



HLR Orientation:
Articles
July 27, 2023

Agenda



> **01.**
Intros

Who's on Articles?

02. <
Overview

The Articles process

> **03.**
Values

Articles selection, DEI, and our values

04.
Flaws

Problems with the current process

05. <
Rotopools

What you'll do for Articles



Articles Selection: The Process

H A R V A R D
L A W R E V I E W

The Articles Process: Overview

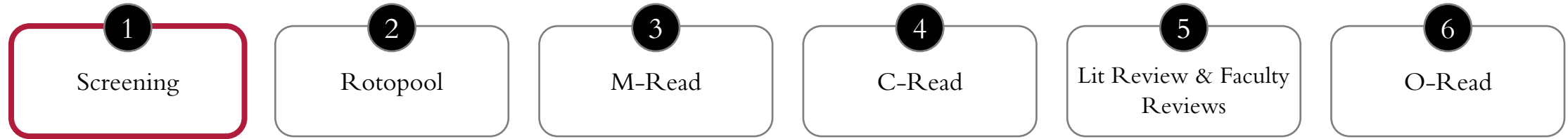


~3,000 Submissions



~12-16 Final Articles

The Articles Process: By Stage

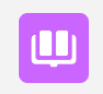


Overview

- Articles Editor skims article and assigns score from 1.0 to 5.0, based on screening rubric
- Based on Article Editor's screening score, Articles Co-Chairs (with ABC as the tiebreaker) decide whether to advance the piece to the next stage

Your Involvement

- None



Submission

Article Title

+ Follow

Edit

Submission Primary Author Status Submit Date Expedite Expiration Date Time Exclusive Submission Expiration

Basic Article Info



✓ Mark Status as Complete

Key Fields

Edit

Screening Score

Score assigned by Articles Committee member (between 1.0 and 5.0)

Category

Field of law article falls within (e.g., Antitrust)

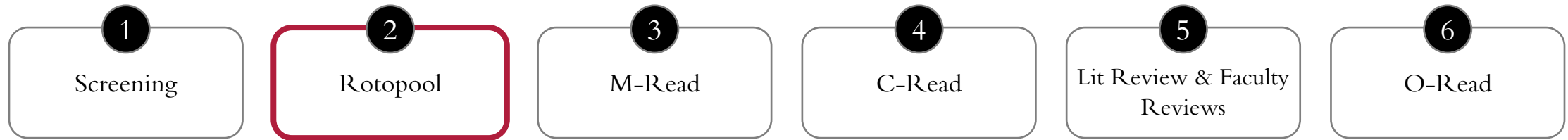
Initial Summary

Comments from screener, to guide Articles Chairs' decisions

Screened Out Reason

Sent to Rotopool?

The Articles Process: By Stage



Overview

- Rotopool = “Rotating Pool Assignment” (maybe)
- One Poolworker will closely read an anonymized version of the article. This is the first full read the Article will get!
- The Poolworker completes a “Rotopool” based on the rubric (more on this later!)
- Based on Poolworker’s rubric report, Articles Co-Chairs (with ABC as the tiebreaker) decide whether to advance the piece to the next stage

Your Involvement

- Your time to shine!
- One-day Pool assignments, most common in August and September (and again in February/March)
- More details later today . . .

The Articles Process: By Stage



Overview

- M-Read = “Member Read”
- Articles Editor performs a very, very close read of the Article and writes a deeper memo
- Similar to a Rotopool, but with an added focus on critical analysis, and a preliminary literature review
- Based on M-Read recommendation, Articles Co-Chairs (with ABC as the tiebreaker) decide whether to advance the piece to the next stage

Your Involvement

- You will read these as part of your preparation for O-Reads (stay tuned to learn more about O-Reads!)

The Articles Process: By Stage



Overview

- C-Read = “Committee Read”
- All committee members read the Article and meet (often over lunch) to discuss
- Majority vote on whether to advance the piece (a tie results in advancement)

Your Involvement

- All editors are welcome (and Vol. 138 is encouraged!) to participate in C-Reads
- The Rotopooler is invited to open the session with their thoughts on the piece
- C-Reads will always be listed on HLR’s calendar
- COME TO C-READ FOR THE FREE FOOD AND FUN FRIENDS!

The Articles Process: By Stage



Overview

- Literature Review = detailed review of the Article's relationship to existing scholarship and the author's previous work
- Faculty Reviews = feedback from leading scholars in the field on the strengths and weaknesses of the (anonymized) piece
- Together, serve as a plagiarism, preemption, and contribution check

Your Involvement

- Volunteer to do a Lit Review (which counts as a three-day Pool assignment) — a great way to learn about a new field
- Read Lit Reviews and Faculty Reviews as part of preparation for O-Read

The Articles Process: By Stage



Overview

- O-Read = “Office Read”
- Full-Body meeting (~1 hour) with a structured discussion and a vote on the Article
- Usually held over lunch (with lunch or a \$15 lunch credit provided!)
- Majority vote to extend an offer of publication

Your Involvement

- Attendance at O-Reads is highly encouraged
- Your voice and perspective matter! We are one of the only journals with this democratic process. Participate!!!

Any Questions?

H A R V A R D
L A W R E V I E W

TO BE CONTINUED

H A R V A R D
L A W R E V I E W

Values

H A R V A R D
L A W R E V I E W

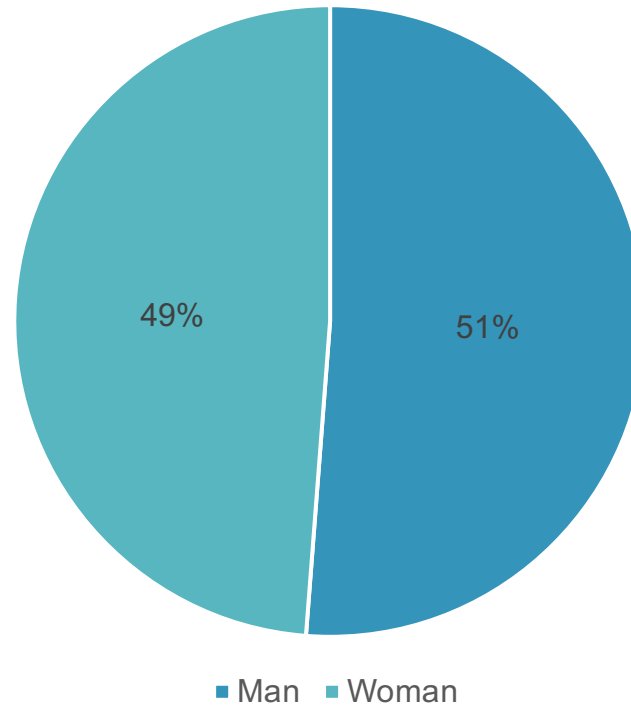
Living our values while on *HLR*

- Diversity, equity, and inclusion
- Uplifting issues we have not traditionally covered
- Conscientious of this journal's flaws and our own biases

What the data shows . . .

Volume 132 - 136

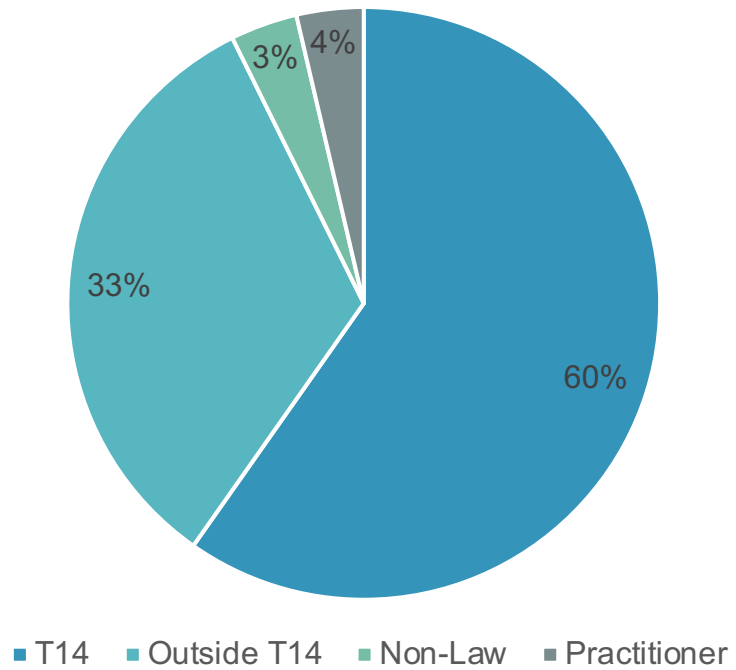
Author Gender



What the data shows . . .

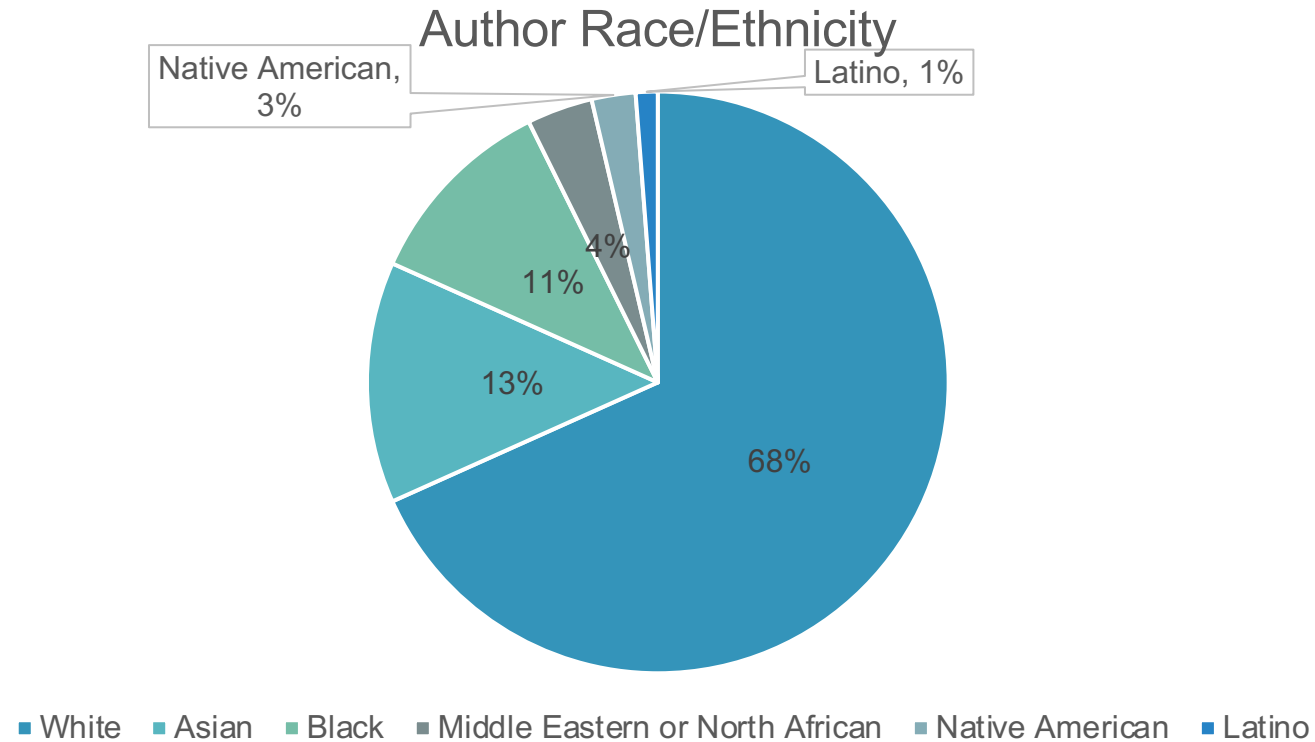
Volume 132 - 136

Institutional Affiliation



What the data shows . . .

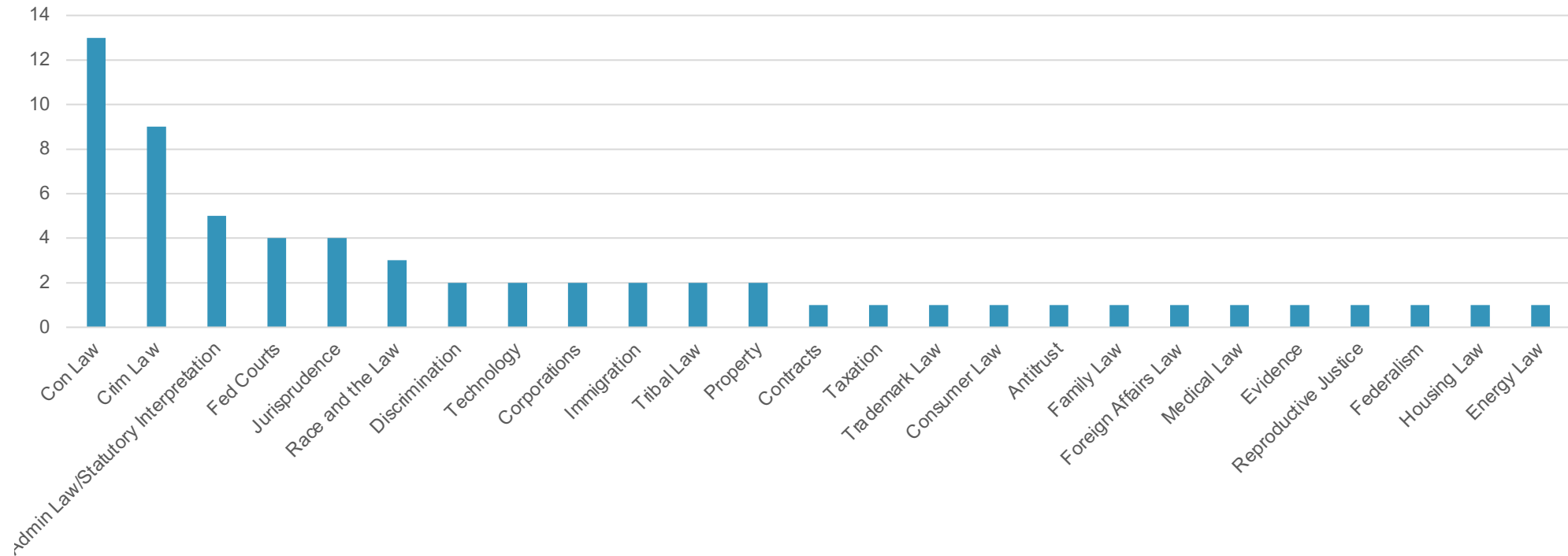
Volume 132 - 136



What the data shows . . .

Volume 132 - 136

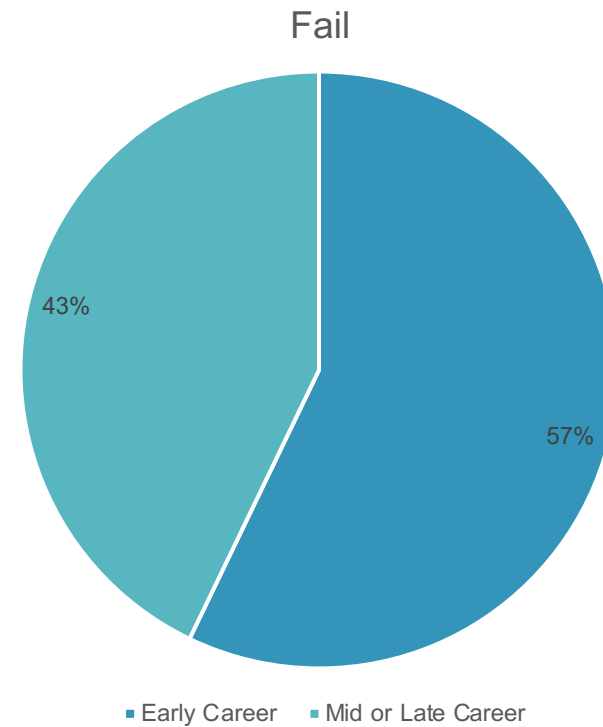
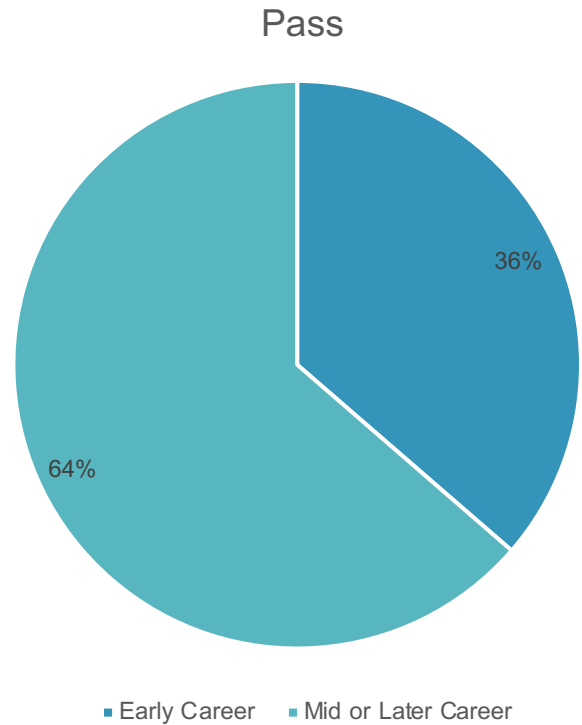
Articles by Subject Matter



What the data shows . . .

Volume 137 (so far)

Career Stage

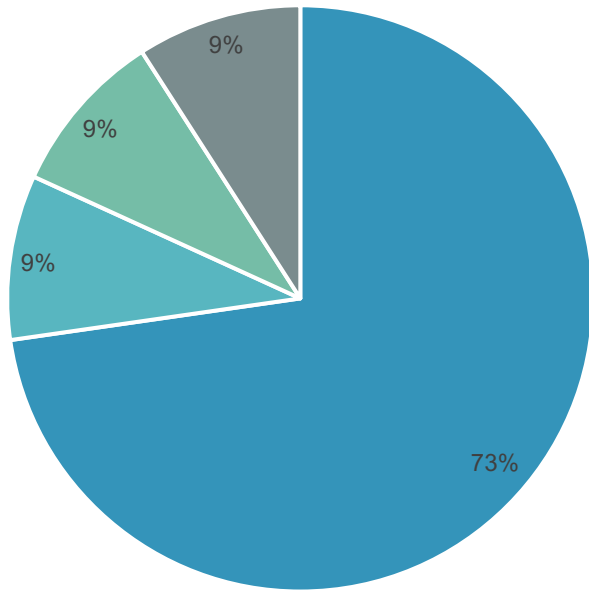


What the data shows . . .

Volume 137 (so far)

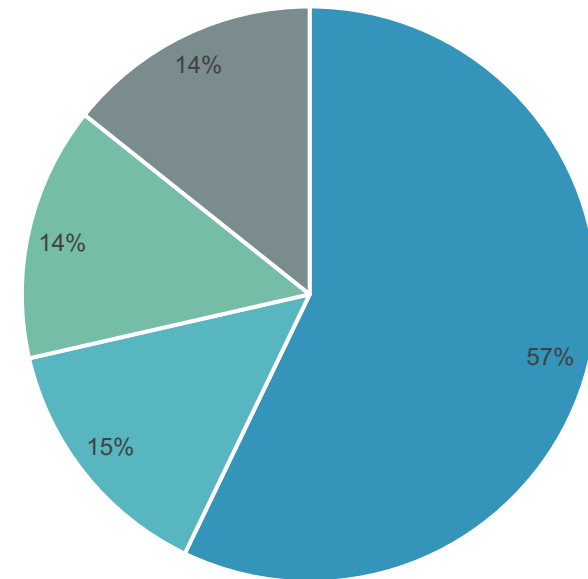
Author Race/Ethnicity

Pass



■ White ■ Asian ■ Black ■ Latinx

Fail



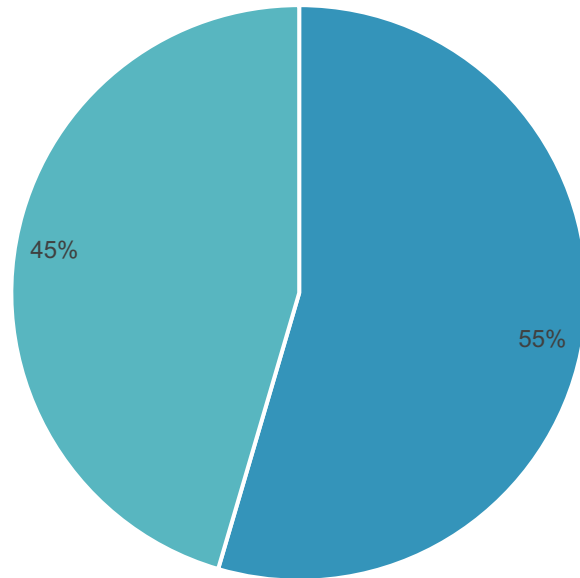
■ White ■ Asian ■ Middle Eastern or North African ■ Native American

What the data shows . . .

Volume 137 (so far)

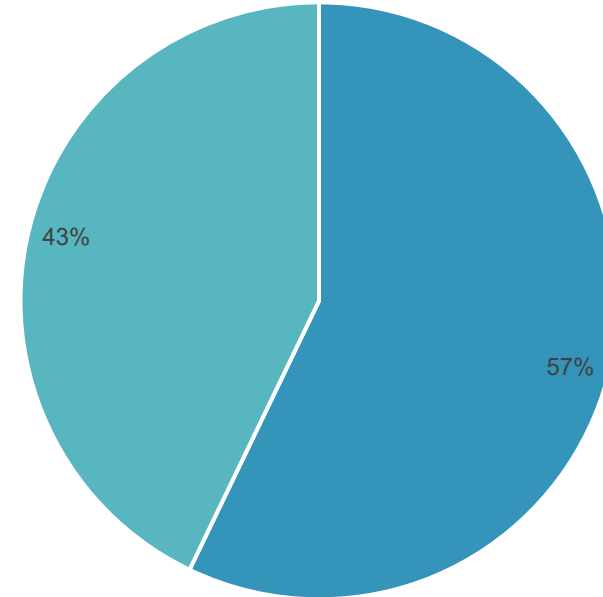
Author Gender

Pass



■ Man ■ Woman

Fail



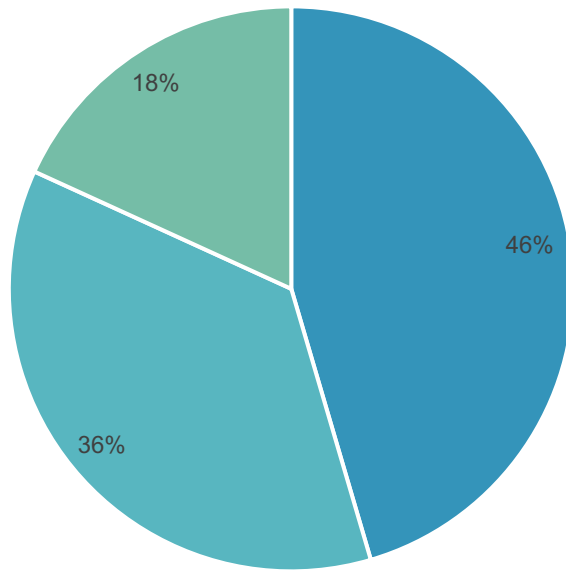
■ Man ■ Woman

What the data shows . . .

Volume 137 (so far)

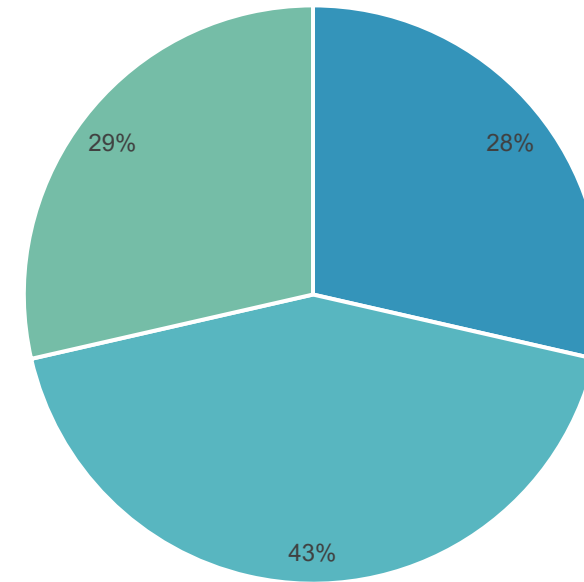
Author Institution

Pass



■ T14 ■ Outside T14 ■ Judge

Fail

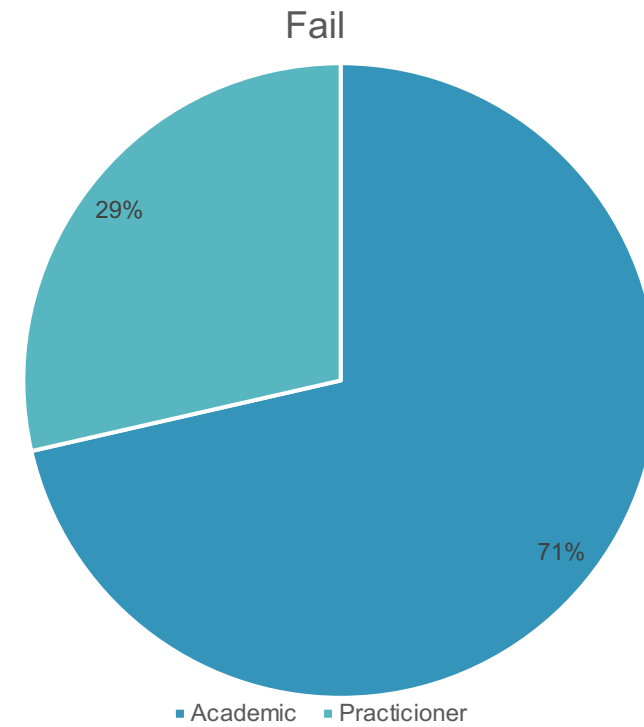
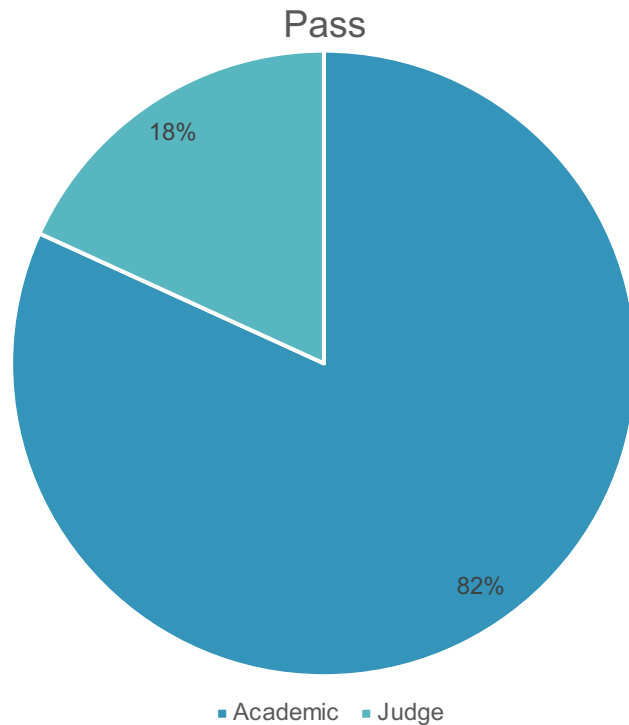


■ T14 ■ Outside T14 ■ Clinical Faculty

What the data shows . . .

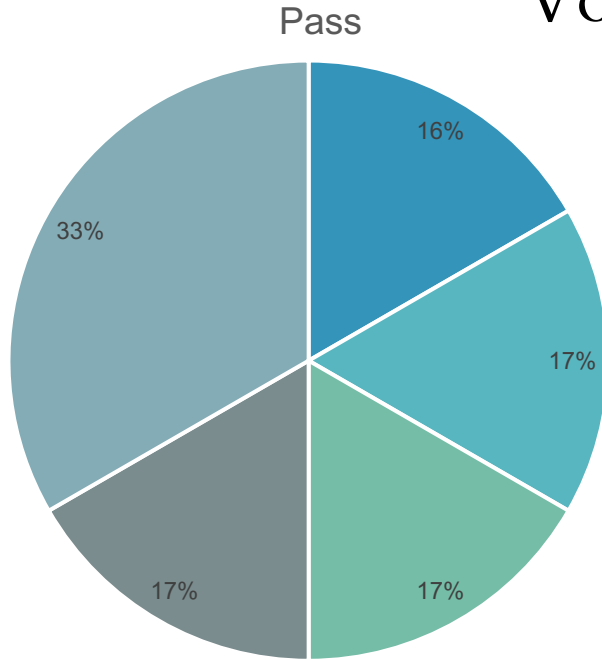
Volume 137 (so far)

Author Career

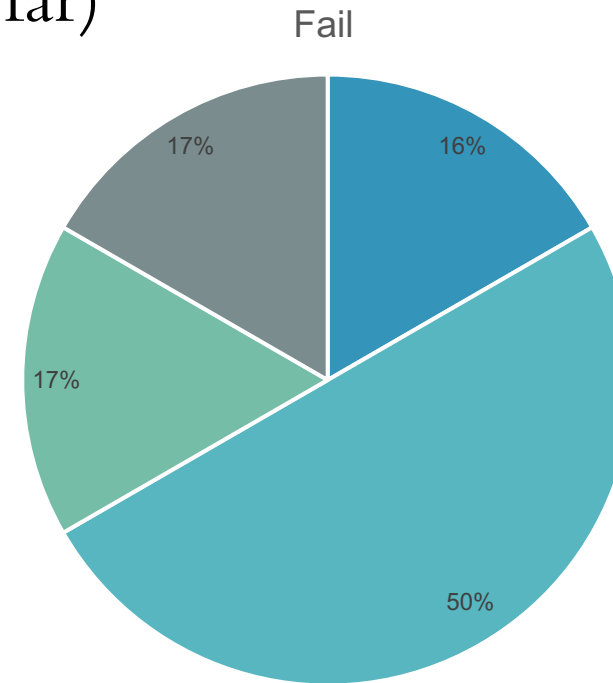


What the data shows . . .

Volume 137 (so far)



- Constitutional Law
- Property
- Statutory Interpretation
- Criminal Procedure
- Other



- Immigration
- Criminal Law
- Administrative Law/Statutory Interpretation
- Tribal Law or Federal Indian Law

What the data shows . . .

The data shows that we are not yet executing on our values in the Articles process. Both structural and nonstructural flaws—at O-Read and before—contribute to the problem.

Flaws

The Articles Process: Flaws



There are many flaws with the process. Examples include:

- ❑ Submission
- ❑ The Cycle
- ❑ Reader Biases

The Cycle

- ❑ Most articles are submitted during two peak seasons -- August and February
- ❑ We are racing other journals
- ❑ But most journals offer “exploding offers”
- ❑ Our process takes longer (in part because of O-Reads)
- ❑ So we cannot compete with exploding offers
- ❑ Less experienced authors can't risk waiting for us

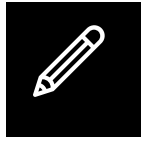
F E B						
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

Reader Biases

Biases abound. Common examples include:

- ❑ HLR readers often look at how well-cited a piece is as a determination of quality; but professors with many resources + RAs are more likely to submit well-footnoted pieces
- ❑ HLR readers may try to select for articles “like” those we have traditionally published, excluding those writing in new areas of law
- ❑ HLR readers may vote at O-Read or C-Read for authors they are already familiar with (or work with), especially HLS professors

Solutions [still loading . . .]



Reform Rotopool & other review systems



Continue reshaping how we have discussions



Author outreach

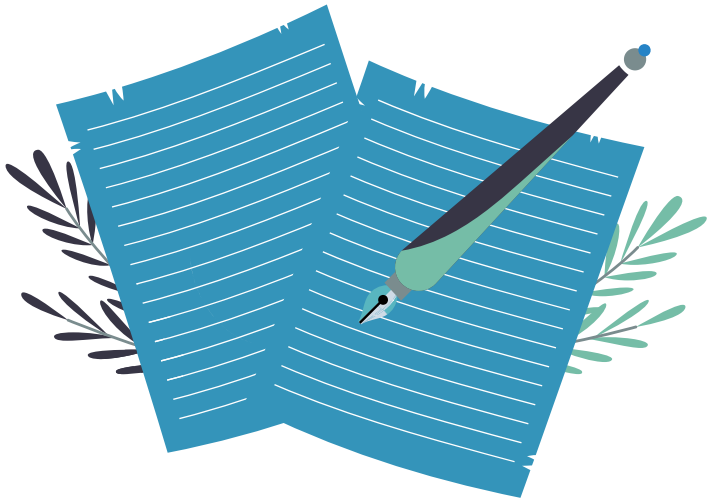


We want to hear from you!

Rotopool Training

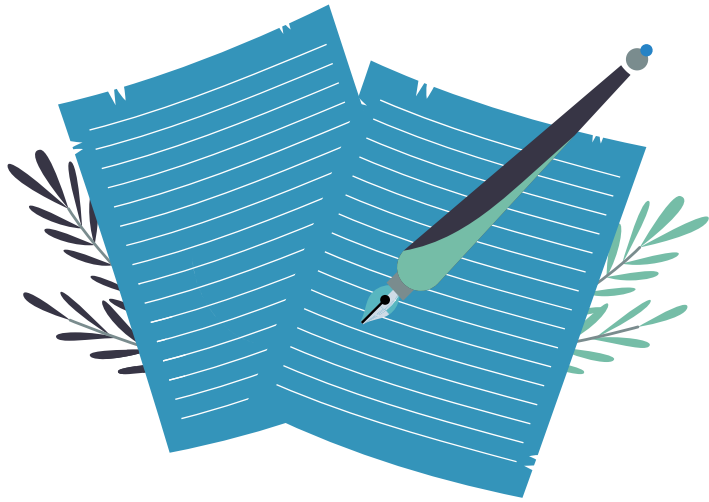
H A R V A R D
L A W R E V I E W

Rotopool Training: Overview



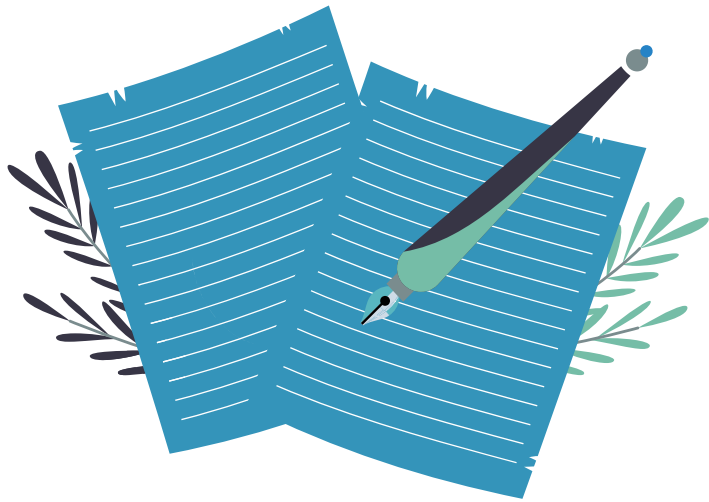
- ❑ Substantive memo based on the rubric
- ❑ (Usually) one day of Pool credit to complete
- ❑ *Whitebook* includes additional details
- ❑ Three sections:
 - ① Synopsis
 - ② Summary
 - ③ Analysis/Rubric
- ❑ This is where the rubber meets the road—how you will make a difference to this process
- ❑ As you consider Articles, confront your biases and consider what your blindspots might be

Rotopool Training: Synopsis



- ❑ Brief summary of the Rotopool; no more than two paragraphs
- ❑ We recommend completing this section last (once you have finalized your Analysis section)

Rotopool Training: Summary



- ❑ ~1 page of “neutral reporting”
- ❑ Include a paragraph for each major section of the piece; should be more detailed than the Article’s introduction, but don’t get too in the weeds
- ❑ Include 1–2 sentences on the Article’s methodology (e.g., caselaw, history, law and econ, statistical analysis)

Rotopool Training: Analysis

Substantive Category	Comments
<p>Quality of Writing</p> <p>Please consider the article's structure, readability, style, overall logic, and coherence of argument.</p>	
<p>Quality of Research</p> <p>Please consider the nature and range of the article's sources. Are its propositions supported with appropriate sources? Does it display an awareness of relevant literature in the field?</p>	
<p>Breadth of Research</p> <p>Does the article cite sources from diverse voices (e.g., junior scholars, non-T14 schools, underrepresented groups)?</p>	

Rotopool Training: Analysis

Substantive Category	Comments
<p>Methodological Rigor</p> <p>What is the author's methodology? Does the methodological approach make sense given the article's overall objective?</p>	
<p>Originality</p> <p>Does the article make a novel or interesting claim? Does it address or introduce a new concept?</p>	
<p>Contribution to the Field</p> <p>Does the article add to the existing literature? Would it have any foreseeable impact in the field, either practically, doctrinally, or theoretically? If the article is primarily descriptive, does it nonetheless crystallize or reorganize existing scholarship in a useful way?</p>	

Rotopool Training: Analysis

Substantive Category	Comments
<p>Persuasiveness</p> <p>Is the argument persuasive? Did the article address potential counterarguments? If the article has a prescriptive component, did you find the solution feasible?</p>	
<p>Subject Matter</p> <p>Does it sufficiently address “the law” to have a place in our pages? Is the topic too niche or technical? Could we (potentially with some outside help) assess and edit this piece? Does the author write about a topic area that has traditionally been underrepresented in our pages? Even if the article addresses a common topic, does the author explore underrepresented viewpoints within that area?</p>	
<p>Impact</p> <p>Does the article address an issue or provide a solution that can help promote DEI values?</p>	

Closing Thoughts

H A R V A R D
L A W R E V I E W

Closing Action Items

- Survey denoting your subject matter interests and disinterests to help us assign you Rotopools on topics that interest you where possible
- Articles Friends: each Volume 138er will be paired with a member of the Articles Committee to serve as a point person and answer any Articles-related questions
- Complete the reading for your Rotopool discussion group
- Reflect on the role you want to play and start thinking through how you can change *HLR* for the better