MEMORANDUM

To: Class of 2024
From: Shang-Chi Andrew Liu and Angela Peterson,
          Topic Access & Recruitment Editors, *The University of Chicago Law Review*
Date: July 20, 2022
Re: Candidacy for *Law Review* Membership via Topic Access

INTRODUCTION

Thank you for your interest in the *Law Review*'s Topic Access program! Topic Access serves as an alternative path to membership on the *Law Review*. If you receive and choose to accept an offer of membership, you will have the same responsibilities as peers offered membership through the Writing Competition.

If you have any questions about Topic Access, please contact the Topic Access & Recruitment Editors, Shang-Chi Andrew Liu (andrew.shangchi@gmail.com) and Angela Peterson (angiepetey@gmail.com). Should you wish to consider or begin the Topic Access process, either Andrew or Angela will be assigned as your primary contact and will work with you throughout the process. **If you are interested in the *Law Review*'s Topic Access program, please fill out the short interest form attached to this email by July 31, 2022** (it can also be found here).

I. OVERVIEW

Staffers on the *Law Review* contribute to the Journal in two main ways: by producing high quality student scholarship and by supporting academic authors via substantive and technical cite checks on pieces selected for publication. Topic Access candidates must demonstrate proficiency in both areas to be offered *Law Review* membership. The Topic Access process requires completion of several discrete projects:

First, Topic Access candidates must complete the first three phases of the Comments process by submitting two Topic Proposals, a Topic Analysis, and a Comment Outline. First, candidates will complete the Topic Proposal (TP)/Topic Analysis (TA) process which facilitates idea generation and analysis. After selecting a viable topic, Topic Access candidates will work with an editor to submit a roughly 10-page outline of their Comment.

A successful Comment will address a legal issue that lends itself well to either critical evaluation or innovative reevaluation. The Comment should also provide a creative or novel legal approach to the problem. Successful Comments are more than research papers—which simply analyze existing problems—and litigation briefs—which take positions on existing legal debates. Instead, they critically analyze complex or unsettled areas of law and provide creative solutions and analysis. Once you complete the interest form, we will send you the Topic Access Manual. Those considering this process should familiarize themselves with the Manual, which goes into greater depth on the expectations for successful Comments. Topic Access candidates who ultimately become *Law Review* staffers will subsequently complete the Comments process alongside other *Law Review* staffers in Winter 2022-23, culminating in a completed draft that should satisfy the Substantial Research Project (SRP) requirement and may also provide course credit.

Second, Topic Access candidates must demonstrate technical editing skills and attention to detail by completing a technical cite check. Topic Access candidates will receive

this assignment once they advance through the Topic Proposal/Topic Analysis process discussed below. The cite check will consist of editing a piece of scholarship in preparation for publication. More details about the cite check will be made available to Topic Access candidates once they have advanced to this stage.

   Third, Topic Access candidates may also submit a short personal statement before completing the Topic Access program. Topic Access candidates may draw upon prior essays to craft their personal statement.

   Membership decisions will be made shortly after Topic Access candidates have completed each of these three steps. Comment Outlines generated through the Topic Access process must be submitted by **October 23, 2022**, and we anticipate that technical cite checks will be assigned in October or November.

   Please note that an individual cannot simultaneously be both a staffer on the *Law Review* and a member of another journal. Members of other journals may not break contractual commitments to their original journals in order to join the *Law Review*. As a result, anyone who is interested in participating in the Topic Access program and is a member of another journal should talk to that journal about their participation in Topic Access.

   In an effort to provide structure and create time for meaningful candidate feedback, the Topic Access program sets firm deadlines that mirror those given to staffers. Membership on a journal frequently entails strict deadlines, and the ability to meet deadlines is an important part of being a staffer. However, we understand that unexpected situations arise, and the Topic Access Editors will be happy to discuss deadline extensions with participating candidates in the event of extenuating circumstances.

   Participation in the Topic Access program is confidential. We evaluate all Topic Access submissions anonymously to ensure that every candidate gets as fair of a review as possible. To maintain that anonymity, we discourage people from talking to their peers about their participation in the Topic Access program or otherwise making public their participation unless they are accepted onto the *Law Review*. Candidates are still more than welcome (and are, in fact, encouraged) to talk about their Comment topics with professors and other advisors.

   It is the goal of Topic Access to help qualified candidates join the *Law Review*. While the process may seem daunting at first, students can and do succeed in completing the process and becoming members of the *Law Review*. We are here to help and encourage anyone who is interested in joining the *Law Review* to apply.

II. Requirements and Deadlines

   Candidates who seek to join the *Law Review* through the Topic Access program undergo a modified version of the same Comment process as *Law Review* staffers. For Topic Access candidates, this includes a Preliminary Preemption Check, two Topic Proposals (TPs), a Topic Analysis (TA), and a Comment Outline. **Successful candidates who have completed a technical cite check and a personal statement will receive an invitation of *Law Review* membership upon approval of their Comment Outline.** If offered membership on the *Law Review*, you will complete the usual Comments process and produce several Comment Drafts, culminating in a final draft eligible for *Law Review* publication and Law School credit. For detailed information regarding the content and structure of these requirements, please see the Topic Access Manual.

   Deadlines for each Topic Access requirement are listed below. For several stages, two dates are listed. A candidate may submit once for each deadline; any submissions will all be evaluated after each submission deadline. No submissions will be reviewed before the deadline. If a candidate's submission is not approved on the first deadline, they may resubmit for consideration at the next

deadline. **Candidates are highly encouraged to submit at the first deadline.** It is common for submissions to be rejected or require significant edits before being accepted. **No submissions will be considered after the deadlines** unless the candidate communicates the need for an extension with a Topic Access Editor in a timely manner. Consideration of each submission may take up to a week, so candidates should plan accordingly. Designated page ranges for Topic Access components are *estimates*, not requirements; while they should serve as useful benchmarks, successful candidates have submitted work products that are both shorter and longer.

- **Preliminary Preemption Check**: The *Law Review* keeps an internal list of topics that have been the subject of student scholarship in recent years. Ideas on that list are not available to students writing Comments via the Topic Access program. All candidates should check the Unavailable Topics List, which will be sent to candidates upon completion of the interest form, to verify that their idea is not preempted before beginning their TP. There is no deadline to complete the Preliminary Preemption Check, and it does not involve any formal work product submission; it is simply the responsibility of each candidate to ensure that the selected topic has been the subject of past *Law Review* scholarship.

- **Topic Proposal**: A TP is a 5–7-page memorandum that states a candidate's proposed topic, provides a brief discussion of the topic and of existing commentary, outlines potential approaches and solutions to the issue, and concludes with a bibliography. **Each candidate must submit two TPs on two different topics**. The Comments team will review submitted TPs and approve any ideas that are suitable for the subject of a Comment. Should a candidate fail to get at least one topic approved after two good-faith efforts, candidates will have the opportunity to work with the Topic Access Editors to find a suitable topic or to appeal an initial denial. After submission of the first TP, Topic Access candidates will receive feedback on Maroonbooking (the *Law Review*'s version of the Bluebook) from a Managing Editor of the *Law Review*. This feedback should be a useful tool for candidates who want to improve their Maroonbooking for subsequent submissions and prior to the technical cite check. For more information on the structure and content of a TP, please see the Topic Access Manual. The TP deadlines will be **August 14, 2022**, and **August 28, 2022**. Note that unlike other components with multiple deadlines, **each TP deadline requires submission of a different TP. A candidate will only need to have one TP approved to move on to the next stage.** However, every candidate must complete two high-quality TPs.

- **Topic Analysis**: A TA is a 6–8-page memorandum that conducts a thorough preemption check on a TP, evaluates the TP's proposed analytical pathways, and discusses whether the topic is suitable to become a comment. Upon TP approval, candidates will be assigned to write TAs on proposals submitted by other candidates. In order to proceed to the outline and drafting phases of the Comments process, both a TP and a TA on the topic must be approved by the Comments Team. Therefore, it is crucial that you provide candid feedback on whether the topic you are assessing is suitable to become a topic. If a TA's thorough review of the assigned TP concludes that it is completely preempted or non-viable, the author of that TP may not proceed without consulting the TAEs to determine whether and how to complete the rest of the process.

  Each candidate will be evaluated based upon the thoroughness, diligence, and effort put into the construction of the TA. Thus, even if the TA author's ultimate conclusion is that the

topic proposed by the TP is not suitable to become a comment, the TA author can still move forward in the Topic Access process. If a candidate's TP is rejected after the TA phase, the candidate that wrote the TP will have a chance to appeal the denial of the TA. More information on the appeals process will be distributed at a later date. For more information on the structure and content of a TA, please see the Topic Access Manual. The TA deadlines will be **September 11, 2022**, and **September 25, 2022**.

- **Outline**: Once a TA has been approved, candidates should set up a meeting with their Topic Access Editor to discuss goals, priorities, and a tentative timeline for their work. At this point in the process, Candidates will be assigned an additional *Law Review* mentor to help them through the rest of the process. The next step is for candidates to write a 10-page Outline. The Outline should be detailed, thorough, state a thesis, and proceed through the analysis in a logical fashion without obvious analytical gaps. A reader should be able to understand the candidate's arguments, evaluate their support (which means that the outline must include citations), and understand the direction in which a candidate wishes her Comment to go. The deadline for completing an Outline is **October 23, 2022**, but Topic Access Editors will review drafts and provide feedback in advance upon candidate request.

- **Cite Check**: After receiving TA approval, the Topic Access candidate will be assigned a technical cite check. Cite checks involve some combination of substantive editing and proofing of a piece of scholarship the *Law Review* will publish. The Board will evaluate these submissions for thorough and diligent work on the piece, including careful application of the *Maroonbook* and the Chicago Manual of Style to a real piece of scholarship. We expect that the cite check will take place in October or November 2022, but your Topic Access Editor will provide you with the exact dates further into the process. The Topic Access Editors will work with Topic Access candidates and the assigning editor to choose a convenient time.

- **Personal Statement:** Topic Access candidates may also submit a typed personal statement of no more than 500 words. In this statement, a candidate can identify and describe aspects of their identity that would contribute to diversity on the *Law Review*, including—but not limited to—racial or ethnic identity, socioeconomic background, disability status (physical, intellectual, cognitive/neurological, psychiatric, sensory, developmental, or other), gender identity or expression, sexual orientation, country of origin or international status, or religious identity or expression. Additionally or alternatively, you may use this statement to identify and describe any background experiences, areas of academic or scholarly interest, career goals, or any other element of your identity that would contribute to your work on the *Law Review*. Candidates are allowed to modify other essays to meet the parameters of this prompt, and the 500-word limit is firm. **Personal Statements should be submitted by August 26, 2022**. Please communicate with your TAE if you will be unable to meet that deadline.

- **Membership:** Upon successful completion of a Comment outline, cite check, and personal statement, the Board will vote on whether to extend membership to the Topic Access candidate. **All Topic Access candidates will receive a membership decision before the end of Fall Quarter.** Topic Access candidates will continue their work on their Comments as full staffers in Winter 2022–23 and will collaborate with other staffers to prepare final

drafts. Staffers who receive membership through Topic Access are eligible to submit their Comments for publication.

- **Board Consideration: All members selected through the Topic Access program may be considered for membership on the *Law Review* Volume 91 Board.** Those interested in being considered for the Board must also complete either a case note or an essay with the *Law Review*'s online team before Board selection in February 2023. This is a short assignment, around 1,500–2,500 words. An Online Editor will assist each new staffer in this process once they have accepted membership.

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Those who have questions about either the substance of the Topic Access program or the new deadlines and procedures should not hesitate to reach out to either Andrew or Angela. Thank you for your interest in joining the *Law Review*. We look forward to working with those of you who embark upon this process!