



## UNIVERSITY OF MIAMI LAW REVIEW

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### OFFICIAL NOTICE FROM THE SENIOR WRITING EDITOR 2020 LAW REVIEW WRITING COMPETITION RULES AND INSTRUCTIONS

The 2020 Law Review Writing Competition (“the Competition”) for membership on one of the University of Miami’s five law reviews will run for ten days beginning on **Thursday, July 2, 2020, at 10:00 a.m.** 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 ten days of the Competition can be entirely devoted to writing your casenote. Neither the Senior Writing Editor nor any other member of any of the law reviews will be able to address your questions or problems during the competition. Therefore, 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 immediately.

The results of the Competition will be announced on Thursday, **July 28, 2020.**

All participants must be prepared to attend the mandatory orientations on **Saturday, August 8, 2020; Thursday, August 13, 2020; and Friday, August 21, 2020**, for the *University of Miami Law Review* (“UMLR”). For all other law journals, orientation will be held on Sunday, August 23, 2020. These dates are subject to change and those to whom the dates apply will be notified accordingly.

#### I. ELIGIBILITY REQUIREMENTS

##### A. *Current Miami Law Students: Grade-on and Write-on Eligibility*

UMLR offers walk-on membership to first-year students in the top 6% of their class or section.

All 1L and 2L students must meet the minimum GPA requirement set forth by each law review in the Competition Memorandum to be eligible to participate in the writing competition. 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 in the Writing Competition and write onto UMLR.

##### 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 TWEN Instructions tab of the TWEN webpage.

## II. INITIAL WORD

The ten 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 of the fantastic journals is an invaluable experience and is well worth the demands of the Competition. Below is the schedule and deadlines that will be strictly construed as a matter of professionalism that reflects the high standards, we expect of all members of our law reviews. **Failure to comply with the delineated rules and standards will result in disqualification.**

## III. 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.

**Monday, June 22, 2020, 12:00 p.m. EST:** 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.

**Monday, June 29, 2020, 5:00 p.m. EST:** 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 mailed to you.*

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 and mailed to you. The price for the printed and mailed packet will be \$20.00. You must submit your payment during registration no later than Sunday, June 28, 2020, 5:00 p.m. EST. **We cannot mail to P.O. Boxes.** The packet should arrive when the competition begins on July 2, 2020. We will be notified as to when your packet is delivered. If you receive your packet earlier, **you are not to open the packet until the competition officially begins. You will need to certify that you have followed these instructions and failure to do so will result in an Honor Code violation.**

**We are also providing you the ability to pick up the printed materials. There is no cost for this option.** You must indicate in your registration that you would like a printed copy. You can pick up the materials on Thursday, July 2, 2020 between 10:00 a.m. and 4:00 p.m. EST. Please pay attention to your email where you will receive detailed instructions on the drive-through pick up process.

The **registration form will be available on the TWEN webpage**, and all payments must be made through the **credit card option** as you complete the registration form.

**Please Note:** If you request a hard copy, it *must* be picked up on the first day of the Competition.

Refunds for mailed hard copies will only be granted until Monday, June 29, 2020, at 7:00 p.m. and you must contact Farah Barquero at [fbarquero@law.miami.edu](mailto:fbarquero@law.miami.edu).

**Wednesday, July 1, 2020, 6:00 p.m. EST:** Participants who have been confirmed by the Registrar to have met the GPA requirement will receive an email confirming their registration.

If you do not receive this confirmation email by 6:00 p.m., please contact Farah Barquero at [fbarquero@law.miami.edu](mailto:fbarquero@law.miami.edu) or (305) 284-2464.

**Thursday, July 2, 2020, 10:00 a.m. EST:** 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 from Farah Barquero. Farah will be distributing the packets at the loading dock behind the law school off of Memorial Drive from 10:00 a.m. until 4:00 p.m. on Thursday, July 2, 2020. Refer to the email instructions emailed to you when your registration was confirmed for specific location and process. **You must remain in your vehicle and drive through the line to receive your packet. Due to COVID-19, you must immediately leave campus following pickup.** Please be cognizant that we are providing the packets at no cost to you. We only ask that you follow these instructions to keep the school, fellow students, and staff as safe as possible.

**Sunday, July 12, 2020, 5:00 p.m. EST:** Casenotes must be submitted for grading via the TWEN webpage.

All submissions must be submitted under the Casnote Submission tab. Also, **you must put your C# 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 C#, 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. EST on

Sunday, July 12, 2020, please contact Farah Barquero at [fbarquero@law.miami.edu](mailto:fbarquero@law.miami.edu) or (305) 284-2464. **No late submissions will be accepted.**

**Tuesday, July 28, 2020:** Results of the Competition will be announced by each journal by email or by a phone call.

**\*Saturday, August 8, 2020; Thursday, August 13, 2020; and Friday, August 21, 2020:** Orientation for all Junior Staff Editors of *UMLR*.

**\*Sunday, August 23, 2020:** Orientation for all candidates of all other law reviews.

**\*You must be prepared in advance to devote the required time to the law review should you be selected for candidacy.**

#### IV. 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).

The discussion below outlines the Competition format. *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.*

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 or portions omitted 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.**

Participants will be using their C# 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 C# 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 law reviews to which he or she wishes to apply during the online registration and rank the law 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.**

V. 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 likewise be available on the TWEN webpage.

VI. 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.

The title, headings, and subheadings should be centered.

c. 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.

d. **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.**

- e. 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.
- f. Endnote numbers must be in Arabic numerals, *i.e.* 1, 2, 3, etc.
- g. Paginate each page at the bottom-center of the page and place your C# in the top right-hand corner of each page. Page numbers and your C# should be inserted in headers and footers and, therefore, fall within the one-inch margins.
- h. A title **is required**, but you are not to use a cover page.

Other than the C#, **no identifying information** may appear in your Competition submission.

- i. **On the last page of your endnotes, the following certificate of compliance must be included:**

*I certify that I have complied with the academic integrity requirements of the School of Law Honor Code, and the instructions and policies set forth by the Law Review Writing Competition. I have neither given nor received any unauthorized assistance in preparing this assignment. If I opted and received a mailed hard copy of the source materials before the official start of the competition, I further certify I did not open my packet until July 2, 2020, 10:00 a.m. EST. Signed, [C Number].*

**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.**

## VII. HONOR CODE

Each participant must complete the casenote in compliance with the School of Law's Honor Code. Anyone violating the Honor Code may be reported to the Honor Council for sanctions, including but not limited to disqualification from the writing competition or removal from the Law Review.

### A. *Outside Assistance*

#### 1. 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). 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.

**Note that a new edition of *The Bluebook* may be released during the course of the competition. You should exclusively use the 20th edition for the competition. If you are using *The Bluebook* online, ensure you have the 20th edition selected on the login page.**

## 2. 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:

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

## VIII. 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.

### 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 or empirical data contained in the provided materials.
- 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.

**Due to the 550-page packet limitation, the source materials contain U.S. Supreme Court cases as reported in the Supreme Court Reporter. The Supreme Court Reporter's formatting was found to be more concise and allowed us to provide more and better sources within the page limit.**

**Pursuant to Bluebook Table 1.1, you should always cite to the U.S. Reporter when available. If you are citing to a case in the materials that provides a parallel citation to the U.S. Reporter, use the U.S. Reporter citation exclusively. If the case does not contain a U.S. Reporter parallel citation, simply use the Supreme Court Reporter citation. Failure to follow these express instructions will result in point deductions.**

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.

#### IX. LAST WORD

Keep a clear mind, use your common sense, and good luck!

#### X. CONTACT INFORMATION

You may contact the following individuals regarding the Competition. However, please note that once the competition begins on **Thursday, July 2, 2020, at 10:00 a.m. EST**, the only person you may contact if you have any questions, concerns, or problems is Farah Barquero.

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All my best,



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