words, sufficient clarity and context should dictate the length of the note. Based on the topic chosen, excessive brevity and length will weigh against acceptance of the note for publication.

Citations must conform to the most recent edition of The Bluebook: A Uniform System of Citation and, where applicable, The Greenbook: Texas Rules of Form. The Journal also follows the guidelines set forth in the Texas Law Review Manual on Usage and Style. **The Journal** **generally** **will not accept notes with endnotes or in-line citations.** The following formatting guidelines should also be followed.

Formatting Guidelines:

* **Above-the-Line:**
	+ Author details (e.g. J.D. Candidate at the University of Texas School of Law) should be provided **at the end** of the note, not as a footnote to the author’s bi-line;
	+ 12-point, Times New Roman Font; Double Spaced; Justified
	+ The start of each paragraph should be preceded by an **indent on the ruler**, rather than by tabbing. No line breaks between paragraphs, particularly manually entered line breaks.
	+ All sentences should be separated by a single (not a double) space.
* **Below-the-Line:**
	+ All citations should be provided in single-space footnotes.
	+ 10-point, Times New Roman Font; Justified
	+ All footnotes should be **superscript** (e.g.: 1, not 1.)
	+ No line breaks between footnotes, particularly manually entered line breaks.
	+ URLs: **Do not** attempt make URLs look proper by entering spaces (interferes with the editing process and can be done prior to publication). Remove all hyperlinks.

Deadlines

The Journal accepts student note submissions for publication on a rolling basis. Submissions will be considered in the order received, and we encourage early submission. While the Journal does not have official deadlines for submissions, Issue 1 is generally filled by August 30th and Issue 2 is generally filled by December 31st.

How to Submit

The Journal accepts submissions in two main ways. First, the Journal accepts direct submissions. Second, the Journal accepts submissions through two online submissions platforms (Scholastica and ExpressO).

Direct Submissions:

* **Contact:** *Lead Articles & Notes Editor*
* **Email:** teljsubmissions@gmail.com
* **Contents:**
	+ Note in Word format (.doc or .docx)
	+ Resume (optional)
	+ Abstract/Summary (optional; email body or separate document)
	+ Preemption Check (optional)
		- Authors are **strongly** encouraged to do a preemption check but no documentation is required for submission

ExpressO:

* <https://www.bepress.com/products/expresso/authors/>
* **Contents:**
	+ Note in Word format (.doc or .docx)
	+ Resume (required)
	+ Abstract/Summary (optional; email body or separate document)
	+ Preemption Check (optional)
		- Authors are **strongly** encouraged to do a preemption check but no documentation is required for submission

Scholastica:

* <https://scholasticahq.com>
* **Contents:**
	+ Note in Word format (.doc or .docx)
	+ Resume (required)
	+ Abstract/Summary (optional; email body or separate document)
	+ Preemption Check (optional)
		- Authors are **strongly** encouraged to do a preemption check but no documentation is required for submission

Upon reciept by the Journal, you will receive an e-mail from the Lead Articles & Notes Editor acknowledging receipt of your submission and an expected decision date.

Review Process

Upon reciept, the Journal will assign your note to a pair of Articles & Notes Editors for consideration. You will be informed of the Journal’s decision by the Lead Articles & Notes Editor within two weeks of submission in most circumstances. If you require expedited review because you have an offer to publish from another publication, please indicate so (and a desired response date) in your submission e-mail. Where possible, the Journal will attempt to honor all expedited review requests.

If your note is accepted for publication, you will be required to sign the Journal’s standard licensing agreement. The Journal also reserves the right to conditionally accept notes pending particular corrections or steps by the author to prepare the note for publication.

At the discretion of the Lead Article & Notes Editor, the Journal may provisionally consider notes that currently incomplete (but in progress). For such provisional consideration, please provide the Journal with an abstract or early draft **and** a summary of the remaining work and the expected completion date. Depending on work quality, time constraints, topic, and interest in the piece, the Journal may offer conditional publication (conditioned on timely completion).

Acceptance Review Guidelines: Prospective Student Notes are evaluated under the following criteria by the Articles & Notes Editors. Please note that there are two “bars” to an Articles & Notes Editor accepting a note: (1) preemption, and (2) lack of timeliness.

1. **Practicality (10pts):** Does the note provide a concise answer to a legal question? Could a practicing lawyer use the note as a useful and accessible resource? If the note is primarily of academic value, does it explore a current and important area in the scholarship?
2. **Focus (10pts):** Does the note have a specific topic, a clear thesis, and provide informative commentary and analysis? Does the note simply overview material a broad area of law? Does the note pursue a specific legal inquiry without unnecessary tangents?
3. **Persuasive (10pts):** Does the author make a persuasive case for arguments? Are all claims supported by sufficient and well-cited support? Does the author recognize, address, and evaluate counterarguments or accept them as potential weaknesses? Do the author’s conclusions logically follow from the rest of the analysis? Are author’s arguments internally consistent?
4. **Citation (10pts):** Did the author strictly (and successfully) adhere to Bluebook and Greenbook citations? Are footnotes sufficiently thorough and explained through parentheticals where appropriate? Will it take a lot of work to edit this note’s citations?
5. **Organization (5pts):** Can a reader simply pick up the note and easily find the answer to her legal inquiry? Can the student’s thought process be easily followed?
6. **Readability (5pts):** Independent of the above factors, is the note accessible or is it overly reliant on “legalese”? Is the writing intelligent and sophisticated, and also approachable and understandable? Does the note make the source material more or less accessible to the reader?
7. **Substance (5pts):** Does the note focus overly on historical and developmental overviews? Independent of the above factors, is the substantive material the majority of the work and is it interesting and relevant today?
8. **Concision (5pts):** Is the note concise and well edited to ensure that there is no superfluous language? Is the note “tight”?
9. **Bonus (5pts):** Is the note creative, with a fresh approach to the subject matter? Does the note make the editor want to publish it? Is the writing charismatic? Are there other factors warranting publication?

Editing Process

The Journal aspires to keep editorial interventions to a minimum to preserve the author’s style. However, students whose notes are selected should be prepared to work with the editorial staff to produce a high-quality publication together. This will often include recommendations for added authorities and edits, both above and below the line. Each selected note will be assigned to one of the Journal’s Articles and Notes Editors for the duration of the editing process. This allows the author to recieve individualized attention and transparency throughout the editorial process. Any questions during editing may be directed to the Lead Articles and Notes Editor.

1. *See* Elizabeth Fajans & Mary R. Falk, Scholarly Writing for Law Students (1995). This list is certainly not exhaustive of reasonable note approaches, but provides some framework for ensuring that student notes are not merely summarizing the applicable law. [↑](#footnote-ref-1)