

**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
2011 WRITING COMPETITION RULES AND INSTRUCTIONS**

The 2011 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 7 days beginning Friday, July 29, 2011. 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 the middle of 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 12, 2011 at 5:00 PM. **All successful candidates must be prepared to devote Saturday, August 13, 2011 to a mandatory orientation for your Review.**

I. ELIGIBILITY REQUIREMENTS

A. Current UM Law Students:

The Reviews invite a designated percentage of the class, based on grades, to "walk-on" each respective 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 within a specific percentage of their section or class, and this specific percentage is in accordance with class size. The percentage is 7% for a class size of 399 or fewer students; 6.5% for a class between 400–449 students; 6% for a class between 450–499 students; 5.5% for a class between 500–549 students; 5% for a class of 550–599 students; 4.5% for a class of 600–649 students; and 4% for a class of 650 or more. First-year students in the top 33-1/3% of their section or class 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 **Inter-American Law Review** offers walk-on candidacy to first-year students in the top 12% of their section or class. First-year students in the top 33-1/3% of their section or class 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 **Business Law Review** offers walk-on candidacy to first-year students in the top 12% of their section or class. First-year students in the top 50% of their section or class and second-year students in the top 50% of their class are eligible to submit their casenotes to this Review for consideration.

The **International and Comparative Law Review** offers walk-on candidacy to first-year and second-year students in the top 12% of their section or class. First-year students in the top 50% of their section or class and second-year students in the top 50% of their class are eligible to submit their casenotes to this Review for consideration. Please note that all candidates selected 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** offers a *conditional* walk-on invitation to first-year students in the top 25% of their section or class. 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. Formal invitations to candidacy will be made only after the Executive Board reviews the applications. First-year students in the top 40% of their section or class and second-year students in the top 40% of their class are eligible to submit their casenotes to this Journal for consideration. 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** *may* offer walk-on candidacy to transfer students who were full members or candidates of a law review at their former school on a case-by-case basis, with approval of the Executive Board. Transfer students 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 **Inter-American Law Review** does *not* offer walk-on candidacy to transfer students. Transfer students 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. Transfer students unable to enter the writing competition may complete the Abridged Writing Competition administered by the Student Writing Editor, provided that they are in the top 33-1/3% of their previous school's class and that they receive approval from 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 school's class, so long as that school has been accredited by the American Association of Law Schools. Transfer students 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. Transfer students 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 candidates selected 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 are not required to 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 2011 grades to be submitted to and computed by the Registrar.

Early July: The Dean of Students Office 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 e-mail account. It is your responsibility to check your e-mail for notification.

Friday, July 22, 2011, 12:00 PM (Noon) EST: Deadline for registering for the Competition as well the deadline for paying the **\$35** for materials **should you wish to have a hard copy of the packet of materials**. As all the materials for the 2011 Competition will be available online, you only need to pay the \$35 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 must be made through PayPal. Participants are **encouraged to set up a PayPal account prior to July 22**, as it may take a few days for PayPal to verify banking information and establish an account.

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

Monday, July 25, 2011: Participants will receive an e-mail confirming registration and containing their anonymous grading number for the competition. If you do not receive this confirmation e-mail by Tuesday, July 26, 2011, please contact Farah Barquero at (305) 284-2464.

Friday, July 29, 2011, 12:00 PM (Noon) 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: Jdoe, 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.

Friday, August 5, 2011, 12:00 PM (Noon) EST: Casenotes must be submitted for grading via e-mail. All submissions must be sent to **LRComp2011@gmail.com** and **you must put your anonymous 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 anonymous grading number. (For example, “Casenote12345678”) 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 **10:00 PM EST on Friday, August 5, 2011**, please contact Farah Barquero at fbarquero@law.miami.edu.

Friday, August 12, 2011, 5:00 PM EST: Results of the Competition will be posted on the Reviews' doors and in the glass message cases outside Room F209.

Saturday, August 13, 2011: 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 selected for candidacy.

III. THE COMPETITION

This is a **CLOSED COMPETITION**, and you may use **ONLY** the material in this packet, THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (19th ed. 2010), and the Sample Casenotes. The discussion below outlines the competition format. To understand the format of a casenote, you may refer to the Sample Note and the slides from the “How to Write a Casenote Workshop.” Both are posted on the Competition Website. 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 of your submission. 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, no larger than 800 pages, 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 an anonymous grading number by a neutral third party before the competition begins. It is of vital importance that **participants put their anonymous grading number on each page of the 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, bluebooking, adherence to rules and length limitations. Each Review maintains its own grading policy. Deadlines will be strictly enforced.

The Competition topic is chosen based on equally strong arguments on both sides of the issue. Whether or not your casenote reaches the same conclusion as the court will not affect your competition score.

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 administrative rule resolves the issue presented.

However, your goal is not to write a book report. A successful casenote 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 competition packet will include materials related to the noted case, including secondary sources that may help you write a casenote. **In writing your casenote, you may not rely on any 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 the 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://www.law.miami.edu/library/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.

V. MECHANICS

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 (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 casenote is left justified.

2. The text of the paper should be left justified.
3. The title, headings, and subheadings should be centered.
4. 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.
5. 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. **Casenotes that exceed 26 pages will be automatically disqualified.**
6. 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.
7. Endnote numbers must be in Arabic numerals.
8. Insert page numbers at the bottom center of each page and your anonymous grading number in the top right hand corner on each page. Page numbers and your anonymous grading number may be inserted within the one-inch margin and do not have to be in Courier New 12 point font.
9. A title is encouraged, but do not use a cover page.
10. Your name cannot appear anywhere on your competition paper.

Casenotes 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. Casenotes 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 any person found to have given or received assistance in the preparation of a casenote to the Honor Council.

A. Outside Assistance

1. Substantive Assistance and Additional Research

Your casenote must represent your own work product using only the materials contained in this packet and The Bluebook: A Uniform System of Citation (19th ed. 2010). 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 students, practitioners, professors, or person.

2. Technical Assistance

Outside technical assistance is prohibited. You may not have any individual proofread, edit, or review your Competition casenote. 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. According to the University of Miami School of Law Honor Code § 1.03, plagiarism is “knowingly appropriating another’s words or ideas and representing them as one’s own.”

In addition, the University of Miami Law School Student Handbook specifies that:

1. The written work submitted must identify all oral or written sources relied upon in preparing the assignment.
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 COMPETITION PAPER

The following suggested format offers a well-tested way to write a Competition Casenote. However, you should not be afraid to bend and shape the format to meet your purposes. Also, the Sample Casenotes on the website can provide helpful organizational templates.

A. Structure of a Casenote

I. Introduction

a. Introductory paragraph

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 casenote.

b. Brief 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 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.

c. Roadmap / Scope (no heading or subheading and no more than two paragraphs)

Explain your casenote’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?

II. Prior Law/Perspective (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. Your goal here 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 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.

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. 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.

V. Conclusion (Roman numeral 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 casenote. All citations must conform to *The Bluebook: A Uniform System of Citation* (19th ed. 2010). (N.B.: There are a substantial number of differences between the 18th and 19th 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 casenote.

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 will have never written a casenote, and the stakes can seem very high. While the experience may be a frustrating one, participating in the Competition will greatly enhance your legal research and writing skills. Membership on a Review is an invaluable experience, and well worth the demands of the Competition. Keep a clear head, use common sense, and good luck!

IX. CONTACT INFORMATION

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