

### Volume 137 Screening Rubric [Draft]

Strong Presumption Against	Presumption Against	Mild Presumption Against
<ul style="list-style-type: none"> <li>• Over 37,000 words</li> <li>• Under 5,000 words</li> <li>• Current JD student</li> </ul>	<ul style="list-style-type: none"> <li>• Current PhD student, clerk, or recent graduate</li> <li>• Published in prior volume</li> </ul>	<ul style="list-style-type: none"> <li>• Published in recent volume</li> <li>• Over 30,000 words</li> <li>• Heavy reliance on difficult-to-verify data</li> </ul>

Criteria	5.0	3.0	1.0
<p><b>Subject Matter</b> Few things should be eliminated based on subject matter. Ask: does this piece meet our basic expectations for subject matter published in a legal journal? Could we (potentially with some outside help) assess and edit this piece? A few pieces submitted each week are probably too niche or topically far afield.</p>	Subject matter seems appropriate for a legal journal.	Subject matter is very niche or far afield and might be difficult to assess, but the paper is interesting and may warrant another look.	It seems like the author meant to submit this piece to an astrophysics journal.
<p><b>Structure</b> Does this look like a publishable law review article? We should welcome unique or interesting structures where they might add something (<i>see a certain dialectic piece considered by Volume 136</i>). But if something seems like its structure is unlikely to suit our pages or that it would require substantial restructuring at P-Read, that should generally detract from its score.</p>	Solid structure. Divided into multiple sections that seem to suit the argument.	The structure is odd and very different, but not prohibitively so. Worth another look.	This piece is structured as a series of entries in a teenager's diary.
<p><b>Contribution</b> Does this piece have an argument? What is the thesis? Assuming this piece does what it claims to do, would it contribute to its field? If the piece makes an identifiable contribution, that should add to its score. If the piece's contribution is difficult to identify or is extremely narrow, that should detract from its score.</p>	This piece makes a clear argument, and the author has explained clearly how that argument would advance the existing understanding of the topic.	This piece's thesis is a bit fuzzy but might be impactful. Or this piece acknowledges making a limited contribution, but it might have other value.	This piece does not have a clear thesis. Or it does have a thesis, but even if it can prove that thesis, there would be no contribution to any legal field.
<p><b>Novelty</b> None of us are topic-area experts, and this is a first, partial skim, so assessing novelty may be impossible. As such, this category</p>	This piece claims to break new ground in the field, and	Most pieces fall in the middle on novelty. They seem to	There is a recently published piece that entirely

<p>may often be neutral, and you need not consider it at the screening stage. However, if there are very good reasons to believe that the piece would contribute novelty (for instance, based on the author’s framing of the prior literature), that should be a plus. On the other hand, if there are very good reasons to believe it would be pre-empted (e.g., it is substantially similar to another piece we or another top journal recently published), that should detract from its score.</p>	<p>there are good reasons to believe it is right.</p>	<p>make a new contribution, but at this phase we will not be able to assess whether they are pre-empted.</p>	<p>overlaps with this piece’s claims.</p>
<p><b>Support</b> We cannot fully evaluate footnotes or support at this phase. But we can ask: does the piece seem potentially supportable? And on first glance, does it seem like the author made a good faith effort at providing support?</p>	<p>On first glance, this piece seems very thoroughly footnoted and supported.</p>	<p>This piece seems to have the amount of support we would expect to see in a law review article. But there might be a small something that gives you pause, such as heavy reliance on empirics.</p>	<p>There seems to be no support offered for huge swaths of the piece. Or there is strong reason to believe that the piece is riddled with mischaracterizations.</p>
<p><b>Diversity</b> This category would generally add a plus for articles that contribute to our goals of increasing diversity along multiple axes, including: topic-area diversity, institutional diversity, author diversity, and author experience (e.g. publishing practitioners and younger/upcoming authors).</p>	<p>We should consider expediting this piece because it may contribute to one of our Volume’s goals.</p>	<p>N/A</p>	<p>N/A</p>
<p><b>Style</b> Does this piece present its ideas in a generally clear and readable fashion? Does the writing style leave a lot to be desired, such that we might anticipate heavy revisions if it were to be accepted? Most pieces will probably fall in the middle for this category. But exceptionally clear or egregiously unclear pieces might get a bump in one direction or the other.</p>	<p>Very clear and readable. And, occasionally, maybe even beautiful.</p>	<p>Most of the writing seemed clear. There were a couple places that seemed like they might require revision.</p>	<p>What . . . are . . . these words?</p>
<p><b>Popularity</b> Unfortunately, speed matters in this process. You need not consider popularity</p>	<p>This piece is great, and I anticipate that</p>	<p>N/A</p>	<p>N/A</p>

for most pieces. But if something sticks out to you as a piece likely to get snatched up quickly by other top journals, consider that in giving the piece a 5.0.	other journals may want to accept it very quickly. Please consider prioritizing.		
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Score	Meaning
5.0	Definitely Roto (and strongly consider prioritizing or even Moto'ing)
4.0	Definitely Roto (but maybe do not prioritize, as I see some downsides)
3.0	Maybe Roto (but definitely do not prioritize)
2.0	Probably do not Roto (but take another look)
1.0	Do not Roto

Other Notes:

- Pieces that are well *under* the word count should be considered as essays. Essays should be evaluated much like articles, but with slightly lower expectations given the lower word count; they need less support and may advance a narrower claim. Please add a note in the “notes” column indicating that the piece should only be accepted as an essay.
- Please try to write 3-5 sentences explaining your score, and don’t forget to include your initials so we can follow-up with any questions.
- If there is a piece that you strongly believe should advance quickly, please feel free to flag it to us to move up in the Roto backlog. Text or slack are fine!