

# Connecticut Insurance Law Journal Bylaws

## Article I - Name

1.1 Name. The name of this organization shall be *Connecticut Insurance Law Journal* (the *Journal*). These Bylaws shall be the governing document for this organization. This organization was chartered on May 1, 1994.

## Article II - Purpose and Philosophy

2.1 Purpose. The purpose of the Journal shall be (1) to publish the Connecticut Insurance Law Journal, a student edited legal periodical of the highest quality in insurance law and related areas; (2) to develop the research, writing and leadership skills of its members; and (3) to enhance the University of Connecticut School of Law's reputation for legal scholarship.

2.2 Philosophy. The Journal shall publish useful, timely and original articles, commentaries and book reviews by selected writers, scholars, practitioners, academicians, and professionals in legal and interdisciplinary fields; contributions by members of the Journal written and submitted for publication in accordance with the Membership Handbook; original works by nonmember University of Connecticut School of Law students and students from other law schools; and other timely contributions that the Editorial Board deems worthy of publication. Each work selected for publication must explore a legal issue and have a substantial impact on the practice of insurance law or the business of insurance. In addition, the Journal shall sponsor symposia and other forums on timely insurance related topics.

2.3 Effective as of Volume 10:1, the Journal will be a peer reviewed journal. This process requires that the manuscripts be read, simultaneously with the lead articles editors, by experts in the field of insurance that are not on the staff of the journal. Although outside professionals will be reviewing submissions to the Journal, the ultimate decision as to publication resides with the Journal and all normal cite-checking and layout processes will not be affected by this change. Peer review merely gives critical feedback to the authors submitting materials to the Journal, and permits academics seeking tenure to include submissions to the Journal, thereby increasing our authorship base.

## **Article III - Membership**

3.1 Eligibility. Membership on the Journal is open to all students of the University of Connecticut School of Law in good standing, and may be achieved by any one of the methods listed in Section 3.2. In no event shall membership be offered to any student who does not have at least two (2) resident semesters remaining at the University of Connecticut School of Law.

3.2 Sources of Membership. Membership on the Journal may be earned in one of the following ways.

3.2.1 Annual Writing Competition. Students shall be offered membership based upon excellent performance in the annual Writing Competition, to be conducted in accordance with procedures outlined in the Membership Handbook. The number of students offered membership through this procedure shall be determined via the Editorial Board prior to the Writing Competition.

3.2.2. Supplemental Write-On Competition. At the discretion of the Editorial Board, additional students may be offered membership based upon the submission of an article of publishable quality on insurance law or an insurance related issue. No submissions will be accepted from current members of either the Connecticut Law Review, the Connecticut Journal of International Law, or the Connecticut Public Interest Law Journal. Any student who accepts membership as a result of this competition is required to complete two full academic semesters of production work in accordance with by-law 3.4.

3.2.3 Grade On. Students shall be offered membership if they are ranked as one of the top students of the incoming second year day division class, or as one of the top students of the incoming second year evening division class. The number of students offered membership through this procedure shall be determined by the Editorial Board no later than the last day of classes at the end of each academic year.

3.2.4 Transfer Student Membership. At the discretion of the Editorial Board, transfer students may be offered membership based upon the Editorial Board's assessment of the student's academic achievement, quality of writing, and editing skills. The number of students offered membership through this procedure shall be determined via the Editorial Board. Any transfer student accepting

membership through this discretionary process is making a commitment to the Journal for a minimum of two (2) full academic years.

3.2.5 Membership shall be awarded to all Charter Members of the *Journal*.

3.2.6 Membership Invitations. The total number of students offered membership to the Journal through the Annual Writing Competition and the Grade-On process shall not be less than fifteen (15). If the executive board unanimously agrees to accept fewer than 15 members, this number shall be lowered to the number they decide upon. If the executive board is conflicted on the issue, it will be put to a general membership vote requiring a three-fourths majority. Any student accepting membership through the Annual Writing Competition or Grade-On process is making a commitment to the Journal for a minimum of two (2) full academic years.

3.3 Removal. Any member may be removed from the Journal for just cause by three-fourths vote of the Editorial Board including an affirmative vote by the Editor-in-Chief. Failure to perform any of the membership duties and responsibilities listed in section 3.4, constitutes just cause for removal.

3.3.1 Petition for Removal. Procedures outlined in Section 3.3 shall be initiated against members by a petition signed by at least three members of the Editorial Board, submitted in writing to the Editor-in-Chief. In addition to the foregoing, removal proceedings against an editor may be initiated by a signed petition of at least one-half of the existing membership. In the case of a petition for removal of the Editor-in-Chief, the signed petition shall be delivered to the Managing Editor(s).

3.3.2 Notice to Member. The Editor-in-Chief will first give the Member a formal warning that their membership credit is in jeopardy for failing to perform a membership duty or responsibility listed in section 3.4. If the Member fails to perform a subsequent duty or responsibility, there is grounds for removal from the Journal. The Editor-in-Chief shall notify the member in question, in writing, of the pending removal vote. This notice must include the date, time, and place when the vote will occur as well as the reasons for considering such a vote.

3.3.3 Removal Process and Right to Appeal.

The removal of a Member will be finalized by a majority vote by the Editorial Board. The member in question will

be asked to appear before the Editorial Board, prior to the vote, in order to present a defense to removal.

3.3.4 Reinstatement. Immediately upon a vote to reinstate the member, said member shall consult with the Editor-in-Chief to find out what responsibilities need to be attended to (i.e., on-going cite checks, upcoming layouts, etc.). All privileges and responsibilities of membership on the Journal are restored, without prejudice, immediately.

3.3.5 Notice of Removal. Once removal is official, the Editor-in-Chief shall provide written notice of the removal to the Journal's faculty advisor and to the Registrar's office.

3.3.6 Removal of the Editor-in-Chief. A seventy five percent (75%) vote of the Editorial Board, excluding the Editor-in-Chief, is required to remove the Editor-in-Chief. The Managing Editor(s) must provide the Editor-in-Chief with written notice of a pending removal vote, which must include the date, time and place where the vote will occur as well as the reasons for considering such a vote. Upon a vote to remove, the Managing Editor(s), chosen by a simple majority of the membership, shall immediately assume the Editor-in-Chief's duties as set forth by this Article. The Editor-in-Chief shall be entitled to the appeal procedures outlined in Section 3.3.2; however, the Editor-in-Chief must submit the written request for appeal to the Managing Editor(s). The Managing Editor(s), chosen by simple majority, shall speak on behalf of the Editorial Board at the General Membership hearing. Upon a vote of the General Membership to reinstate the Editor-in-Chief, the Editor-in-Chief shall immediately consult with the Editorial Board. All privileges and responsibilities of the Editor-in-Chief shall be restored, without prejudice, immediately following such a vote.

3.3.7 Resignation from Journal. A seventy five percent (75%) vote of the full Executive Board, including an affirmative vote by the Editor-in-Chief, is required to allow a member to resign from the journal. Upon a vote to allow resignation, the former member forfeits their rights to the appeals procedures outlined in Section 3.3.2. A note of resignation will appear on the member's transcript. Upon a negative vote, if the member will not fulfill their duties to the journal, removal proceedings as outlined in Section 3.3 will commence.

3.4 Duties and Responsibilities. Members must fulfill the following duties and responsibilities to the *Journal*.

3.4.1 First Year of Membership. During the first year of membership on the *Journal*, members must (1) complete weekly office hours as scheduled by the Administrative Editor in accordance with the Membership Handbook; (2) submit a case note or comment of publishable quality in accordance with the deadlines and requirements established by the Notes & Comments Editors; and (3) adhere to all other policies and procedures set forth by the Editor-in-Chief in accordance with the Membership Handbook.

3.4.2 Second Year of Membership. All members must assume an Editorial position on the *Journal* during their second year of membership. Each member is then responsible for fulfilling duties specific to the position attained in accordance with Section 4.4 of these Bylaws.

3.4.3 Subsequent Years of Membership. During any subsequent time with the *Journal*, members shall be responsible for acting as a Student Advisor for the *Journal* in accordance with Section 4.5 of these Bylaws.

3.5 Membership Handbook. The Editor-in-Chief shall promulgate annually a Membership Handbook, detailing the policies and procedures of the *Journal*. The Membership Handbook shall not be inconsistent with any of these Bylaws. In the event of any inconsistencies between these Bylaws and the Membership Handbook, these Bylaws shall govern. The Membership Handbook shall be enforced immediately upon its promulgation and may be amended at any time by a vote of three-fourths of the Editorial Board.

## **Article IV - Editorial Board**

4.1 Composition. The Editorial Board shall consist of one (1) Editor-in-Chief, directly responsible to the Editorial Board; and the following Editors, all of whom are directly responsible to the Editor-in-Chief: one (1 or 2) Managing Editor(s), one (1) Administrative Editor; one (1) Assistant Managing Editor; two (2) Lead Articles Editors;; one (1) Research Editor; four (4) Notes & Comments Editors; four (4) Executive Editors; one (1) Technology Editor; one (1) Writing Competition and Symposium Editor; and an unspecified number of Associate Editors. In any year when as few as twelve (12) and as many as nineteen (19) members are joining the journal for their first year of membership, the Editor in Chief shall have sole discretion to consolidate editorship positions for the following year, to a minimum of twelve (12) positions.

4.1.1 Composition of Executive Board. The Executive Board shall include the Editor-in-Chief, the Managing Editor(s), the Administrative Editor, and the Assistant

Managing Editor. The Executive Board shall be responsible for the formulation of general administrative and policy-making duties.

4.2 Duties and Powers. The Editorial Board shall be the governing body of the Journal and shall relegate specific administrative and policy-making responsibilities to the appropriate Editor or Editors on the Board in accordance with this Article. The Editorial Board shall have the collective power to take actions not inconsistent with these Bylaws.

4.3 Terms. The terms of the Editors shall begin on the graduation day immediately following their election and shall continue until the graduation day one year thereafter.

4.4 Editorial Positions. The responsibilities of the Editorial Board shall be distributed as follows.

4.4.1 Editor-in-Chief. The Editor-in-Chief shall arrange for the publication of the Connecticut Insurance Law Journal, set the goals and coordinate the activities of the Journal, schedule and preside at all meetings, extend offers of membership, approve the solicitation of authors and selection of all works to be published, approve the selection of topics for student notes and comments, edit all works to be published, approve academic credit for work on the Journal, preside over elections and serve as the primary liaison with the faculty advisor, administration, insurance industry and alumni, serve as final arbiter of any disputes over practices and policies of the Journal, and notify members of inadequate performance.

4.4.2 Managing Editor(s). The Managing Editor(s) shall directly oversee the production process to assure the timely and efficient publication of each issue of the Journal. The Managing Editor(s) shall supervise and assign all production work, set the production schedule, coordinate the selection of articles, train new members, manage the production room, and serve as the primary liaison with the printer. The Managing Editor(s) assists the Editor-in-Chief in formulating policy and shall preside at any meetings in the Editor-in-Chief's absence. At the discretion of the current Editor-in-Chief with first year membership numbers of 12 or more, the Editor-in-Chief may permit the creation of Co-Managing Editors who will jointly be responsible to fulfill the above responsibilities. The Co-Managing Editors shall assist the Editor-in-Chief in formulating policy and shall preside at any meetings in the Editor-in-Chief's absence.

4.4.3 Administrative Editor. The Administrative Editor shall be responsible for overseeing the Journal's financial, technical and administrative affairs. The Administrative Editor shall prepare a budget, maintain any financial records, incur expenses and enter into business transactions on behalf of the Journal, make disbursements of money as necessary, solicit subscriptions and advertisements, prepare and enforce the office hours schedule, maintain updated membership and alumni data, handle requests for reprints and copyright information, and prepare printer bid specifications. The Administrative Editor assists the Editor-in-Chief in formulating policy.

4.4.4 Assistant Managing Editor. The Assistant Managing Editor shall assist the Managing Editor(s) in directly overseeing the production process to assure timely and efficient publication of each issue of the Journal. The Assistant Managing Editor shall also assist the Managing Editor(s) in supervising and assigning all production work, setting the production schedule, training new members and managing the production room. The Assistant Managing Editor shall also serve as the liaison between the Executive Editors and the Managing Editor(s).

4.4.5 Lead Articles Editors. The two (2) Lead Articles Editors shall be responsible for editing all lead articles to be published in the Journal and shall assist the Editor-in-Chief in the solicitation and selection of such articles.

4.4.6 Research Editor. The Research Editor shall maintain the *Journal's* reference materials, including online sources, and shall prepare and make available to students a comprehensive list of potential topics for student notes and comments.

4.4.7 Notes & Comments Editors. The four (4) Notes & Comments Editors shall closely supervise new members in the writing of their notes and comments. They shall also recommend and edit nonmember student submissions for publication. At the discretion of the Editor-in-Chief, an additional Notes & Comments Editor may be elected, for a total of five (5) Notes & Comments Editors.

4.4.8 Executive Editors. The four (4) Executive Editors shall be directly responsible for the technical accuracy of all materials published by the Journal. The Executive Editors shall edit each work to be published, oversee the technical aspects of the cite-checking process, typeset each work to be published, and collate all articles into final form.

The Executive Editors shall resolve all questions concerning grammar and citation style. At the discretion of the Editor-in-Chief, an additional Executive Editor may be elected, for a total of five (5) Executive Editors.

4.4.9 Technology Editor. The Technology Editor shall be responsible for ensuring that all office machines and *Journal* web site are properly updated, well supplied, and in proper working order at all times.

4.4.10 Developments and Topics Editors. The Developments and Topics Editors shall be responsible for the solicitation of articles on current topics or legal developments pertaining to insurance related matters of practical interest to practitioners and any other tasks pertaining thereto.

4.4.11 Writing Competition and Symposium Editor. (a) The Writing Competition Editor shall serve under the oversight of the Executive Board. (b) The Writing Competition Editor shall oversee any Writing Competition used to determine membership on the Connecticut Insurance Law Journal, represent the Journal in all inter-journal Writing Competition activities and oversee the researching of Writing Competition materials. (c) The Writing Competition Editor shall, with the consent and assistance of the Executive Board, determine the standards for evaluating Writing Competition submissions determine the method and distribution of Writing Competition submissions to the general body for evaluation and oversee the process of ranking and drafting new members by means of any Writing Competition. The Editor shall also organize all aspects of the symposia, including serving as the chair of the Symposium Committee.

4.4.12 Associate Editors. The Associate Editors shall perform substantial editorial duties as reasonably requested of them by any of the Editors holding positions listed in Sections 4.4.1 through 4.4.12.

4.5 Student Advisors. Individuals who have successfully completed their two (2) year commitment to the Journal and who will continue to be enrolled at the University of Connecticut School of Law in either the Juris Doctorate program or a recognized dual degree program, or any student enrolled in the Masters of Insurance Law program may request to be appointed Student Advisors for the Journal in accordance with Section 6.3 of these bylaws. Student Advisors shall be available to provide guidance and advice to members who are writing case notes or comments as well as



to assist the Editorial Board with administrative and production matters throughout the academic year.

## **Article V - Meetings**

5.1 General Meetings. The Editor-in-Chief shall set the time and place for meetings of the General Membership. In no event shall there be less than two (2) meetings per year. Attendance at these meetings is mandatory.

5.2 Executive Board Meetings. Meetings of the Executive Board shall be held at least once per month during the Fall and Spring Semesters. The Editor-in-Chief shall set the time and place for such meetings. Attendance at these meetings is mandatory.

5.3 Other Meetings. The Editor-in-Chief shall call additional meetings as warranted. Editors acting as committee chairs shall call meetings as warranted. Attendance at these meetings is mandatory unless otherwise stated.

5.4 Notification. The Editor-in-Chief shall cause to be posted in a prominent place notice of all meetings, which shall contain the date, time and place of all meetings.

5.5 Quorums. Unless otherwise specified by these Bylaws, the following quorum rules shall apply.

5.5.1 General Meetings. For the purposes of meeting of the General Membership, a quorum shall consist of at least one-half of the General Membership of the *Journal*.

5.5.2 Editorial Board Meetings. For the purposes of the Editorial Board, a quorum shall consist of at least two-thirds all Editors holding positions listed in Sections 4.4.1 through 4.4.13.

5.5.3 Authority to Act. A quorum is necessary before any action is taken at a meeting authorized under this Article. For purposes of calculating quorum, Editors and/or members who are studying abroad or who have already graduated are not figured into current Editorial Board or General Membership totals.

5.5.4 Student Advisors. Student Advisors shall not be counted for the purposes of calculating quorum for any meeting under this Article as they do not retain any voting power. Student Advisors shall be entitled to attend all meetings and be allowed to speak on any relevant issue that is before the Editorial Board or the General Membership.

5.6 Actions. Unless otherwise specified in these Bylaws, action upon any authority vested in the Editorial Board or the General Membership may be taken upon the assent of the majority of those in attendance at the

applicable meeting, or by the general assent of a majority of the membership.

5.7 Overrules. Actions taken by an Editor pursuant to duties specified in Article IV which may be contrary to these Bylaws or to the Membership Handbook may be overturned by a two-thirds vote of the Editorial Board.

## **Article VI - Selection of Editors**

6.1 Eligibility. All members of the Journal shall be eligible for election to the Editorial Board, provided that they have served on the Journal for at least one semester. Members who will not regularly attend the University of Connecticut School of Law during any portion of the Fall term are eligible only for the Associate Editor and Symposium Editor positions. Elections for the Editorial Board shall be held during the month of March each year, the date and time to be set by the Editor-in-Chief.

6.2 Elections. Editorial elections shall be in accordance with the following procedures.

6.2.1 Order. Elections for the nineteen (19) elected Editors shall be conducted under procedures established in these Bylaws and in the Membership Handbook. The order of election shall be the order in which the positions are listed in Article IV.

6.2.2 Majority. Candidates for Editor-in-Chief, Managing Editor(s), Administrative Editor, and Assistant Managing Editor shall be elected by a majority vote. Should no candidate receive a majority of the votes, a run-off between the top two vote-getters will be held. Each member shall have one vote for each position.

6.2.3 Plurality. Candidates for the remaining Editorial positions shall be elected by a plurality vote. The top vote-getters for each office shall be considered elected. Each member shall have one vote for each individual position available, but in no event may any elector cast multiple votes for any single candidate for any one office.

6.2.4 Ties. In the event of a tie for any position, a second ballot shall be held between the two candidates receiving the same numbers of votes. In the event that a tie persists, the outgoing Editorial Board shall vote to select the winner, with a two-thirds quorum of that said body present.

6.3 Appointments. At any time, the Editor-in-Chief, with the approval of at least two additional members of the executive board, shall extend Student Advisor status to all persons who qualify and have petitioned for such status pursuant to Section 4.5 of these Bylaws.

6.4 Vacancies. Vacancies on the Editorial Board shall be filled by election conducted under procedures established in this Article and in the Membership Handbook. Should the position of Editor-in-Chief become vacant, the Managing Editor(s), or the Editor next in precedence in Article IV, shall act as Editor-in-Chief until an election can be held in accordance with the procedures established under this Article and in the Membership Handbook.

## **Article VII - Enactment and Amendments**

7.1 Enactment. These Bylaws shall be considered enacted and in full force upon acceptance by a two-thirds majority of the Editorial Board.

7.2 Amendments. These Bylaws may be amended upon the assent of the three-fourths majority of the General Membership of the *Journal*, at a general meeting of the membership or by the assent of three-fourths of the membership through electronic mail.

7.3 Notice. Notice of any proposed amendment shall be given to each member, along with a copy of the text of the proposed amendment, at least two weeks prior to the meeting at which the amendment shall be put to vote. This notice requirement may be waived by a two-thirds vote of the General Membership at a General Membership meeting.

## **Article VIII - Charter Members and Charter Editorial Board**

8.1 Charter Membership. On May 1, 1994, the Charter of the *Journal* was signed, creating this organization. All signatories to the Charter are hereby considered Charter Members and shall be granted full membership on the *Journal*, subject to the policies outlined in the Membership Handbook for Charter Members, as well as to the general policies of the *Journal*.

8.2 Charter Editorial Board. On May, 1, 1994, the Charter Members elected an Editorial Board to guide the *Journal* through its first year of existence. Said Board shall be known as the Charter Editorial Board. Said Board shall exercise all rights, privileges and duties