INDIANA HEALTH LAW REVIEW

BYLAWS


ARTICLE 1

Organization Name

This organization shall be and hereby is named the Indiana Health Law Review.

ARTICLE 2

Purpose and Goals

Section 1: Purpose. The purpose of the Indiana Health Law Review shall be to publish a scholarly review to further legal education with a focus on health care law and policy and its related topics.

Section 2: Goals. The goals of the Indiana Health Law Review shall be to promote excellence in the writing, research, and analytical skills of its members and to provide a forum for legal commentary of interest to the academic and legal communities related to all-encompassing areas of health care law and policy.

ARTICLE 3

Membership

The membership of the Indiana Health Law Review shall consist of the Executive Board, Associate Editors, Associate Members, and Note Candidates.

Section 1: Eligibility. A student eligible for selection to and retention of membership on the Indiana Health Law Review must possess the following qualifications:

a) For selection, a student must have a minimum grade point average of 3.0 on a 4.0 scale.

b) For retention, members must maintain good academic standing pursuant to current Indiana University Robert H. McKinney School of Law standards.

1. Any active member placed on academic probation will also be placed on probation by the Indiana Health Law Review.

c) An accurate and honest application for membership must be on file with the Indiana Health Law Review.

1. Fraud or misrepresentation contained within the application of any applicant is grounds for revocation of membership.
Section 2: Application. Except as provided in Section 5 of this Article, Student Note Candidates for each volume shall apply through the Joint Writing Competition held at the end of each spring semester. Student Note Candidates will be chosen according to policies adopted by the Executive Board and through a process that is administered by the Executive Notes Editor.

Section 3: Requirements for Invitation to the Position of Student Note Candidate. Except as provided in Section 5 of this Article, an application is required for an invitation as a Student Note Candidate. The requirements of full-time students for potential membership as a Student Note Candidate are:

- a) the completion of at least thirty-one credit hours;
- b) has at least four remaining semesters of law school before completion;
- c) successful completion of Legal Communication and Analysis I and II; and
- d) attained a minimum cumulative grade point average of 3.0 on a 4.0 scale.

The requirements of part-time students for potential membership as a Student Note Candidate are:

- a) the completion of at least twenty-four credit hours;
- b) has at least four remaining semesters of law school before completion;
- c) successful completion of Legal Communication and Analysis I and II; and
- d) attained a minimum cumulative grade point average of 3.0 on a 4.0 scale.

Each student applying for membership as a Student Note Candidate to the Indiana Health Law Review, who is not eligible under Section 5 of this Article, must submit a memorandum certifying the above applicable requirements. Such memorandum will be supplied by the Indiana Health Law Review and must be submitted contemporaneously with the Joint Writing Competition memorandum as described in Article 3, Section 6.

Section 4: Requirements for Invitation to the Position of Associate Member. An application is required for an invitation as an Associate Member. The requirements of students for potential membership as an Associate Member are:

- a) has two remaining semesters of law school before completion;
- b) successful completion of Legal Communication and Analysis I and II; and
- c) attained a minimum cumulative grade point average of 3.0 on a 4.0 scale.

The total number of Associate Members accepted will not be more than one-third of the total number of Student Note Candidates selected for the Indiana Health Law Review. Factors that must be considered by the Executive Board when exercising its discretion to offer such membership include, but are not limited to:

- a) the number of issues intended to be published in that Executive Board’s volume;
- b) the number of Articles and Notes intended to be published in each issue;
- c) the substantive and editorial content of the Articles committed for that volume;
- d) the number of Executive Board members;
- e) the number of new members needed or desired;
f) the practical experience of the law review in the implementation of such membership; and

g) all other academic criteria relevant to the operation of the Indiana Health Law Review and the scholarly and timely publication of that volume.

Section 5: **Automatic Invitation.** Students who have met the applicable eligibility requirements as specified in Section 3 of this Article and who have attained a cumulative grade point average sufficient to place them in the top ten percent of their class after the earliest spring semester that renders them eligible for law review will receive an automatic invitation to the law review and are not required to apply for membership through the Joint Writing Competition.

This provision does not apply to Associate Members. Associate Members must still apply through the Joint Writing Competition.

Section 6: **Joint Writing Competition Guidelines.** All students desiring to apply for Student Note Candidate to the Indiana Health Law Review, and who are not eligible under Section 5 of this Article, must submit writing and editing samples in compliance with the Joint Writing Competition held at the completion of spring final exams.

a) Grading Criteria: Each applicant will be graded on a scale of 100 points. The writing sample is worth 75 points: 20 points for legal analysis, 15 points for organization, 15 points for citations, 15 points for style and mechanics, and 10 points for overall impression. The editing sample is worth 25 points. The writing and editing samples will be divided among the Executive Board. Two Executive Board members will grade each writing and editing sample. If one Executive Board member votes to accept the applicant while the other votes to reject the applicant, the Editor-in-Chief or Executive Notes Editor will serve as the tie-breaker and cast the final vote.

b) Number of Members: The number of members extended invitations for membership is not fixed but remains flexible in order to serve the changing needs of the Indiana Health Law Review and to allow for any year-to-year variations in the quality of the Joint Writing Competition entries. The Executive Board has complete discretion as to the number of members it will accept.

c) Selection: The Joint Writing Competition will be organized and directed by the newly elected Executive Notes Editor with assistance from the incumbent Executive Notes Editor. A committee comprised of the entire Executive Board will decide the selection of new members for the Indiana Health Law Review.

d) Procedure: Because the new Executive Board does not begin its duties until spring graduation, it does not have the authority to act until that time. Thus, the new Executive Board does not have the power to change any of the Joint Writing Competition guidelines. However, the new Executive Board may suggest changes to the incumbent Executive Board. If the incumbent Executive Board agrees with such changes, it may amend the Joint Writing Competition guidelines to incorporate the new changes. No changes to the Joint Writing Competition will be accepted after the last day of the spring semester (defined as the last day of spring final exams as per the official law school academic calendar).
Section 7: **L.L.M. Students.** L.L.M. students are not eligible to participate in the Indiana Health Law Review. Subject to the discretion of the Executive Board, an exception may be granted.

Section 8: **Transfer Students.** Transfer students who, but for their enrollment in the law school after completion of the Joint Writing Competition, would otherwise be eligible for membership on the Indiana Health Law Review, may be allowed, subject to the discretion of the Executive Board, to apply for membership on the Indiana Health Law Review by:

   a) submitting a satisfactory writing sample from the student’s legal writing class, consisting of six to eight pages, along with a resume and transcript in accordance with the timeline set by the Executive Notes Editor; and
   b) meeting the certification and other requirements contained in these Bylaws for Student Note Candidate membership.

The Executive Board is not required to extend invitations for membership to the Indiana Health Law Review to any transfer student. If the Executive Board decides to extend offers for membership, the number of transfer students accepted for membership to the Indiana Health Law Review will be left to the discretion of the Executive Board. The Executive Board will base acceptance of a transfer student for membership to the Indiana Health Law Review on an evaluation of the transfer student’s writing sample, resume, and transcript.

Section 9: **Privileges and Responsibilities of Student Note Candidates.**

   a) Each Student Note Candidate shall choose a topic on which to write a scholarly Note. The Executive Notes Editor or the Notes Editor must approve the topic.
   b) Each Student Note Candidate must complete all Note deadlines, comply with all assignment criteria, and perform a good-faith effort.
   c) Each Student Note Candidate shall be eligible to submit his or her finished paper to the Executive Board for consideration for publication as a Note in any issue deemed appropriate by the Executive Board.
   d) Each Student Note Candidate shall perform all editorial duties as assigned by members of the Executive Board in a thorough and timely manner sufficient to constitute a good-faith effort.
   e) Each Student Note Candidate shall assist the Executive Symposium Editor with preparing for the symposia.
   f) Each Student Note Candidate shall receive two graded credits for the fall (Candidacy I) semester, which shall not be assigned until his or her Note is completed and turned in, in publishable quality, by the assigned date. Each Student Note Candidate shall receive one non-graded (pass/fail) credit for the spring (Candidacy II) semester. Failure to comply with Note deadlines may have implications on the Student Note Candidate’s fall and spring grades and credits.
   g) Each Student Note Candidate shall be entitled to all other benefits and privileges, and subject to all duties and responsibilities, accorded to all other members of the Indiana Health Law Review unless specifically excepted by these Bylaws.

Section 10: **Privileges and Responsibilities of Associate Members.**
a) An Associate Member has the option of choosing a topic and writing a scholarly Note. This is not required. The Executive Notes Editor or the Notes Editor must approve the topic.
b) Each Associate Member must comply with all deadlines, assignment criteria, and perform a good-faith effort.
c) If an Associate Member chooses to write a Note, the Associate Member is eligible to submit the Note to the Executive Board for consideration for publication as a Note in any issue deemed appropriate by the Executive Board.
d) Each Associate Member shall perform all editorial duties as assigned by members of the Executive Board in a thorough and timely manner sufficient to constitute a good-faith effort.
e) Each Associate Member shall assist the Executive Symposium Editor with preparing for the symposia.
f) Each Associate Member shall receive one non-graded (pass/fail) credit for the fall and spring semesters. Failure to comply with deadlines may have implications on the Associate Member’s fall and spring credits.
g) Each Associate Member shall be entitled to all other benefits and privileges, and subject to all duties and responsibilities, accorded to all other members of the Indiana Health Law Review unless specifically excepted by these Bylaws.

Section 11: Registration. The number of graded or ungraded credit hours per semester that all members must register for are:

a) Student Note Candidates shall receive two hours of graded credit for the fall semester and one hour of ungraded credit for the spring semester.
b) Executive Board members shall receive one hour of graded credit for each semester of their final year on the Indiana Health Law Review.
c) Associate Editors shall receive one hour of ungraded credit for each semester during their last year on the Indiana Health Law Review.
d) Associate Members shall receive one hour of ungraded credit for their fall and spring semesters on the Indiana Health Law Review. For registration purposes, Associate Members must register as Associate Editors.

ARTICLE 4
The Executive Board

Section 1: Executive Board. The Executive Board of each volume of the Indiana Health Law Review shall consist of an Editor-in-Chief, an Executive Managing Editor, a Managing Editor, an Executive Notes Editor, a Notes Editor, an Executive Articles Editor, an Executive Symposium Editor, and an Executive Technology Editor.

Section 2: Eligibility. Only persons who have served as Student Note Candidates and who are in good standing shall be eligible to serve on the Executive Board. Good standing means meeting work requirements for the first year served on the Indiana Health Law Review, good academic
standing, writing a publishable Note, and meeting any other requirements set forth by the Executive Board.

Section 3: Selection. Student Note Candidates who are interested in serving as a member of the Executive Board during their second year on the Indiana Health Law Review shall submit an application to the Student Note Candidate’s Executive Board.

The Student Note Candidate’s Executive Board shall interview all Student Note Candidates who declare an interest in serving on the Executive Board during their second year on the Indiana Health Law Review.

A vote for the new Executive Board shall not be cast until each applicant has been interviewed. In the event of a tie, the Editor-in-Chief shall exercise the tie-breaking vote.

The newly appointed Executive Board shall assume office on the last day of the spring semester during their Student Note Candidate year, but they may be called upon to perform duties of their office before that time.

Section 4: Permanent Executive Board Vacancy. In the event that a permanent vacancy in any Executive Board position occurs for any reason, an Executive Board meeting shall be called to elect, by majority vote, a replacement from those persons who expressed an interest in serving on the Executive Board at the time of the original selection. The replacement shall serve until the end of the original Executive Board member's term. An Executive Board member elected to a vacated position must relinquish his or her original position, and a similar election must then be held to fill the resulting vacancy.

Section 5: Executive Powers. All executive powers of the Indiana Health Law Review shall be vested in the Executive Board, with such exceptions as are specified in these Bylaws. The Executive Board shall exercise its powers pursuant to any policies adopted by the Executive Board, provided that such policies do not conflict with these Bylaws.

Section 6: Legislative and Judicial Powers. All legislative and judicial powers of the Indiana Health Law Review shall be vested in the Executive Board, with such exceptions as are specified in these Bylaws. The Executive Board shall:

a) have full charge of all property of the Indiana Health Law Review;
b) set policies and general procedures of the Indiana Health Law Review; and
c) make all disciplinary decisions, excluding decisions to issue reprimands.

Section 7: Term of the Executive Board. The term of office of an Executive Board member shall be one year.

**ARTICLE 5**

*Executive Board Responsibilities*
Section 1: The Editor-in-Chief, who will preside at meetings of the Executive Board, shall act in the best interest of the Indiana Health Law Review and in a fair and equitable manner. All executive power of the Indiana Health Law Review shall be vested in the Editor-in-Chief, including, but not limited to, the following powers:

a) planning, organizing, and coordinating the work of the Indiana Health Law Review;
b) interpreting and enforcing the policies of the Executive Board;
c) calling meetings of the Executive Board, setting agendas, and presiding over such meetings;
d) representing the Indiana Health Law Review to authors, the general public, and Indiana University Robert H. McKinney School of Law’s administration, faculty, and students;
e) supervising the Note-writing and editing processes;
f) selecting, with the Executive Articles Editor, lead Articles for publication;
g) selecting, with the Executive Technology Editor, content for the Indiana Health Law Review Blog;
h) reviewing the Executive Managing Editor’s and the Managing Editor’s final edits;
i) reviewing and editing drafts in camera-ready form for final publication;
j) giving final approval for the publication of all Articles, Notes, and other manuscripts;
k) communicating with authors about the progress of their Articles or Notes, in collaboration with the Executive Articles Editor;
l) reviewing the Executive Technology Editor’s, the Executive Symposium Editor’s, and the Executive Articles Editor’s final edits of submissions to the Indiana Health Law Review Blog;
m) selecting, with the Executive Notes Editor, Notes for publication;
n) supervising and evaluating the performance of the members of the Indiana Health Law Review and advising the Faculty Advisor(s) in regard to members’ grades and credits;
o) creating committees and appointing chairpersons and members to such committees;
p) issuing reprimands to any member;
q) collecting membership dues;
r) maintaining the Indiana Health Law Review’s budget; and
s) maintaining current and accurate records of all business transactions of the Indiana Health Law Review.

The decision or action of the Editor-in-Chief shall be final, provided such decision or action is not contrary to the Bylaws or established policies of the Indiana Health Law Review.

The Editor-in-Chief retains in all matters an executive veto of decisions of the Executive Board. Consensus-building is desirable for the operation of the Indiana Health Law Review. The Editor-in-Chief shall veto an action of the Executive Board, if and only if,
the Editor-in-Chief reasonably believes that the interests of the Indiana Health Law Review would be substantially harmed by not so acting.

The Editor-in-Chief shall have a swing vote in addition to his or her regular vote, on any issue in which there has been a tie. This rule applies to votes taken by the Executive Board or any member on any issue.

The Editor-in-Chief shall delegate duties as necessary to Executive Board members with reasonable consideration taken of whether the task relates to his or her enumerated duties.

Section 2: The Executive Managing Editor is responsible for the editorial content and finished appearance of all Notes, Articles, and other manuscripts to be submitted to the Editor-in-Chief for final review before being sent to the publisher.

The Executive Managing Editor has the following duties:

a) planning and scheduling the editorial process, including the following duties associated with editing:
   1. creating the editing assignments;
   2. distributing the editing assignments to Student Note Candidates, Associate Editors, and Associate Members;
   3. setting deadlines for all editing assignments;
   4. reviewing the completed editorial work of Student Note Candidates, Associate Editors, and Associate Members;
   5. editing one-half of all Notes, Articles, and other outside submissions after the preliminary and secondary editorial processes have been completed;
   6. reviewing the Managing Editor’s final edits of one-half of all Notes, Articles, and other submissions after the preliminary and secondary editorial processes have been completed;
   7. critically reviewing all edits before returning them to the Editor-in-Chief; and
   8. providing editorial feedback to Student Note Candidates, Associate Editors, and Associate Members regarding their editing assignments;

b) planning and scheduling the source pull editorial process, including the following duties:
   1. organizing the manner in which source pull assignments will be distributed between the Executive Managing Editor and Managing Editor;
   2. distributing such assignments between the Executive Managing Editor and Managing Editor;
   3. setting deadlines for all source pull assignments;
   4. ensuring that all necessary sources for cite-checking from the “original” source are acquired based on the following guidelines:
      i. obtaining locally or electronically available sources;
      ii. obtaining sources that are otherwise unavailable through Interlibrary Loan service or by contacting the author and requesting a copy of the document for purposes of proper citation; and
iii. ensuring that Student Note Candidates selected for publication compile their sources shortly after their selection for publication and further ensuring the following:
   A. that such Student Note Candidates assist the Executive Managing Editor or any other delegated authority in obtaining any other needed “original” sources throughout the editing process; and
   B. that such Student Note Candidates are available to meet with the Executive Managing Editor or any other delegated authority concerning general revisions, cite-checking, and final proofing of their Note;

c) meeting with the Managing Editor on a regular basis to work collectively on both editing and obtaining proper sources;

d) organizing meetings and instruction sessions to improve the quality of Student Note Candidates’ cite-checking skills;

e) communicating with library staff regarding logistics such as Interlibrary Loan; and

f) performing all other duties specifically requested by the Editor-in-Chief, although such duties may not be specifically enumerated.

If the Executive Managing Editor and the Managing Editor disagree regarding the performance of any of their duties enumerated in Sections 2 and 3, then the Executive Managing Editor’s decision controls.

Section 3: The Managing Editor is responsible for assisting the Executive Managing Editor with the editorial content and finished appearance of all Notes, Articles, and other manuscripts submitted to the Editor-in-Chief for final review before being sent to the publisher.

The Managing Editor, in cooperation with the Executive Managing Editor, has the following duties:

   a) assisting the Executive Managing Editor with the editorial process, including the following duties associated with editing:
      1. reviewing the completed editorial work of Student Note Candidates, Associate Editors, and Associate Members;
      2. editing one-half of all Notes, Articles, and other outside submissions after the preliminary and secondary editorial processes have been completed; and
      3. providing editorial feedback to Student Note Candidates, Associate Editors, and Associate Members regarding their editing assignments;

   b) assisting the Executive Managing Editor with the source pull editorial process, including the following duties:
      1. ensuring that all necessary sources for cite-checking from the “original” source are acquired based on the following guidelines:
         i. obtaining locally or electronically available sources; and
         ii. obtaining sources that are otherwise unavailable through Interlibrary Loan service or by contacting the author and requesting a copy of the document for purposes of proper citation;
Section 4: The **Executive Notes Editor** is responsible for the administration of the Joint Writing Competition in conjunction with the Executive Notes Editors from the Indiana Law Review and the Indiana International and Comparative Law Review. Specifically, the Executive Notes Editor is responsible for coordinating, with the Editor-in-Chief, the Student Note Candidate selection and Note-writing processes. The Executive Notes Editor also acts as the primary liaison between the Executive Board and the Student Note Candidates. The Executive Notes Editor has the following duties:

a) recruiting eligible students to participate in the Joint Writing Competition;
b) overseeing the entire Joint Writing Competition process, including receipt and grading of applications, Student Note Candidate selection and notification, and signature of Student Note Candidate contracts;
c) providing all members of the Indiana Health Law Review with a current copy of its Bylaws;
d) creating the Note assignments;
e) distributing the Note assignments to Student Note Candidates;
f) setting deadlines for all Note assignments;
g) checking all Note topics for preemption issues;
h) approving all Note topics;
i) overseeing and managing all aspects of the Note-writing process;
j) reviewing and critiquing one-half of the Note drafts;
k) organizing meetings with Student Note Candidates to improve the quality of their Notes;
l) providing timely and relevant feedback to Student Note Candidates regarding their Note assignments; and
m) performing all other duties specifically requested by the Editor-in-Chief, although such duties may not be specifically enumerated herein.

If the Executive Notes Editor and the Notes Editor disagree regarding the performance of any of their duties enumerated in Sections 4 and 5, then the Executive Notes Editor’s decision controls.

Section 5: The **Notes Editor** is responsible for assisting the Executive Notes Editor with overseeing the Note-writing process. Additionally, the Notes Editor is responsible for recruiting, assigning, and coordinating Student Note Advisors. The Notes Editor has the following duties:
a) assisting the Executive Notes Editor with overseeing the Note-writing process;
b) recruiting, assigning, and coordinating Student Note Advisors;
c) reviewing and critiquing one-half of the Note drafts;
d) organizing meetings with Student Note Candidates to improve the quality of their Notes;
e) providing timely and relevant feedback to Student Note Candidates regarding their Note assignments;
f) performing all other duties specifically requested by the Editor-in-Chief or Executive Notes Editor, although such duties may not be specifically enumerated; and
g) assuming duties of the Executive Notes Editor position during periods of vacancy as Acting Executive Notes Editor.

If the Executive Notes Editor and the Notes Editor disagree regarding the performance of any of their duties enumerated in Sections 4 and 5, then the Executive Notes Editor’s decision controls.

Section 6: The **Executive Symposium Editor** is responsible for executing the fall and spring symposiums. Specifically, the Executive Symposium Editor is responsible for the following duties:

   a) planning, promoting, and executing the fall and spring symposia;
   b) serving as the Indiana Health Law Review’s primary contact for its symposia;
   c) soliciting Articles from symposium speakers, in collaboration with the Executive Articles Editor;
   d) completing substantive edits of submissions to the Indiana Health Law Review Blog, in collaboration with the Executive Technology Editor;
   e) organizing the annual Spring Banquet and any other social events during the year that the Indiana Health Law Review may have; and
   f) performing all other duties specifically requested by the Editor-in-Chief, although such duties may not be specifically enumerated herein.

Section 7: The **Executive Articles Editor** solicits and selects, with the Editor-in-Chief, Articles for each issue, and is responsible for the content of each issue. The Executive Articles Editor has the following duties:

   a) soliciting Articles by:
      1. improving and increasing the amount of non-solicited submissions the Indiana Health Law Review receives on an annual basis;
      2. maintaining the number of non-solicited submissions at a reasonable level and comparable to other health law reviews around the country; and
      3. conducting Article solicitations for all issues.
   b) selecting Articles by:
      1. immediately upon receipt of an Article, notifying the author to acknowledge receipt and giving an approximate date for a decision;
      2. reading the Article and determining if additional reading by another member of the Executive Board or a Faculty Advisor is necessary;
3. sending acceptance letters and publication agreements to authors whose Articles are selected; and
4. sending rejection letters to authors whose Articles were not selected.

c) reading and critiquing outside Articles for publication;
d) recommending Articles to the Executive Board for publication;
e) providing the selected Articles to the Executive Managing Editor for distribution and editing;
f) communicating with authors about the progress of their Articles or Notes;
g) sending publication agreements to Student Note Candidates whose Notes were selected;
h) marketing and increasing the subscription base of the Indiana Health Law Review;
i) maintaining billing, subscription, marketing, and copyright duties of the Indiana Health Law Review;
j) assisting the Executive Symposium Editor to solicit Articles from symposium speakers;
k) assisting the Executive Technology Editor to solicit content for the Indiana Health Law Review Blog;
l) assisting the Executive Technology Editor to complete substantive edits of submissions to the Indiana Health Law Review Blog; and
m) performing all other duties specifically requested by the Editor-in-Chief, although such duties may not be specifically enumerated herein.

The Executive Articles Editor is ultimately responsible for accepting or rejecting all Articles submitted for publication. The review process should take no longer than two weeks. If an Article is accepted, the author must be contacted and offered publication. If the author accepts the offer of publication, the Executive Articles Editor is responsible for executing a publication agreement with the author. If the Executive Articles Editors cannot agree whether to accept or reject an Article, the Editor-in-Chief will then make the final determination.

Section 8: The Executive Technology Editor is responsible for managing various technological aspects of the Indiana Health Law Review, primarily relating to the Indiana Health Law Review Blog. The Executive Technology Editor has the following duties:

a) soliciting regular submissions for the Indiana Health Law Review Blog;
b) completing, along with the Executive Symposium Editor and the Executive Articles Editor, substantive edits of submissions to the Indiana Health Law Review Blog;
c) managing and actively engaging the Indiana Health Law Review’s social media accounts; and
d) performing all other duties specifically requested by the Editor-in-Chief, although such duties may not be specifically enumerated herein.

Blog submissions should be no more than 2,500 words.

**ARTICLE 6**

*Meetings of the Executive Board*
Section 1: **Calling Meetings.** Meetings of the Executive Board shall be called by the Editor-in-Chief when necessary.

Section 2: **Quorum and Voting Majority.** No business shall be transacted at an Executive Board meeting unless a quorum is present. Six of the eight members of the Executive Board must be present at a meeting to create a quorum. A majority of the Executive Board or, if the entire Executive Board is not present, a majority of the quorum must approve major decisions voted on by the Executive Board at an Executive Board meeting.

Section 3: **Note-Taking.** The Editor-in-Chief may appoint an Executive Board member to act as secretary for the meeting.

Section 4: **Meeting Conduct.** Executive Board meetings shall, to the extent feasible, be governed by standard rules of parliamentary procedure.

Section 5: **Closed Meetings.** All Executive Board meetings shall be closed unless opened for a particular purpose by a majority vote of the Executive Board.

**ARTICLE 7**

*Associate Editors*

Section 1: **Eligibility.** The Associate Editors of each volume of the Indiana Health Law Review shall consist of those members who have been members for more than one year, are not Executive Board members, and are in good standing. Good standing means:

a) meeting work requirements for the first year;
b) writing a publishable Note;
c) meeting any other requirements set forth in policies adopted by the Executive Board; and
d) maintaining good academic standing pursuant to current Indiana University Robert H. McKinney School of Law standards.

Section 2: **Committees and Grievances.** Associate Editors shall serve on committees of the Indiana Health Law Review if appointed by the Editor-in-Chief and shall have the right to present grievances to the Executive Board or to the Editor-in-Chief.

Section 3: **Responsibilities.** Associate Editors shall have the responsibility to complete all work and to fulfill all obligations in accordance with policies adopted by the Executive Board. Associate Editors are required to serve in that capacity for a twelve-month period, starting at the commencement of their Student Note Candidate year.

**ARTICLE 8**

*Associate Members*
Section 1: **Eligibility.** Associate Members for each volume of the Indiana Health Law Review shall consist of individuals chosen according to the policies adopted by the Executive Board and through a process administered by the Executive Notes Editor.

Section 2: **Committees and Grievances.** Associate Members shall serve on committees of the Indiana Health Law Review if appointed by the Editor-in-Chief and shall have the right to present grievances to the Executive Board or to the Editor-in-Chief.

Section 3: **Responsibilities.** Associate Members shall have the responsibility to complete all work and to fulfill all obligations in accordance with policies adopted by the Executive Board, including Article 3, Section 10. Associate Members are required to serve in that capacity for two semesters and during their final year of law school.

**ARTICLE 9**  
*Student Note Candidates*

Section 1: **Method of Selection.** Student Note Candidates for each volume of the Indiana Health Law Review shall consist of individuals chosen according to the policies adopted by the Executive Board and through a process administered by the Executive Notes Editor.

Section 2: **Committees and Grievances.** Student Note Candidates shall serve on committees of the Indiana Health Law Review if appointed by the Editor-in-Chief and shall have the right to present grievances to the Executive Board or to the Editor-in-Chief.

Section 3: **Obligations.** Student Note Candidates shall have the responsibility to complete all work and to fulfill all obligations, including the completion of a publishable Note, in accordance with policies adopted by the Executive Board, including Article 3, Section 9. Student Note Candidates are required to work from the date of their selection until the date of their graduation from law school; or if a Student Note Candidate is enrolled in a four-year joint degree program, they must serve two complete years on the Indiana Health Law Review.

**ARTICLE 10**  
*Impeachment, Removal, and Resignation*

Section 1: **Impeachment.** The Executive Board may impeach any member, except for the Editor-in-Chief, for good cause by a secret ballot majority of the entire Executive Board. Anyone impeached may be removed by a three-fourths vote of the entire membership, including Associate Editors, Associate Members, and Student Note Candidates, voting by secret ballot.

   a) **Exam Period:** No formal disciplinary action may be taken during any examination period or initiated during the two weeks immediately preceding the first examination in any final examination period.
   b) **Procedure:** This Section applies to any disciplinary proceeding taken against any student on the Indiana Health Law Review, except the Editor-in-Chief.
      1. Any Indiana Health Law Review member given notice by the Editor-in-Chief that a complaint has been filed against him or her is on notice that his or her
work shall be subject to strict scrutiny and failure to perform adequately may be grounds for dismissal from the Indiana Health Law Review.

2. The Editor-in-Chief must supply written notification to any member of the Indiana Health Law Review of formal disciplinary proceedings.

3. No later than fourteen days after the Editor-in-Chief has notified the member that formal disciplinary action has been initiated, the Editor-in-Chief shall call a meeting of the Executive Board to discuss such formal disciplinary action.

4. All votes concerning disciplinary actions shall be by secret ballot.

5. The member subject to the disciplinary proceeding shall have the opportunity to address the Executive Board at the aforementioned meeting in Subsection 3.

6. Executive Board members have a duty to maintain the confidentiality of all disciplinary matters.

7. The Editor-in-Chief must inform the Faculty Advisor(s) of any serious disciplinary actions taken by the Executive Board against any member of the Indiana Health Law Review.

Section 2: Editor-in-Chief. If the Editor-in-Chief has seriously neglected his or her duties, the members of the Executive Board must initiate a formal discussion with the Editor-in-Chief and inform such person of their concern regarding his or her dereliction of duties. Such discussion should include the presentation of a written, specific list of those duties that have been neglected. Two weeks after the formal discussion, the members of the Executive Board, not including the Editor-in-Chief, must determine if the Editor-in-Chief has rectified the situation. If not, the Executive Board must consult with the Faculty Advisor(s) in order to determine what remedial action should be implemented. Such remedial action may include the impeachment of the Editor-in-Chief and appointing the Executive Managing Editor as Acting Editor-in-Chief. For purposes of this Section, “seriously neglected” and “dereliction of duties” must be construed narrowly and are likely limited to the failure to publish an issue of the Indiana Health Law Review.

Section 3: Resignation. Any member may resign from the Indiana Health Law Review by submitting, in person, a written resignation to the Editor-in-Chief. A member’s resignation may have implications on the member’s grades and credits, as determined by the Editor-in-Chief and the Faculty Advisor(s). The Editor-in-Chief and Faculty Advisor(s) may take into consideration the reason for resignation, the timeliness and quality of the member’s work, the completion of assignments, and attendance at mandatory Indiana Health Law Review events. A member whose resignation has become effective may petition for reinstatement. Such a former member may be reinstated only by a majority vote at an Executive Board meeting. A former Executive Board member who has resigned and been replaced may only be reinstated as an Associate Editor.

Section 4: Grounds for revocation of membership, with appeal to the Executive Board. Pursuant to the following, revocation of membership may occur as a result of:

a) fraudulent application for membership;
b) academic misconduct, limited to discipline by the law school for cheating on examinations or plagiarism;
c) submitting for publication or academic credit, Indiana Health Law Review work product, including Joint Writing Competition materials, Note or editing assignments, plagiarized in any part from another uncredited source, or completed in any part by another person; or

d) failure to complete thoroughly and in a timely manner any work assigned by the Executive Board. If such failure occurs, the following process is conducted:

1. The member will receive one written warning.
2. If the member still fails to complete the assignment after the first written warning, the said member will be brought into conference with the Executive Board to determine whether there is a legitimate reason for the failure to complete the assignment.
3. If it is determined that a legitimate explanation does not exist for the failure to complete the assignment, the Executive Board will vote on whether to remove the member from the Indiana Health Law Review, effective immediately, and will promptly notify the Faculty Advisor(s) of the situation.

The Editor-in-Chief has a duty to report immediately any plagiarism, suspected plagiarism, and termination based upon a finding of academic dishonesty or other dishonorable conduct to the Faculty Advisor(s) and to the Assistant Dean for Academic Affairs.

Conduct that is dishonest or could seriously jeopardize the integrity of the Indiana Health Law Review, will be grounds for removal. If such a situation exists, there must be a vote in favor of removal by every member of the Executive Board.

Section 5: Grounds for revocation of membership, with appeal to the Faculty Advisor(s) and the Assistant Dean for Student Affairs. If the Executive Board votes to remove a student for dishonest or other such conduct that would cause harm to the reputation of the Indiana Health Law Review, the student has the right to appeal such decision to the Faculty Advisor(s) and the Assistant Dean for Student Affairs. If the student so desires to appeal the Executive Board decision to the Faculty Advisor(s) and the Assistant Dean for Student Affairs, he or she must make such intentions known to the Editor-in-Chief within twenty-four hours of the Executive Board’s decision. The Editor-in-Chief must notify the Faculty Advisor(s) and the Assistant Dean for Student Affairs of any such situation within twenty-four hours of the student’s notice of appeal. The Faculty Advisor(s) and the Assistant Dean for Student Affairs must then schedule a meeting within a reasonable period of time with the student and the Editor-in-Chief. Both the student and the Editor-in-Chief will be allowed to present their respective positions in regard to the disciplinary action. After hearing from the Editor-in-Chief and the student, the Faculty Advisor(s) and the Assistant Dean for Student Affairs will then make the final determination of whether the student should be removed from the Indiana Health Law Review.

This provision does not apply to situations where the Executive Board votes to remove a member from the Indiana Health Law Review due to that member’s failure to complete any work assigned by the Executive Board in a thorough and timely manner.

Section 6: Executive Board Members. The Editor-in-Chief may initiate proceedings to demote an Executive Board member for failure to complete duties. After the first occasion of failure to
complete an assignment or duty, the member will receive a written warning and the opportunity to explain such failure to the Editor-in-Chief. Upon the second occasion of failure to complete an assignment or duty, the member will be subject to a disciplinary meeting with the Editor-in-Chief and the Faculty Advisor(s) in which the Executive Board member must explain the reasons for such failure to complete assignments and will be given a verbal warning at this time that upon failure to complete a third assignment, the Executive Board member will be subject to demotion from his or her Executive Board position or removal from the Indiana Health Law Review. If after this meeting the Executive Board member fails to satisfactorily complete another duty or assignment (this being the third such episode), the member will be subject to demotion from the Executive Board or removal from the Indiana Health Law Review. Such proceedings require written notice to the member, and every member of the Executive Board must secretly vote on whether to demote or remove said member. The Executive Board must vote unanimously in favor of demotion or removal for the demotion or removal to occur. The vote of the member in question will not count in the matter, but he or she may address the Executive Board.

ARTICLE 11
Faculty Advisor(s)

Section 1: Eligibility. The Faculty Advisor(s) of each volume of the Indiana Health Law Review shall consist of Indiana University Robert H. McKinney School of Law faculty members.

Section 2: Duties. The Faculty Advisor(s) shall have the following duties:

a) approving graded credit to Student Note Candidates, as determined and recommended by the Editor-in-Chief;

b) approving graded credit to Executive Board members, as determined and recommended by the Editor-in-Chief;

c) approving ungraded (pass/fail) credit to Associate Editors, as determined and recommended by the Editor-in-Chief;

d) approving ungraded credit to Associate Members, as determined and recommended by the Editor-in-Chief; and

e) advising and consulting the Executive Board on any and all Indiana Health Law Review matters.

Section 3: Powers. The Faculty Advisor(s) shall have the following powers:

a) advising and consulting the Executive Board on all matters brought to the Faculty Advisor(s); and

b) attending general body meetings.

These powers are only vested in the Faculty Advisor(s). In limited circumstances or when necessary, members of the law school’s administration with the authority to make decisions binding on students or student groups may assist with these powers. Such administrative members include the Dean or Vice Dean of the law school. They do not include other types of law school administration, such as department directors.
The Faculty Advisor(s) do not have the power to select Articles or Notes for publication. Such would be a conflict of interest.

Section 4: Voting Power. The Faculty Advisor(s) shall not have the power or authority to vote at meetings of the Executive Board or to override any decision of the Executive Board or an Executive Board member, including, but not limited to, decisions regarding deadlines, disciplinary measures or reprimands to a member, or selection of an Article or Note for publication.

Section 5: Performance Review. The Faculty Advisor(s) will be subject to review by a committee comprised of the Editor-in-Chief, the Dean or Vice Dean, and the Assistant Dean for Student Affairs to assess his or her or their performance of duties and powers.

Section 6: Impeachment. If a Faculty Advisor has seriously neglected his or her duties, the members of the Executive Board may initiate a formal discussion with the Vice Dean or the Assistant Dean for Student Affairs and inform such person of their concerns regarding the Faculty Advisor’s dereliction of duties. Such discussion should include the presentation of a specific list of those duties that have been neglected. The Vice Dean will serve as a respectful liaison between the Faculty Advisor and Executive Board.

Six weeks after the formal discussion, the members of the Executive Board must determine if the Faculty Advisor has rectified the situation. If not, the Executive Board must determine what remedial action should be implemented and inform the Vice Dean or the Assistant Dean for Student Affairs. Such remedial action may include the impeachment of the Faculty Advisor and appointing a different law school faculty member as Acting Faculty Advisor.

No Faculty Advisor shall be impeached unless a quorum is present. Six of the eight members of the Executive Board or, if the entire Executive Board is not present, a majority of the quorum must vote to impeach the Faculty Advisor.

For purposes of this Section, “seriously neglected” and “dereliction of duties” includes failing to respond to Executive Board inquiries or consistently delegating his or her duties to another individual. Such constitutes the failure to properly advise and consult the Executive Board.

Section 7: Resignation. A Faculty Advisor may resign from the Indiana Health Law Review by submitting a written resignation to the Editor-in-Chief. A Faculty Advisor whose resignation has become effective may petition for reinstatement.

ARTICLE 12
Student Note Advisors

Section 1: Eligibility. The Student Note Advisors of each volume of the Indiana Health Law Review may consist of Indiana University Robert H. McKinney School of Law faculty members, faculty members of other law schools, and practitioners. A practitioner is an individual with a J.D. or L.L.M. degree who is currently practicing law.
All Student Note Candidates are required to select at least two Student Note Advisors for advice and direction throughout the Note-writing process.

Section 2: **Duties.** The Student Note Advisors shall have the following duties:

a) assisting his or her assigned Student Note Candidate with any research questions throughout the Note-writing process;
b) reviewing the Student Note Candidate’s rough drafts and providing timely and relevant feedback to the Student Note Candidate;
c) reading the Student Note Candidate’s finished Note and providing timely and relevant feedback to the Executive Notes Editor concerning the quality of the Student Note Candidate’s Note; and
d) completing any and all Student Note Evaluation Forms.

**ARTICLE 13**

*Law Review Specialist*

Section 1: **Duties.** The Law Review Specialist of each volume of the Indiana Health Law Review is the individual appointed to and employed at such a position by Indiana University Robert H. McKinney School of Law. The Law Review Specialist may also be referred to as a Managing Editor for masthead purposes. The Law Review Specialist is responsible for the following duties:

a) placing each Article and Note into camera-ready format and performing a technical edit of all camera-ready drafts;
b) collecting any revisions by the Editor-in-Chief concerning the camera-ready drafts;
c) incorporating any such revisions into the camera-ready format to create final camera-ready drafts;
d) sending the final camera-ready drafts to the publisher; and
e) communicating with the publisher about any and all Indiana Health Law Review matters.

**ARTICLE 14**

*Grading*

Section 1: **Student Note Candidate Grades.** The Editor-in-Chief, with input from the Executive Managing Editor, Managing Editor, Executive Notes Editor, and Note Editor, will assign grades to all Student Note Candidates.

Note-writing assignments submitted after the deadline will be penalized for tardiness and will not be eligible for publication unless such circumstances existed where the Student Note Candidate was given express approval from the Editor-in-Chief to extend said deadline.

Editing assignments will be considered when determining the Student Note Candidate’s final grade.
Subject to Article 11, Section 2, the Faculty Advisor(s) shall approve graded credit to Student Note Candidates, as determined and recommended by the Editor-in-Chief. If a Faculty Advisor believes that the Editor-in-Chief determined and recommended an “unfair” grade for the Student Note Candidate, the Faculty Advisor must inquire into such with the Editor-in-Chief. If the Editor-in-Chief provides an adequate accounting of and reasoning for the Student Note Candidate’s grade, then the Faculty Advisor must approve the grade. Adequate accounting and reasoning include documentation of the Student Note Candidate’s insufficient work product. Insufficient work product includes incomplete and tardy Note-writing or editing assignments.

If the Editor-in-Chief does not provide an adequate accounting of and reasoning for the Student Note Candidate’s questionable grade, the Faculty Advisor must review all of the Student Note Candidate’s assignments from the student’s first two semesters on the Indiana Health Law Review. The Faculty Advisor shall then make a grade determination for the Student Note Candidate, and he or she shall submit this determination to the Executive Board for approval. The Executive Board, excluding the Editor-in-Chief, must submit their approval in writing to the Faculty Advisor. This approval must be unanimous, excluding the Editor-in-Chief. If the Executive Board disagrees with the Faculty Advisor’s determination, the Faculty Advisor and Executive Board, including the Editor-in-Chief, must work to come to a reasonable determination.

Section 2: Executive Board Member Grades. The Editor-in-Chief will assign grades to all members of the Executive Board. The fulfillment of all duties will be considered when determining the Executive Board member’s final grade.

Subject to Article 11, Section 2, the Faculty Advisor(s) shall approve graded credit to Executive Board members, as determined and recommended by the Editor-in-Chief. If a Faculty Advisor believes that the Editor-in-Chief determined and recommended an “unfair” grade for an Executive Board member, the Faculty Advisor must inquire into such with the Editor-in-Chief. If the Editor-in-Chief provides an adequate accounting of and reasoning for the Executive Board member’s grade, then the Faculty Advisor must approve the grade.

If the Editor-in-Chief does not provide an adequate accounting of and reasoning for the Executive Board member’s questionable grade, the Faculty Advisor shall determine the Executive Board member’s grade, as long as such a determination is above or equal to the Editor-in-Chief’s previous determination and recommendation.

Section 3: Associate Editor and Associate Member Grades. The Editor-in-Chief, with input from the Executive Managing Editor and Managing Editor, will assign grades to all Associate Editors and Members.

All editing assignments will be considered when determining the Associate Editor’s and Associate Member’s final grade. If an Associate Member chose to write a Note, then the Associate Member’s Note-writing assignments will be considered for his or her grade determination as well. Associate Editors and Associate Members receive ungraded credit. Therefore, “grade” for the purposes of this Subsection means the determination of pass or fail credit.
Subject to Article 11, Section 2, the Faculty Advisor(s) shall approve ungraded credit to Associate Editors and Associate Members, as determined and recommended by the Editor-in-Chief. If a Faculty Advisor believes that the Editor-in-Chief determined and recommended an “unfair” grade for the Associate Editor or Associate Member, the Faculty Advisor must inquire into such with the Editor-in-Chief. If the Editor-in-Chief provides an adequate accounting of and reasoning for the Associate Editor’s or Associate Member’s grade, then the Faculty Advisor must approve the grade. Adequate accounting and reasoning include documentation of the student’s insufficient work product. Insufficient work product includes incomplete and tardy assignments.

If the Editor-in-Chief does not provide an adequate accounting of and reasoning for the Associate Editor’s or Associate Member’s questionable grade, the Faculty Advisor must review all of the student’s assignments from the student’s second two semesters on the Indiana Health Law Review. The Faculty Advisor shall then make a grade determination for the Associate Editor or Associate Member, and he or she shall submit this determination to the Executive Board for approval. The Executive Board, excluding the Editor-in-Chief, must submit their approval in writing to the Faculty Advisor. This approval must be unanimous, excluding the Editor-in-Chief. If the Executive Board disagrees with the Faculty Advisor’s determination, the Faculty Advisor and Executive Board, including the Editor-in-Chief, must work to come to a reasonable determination.

**ARTICLE 15**

*Evaluation of Student Submissions for Publication*

Section 1: **Submission Criteria.** Each Student Note Candidate must submit a publishable Note of at least forty-five pages in length. Such work will effectively serve as each Student Note Candidate’s Advanced Research and Writing requirement for graduation. If a Student Note Candidate does not meet a Note deadline or editing deadline, his or her Note may not be eligible for publication. Only if extreme, extenuating circumstances exist and at the discretion of the Editor-in-Chief, a Student Note Candidate may be granted an extension on a deadline.

Each Note will be evaluated for publication based on four criteria: 1) timeliness; 2) substantive research; 3) adherence to the Bluebook; and 4) quality of writing. Each Note submitted for evaluation for potential publication may also be randomly cite-checked by the Editor-in-Chief, Executive Managing Editor, and Managing Editor to determine the quality and accuracy of the sources and the proper adherence to the Bluebook.

This provision also applies to Associate Members who chose to write a Note.

Section 2: **Selection Committee and Conflict of Interest Provisions.** A committee comprised of the entire Executive Board will choose the Notes selected for publication.

a) All members of the Selection Committee have the duty to report to the Editor-in-Chief any possible conflict of interest in scoring any Student Note Candidate’s Note. For purposes of this Section, a “conflict of interest” may be evidenced by any relation to the
Student Note Candidate that might give rise to an impression of unfairness or lack of impartiality in the selection process. The Editor-in-Chief will have the authority to determine whether or not a conflict of interest exists and whether the Selection Committee member in question may assign a score to the Note.
b) The selection process will be conducted anonymously with all Student Note Candidates receiving numbers to identify their Notes.
c) The Editor-in-Chief and the Executive Notes Editor will direct the Note selection process.

This provision also applies to Associate Members who chose to write a Note.

**ARTICLE 16**

*Non-discrimination*

The Indiana Health Law Review shall not discriminate in any matter, including membership invitations or publication decisions, on the basis of age, disability, ethnicity, gender, marital status, national origin, political affiliation, race, religion, sexual orientation, or veteran status.

**ARTICLE 17**

*Enactment, Publication, and Amendment of Bylaws*

Section 1: **Effective Date and Period.** These Bylaws are effective February 5, 2021, and will remain in effect until the Executive Board decides to alter, modify, or make amendments thereto.

Section 2: **Publication.** Each member of the Indiana Health Law Review shall be provided with his or her own copy of these Bylaws. In addition, a copy shall be kept on file in the Indiana Health Law Review offices for inspection by any member of the Indiana Health Law Review.

Section 3: **Proposal to Amend.** Any Executive Board member may propose an amendment to these Bylaws in writing. Such a written proposal shall be distributed to each Executive Board member.

Section 4: **Amendment Process.** Following discussion at the subsequent Executive Board meeting, a secret ballot shall be held. The proposed amendment shall be adopted by a two-thirds vote of the entire Executive Board.

Section 5: **Non-Substantive Changes.** Changes that are non-substantive in nature (e.g., technical, grammatical, etc.) do not constitute amendments and therefore do not require compliance with this Article.

Section 6: **Prohibited Amendment Period.** No vote on any amendment shall take place during the period beginning the day following the last day of the spring semester (defined as the last day of spring final exams as per the official law school academic calendar) and ending the first day of the following fall semester (as per the official law school academic calendar).
ARTICLE 18
Membership Dues

Section 1: Purpose. All members must contribute dues upon invitation to the Indiana Health Law Review. Dues must be used on all Indiana Health Law Review members. All members must receive the benefits of their dues. Among other costs, dues may be used for member apparel and social costs.

Section 2: Operation.

a) Each member shall contribute fifty dollars to the Indiana Health Law Review upon invitation to the law review. Twenty-five dollars will be allocated to the student’s first year on the law review, while another twenty-five dollars will be allocated to the student’s second and final year on the law review.

b) Payments shall be submitted to the Editor-in-Chief no later than the first day of the fall semester during the student’s first year on the law review.

c) In the event that a member is unable to contribute fifty dollars by the deadline due to financial hardship, he or she shall provide written notification and explanation of this to the Editor-in-Chief prior to the deadline. Upon such notification, the Editor-in-Chief shall determine whether the member has established the existence of financial hardship. If financial hardship is determined, the Editor-in-Chief shall develop a payment plan for the member.

d) All funds shall be held in a private checking account under the name of the Indiana Health Law Review. The Editor-in-Chief shall be named on the account and is authorized to conduct account transactions (i.e. withdrawals, deposits) on behalf of the Indiana Health Law Review for such use as approved by the Executive Board. No personal funds will be held in this account and a minimum balance of fifty dollars shall always be maintained (to cover checking account fees).