



# UNIVERSITY OF MIAMI LAW REVIEW

UNIVERSITY OF MIAMI SCHOOL OF LAW

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## OFFICIAL NOTICE FROM THE SENIOR WRITING EDITOR 2017 LAW REVIEW WRITING COMPETITION RULES AND INSTRUCTIONS

The 2017 Law Review Writing Competition (“the Competition”) for candidacy on one of the University of Miami’s five law journals will run for seven days beginning at 10:00 a.m. on Friday, June 30th, 2017. This informational packet provides a schedule of events, outlines the rules and eligibility requirements, explains what a casenote is, and offers suggestions and guidance on participation in the Competition. An understanding of the rules now will enable you to prepare ahead of time so that the seven days of the Competition can be entirely devoted to writing your casenote. It may be difficult for the Senior Writing Editor to address your questions and problems later in the semester and over the summer, so please take the time to look over this official notice carefully and bring any questions or concerns that you may have to the Senior Writing Editor’s attention.

The results of the Competition will be announced no later than 9:30 p.m. EDT on Wednesday, July 12th, 2017. All participants must be prepared to attend a mandatory orientation on either Saturday, July 22 or Saturday, July 29 for the *University of Miami Law Review* (“UMLR”). For all other law journals, orientation will be held on **Sunday, August 20th, 2017.** These dates are subject to change and those to whom the dates apply will be notified accordingly.

### I. Eligibility Requirements

#### a. Current UM Law Students:

##### i. Grade-On Eligibility

UMLR offers walk-on candidacy to first-year students in the top 10% of their class or section.

##### i. Writing Competition

All 1L and 2L students with a minimum 3.0 G.P.A. or higher are eligible to participate in the writing competition. For UMLR, first-year students in the top 33.3% of their class or section and second-year students in the top 33.3% of their class are eligible to participate.

#### b. Transfer Students

For UMLR, transferring students in the top 25% of their class or section, whichever applies at their former school, are eligible to participate in the Competition. For all other journals transfer students have the same eligibility requirements as non-transferring students. For more information, please read the Transfer Student Criteria, which is located in the Rules and Instructions tab of the TWEN webpage.

### II. Schedule

We intend to follow the schedule detailed below. It is your responsibility to check your law school email for notifications of changes to important dates.

**Wednesday, June 21st, 2017, 12:00 p.m. EDT:** The Competition registration period opens. Registration materials and instructions will be made available on the TWEN webpage. You can access the TWEN webpage with your Westlaw username and password, e.g. username: jdoe, password: C01234567. In the registration form you will be asked to rank the law reviews according to your preferences and desire to be considered for candidacy for that law review. You **do not** need to rank every law review. Only rank the law reviews that you seriously wish to be considered for. Your submission will be sent to every law review ranked. Please rank them numerically in order of preference. For example, rank your first preferred law review as 1, your second preferred as 2, and so on.

**Wednesday, June 28th, 2017, 5:00 p.m. EDT:** Deadline for registering for the Competition as well as the deadline for paying the fee for materials, *should you wish to have a hard copy of the materials*. **Late registrations will not be accepted.** As all of the materials for the Competition will be available online, you *only* need to pay the printing fee if you wish to have a hard copy printed for you. The **Packet Cost is \$35.** For participants who choose to print the materials themselves or who simply choose to use the electronic files, **registration is free.** The **registration form will be available on the TWEN webpage**, and all payments must be made through PayPal or by cash, tentatively. Participants are encouraged to set up a PayPal account prior to the deadline, as it may take a few days for PayPal to verify the banking information and establish an account. We will update Competition participants on whether we will use PayPal or Venmo within the coming weeks. Participants may also pay cash to Farah Barquero when they pick up their printed packet on Friday, June 30th, 2017. **If you are paying in cash email Farah Barquero and bring exact change.**

**Please Note:** If you request a hard copy, it *must* be picked up on the first day of the Competition. There will be no refunds for failing to pick up your packet. Refunds will only be granted until Wednesday, June 28th, 2017 and you must contact Farah Barquero at [FBarquero@law.miami.edu](mailto:FBarquero@law.miami.edu) or (305) 284-2464.

**Thursday, June 29th, 2017, 7:00 p.m. EDT:** Participants will receive an email confirming their registration. If you do not receive this confirmation email by 7:00 p.m., please contact Farah Barquero at [FBarquero@law.miami.edu](mailto:FBarquero@law.miami.edu) or (305) 284-2464.

**Friday, June 30th, 2017, 10:00 a.m. EDT:** The packet of Competition materials becomes available to participants on the TWEN webpage. These materials will be located in the Competition Materials tab, located on the left side of the TWEN webpage. Participants who requested a hard copy of the Competition materials can pick up their packets on the third floor of the Law Library in B346 from 10:00 a.m. until 7:00 p.m. on Friday, June 30th, 2017.

**Friday, July 7th, 2017, 5:00 p.m. EDT:** Casenotes must be submitted for grading via the TWEN webpage. All submissions must be submitted under the Casenote Submission tab. Also, **you must put your Spring Anonymous Grading Number (AGN) in the header on EACH page of the casenote. If you are a transfer student, you must put your Competition Anonymous Grading Number given to you by Farah Barquero.** You are not to put any other identifying marks or information on

the casenote. Additionally, the casenote **must be sent in PDF**. Instructions for converting Word documents to PDF will be made available on the TWEN webpage prior to the Competition. We suggest that you familiarize yourself with the process before the Competition begins to avoid any last-minute issues. Please title the file “Casenote” followed by your AGN, e.g. “Casenote12345678.” Each participant will receive a confirmation email regarding the receipt of his or her casenote. If you do not receive a confirmation email by 9:00 p.m. EDT on Friday, July 7th, 2017, please contact Farah Barquero at [FBarquero@law.miami.edu](mailto:FBarquero@law.miami.edu) or (305) 284-2464. **No late submissions will be accepted.**

Results of the Competition will be posted on the door for each journal by **9:30 p.m. EDT on Wednesday, July 12th, 2017**. Additionally, students will be notified by email or by a phone call.

**Sunday, August 20th, 2017:** Orientation for all candidates of each law review. **You must be prepared in advance to devote the required time to the law review should you be selected for candidacy.**

### III. The Competition

This is a **CLOSED-UNIVERSE COMPETITION**; you may **only use and cite** the materials in the packet. You may also use *The Bluebook: A Uniform System of Citation* (20th ed. 2015), and the sample casenotes as references.

The discussion below outlines the Competition format. To understand the format of a casenote, you may refer to the sample casenotes and the slides from the *How to Write a Casenote* workshop. Materials from the workshop will be posted on the TWEN webpage. You may **not** consult any other sources regarding the proper way to structure and write a casenote. Use of any other source beyond what is provided in the packet is grounds for disqualification from the Competition and referral to the Honor Council. Further, if aspects of the sample casenotes differ from these instructions, these instructions are controlling.

All participants in the Competition will utilize a packet of materials that will not exceed 550 pages in length to write a research paper in the form of a law review casenote. Participants may **only** use the packet materials available online through the TWEN webpage—or reproduced in the printed packet of materials, should you order one. The Competition packet will include the noted case and materials related to the noted case, from which you will write your casenote.

It is in your best interest to read each piece of material included in the packet to educate yourself on the topic. You will note that sections of the materials *may have been* redacted because they discussed issues outside the scope of the issue. However, **do not infer** that all of the included material is particularly relevant or must be used. Instead, you should determine which materials best explain the prior law and which materials best support your analysis of the noted case. The sophisticated subject matter and page limitations will demand careful thought, organization, and analysis. Please allot adequate time to digest and comprehend the issues before you begin writing.

In contrast to a brief or a memorandum, a casenote identifies and analyzes a new and significant trend or development in the law. It takes a narrow focus on a single case, statute, or other development. A casenote highlights how other authorities have resolved the issue and then specifically addresses how the case, statute or, an administrative rule resolves the issue present. However, your goal is not to write a book report. A successful casenote will give extensive treatment to the prior law and then analyze the principal case, statute, or administrative rule in light of that prior law. The Competition topic is chosen based on a recent case that provides the opportunity to write equally strong arguments for both sides of the issue. Your Competition score will not be determined based on whether your casenote reaches the same conclusion as the Court or not. Your Competition score will reflect your writing ability, legal analysis, and Bluebooking skills.

Each participant will be using their **Spring AGN** as their identification number. Transfer students will use a Competition Anonymous Grading Number, which will be assigned to them by Farah Barquero. It is of vital importance that participants put their AGN in the header on each page of the casenote prior to converting the Word document into PDF.

**Participants may submit their casenotes to any or all of the law reviews for which they are eligible.** After the casenotes are submitted, each participant's casenote will be distributed to the law reviews to which that candidate has chosen to apply. Each participant will select the reviews to which he or she wishes to apply during the online registration and rank the reviews according to his or her preference. All evaluations by the law reviews will be kept strictly confidential. Within each law review, a committee of law review members will grade the casenotes from the Competition.

**Deadlines will be strictly enforced.**

#### **IV. Logistical details**

All information for the Competition can be found on the TWEN webpage.

During the Competition, links to the packet of materials and other important information will be available on this webpage.

#### **V. Mechanics**

- a. The text of the paper, including the title, heading, and subheadings, must be double-spaced, submitted on 8-1/2 x 11-inch paper, and typed in Times New Roman 12-point font.
- b. The text of the paper must be justified.
- c. The title, headings, and subheadings should be centered.
- d. Endnotes must start on a separate page following the last page of the main text. Do not use footnotes. Endnotes must be in Times New Roman 12-point font. Use double-spacing both between and within endnotes. Each endnote is not to exceed six (6) lines.

- e. The text must not exceed twelve (12) pages, and the endnotes must not exceed eight (8) pages. The total length must be no more than twenty (20) pages. Casenotes that exceed twenty (20) pages will be automatically disqualified.
- f. Margins, except for block quotes, must be one inch from all sides of the paper. Block quotes must be justified and indented one-and-a-half inches from the left and right edges of the paper. Block quotes must be single-spaced and in Times New Roman 12-point font.
- g. Endnote numbers must be in Arabic numerals (i.e., 1, 2, 3, etc.).
- h. Paginate each page at the bottom-center of the page and place your AGN in the top right-hand corner of each page. Page numbers and your AGN should be inserted in headers and footers and, therefore, fall within the one-inch margins.
- i. A title **is required**, but you are not to use a cover page.
- j. Other than the AGN, **no identifying information** may appear in your Competition submission.
- k. On the last page of your endnotes, the following certificate of compliance must be included:

*I hereby certify that I have completed this submission in accordance with the Competition rules and in accordance with the collaboration and academic integrity requirements of the University of Miami School of Law Honor Code.*

*Signed [AGN].*

- l. **Casenotes that do not conform to all of the format and length rules will be subject to one or more automatic penalty deductions from the paper score. Casenotes that exceed twenty pages will be automatically disqualified.**

## VI. Honor Code

Each participant must complete the casenote alone, without the help of others. Because this Competition is an academic exercise within the bounds of the School of Law, the Senior Writing Editor reserves the right to immediately refer any individual found to have given or received assistance in the preparation of a casenote directly to the Honor Council.

### a. Outside Assistance

#### i. Substantive Assistance and Additional Research

Your submission must represent your own work product using **only** the materials contained in the packet and *The Bluebook: A Uniform System of Citation* (20th ed. 2015). You should examine the sample casenotes for style and format. The rules prohibit outside research or reading on the competition topic. This prohibition includes any library or computer-assisted research on this area of the law, and you may not review any other version of the materials provided in the packet. Furthermore, you

may not discuss any aspect of your casenote with any other law student, practitioner, professor, or other individual.

ii. Technical Assistance

Outside technical assistance is prohibited. You may not have any individual proofread, edit, or review your Competition casenote. You may not use any software to check Bluebooking. You may, however, use a built-in spell-check or grammar-check program in your word processor.

b. Plagiarism

Plagiarism constitutes a violation of the University of Miami School of Law Honor Code as well as the rules of the Competition. According to the University of Miami School of Law Honor Code § 1.03(b), plagiarism is “knowingly appropriating another’s words or ideas and representing them as one’s own.”

In addition, some reminders to avoid plagiarism include, but are not limited to:

1. The written work submitted must identify all oral and written sources relied upon in preparing the submission.
2. Language or ideas substantially derived from any oral or written source must be identified as such, normally by citation.
3. Language copied from a source must be set off by quotation marks, indented margins or similar means, with the source identified.

## VII. Organizing Your Casenote

The following suggested format offers a well-tested way to write a Competition casenote. However, you should not be afraid to bend and shape this format to create *your* ideal casenote. The sample casenotes on UMLR’s website can provide helpful organizational templates.

I. *Introduction (Roman numeral with the term “Introduction” as the heading:*

- a. Introductory paragraph: Engage the reader with a sentence, quote, or hypothetical that will pique interest. Begin by painting with a broad brush to set the stage for the introduction of your topic. Make sure to identify the basic issues and themes that will be covered by your casenote.
- b. Background (no more than three or four paragraphs): This should be a brief description of the relevant law that led up to your topic. You should provide an overview of the development of the law as it applies to your paper and note the relevant facts of the main case that apply to your paper. It may be appropriate to include some substantive endnotes to support the importance of your subject matter, such as statistical data.
- c. Roadmap: Explain your casenote’s structure. Create the impression that you have planned your entire argument before beginning the casenote. Preview the new development and the prior law while identifying the

gravamen of your analysis. Does the trend break new ground? Does it clarify confusion in the legal realm? Does it extend the trend? Does it approach an old problem in a new way?

- II. *Prior law and perspective (substantive Roman numeral headings and subheadings)*: Set out the legal history leading to the recent development that you will discuss. Identify previous approaches taken to the general problem. Identify the important cases, statutes, commentaries, and opposing viewpoints that have previously dominated the area. Organize this section by approaches (i.e., approach A to approach B). When discussing case law, state the procedural posture, critical facts, holding, and reasoning, where relevant. Any additional detail belongs in an endnote. Your goal should be to explain to the reader why the case is significant.
- III. *Main Case (substantive Roman numeral headings and subheadings)*: Introduce in detail the significant facts, procedural posture, and parties that make your case significant in the relevant legal area. Elaborate on how the case came about and state its impact on the prior law. In this section, you should briefly describe the majority and dissenting opinions in the primary case.
- IV. *Analysis (substantive Roman numeral headings and subheadings)*: This is where your creativity should emerge. All papers should address the central issue in the noted case. Synthesize the prior law to explain and develop how your position reverses, extends, or deviates from prior common law. Incorporate analysis of the lower courts' majority and dissenting opinions. Note important implications of your position. Identify and address potential criticisms of your position.
- V. *Conclusion (Roman numeral with the term "Conclusion" as the heading)*: Give the big-picture perspective. Do not introduce any new material or arguments, but *do* review your earlier analysis in a new light. A well-written conclusion will flow smoothly from the previous analysis without merely regurgitating it.
- VI. *Endnotes*:

All citations must begin on a separate page at the end of the text. Do not use footnotes. Use endnotes to cite sources in the Competition packet that support or oppose statements in the text of your casenote. All citations must conform to *The Bluebook: A Uniform System of Citation* (20th ed. 2015). Demonstrate good form on a *variety* of the included sources.

Endnotes should direct the reader to the source of assertions and, through the proper use of signals (Bluebook Rule 1.2), direct the reader to useful material. Most endnotes will be short. That being said, some endnotes may be substantive in the sense that they expand or highlight upon the text. Endnotes with explanatory parentheticals (Bluebook Rules 1.2 and 1.5) are encouraged. For the purposes of the Competition, substantive endnotes must be no longer than six lines each.

Please see Bluebook Rule 2 for information about the typeface conventions used in law review texts and endnotes. Where italics are required, underlining *may* be

substituted. Similarly, where large and small capitals are required, bold text *may* be used instead. The most important thing is to be *consistent* throughout your casenote.

### VIII. Final Word

The seven days of the Competition will undoubtedly be a time that you will not soon forget. The assignment is difficult, especially given the length of the Competition packet, the time constraints, and the length requirements. But, it is difficult for a reason. The territory that you are charting is likely unknown to you, since most of you will have never written a casenote, and the stakes may seem insurmountably high. While this experience can be a frustrating one, participation in the Competition will greatly enhance your legal writing skills. Membership on *UMLR*, or any reputable publication for that matter, is an invaluable experience and is well-worth the demands of the Competition. Keep a clear mind, use your common sense, and good luck!

### IX. Contact Information

You may contact the following individuals regarding the Competition. However, please note that once the competition begins on **Friday, June 30th, 2017, 10:00 a.m. EDT**, the only person you may contact with any questions, concerns, or problems is Farah Barquero.

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All my best,

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