

2023-24 WESTERN STATE LAW REVIEW: OUTSIDE ARTICLES' MANUAL

This manual is an attempt by the editorial staff to make the process of writing for Western State's Law Review a bit easier. This Manual lists and describes the required formatting and standards, and offers tips to help Outside Authors in the writing process. Should you have any questions or concerns, please do not hesitate to contact Western State's Law Review and/or the Editor in Chief and Managing & Executive Production Editor.

Revised by the 2023-2024 Editor-in-Chief, Managing & Executive Production Editor and Outside Articles Editors.

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WRITING STANDARDS

Whatever type of article you choose to write, it must meet the following minimum standards:

- (1) NOVELTY:** Your article must make a unique contribution to the legal field. Articles about topics that have likely already been thoroughly covered in other journals, practice guides, or hornbooks will probably not be acceptable.
- (2) READABILITY:** The primary audience of the Western State Law Review is legal practitioners and academics in Southern California. Your article must be something these people would be interested to read. With apologies to Justice Stewart, it is hard to define "readability," but we all know it when we see it. Imagine yourself, as a member of Southern California's legal community, reading your article from the beginning. Do you want to keep reading, or are you so bored that you want to read something else?
- (3) TOPICALLY:** Again, we tend to publish only articles that would be of interest to members of the Southern California legal community.
- (4) RESEARCH:** You should thoroughly research the topic you are writing about, and your writing should reflect your research. Every proposition of fact or law in your paper must be cited in a footnote. A typical 15-page law review article will have 100-150 footnotes.
- (5) TECHNICAL REQUIREMENTS:** Your article should be in Microsoft Word format, at least 15 pages, Times New Roman 12-point font, double-spaced, with one-inch margins. Indent the first line of each paragraph 1/2 inch. Your footnotes should be Time New Roman 9-point font, single-spaced. The beginning of the footnote (including the number and first line) should be indented 1/2 inch (you can do this by simply pressing "tab"). See Footnote 1 for an example of what a proper footnote looks like.¹ Use footnotes rather than endnotes (footnotes appear at the bottom of the page while endnotes appear at the end of the documents). Your paper should be free of any grammar or spelling errors.
- (6) CITATION FORMAT:** All propositions of fact and law must be cited in your footnotes. Use the citation format in the Bluebook, 21st Edition. The following are local citation rules:
 - (a) If you are citing a California case, cite to the official reporter. If you are citing a case from a state other than California, cite to the appropriate West regional reporter.
 - (b) When citing a California Court of Appeals case, do not cite the appellate district. When citing a United States Court of Appeals case, you *must* cite the circuit.

¹ Mills James, *Newsom Oks Bill Blocking Bar's Legal Service Reform Plans*, Law360 (Sep. 20, 2022, 4:25 PM), <https://www.law360.com/articles/1532373/newsom-oks-bill-blocking-bar-s-legal-service-reform-plans>.

(c) When citing a current code section, cite to the official, unannotated code, and omit the publisher and the year. Examples:

Correct: 9 U.S.C. § 142. *Incorrect:* 29 U.S.C.A. § 142 (West 2001).

Correct: Cal. Penal Code § 191. *Incorrect:* Cal. Penal Code Ann. § 191 (LEXIS L. Pub. 2002).

(d) Use the full citation form and short form when appropriate.

QUICK CHECKLIST

Spelling:

- Please ensure that all words and names are spelled correctly. Note: although you must run "spell check" in this process, you cannot rely on "spell check" exclusively. For example, "spell check" will not notice the error in "the Supreme Court found the result dictated by statute."

Grammar:

- A passing article will not contain grammatical errors. To assist you, we recommend that you (1) run "grammar check" on Microsoft Word or similar program, (2) consult the office copy of *Webster's Standard American Style Manual*, and (3) coerce talented friends and relatives into reading your drafts. If necessary, you may have to pay someone to do this for you - a college English professor, for example. Also, please note the differences between "further" and "farther", "insure" and "ensure", "fewer" and "less", "affect" and "effect", "lay" and "lie", "found" and "held" (the former for findings of fact, the latter for conclusions of law).

Formatting and Citations:

- Font:** Times New Roman 12 is preferred for text; other forms of Roman 12 are acceptable. Footnotes should be in Times New Roman 9.
- Formatting:** The Executive Board recommends the use of Microsoft Word. Please, please do not put any formatting in the article (i.e., do not try to make your paper look like it would appear in the actual volume). Instead, *use the format defined in this manual: one inch margins all the way around*.
- Spacing:** All text is double-spaced; all footnotes are single-spaced.
- Footnotes:** Use the citation format in the Bluebook.
- Pages must be numbered:** Bottom of every page, centered.
- Justification:** Do not justify your article. Justified type is miserable to proofread. All text should be left or center aligned as appropriate.
- Title:** The title appears on the first page, at the top, in the center. Capitalize the first letter of each word, except articles, conjunctions, and prepositions of four letters or less.
- Author's Name:** The author's name goes at the end of the article, and biographical information is indicated by an asterisk footnote, which is indented right. The author's name appears italicized at the end of the text.
- Case names in text and footnotes:** In text and footnotes, case names are not italicized, unless you are using a short cite after having previously used a full cite for the case. *See* Bluebook Rule 2.1.

- Underlining:** Nothing is underlined. (Underlining was a pre-DTP way of showing the printer what was to be italicized in the final, printed version.)
- Contractions:** Do not use contractions in your article. Example: "he could not" is preferred to "he couldn't." (Note that this is a writing guide, not a law review article, so we can get away with it. You can't.)
- Law Reviews' citation format:** The format for citing specific law reviews appears in the Bluebook's Rule 16. If the review you need is not listed, look in the front of the printed volume itself.
- "Need cite":** Cannot appear, ever, in a final draft. Neither can it appear in the first draft. Ditto for "get cite." It's far easier to put down the correct cite the first time, than to return later and attempt to reconstruct your research.
- "Section" vs. "§":** See Bluebook Rule 6.2 et. seq. The section symbol ("§") should only be used when it is not the first word of any sentence.
- Quotations over fifty words:** In both the text and in footnotes, quotations over fifty words must be indented on both sides, justified, and are not enclosed by quotation marks.
- Signals:** *See, Id., See Id., Compare, Supra, Infra, But See, See Also*, are incredibly useful. Please learn their differing purposes. The Bluebook gives a good explanation.
- Citations to books, law reviews, journals, treatises, legislative materials, constitutions, newspaper articles, and similar:** We follow the Bluebook in citing these materials. Please confirm that your citations are in the proper format.
- Judges' Names:** Please make sure that your references to judges are respectful of the office they hold. Do not, for example, write, "Scalia said." Please note the difference between magistrates, judges and justices.
- Shepardize/Key Cite:** All cases, statutes, and similar authority before submitting your article.

Note: this list is not designed to be exhaustive, but rather is a quick reminder of the major problems the Executive Board frequently sees. If you have any questions, we recommend the following:

Consult the Bluebook 21st Edition for more information on citations. Consult the Chicago Manual of style or similar text for other questions. Always feel free to ask the Managing Editor or the Editor-In-Chief. We are all here to help.

THE EDITING PROCESS

Upon turning in your article for publication, members of the Editing Committees will begin editing the article. It is important to note that the names of the author will be removed from the article during the editing process to ensure anonymity.

(1) REDLINING. Law Review editorial members will edit publications by “redlining” the author’s article. All edits will be conducted through Microsoft Word by “tracking changes” that the Editor has made. These changes will appear in red throughout the article and will also be noted on the right side of the article. Upon receiving the edits, it is the author’s responsibility to accept or reject these changes. The author can typically expect to receive three separate documents with edits: (1) footnote edits; (2) quotation and formatting edits; and (3) general edits. The author must compile these three separate edits into one document. All edits will be done anonymously.

It should be noted that the author is not required to accept every change that the editors have made, rather the author is permitted to use their judgment to determine what is correct or incorrect for their article.

An author may not respond to the edits. Edits made by the editing committee are not meant to initiate a conversation between the author and the editor. It is up to the author’s discretion to accept or reject these changes.

(2) EDITING ROUNDS. There will be two rounds of editing. Upon completion of an article for publication, the author must send their article to Law Review for the first round of editing (described herein). After accepting or rejecting the first round of edits by the editing members, the author will send their edited article back to Law Review for a second round of editing – this second editing round is usually limited to only the Student Writer Editor, the Managing and Executive Production Editor, and the Editor-in-Chief. The second round of editing is usually a quick redline to ensure there are no errors missed in the first round of editing. The Editing Committees will then send the second round of edits back to the author – the author must then accept or reject these edits, again, by sending back an edited and complete document. At this point, the Managing and Executive Production Editor will send the article to the Publisher(s) for publication. Shall the Editing Committees need any additional edits or substantive revisions, the author is responsible for making these relevant revisions.

(3) EDITS WILL BE NON-SUBSTANTIVE. While Law Review members may give advice on how to make the article better or more interesting, editing members will not provide any substantive changes to an article. In other words, members will edit the article “as is” and simply edit the article as provided to them – they will not add sentences or paragraphs (but may delete information that they do not find useful or relevant).

(4) FOOTNOTES. As mentioned throughout this Manual, it is imperative that the author properly complete citations by following the 21st Edition of the Bluebook. While editing members will make changes and edit footnotes that are incorrect, this does not excuse the author's duty to provide adequate citations. An utter and overt failure to complete footnotes will result in a rejection of an article.

(5) DEADLINES. Failure to meet the deadlines for editing will result in a rejection of the article for publication. It is imperative that authors meet all deadlines in order to ensure that the publication process runs smoothly. If you have any questions or concerns about the dates, please do not hesitate to contact Law Review.

Please consult the “Outside Articles Publication Deadlines” document provided to you for relevant deadline descriptions and information.