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## The Founding of the Justice for All Edition

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## Introduction

# The Founding of the Justice for All Edition

Rachel Dunham, Esq., and Sophia Weaver, Esq.\*

The first law school in the United States was founded in the late 1700s,<sup>1</sup> and, not long after, in 1875 the first student-edited law review journal was published.<sup>2</sup> Today, almost every law school in

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1. *Tapping Reeve House and Litchfield Law School*, LITCHFIELD HIST. SOC'Y, <https://www.litchfieldhistoricalsociety.org/museums/tapping-reeve-house-and-law-school/> [https://perma.cc/G3UJ-BXXM] (last visited Oct. 8, 2022).

2. *The History of Albany Law School*, ALBANY L. SCH., <https://www.albanylaw.edu/about/the-history-albany-law-school> [https://perma.cc/N5C6-AAKP] (last visited Oct. 8, 2022).

the country, of which there are 199, has a student-run law review journal.<sup>3</sup> The Roger Williams University School of Law (RWUSoL), Rhode Island's first and only law school, was founded in 1993. Three years later, the RWUSoL Law Review (*Law Review*) was established. Our *Law Review* published its first issue in the Spring of 1996.<sup>4</sup> The Honorable Joseph R. Weisberger, then-Chief Justice of the Rhode Island Supreme Court, wrote the forward and noted:

[F]rom colonial times down to the present day Rhode Island has never had a law review published within its borders. The Roger Williams University Law Review now to be published is the first of its kind in the history of our colony and state beginning in the year of grace 1636. It is indeed a proud occasion to participate and to observe the publication of the first edition of the Roger Williams University Law Review. I am confident that this edition will be the first of many to follow.<sup>5</sup>

Chief Justice Weisberger's confident prediction became a reality as the *Law Review* has since published twenty-seven volumes, with a total of seventy editions<sup>6</sup> in the last twenty-six years. The *Law Review* has historically published three editions per academic year (the Rhode Island Edition, the National Edition, and the Symposium Edition)<sup>7</sup> and has hosted a variety of successful symposium events, offering continuing legal education credits to local attorneys and the opportunity for law students to hear from and interact with an array of brilliant professionals.<sup>8</sup>

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3. See *ABA-Approved Law Schools*, A.B.A., [https://www.americanbar.org/groups/legal\\_education/resources/aba\\_approved\\_law\\_schools/](https://www.americanbar.org/groups/legal_education/resources/aba_approved_law_schools/) [https://perma.cc/AM6S-JYLY] (last visited Oct. 8, 2022).

4. See Joseph R. Weisberger, *Foreword*, 1 *ROGER WILLIAMS U. L. REV.*, at vi, vii (1996).

5. *Id.* at vii.

6. Each volume of the *Law Review* is comprised of several editions. *Law Review* staff refer to these as either "editions" or "issues."

7. *Law Review*, *ROGER WILLIAMS U. SCH. OF L.*, <https://law.rwu.edu/student-experience/life-rwu-law/student-involvement/law-review> [https://perma.cc/46SR-5N2R] (last visited Oct. 10, 2022).

8. Descriptions of past symposium events, taking place from 1998 to 2022, can be found at the *Law Review*'s webpage. *Symposia*, *ROGER WILLIAMS U. SCH. OF L.*, <https://law.rwu.edu/student-experience/life-rwu-law/student-involvement/law-review/symposia> [https://perma.cc/78SH-TZL8] (last visited Oct. 10, 2022).

This year marks a momentous occasion in *Law Review* history. This year, the *Law Review* will begin to publish a fourth concurrent annual edition—the Justice for All Edition (JFA)—the inaugural edition of which you are currently reading. The inspiration for this edition and the student-led initiative that created it was to reimagine the institution of law review and reframe legal scholarship. Although law review confers many benefits, it remains rooted in tradition and stuck in the past. As the legal community changes and begins to look more like the community writ large, so too must the institutions of legal academia.

It is well-known among legal practitioners that participation in law review comes with a myriad of academic and professional benefits. First and foremost, law review members are often required to write a comment to submit for possible publication. At RWUSoL and many other law schools, students on law review can receive academic credit(s) and satisfy their graduation writing requirement<sup>9</sup> with their comment. Second, beyond the potential to be published and contribute to legal academia as a law student, law review participation provides unapparelled training in the legal skills necessary for success in the workforce. The time and effort a law review member dedicates outside of course work to conduct legal research, review and revise legal writing, verify footnotes, and perfect Bluebook citations prepare those students to excel as professionals.<sup>10</sup> Third, law review membership provides what can be a career-changing bullet point on a law student's resume—law review participation increases applicants' chances of meeting hiring requirements and securing a job post-grad.<sup>11</sup> As Professor Andrew J. McClurg explains:

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9. "In order to graduate, every student, under the direct supervision of a professor or director of an institute, must write an individually authored paper that reflects substantial legal research; presents a legal argument that is well-developed, organized, and supported. . . . The graduation writing requirement may be fulfilled by: . . . (c) *a paper supervised by a professor or director submitted to acquire or maintain Law Review membership.*" *Juris Doctor*, ROGER WILLIAMS SCH. OF L., <https://law.rwu.edu/academics/juris-doctor> [<https://perma.cc/R7NK-7TZQ>] (last visited Oct. 18, 2022) (emphasis added).

10. ANDREW J. MCCLURG, 1L OF A RIDE 419–23 (3d ed. 2017).

11. "Specifically, the study noted that judges look for journal membership when hiring clerks, especially if the journal has exclusionary membership policies. Another study of UCLA law students indicated that law review members had greater success in obtaining law firm callback interviews in comparison to

[L]aw review status still operates as a kind of VIP-admission into the world of legal employment. . . . While not always accurate, many employers use law review membership as a litmus test for evaluating legal talent. Some law firms, especially large ones, won't interview students who were not on law review. The same is true of most federal judges and many states judges when they look to hire judicial law clerks.<sup>12</sup>

The concern, however, is that these benefits remain inaccessible to many students. Law review membership and leadership is typically not reflective of the larger law school community (which is itself not representative of the general population). Thus, the prestige and training law review membership offers is often reserved for only a subset of the community.

This lack of representation is par for the course in the legal field. In 1844, some seventy years after this country was established,<sup>13</sup> the United States' first Black attorney, Macon Bolling Allen, became a member of the Maine Bar.<sup>14</sup> In 1869, Arabella Babb Mansfield became the first woman barred in the U.S.<sup>15</sup> Three years later, Charlotte E. Ray became the first African-American woman attorney.<sup>16</sup> These pioneers represent the exception and not the rule; the stark reality is that the legal community does not represent this country's population.<sup>17</sup> While the numbers are growing,

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their nonmember classmates. The average UCLA Law Review member received a callback interview after 42.5 percent of his or her interviews, while nonmembers enjoyed a 23.7 percent callback rate." Dexter Samida, *The Value of Law Review Membership*, 71 UNIV. CHICAGO L. REV. 1721, 1722 (2004).

12. MCCLURG, *supra* note 10, at 422.

13. Attorneys played a large role in the foundation of the U.S. government, all of whom were white men until 1844. See Mary Ann Glendon et al., *Common Law*, BRITANNICA, <https://www.britannica.com/topic/common-law/The-16th-century-revolution> [<https://perma.cc/T3BN-M2NZ>] (Feb. 15, 2023).

14. J. CLAY SMITH, JR., *EMANCIPATION: THE MAKING OF THE BLACK LAWYER, 1844–1944*, at 2 (1993).

15. *NAWL History*, NAT'L ASS'N OF WOMEN LAWS., <https://www.nawl.org/p/cm/ld/fid=20> [<https://perma.cc/D39H-TKJM>] (last visited Oct. 8, 2022)

16. *Id.*

17. Even though minorities comprise about 40% of the population, only 18% of lawyers are non-white. *Law School Rankings by Female Enrollment (2020)*, ENJURIS, <https://www.enjuris.com/students/law-school-women-enrollment-2020/> [<https://perma.cc/SCR2-YNQW>] (last visited Oct. 8, 2022); Bob Ambrogi, *Over Seven Years, Scant Progress in Law Firm Diversity*, *New Survey Shows*, LAWSITES (Aug. 17, 2021), <https://www.lawnext.com/2021/08/over->

the legal profession remains one of the least diverse.<sup>18</sup> Although this lack of diversity<sup>19</sup> is also present in law school classes, recent

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seven-years-scant-progress-in-law-firm-diversity-new-survey-shows.html [https://perma.cc/Z7BL-2AVN]. “Nearly all people of color are underrepresented in the legal profession compared with their presence in the U.S. population.” *Lawyers by Race and Ethnicity*, A.B.A., [https://www.americanbar.org/groups/young\\_lawyers/projects/men-of-color/lawyer-demographics/](https://www.americanbar.org/groups/young_lawyers/projects/men-of-color/lawyer-demographics/) [https://perma.cc/6EAG-M5N2] (last visited Oct. 8, 2022). For example, “[j]ust 5% of all lawyers are Black, the same percentage as 10 years ago, while 13.4% of the U.S. population is Black.” Laura Bagby, *ABA Profile of the Legal Profession: Diversity and Well-Being*, 2CIVILITY (Aug. 13, 2020), <https://www.2civility.org/aba-profile-of-the-legal-profession-diversity-and-well-being/> [https://perma.cc/YS83-6FXJ]. Similarly, although 18.5% of the population is Hispanic, only 5% of attorneys are. *Id.* And, although just under 6% of the population is Asian, only 2% of lawyers are. *Id.* Further, even though about half of the population is comprised of women, women make up about 38% of lawyers. Jennifer Cheeseman Day, *More Than 1 in 3 Lawyers are Women*, U.S. CENSUS BUREAU (May 8, 2018), <https://www.census.gov/library/stories/2018/05/women-lawyers.html> [https://perma.cc/22KW-T6G2]. However, women of color remain one of the most dramatically underrepresented groups in the legal profession. Kristen Hardy, *Don’t Forget About Women Lawyers of Color*, MARQUETTE U. L. SCH. FAC. BLOG (Feb. 26, 2020), <https://law.marquette.edu/facultyblog/2020/02/dont-forget-about-women-lawyers-of-color/> [https://perma.cc/C8K6-7EL6]. Similarly, although almost 6% of the population is part of the LGBTQ community, only about 3% of lawyers are. Bagby, *supra*; Jeffrey M. Jones, *LGBT Identification Rises to 5.6% in Latest U.S. Estimate*, GALLUP (Feb. 24, 2021), <https://news.gallup.com/poll/329708/lgbt-identification-rises-latest-estimate.aspx> [https://perma.cc/7VHV-8YJD]. Finally, although one in four Americans has some type of disability, only around 1% of attorneys do. *Disability Impacts All of Us*, C.D.C., <https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html> [https://perma.cc/E5DA-CXY2] (last visited Oct. 8, 2022); NAT’L ASS’N FOR L. PLACEMENT, 2021 REPORT ON DIVERSITY IN U.S. LAW FIRMS 35 (2022), <https://www.nalp.org/uploads/2021NALPReportonDiversity.pdf> [https://perma.cc/C5BV-MP96].

18. Bourree Lam, *The Least Diverse Jobs in America*, THE ATLANTIC (June 29, 2015), <https://www.theatlantic.com/business/archive/2015/06/diversity-jobs-professions-america/396632/> [https://perma.cc/855Q-3MGK]; see *Diversity and Inclusion in the Law: Challenges and Initiatives*, A.B.A. (May 2, 2018), <https://www.americanbar.org/groups/litigation/committees/jiop/articles/2018/diversity-and-inclusion-in-the-law-challenges-and-initiatives/> [https://perma.cc/FH2E-B2AV].

19. Diversity can be defined as, “the representation of all our varied identities and differences (race, ethnicity, gender, disability, sexual orientation, gender identity, national origin, tribe, caste, socio-economic status, thinking and communication styles, etc.), collectively and as individuals.” *Diversity, Equity, and Inclusion*, FORD FOUND., <https://www.fordfoundation.org/about/people/diversity-equity-and-inclusion/> [https://perma.cc/X3AD-R97G] (last visited Oct. 8, 2022). This is the definition we adopt for the purposes of this introduction.

demographics demonstrate increased rates of law student diversity.<sup>20</sup> RWUSoL enrollment statistics reflect this national increase:<sup>21</sup> Of the class of 2021, 30.5% of graduates were non-white (16.6% Hispanic, 7.3% Black, 4.0% Asian, 2.0% other, and 0.7% Pacific Islander).<sup>22</sup> Comparatively, of the class of 2011, 8.9% of graduates were non-white (4.4% Hispanic, 3.2% Black, 1.3% Asian, 0% other, and 0% Pacific Islander).<sup>23</sup>

One would hope that the membership and leadership in one of the most prestigious organizations at a law school would also reflect increased rates of student diversity. However, that not the case at many law schools in the country. The lack of diversity in law review membership and leadership demonstrates that a significant number of law students are not receiving the same academic and professional benefits as other law students.

In addition to the many benefits law review membership provides students, it bears mentioning that its members provide

20. According to the ABA:

[L]aw school classes have become gradually more diverse by race and ethnicity. In 2011, 25% of all law students were students of color. A decade later, in 2021, roughly one-third of all students pursuing a JD degree (32%) were students of color. The demographic change is more dramatic when considering first-year law students over the past four decades. Back in 1978, students of color occupied just 9% of first-year law school seats. In 2021, that number was three times larger: 33%. Among all 1L's in accredited law schools across the nation in 2021, 13% were Hispanic, 8% Black, 7% Asian American, 4% multiracial. An additional 7% were classified as race unknown or other.

A.B.A., *ABA PROFILE OF THE LEGAL PROFESSION 2022*, at 44 (2022), <https://www.americanbar.org/content/dam/aba/administrative/news/2022/07/profile-report-2022.pdf> [https://perma.cc/MJL5-WZEK]. Although diversity rates amongst law students have increased in recent years, we recognize that there is still much progress to be made toward ensuring law schools are reflective of the larger population at hand—the increase in diversity does not mean the work is complete.

21. Unfortunately, the available statistics focus exclusively on race and ethnicity and do not address other underrepresented communities (e.g., the LGBTQIA+ communities and the disabled community).

22. *Roger Williams University – 2021 Standard 509 Information Report*, A.B.A. (2021), <https://www.abarequireddisclosures.org/Disclosure509.aspx> [https://perma.cc/M42B-EXA] (select “2021” in year field and “Roger Williams University” in school field; then click “Generate Report”).

23. *Roger Williams University – 2011 Standard 509 Information Report*, A.B.A. (2011), <https://www.abarequireddisclosures.org/Disclosure509.aspx> [https://perma.cc/67CK-LKVY] (select “2011” in year field and “Roger Williams University” in school field; then click “Generate Report”).

benefits to the law review and, accordingly, benefit the law.<sup>24</sup> It is a reciprocal relationship. Indeed, “[a] diverse legal profession is more just, productive and intelligent because diversity, both cognitive and cultural, often leads to better questions, analyses, solutions, and processes.”<sup>25</sup> A law review made up of students, each with unique backgrounds, naturally has access to more diverse perspectives, can provide more fulsome analysis, and can more easily combat bias.<sup>26</sup> Diversity in education, meaning both a diverse student body and a diverse set of teachers, benefits the education of *everyone*.<sup>27</sup> Thus, the problem is two-fold: not everyone gets the benefits of law review membership, and the law review does not get the benefit of everyone’s membership.<sup>28</sup>

As we started our careers as leaders on *Law Review*, we decided that we wanted our tenure to be about more than scrambling to get out a well-edited volume of the journal; we wanted to take the time to think about what the *Law Review* stands for and where it sits in our community. It wasn’t long before the COVID-19 pandemic came along and required big changes. Because of the new challenges posed by the pandemic, RWUSoL made the Spring 2020 semester pass/fail rather than administering typical grades for each

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24. See McCLURG, *supra* note 10, at 420.

25. *Diversity in Law: Who Cares?*, A.B.A. (Apr. 30, 2016), <https://www.americanbar.org/groups/litigation/committees/diversity-inclusion/articles/2016/spring2016-0416-diversity-in-law-who-cares/> [https://perma.cc/3CUA-9AS9].

26. See *id.*

27. See Josh Moody, *Diversity in College and Why it Matters*, U.S. NEWS (Mar. 31, 2020, 9:23 AM), <https://www.usnews.com/education/best-colleges/articles/diversity-in-college-and-why-it-matters>.

28. In a recently published law review article, Gregory S. Parks and Etienne C. Toussaint explain:

Alongside its familiar educational and professional purposes for law students, one of the fundamental purposes of the law review is to promote scholarly discourse on law and law reform to promote the public’s interest. However, in practice, many law reviews are purposed toward political, social, and economic ends that undermine its lofty ideals. To avoid advancing a limited political vision of legal discourse, law reviews must consider a diverse spectrum of legal issues in their periodicals, not merely those that accord with the lived experiences and academic interests of their prototypical editor, who in most instances is an upper-class person racialized as White.

Gregory S. Parks & Etienne C. Toussaint, *The Color of Law Review*, 103 B.U. L. REV. 181, 191 (2023).



class. This meant that first-year students applying to *Law Review* only had one semester of grades to submit. On our *Law Review*, a student's first-year grades typically make up 50% of the weight of the application for membership. That spring, however, the *Law Review* executive board decided that one semester of grades (especially those from a student's first semester, when they are still trying to get a handle on the law school experience) should not factor so heavily into a student's application. Thus, *Law Review* leadership created and then utilized bylaw subsection 11.01, "Grading Amendments in Emergency Situations," to amend the write-on grading process to weight students' grades at 30% of the application, just for that year.<sup>29</sup> Although we certainly wish that our tenure had not been dominated by a global pandemic, this early challenge helped inspire us.

The Summer of 2020 was a transformative time at RWUSoL: the community continued to grapple with the COVID-19 pandemic; we had a new Dean, Gregory W. Bowman, at the helm; and the Black Law Student Association was facilitating important community conversations on equity and access at the law school. This atmosphere was conducive to change and encouraged *Law Review* leadership to look inward, reflect on how our *Law Review* operated, and seek perspectives from our classmates outside of the *Law Review*.

Accordingly, that summer, a working committee was established to review and revise the *Law Review's* bylaws. "Bylaws provide a framework for the operation and management of an organization."<sup>30</sup> They set out organizational structure, purpose, and direction for the journal. Law review bylaws are particularly important because they include provisions that dictate how individuals apply to become members of law review, the varied requirements of membership, and the operational practices of the journal. Given the wide-reaching impact bylaws have, members of law review organizations should regularly review and revise bylaws to adapt to changes. However, that is not always the case. As far as we can tell, the changes made during our tenure were the first

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29. ROGER WILLIAMS U. L. REV., BY-LAWS § 11.01 (Feb 2021) [hereinafter RWU L. REV. BYLAWS] (on file with authors).

30. *Bylaws*, LEGAL INFO. INST., <https://www.law.cornell.edu/wex/bylaws> [<https://perma.cc/K2TC-XY8M>] (July 2022).

major changes since the *Law Review* was established. After the COVID-19 amendments, the next set of revisions created the Justice for All edition and altered some of the fundamental components of application and membership.<sup>31</sup>

At the outset, we recognized that because *Law Review* membership was not reflective of our school's diversity, the working committee should be intentionally formed to ensure that diverse student voices were represented. Further, it is often the case that those who are part of an organization have the hardest time seeing the issues of that organization; as such, we wanted to make sure the committee would not be blind to intrinsic problems in the law review structure. Thus, the working committee was comprised of student representatives from the following organizations: American Indian Law Students Association, Black Law Students Association, Health Law Society, Latino Law Students Association, Multicultural Law Students Association, Student Bar Association, *Law Review*, and Women's Law Society.<sup>32</sup>

The working committee held its first meeting in July 2020 and continued to meet monthly to engage in group discussions that ultimately informed the proposed bylaw revisions and the current bylaw amendments. The working committee initially set out to create a separate, free-standing law journal that would dispose of the problematic aspects of law review. Through continuous conversations with stakeholders in the community, however, our objectives changed, and the working committee instead set out to reimagine the *Law Review* itself. Rather than creating a separate law journal, the working committee agreed that improving the operational

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31. During our tenure, we also altered the language of the bylaws by changing all references to "he or she" to the gender-neutral "they."

32. The authors want to sincerely thank the members of the working committee for their participation in this initiative. Without their insightful contributions, this project would have been far less impactful. Specifically, we want to acknowledge: Dr. Aurora Kim Paradisis, J.D., '21 – President of the Health Law Society; Julainey Almansa, Esq., '21 – 3L Representative of the Latino Law Students Association; Louisa M. Fredey, Esq., '21 – President of the Women's Law Society; Marcella Navares, J.D., '22 – President of the Multicultural Society; Matthew Chatelain, J.D. '21 – President of the Black Law Student's Association; Dr. Taino Palermo, Esq., '22 – President of the American Indian Law Students Association. We also want to thank Deborah Gonzalez for her enthusiastic support and guidance during the working committee meetings.

structure of our existing law review organization would better serve our overall purpose of increasing access and creating opportunities.

The working committee garnered input and support from other stakeholders in the law school community. Members of the working committee met with the law review faculty advisors<sup>33</sup> and the Head of Reference at the Law Library.<sup>34</sup> Following months of discussion, we presented our proposed changes to the law school's Diversity Equity and Inclusion Committee (comprised of local judges, practitioners, law professors, law students, and law school administrators). Our proposal was met with enthusiasm. Dean Bowman commended the committee's efforts and wrote a letter to Law Review members in support of the proposed changes.<sup>35</sup> Dean Bowman's support was not an anomaly; throughout the process of sharing the working committee's ideas with community stakeholders, our student-led initiative to reimagine the *Law Review* framework was supported and celebrated.

At the end of the process, the working committee's proposals, in broad terms, included the addition of a new edition of the *Law Review* accompanied by a set of bylaw amendments intended to help increase accessibility and better integrate the *Law Review* into RWUSoL's community. The working committee proposed eight bylaw amendments: (1) Adding a mission statement; (2) adding the JFA concurrent annual edition and two associated JFA leadership

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33. Many thanks to law review advisors, Professors Irina Gott and Jenna Wims Hashway, for meeting with us and providing encouragement.

34. Our wholehearted thanks to Nicole Dyszlewski (now Director of Special Programs at RWUSoL) for her support and assistance throughout this process. She provided guidance and resources that greatly contributed to the success of creating the JFA edition and accompanying bylaw amendments.

35. Dean Bowman wrote:

I am writing to express my strong support for the proposed changes to the Roger Williams University Law Review format and bylaws. RWU Law is dedicated to providing opportunities and support for all students, and to promoting social justice. Yet sometimes, law school communities follow tradition in ways that do not support these goals. I commend the Editorial Board for considering changes to the Law Review format and bylaws that are meant to make the Law Review more inclusive, raise the profile of the Law Review and RWU Law, and make a greater impact on our state and region.

Letter from Gregory Bowman, Dean, Roger Williams U. Sch. of L., to Roger Williams Law Review Members (Feb. 19, 2021) (on file with authors). Our sincere thanks to Dean Bowman for supporting this initiative and seeing the value in these changes.

positions to the editorial board; (3) creating a diversity committee; (4) opening the write-on competition<sup>36</sup> to all students who could commit one year to membership;<sup>37</sup> (5) increasing the minimum time for the write-on competition from ten days to sixteen days; (6) requiring the Editor-in-Chief and Executive Notes and Comments Editor to develop strategies to support students during the write-on competition; (7) requiring the Editor-in-Chief and Executive Notes and Comments Editor to inform all eligible students of the requirements and duties of membership; and (8) changing the application process for the write-on competition so that a student's GPA is weighted at 25% rather than 50%.

Developing our vision and garnering support were just the first steps. To effect these changes, the *Law Review* needed to amend its bylaws. Our *Law Review*'s bylaws set forth the process by which they can be amended. The relevant provision provides:

Amendments to these By-laws shall be made only upon two-thirds (2/3) affirmative vote of the entire Law Review membership in good standing. The faculty advisor, Associate Dean and Dean shall receive notice of proposed amendments and an opportunity to be heard by the membership. Any amendments that would affect the educational program of the law school must be approved by the Dean and faculty, including amendments affecting the criteria for selection to, and membership on, the Law Review; the award of academic credit; and disciplinary procedures.<sup>38</sup>

At the time, the entire *Law Review* membership in good standing included forty-eight student members. Thus, to successfully amend

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36. The write-on competition is the process by which students apply for *Law Review* membership. Traditionally, it is comprised of a closed-universe essay prompt and a citation assignment, the scores of which are combined with a student's GPA to create an overall score. Applications are reviewed in an anonymous process, and the best-performing students are selected for membership.

37. Traditionally, the law review application process is only open to law students at the end of their first year. This proposed amendment was intended to increase law review opportunities for our law student body by opening the application process to second-year students and/or non-traditional students (i.e., part-time students).

38. RWU L. REV. BYLAWS, *supra* note 30, § 11.00.

the bylaws, thirty-two affirmative votes were necessary to pass the proposed changes.

To begin the process, we held a mandatory *Law Review* meeting in early 2021, shortly before the new editorial board was elected and before the year's write-on competition began. The purpose of the meeting was to discuss the proposed amendments with the entire *Law Review* membership prior to putting them out to vote. Prior to the meeting, we shared the proposed changes with the *Law Review* members, provided an overview of the working committee's efforts to create the proposed amendments and garner community input and support, and provided Dean Bowman's letter of support. *Law Review* members engaged in lengthy discussions regarding the proposed amendments, some of which faced significant opposition. Out of the eight proposed bylaw amendments, six amendments passed.

First, the proposed amendment to create a mission statement passed with forty-one votes. Whereas before the amendment the *Law Review* had no mission statement in its bylaws, the new mission statement reads as follows:

The Roger Williams University Law Review is a student-created and student-led law journal that seeks to innovate the law review framework and legal scholarship. We aim to provide an expansive platform that offers opportunities for law students to engage in research and writing, for legal scholars to express their diverse opinions and perspectives, and for the public to have access to legal scholarship.

The Law Review intends to reimagine and invite a new perspective on the traditional law review format. In our efforts to do so, student members of the Law Review will actively work towards creating a law review that is inclusive of all voices by increasing student diversity in law review membership, facilitating authentic and diverse discourse that represents a breadth of legal opinions, and building a community that invites inclusivity and accessibility to legal scholarship.<sup>39</sup>

Second, the proposed amendment to create a concurrent annual JFA edition and two accompanying editorial positions passed

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39. RWU L. REV. BYLAWS, *supra* note 29, § 1.03.

with thirty-two votes—the exact number required to pass the provision. This provision was proposed to demonstrate the *Law Review*'s continuous and lasting commitment to “advanc[ing] legal academia on issues of discrimination, related to topics including but not limited to; ability, gender, nationality, race, and sexuality.”<sup>40</sup> The importance of having an edition that specifically addresses these societal issues is tenfold; as such, the working committee was extremely excited to see this proposed amendment receive an affirmative vote, regardless of the close call.

The accompanying creation of two editorial board positions was intended to support the success of the new JFA edition and increase seats at the leadership table. The new editorial board positions' duties are as follows:

(1) The Justice for All Editor:

The Justice for All Editor is responsible for soliciting and selecting articles to propose to the Editor-in-Chief for the Justice for All Edition of the Law Review. The Justice for All Editor shall work alongside the Executive Notes and Comments Editor and the Editor-in-Chief to select student comments for publication in the Justice for All Edition. Additionally, the Justice for All Editor is also responsible for coordinating the editing of outside articles and performing the final editing of all articles selected to appear in the Justice for All Edition. The Justice for All Editor will work to ensure articles are of publishable quality by ensuring any substantive edits as well as any citation edits are made.<sup>41</sup>

(2) The Justice for All Development Editor:

The Justice for All Development Editor will work in conjunction with the Managing Editor and the publisher to get articles to print, including formatting articles and creating perma links for each article. The Justice for All Development Editor is responsible for establishing and maintaining a co-authorship program which encourages school of law students and students in the Roger Williams University, University College Paralegal Program to partner with one another or with attorneys to co-author an article of

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40. *Id.* § 1.02(c).

41. *Id.* § 7.00(f).

publishable quality (this co-authorship program is not exclusive to the Justice for All edition). The Justice for All Development Editor shall serve as the Diversity Committee Co-Chair, along with the Research & Development Editor, to organize and oversee a committee made up of interested Law Review members and the interested student affinity organizations' leaders.<sup>42</sup>

Third, the proposed amendment to create a *Law Review* diversity committee passed with thirty-seven votes. This amendment provides that the *Law Review* Research and Development Editor and the JFA Development Editor co-chair a diversity committee that is required to "meet no less than once per semester to discuss ways in which the *Law Review* can ensure that diverse and representative *Law Review* membership exists. The committee might consider such issues as the accessibility of the Writing Competition, member-support, community outreach, etc."<sup>43</sup>

Fourth, the proposed amendment to increase the length of the write-on competition from ten days to sixteen days<sup>44</sup> passed with forty votes. This amendment aimed to create a more accessible write-on competition for law students. For context, the write-on competition at RWUSoL typically occurs as follows: 1Ls walk out of the law school building on the last day of their second-semester finals, are handed a packet with over 200 pages of materials—concerning a topic of law not covered in 1L classes—and are expected to read, synthesize, analyze, and write a law-review-style paper based on those materials. The working committee felt strongly that adding more time would encourage more law students to participate in the write-on competition.<sup>45</sup>

Fifth, the proposed amendment to require the Editor-in-Chief and Executive Notes and Comments Editor to "develop strategies

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42. *Id.* § 7.00(g).

43. *Id.*

44. *Id.* § 3.04(d).

45. As one working committee member explained, English was not her first language, so receiving a packet with that much information—let alone on a new topic of law—and being required to complete a comprehensive legal analysis felt like too daunting of a task to undertake. The working committee also considered those students who have a job or additional responsibilities outside of law school—for such students, competing in the write-on felt close to impossible.

to help support students *prior to* the release of the Writing Competition (e.g., partnering with Legal Practice Professor(s), the Writing Center, and Law Librarian(s) to develop a pre-Writing Competition workshop),”<sup>46</sup> passed with thirty-nine votes. The goal of this amendment was to make sure the write-on competition is conducted in an accessible way. When we competed in the write-on competition, there was little to no explanation of the process and no support during the competition.<sup>47</sup> For many of us, this was an isolating experience and increased the sense that *Law Review* membership was unattainable. Our hope is that this amendment will help remove (or at least reduce) this sense of alienation by ensuring transparency and communication.

Sixth, the proposed amendment to require the Editor-in-Chief and the Executive Notes and Comments Editor to “inform all eligible students of the requirements and duties of *Law Review* membership,”<sup>48</sup> passed with forty-six votes. This amendment was inspired by our own experience on *Law Review*; as members, expectations were not always clear, and we often struggled to understand what we needed to do and when. Thus, the goal of this amendment, similar to the previous, was to create transparency of expectations.

In addition to the above-described bylaw amendments, there were two amendments that did not pass. The amendment to open the write-on competition beyond the 1L class failed with only twenty votes. Like most of the amendments, the purpose of this proposed amendment was to increase *Law Review*’s accessibility. The working committee expressed that restricting the write-on competition to first-year students served no purpose other than keeping students out, which, as discussed, provides no benefit to the *Law Review*. Not everyone is able (or wants) to compete in an arduous academic competition immediately after finishing their first year of law school. Many students are better equipped to participate after they have two-years of law school under their belts. A second-year applicant could still dedicate a year to the *Law Review*,

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46. RWU L. REV. BYLAWS, *supra* note 29, § 3.04(b).

47. In fact, students were told that they would be disqualified from the application process if they spoke to anyone about the write-on competition during the application period.

48. RWU L. REV. BYLAWS, *supra* note 29, § 3.04(g).



receive many of the benefits of membership, and contribute to legal scholarship.

Next, the amendment to decrease the weight of law school grades in the write-on competition from 50% to 25% failed with twenty-eight votes in favor and twenty votes against. The working committee proposed this amendment because, although grades demonstrate certain abilities (such as the ability to perform well in timed testing),<sup>49</sup> grades are not always indicative of a student's ability to write well and conduct comprehensive legal research.<sup>50</sup> This proposed amendment arguably received the most opposition during the discussions that ensued in the required *Law Review* meeting. Despite the passage of the emergency COVID-19 amendment (reducing the weight of GPA from 50% to 30%),<sup>51</sup> some members against this proposed amendment stated they felt as though decreasing the weight of grades would negatively impact the quality of *Law Review* work product. Although six of the eight proposed amendments passing is a significant (and exciting) accomplishment, the process itself revealed ongoing issues with the institution and emphasize the need for consistent reevaluation.<sup>52</sup>

We hope that this introduction and overview of our endeavor will inspire other students to think outside the box when it comes to legal scholarship. Just because an institution was designed in the nineteenth century does not mean it must remain stuck in the nineteenth century. The working committee, in conjunction with supportive stakeholders, sought to take the first step toward

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49. At RWUSoL, most first-year courses do not assign homework. Rather, first-year grades are determined solely from one cumulative final examination (some courses will also administer a midterm examination). Accordingly, a student's first-year grades are measured in one very specific way. The working committee expressed that a student's first-year grades are more reflective of a student's ability to test well than their ability to conduct thorough legal research, write an article or comment over a semester's time period, and complete bluebook citation assignments.

50. For example, the year we applied to the *Law Review*, an applicant who had one of the best write-on scores was not admitted to the *Law Review* due to their GPA. This story was often told during our tenure on *Law Review* and illustrates our point perfectly: GPA is not the be-all and end-all when it comes to the ability to produce excellent legal scholarship.

51. *Id.* § 11.01

52. There was not one proposed amendment that received a 100% affirmative vote from members. The proposed amendment with the highest affirmative vote still had 7 in opposition. The amendment establishing the JFA edition was one vote away from failure.

moving our *Law Review* into the twenty-first century. Change is not something that comes easily, nor does it happen overnight. Change takes time, energy, and dedication. It is important that student leaders think about their roles not just as bullet points on their resumes but as opportunities to inspire change.

The JFA edition and the accompanying bylaw amendments are great first steps toward reimagining law review—but this is just the beginning. As the *Law Review* continues to look inward and strives to be an ever-changing and self-evaluating organization, we hope our community's efforts will inspire other law schools to think more broadly about what law review is and how it functions. With that, please enjoy the inaugural Justice for All edition. As Justice Weisberger stated in his foreword for the inaugural *Law Review* publication,<sup>53</sup> we are confident that this Justice for All edition will be the first of many to follow.

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53. Weisberger, *supra* note 4, at vii.