

**UNIVERSITY OF MIAMI LAW REVIEW
INTER-AMERICAN LAW REVIEW
BUSINESS LAW REVIEW
INTERNATIONAL AND COMPARATIVE LAW REVIEW
PSYCHOLOGY, PUBLIC POLICY AND LAW JOURNAL**

**OFFICIAL NOTICE FROM THE STUDENT WRITING AND RESEARCH EDITORS
2009 WRITING COMPETITION RULES AND INSTRUCTIONS**

The 2009 Writing Competition ("the Competition") for candidacy on the University of Miami Law Review, the Inter-American Law Review, the Business Law Review, the International and Comparative Law Review, and the Psychology, Public Policy, and Law Journal will run for 9 days beginning Friday, July 31, 2009. This packet provides a schedule of events, outlines the rules and eligibility requirements, explains what a casenote is, and offers suggestions and advice on participation in the Competition. Many of you will not know whether you are eligible to participate until late summer when the Registrar computes class ranks. However, an understanding of the rules now will enable you to prepare ahead of time so that the week of the Competition can be devoted entirely to writing your casenote. It will be difficult for the Reviews to address your questions and problems once school is out for the summer, so please take the time to look over this notice carefully and bring any questions or concerns you may have to the Reviews' attention.

The results of the Competition will be posted on Friday, August 14, 2009. **All successful member-candidates must be prepared to devote Saturday, August 15, 2009, to a mandatory orientation for your review.**

I. ELIGIBILITY REQUIREMENTS

A. Current UM Law Students:

The Reviews invite a certain percentage of the class, based on grades, to join the Review. These students may "walk-on" to the Review without participating in the Competition. Each Review establishes different standards for eligibility to enter the Competition. The criteria for eligibility for each Review are as follows:

The **University of Miami Law Review** offers walk-on candidacy to first-year students in the top 7% of their class or the top 7% of their sections. First-year students in the top 33-1/3% of their class or the top 33-1/3% of their sections and second-year students in the top 33-1/3% of their class are eligible to submit their casenotes to this Review for consideration. The University of Miami Law Review presents the honor of "Best Casenote" to the author of the best submission it receives.

The **Inter-American Law Review** offers walk-on candidacy to first-year students in the top 15% of their class or the top 15% of their sections. The Competition for candidacy on this

Review is open to all first-year students in the top 33-1/3% of their section or class and all second-year students in the top 33-1/3% of their class.

The **Business Law Review** offers walk-on candidacy to first-year students in the top 12% of their class or the top 12% of their sections. First-year students in the top 50% of their class or the top 50% of their sections and second-year students in the top 50% of their class are eligible to enter the Competition and be considered by this Review.

The **International and Comparative Law Review** offers walk-on candidacy to first-year students in the top 12% of their class or the top 12% of their section. The ICLR also offers walk-on candidacy to second-year students in the top 15% of their class. The Competition is open to all first-year students in the top 50% of their section or class and to all second-year students in the top 50% of their class. Please note that all selected candidates for membership for this Review will be required to take one course or seminar in International Law prior to the beginning of their third year.

The **Psychology, Public Policy, and Law Journal** will offer a *conditional* walk-on invitation to first-year students in the top 25% of their class or top 25% of their section. In addition to meeting the class standing requirement, the PPP&L requests that each potential candidate submit a resume, and a cover letter—no more than one (1) page—addressing his/her interest in psychology and public policy, particularly as it affects law, and any relevant background education and/or experience in these fields. Actual invitations to candidacy will be made only after the Executive Board reviews the applications and makes final decisions. The Competition is open to all first-year and second-year students in the top 40% of their class or the top 40% of their section. First-year and second-year students participating in the Competition for the PPP&L Journal are not required to submit a resume or cover letter.

B. Transfer Students:

Each Review establishes different standards for eligibility to enter the Competition. The criteria for eligibility as a transfer student for each Review are as follows:

The **University of Miami Law Review** does not offer walk-on candidacy to transfer students. However, transfer students who were ranked in the top 10% of their previous school's class are eligible to participate in the competition and submit their casenotes to this Review for consideration. The University of Miami Law Review presents the honor of "Best Casenote" to the author of the best submission it receives.

The **Inter-American Law Review** does not offer walk-on candidacy to transfer students. However, transfer students who were ranked in the top 33-1/3% of their previous school's class are eligible to participate in the competition and submit their casenotes to this Review for consideration. Provided that they are in the top 33-1/3% of their class in the school from which they transferred, transfer students unable to enter the writing competition may complete the Abridged Writing Competition, as administered by the Student Writing Editor and with the approval of 2/3 of the executive board.

The **Business Law Review** offers walk-on candidacy to transfer students who were ranked in the top 12% of their previous law school's class, so long as that school has been accredited by the American Association of Law Schools. Additionally, transfer students who were ranked in the top 50% of their previous school's class are eligible to participate in the competition and submit their casenotes to this Review for consideration.

The **International and Comparative Law Review** does not offer walk-on candidacy to transfer students. However, transfer students who were ranked in the top 50% of their previous school's class are eligible to participate in the competition and submit their casenotes to this Review for consideration. Please note that all selected candidates for membership for this Review will be required to take one course or seminar in International Law prior to the beginning of their third year.

The **Psychology, Public Policy, and Law Journal** will offer *conditional* walk-on candidacy to transfer students in the top 25% of their first-year class. Candidates must also submit a resume, and a cover letter—no more than one (1) page—addressing his/her interest in psychology and public policy, particularly as it affects law, and any relevant background education and/or experience in these fields. Transfer students in the top 40% of their first-year class are eligible to compete in the Competition for candidacy for the Journal, and need not submit a resume or cover letter.

II. SCHEDULE

We intend to follow the schedule below, which is planned to allow sufficient time for late spring 2009 grades to be submitted to and computed by the Registrar.

Wednesday, July 15, 2009: We will notify walk-ons of their candidacy and prospective write-ons of their eligibility to participate in the Competition. Notification of eligibility will be e-mailed to your University of Miami School of Law email account. It is your responsibility to check your email by Monday, July 13, 2009 for notification. If you do not hear from a Review in which you are interested by this date, and you think you may be eligible, please contact that Review to check your eligibility status. See contact information at end of this packet.

Friday, July 24, 2009, 4:00 PM: Deadline for registering for the Competition as well the deadline for paying the \$30 for materials **should you wish to have a hard copy of the packet of materials.** As all the materials for the 2009 Competition will be available online, you only need to pay the \$30 fee if you want a hard copy printed for you by the law school. For participants who choose to print the materials themselves or who simply choose to use the online sources, registration is **free**. The registration form will be available on the website, and all payments will be made through PayPal. Participants are encouraged to set up a PayPal account prior to July 24, as it may take a few days for PayPal to verify banking information and establish an account. Complete registration and payment instructions will be available on the website no later than Monday, July 13, 2009 (the day that walk-on/write on eligibility notifications are sent out). See website information in section IV.

Please Note: Because the packet of materials will be available online this year, we will not offer to ship hard copies of the packet to out-of-town competitors this year. If you request a hard copy, it **must** be picked up on the first day of the competition.

Monday, July 27, 2009: Participants will receive an e-mail confirming registration and containing their Blind Grading Number for the competition. If you do not receive this confirmation e-mail by Tuesday, July 28, 2009, please contact Farah Barquero at (305) 284-2464.

Friday, July 31, 2009, 2 p.m. EST: Packet of competition materials becomes available to participants on the website. You will need your law school user name and password to access this information. (For example: User name- AB4567, Password- C01234567) Participants who requested a hard copy of the materials can pick up their packets on the 3rd floor of the Law Library in Room B349 at this time.

Sunday, August 9, 2009, 10 p.m. EST: Casenotes must be submitted for grading via e-mail. All submissions must be sent to LRComp2009@gmail.com and **you must put your blind grading number on EACH page of the casenote.** Please do not put any other identifying marks on the casenote. Additionally, the casenote must be sent in **PDF format.** Instructions for converting word documents to PDF format will be available on the competition website prior to the competition. We suggest that you familiarize yourself with the process before the competition begins to avoid any last minute panic. Please title the file and subject of the e-mail "Casenote" followed by your blind grading number. For example: "Casenote12345678".

Monday, August 10, 2009: Each participant will receive a confirmation e-mail regarding the receipt of his or her casenote. If you do not receive a confirmation e-mail by **5:00 PM EST on Monday, August 10, 2009**, please contact Farah Barquero at (305) 284-2464.

Friday, August 14, 2009, 5:00 PM: Results of the Competition will be posted on the Reviews' doors and in the glass message cases outside Room 209.

Saturday, August 15, 2009: Orientation period begins for all candidates for each Review. You must be prepared in advance to devote the required time to the respective Reviews should you be chosen for candidacy.

III. THE COMPETITION

This is a **CLOSED COMPETITION**, and you may use **ONLY** the material in this packet, the 18th edition of the BLUEBOOK, and the Sample Note. The discussion below outlines the competition format. To understand the format of a Note, you may refer to the Sample Note which was distributed at the informational meeting on Tuesday, April 13 and Wednesday, April 14. You may obtain a copy of this Note online via the Competition website. **You may not consult any other sources regarding the proper way to structure and write a Note. Use of any other source beyond what is provided in the packet is grounds for disqualification of your submission.** Further, if aspects of the Sample Note differ from these instructions, these instructions are **controlling.**

All participants in the Competition will utilize a packet of materials, no larger than 800 pages long, to write a research paper in the form of a law review casenote. Participants may use **only** the materials available online through the website (or reproduced in the printed packet of materials should you order one).

Participants **may submit their casenotes to any or all of the Reviews for which they are eligible.** Each participant will be assigned a blind grading number by a neutral third party before the competition begins. As stated above, each participant will receive his or her blind grading number on **Monday, July 27, 2009**. It is of vital importance that **participants put their blind grading number on each page of their casenote PRIOR to converting the word document into PDF format.** After the casenotes are submitted, each participant's casenote will be distributed to the Reviews to which that candidate has chosen to apply. Each participant will have previously selected the reviews to which he or she wishes to apply during the online registration. All evaluations by the Reviews will be kept strictly confidential. Within each Review, a committee of Review members will grade the casenotes from the Competition. Several members of the committee will read every casenote, evaluating the quality of the writing, organization, legal analysis, adherence to rules and length limitations, and bluebooking. Each Review maintains its own grading policy. Deadlines will be strictly enforced.

Any students with disabilities must submit in writing their concerns to Iris Morera in the Dean of Student's Office (Room A-211) at (305) 284-4551 by **Monday, June 1, 2009**, if they wish to request special accommodations.

The Competition topic was chosen because there are equally strong arguments on both sides of the issue. Whether or not your Note reaches the same conclusion as the court will not affect your competition score.

In contrast to a brief or a memorandum, a Note 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 Note highlights how other authorities have resolved the issue, and then should specifically highlight how the case, statute, or administrative rule resolves the issue presented. However, your goal is not to write a book report. A successful Note will give extensive treatment of the prior law and then analyze the principal case, statute, or administrative rule in light of that prior law.

This packet includes materials related to the noted case, including secondary sources that may help you write a Note. In writing your Note, you may not rely on any other materials other than those that are within the competition packet. Any outside research is a violation of the Honor Code.

It is in your best interest to read each piece of material included in this packet to educate yourself on the topic. You will note that sections of the materials have been redacted because they discuss issues outside the scope of the issue. However, do not infer that all of the non-redacted 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. Take adequate time to digest and comprehend the issues before you begin to write.

IV. LOGISTICAL DETAILS

All information for the Competition can be found on the Competition website:

<http://currentstudents.law.miami.edu/stuorgs/writingcomp/>

Potential participants should take some time this summer to familiarize themselves with this website, as it will contain registration information and helpful materials that can be used to prepare for the Competition. During the actual competition, links to the packet of materials and other important information will be available on this website.

Please refer to the above “Schedule” under Part I for all pertinent deadlines.

V. MECHANICS

A. Format & Length

1. The text of the paper, including the title, headings, and subheadings, must be double spaced, submitted on 8-1/2 x 11 inch paper, and typed in Courier New 12 point font only (10 characters per inch). The following example is typed in Courier New 12 point font (10 characters per inch):

Please note that this instruction is double-spaced, typed in Courier New 12 point font at 10 characters per inch, and is left justified. To ensure that you are using Courier New 12 point font, we strongly suggest that you use a ruler to measure the number of characters per inch. This will give you an accurate result, if your Note is left justified.

1. The text of the paper should be left justified.
2. The title, headings, and subheadings should be centered.
3. Endnotes must start on a separate page following the last page of the main text. Do not use footnotes that appear at the bottom of each page. Endnotes must be in Courier New 12 point font (10 characters per inch). Use double spacing both between and within endnotes. Each endnote must not exceed 6 lines.

4. The text must not exceed 14 pages, and the endnotes must not exceed 12 pages; the total length must be no more than 26 pages. Competition graders will not read more than 14 pages of text and 12 pages of endnotes.
5. Margins, except block quotes, must be one inch from all sides of the paper. Block quotes must be full justified and indented two inches from the left and right edges of the paper. Block quotes must also be double spaced, in Courier New 12 point font.
6. Endnote numbers must be in Arabic numerals.
7. Insert page numbers at the bottom center of each page and your competition number in the top right hand corner on each page. Page numbers and your competition number may be inserted within the one-inch margin and do not have to be in Courier New 12 point font.
8. A title is encouraged, but do not use a cover page.
9. Your name cannot appear anywhere on your competition paper.

Notes that do not conform to all of the Format & Length Rules will be subject to one or more automatic penalty deductions from the paper score. Notes that exceed 26 pages will be automatically disqualified.

VI. HONOR CODE

Each participant must complete the casenote alone, without help from others. Because the Competition is an academic exercise of the Law School, we will immediately report to the Honor Council any person found to have given or received assistance in the preparation of a casenote.

A. Outside Assistance

1. Substantive Assistance and Additional Research

Your Note must represent your own work product using only the materials contained in this packet and The Bluebook: A Uniform System of Citation (18th ed. 2005). Although you may examine the Sample Note 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 Note with other law students, practitioners, professors, or any other person.

2. Technical Assistance

Outside technical assistance is prohibited. You may not have any individual proofread, edit, or review your Competition Paper. You also may not use software to check bluebooking. You may, however, use a computer generated spell-check or grammar-check program.

B. Plagiarism

Plagiarism constitutes a violation of the law school Honor Code as well as the rules of the Competition. Generally, plagiarism is “[t]he act of appropriating the literary composition of another, or parts or passages of his [or her] writings, or the ideas or language of the same, and passing them off as the product of one’s own mind.” Black’s Law Dictionary 1150 (6th ed. 1990).

More specifically, plagiarism is:

- (1) the intentional use of more than seven consecutive words from a source without using quotation marks and without attributing the source, or:
- (2) the intentional use of inartful paraphrase; an inartful paraphrase is:
 - i. changing only a few words in a passage (e.g., every seventh word), or
 - ii. a passage wherein 50% or more of the words are the same as those found in the original source.

VII. ORGANIZING YOUR COMPETITION PAPER

The following discussion represents an outline of the structure to be used in writing your Competition Paper. In following this format, use headings and subheadings for the prior law, main case, analysis, and conclusion sections only. The headings introducing the prior law, main case, and analysis sections should be substantive, highlighting the major theme of each section. The conclusion section is introduced only by the heading “Conclusion.”

A. Structure of a Note

- **Introduction** (no heading or subheading and no more than two to three paragraphs)

Begin with an engaging sentence, quote, or hypothetical that will “grab” the reader’s interest. Start with a broad thumbnail sketch to set the stage for the introduction of your narrower topic. Make sure to identify the basic issues and themes that will be covered by your Note.

- **Brief Background** (no heading or subheading and 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 be more specific with respect to the recent trend upon which you are focusing, while setting out the relevant facts of your case. It may be appropriate to include some substantive endnotes to support the importance of your subject matter, such as statistical data.

- **Roadmap / Scope** (no heading or subheading and no more than two paragraphs)

Explain your Note's structure. Create the impression that you have planned your entire argument before writing the article. Preview the new development and the prior law, while identifying the thrust of your article. Does the trend break new ground? Clarify confusion in the legal realm? Extend the trend? Approach an old problem in a new way?

- **Prior Law** (substantive Roman numeral headings and subheadings)

Set out the legal history leading to the recent development you will discuss. Identify the previous approaches taken to the general problem. Identify the important cases, statutes, commentaries, and opposing viewpoints that have previously dominated the area. Avoid organizing this section by cases; instead, organize it by approaches (approach A to approach B to approach C). When discussing case law, state the procedural posture, critical facts, holding, and reasoning in the text. Any additional details belong in the endnotes.

- **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 area of law. 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 noted case.

- **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. Draw from synthesis of prior law and explain and develop how your position reverses, extends, or deviates from the prior 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.

- **Conclusion** (Roman numeral heading with term "Conclusion" as the heading)

Give the big picture perspective. Do not introduce any new material or arguments, but do review your earlier statements in a new light. The conclusion should flow from the analysis without merely restating what was already said.

B. Endnotes

All citations must begin on a separate page at the end of the text as endnotes. Do not use footnotes, which appear at the bottom of each page. Use endnotes only to cite sources in the Competition Packet that support or oppose statements in the text of your Note. All citations must conform to the 18th edition of the Bluebook. (Please Note: There are a substantial number of

differences between the 17th and 18th editions of the Bluebook). Demonstrate good citation form on *a variety of sources*.

Endnotes should direct the reader to the source of assertions and, through the creative use of signals (Bluebook Rule 1.2), direct the reader to useful material. Most endnotes will be short; however, some endnotes may be “substantive” in the sense that they expand or highlight the text. Endnotes with explanatory parentheticals (Bluebook rules 1.2 and 1.5) are encouraged. For purposes of this competition, substantive endnotes must not be longer than 6 lines each.

Please Note: Consult 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. You must be consistent throughout your paper.

VIII. FINAL WORD

The week of the Competition will undoubtedly be a time you will not soon forget. The assignment is difficult, especially given the time constraints and the length requirements. The territory you are charting is unknown, since most of you have never written a casenote, and the stakes can seem very high. While the experience may be a sleepless and frustrating one, participating in the Competition will greatly enhance your legal research and writing skills. Membership on all of the Reviews is an invaluable experience, and well worth the demands of the Competition. Keep a clear head, use common sense, and good luck.

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