

Legal Writing Journal Board Editors and Substantive Editing¹

When doing a substantive edit, the Board Editors will review and comment on the content of the article. As Anne Enquist says in her article, “*what the article says*”; “the ideas, arguments, and overall organization.”²

- I. Introduction: We, as members of the editorial board, evaluate all aspects of the article when we make determinations of whether to extend publication.
 - a. Before starting the substantive edit, gather the discussion notes from the TWEN site.
 - b. While the Editor in Chief has probably shared these comments with the author, it is handy to have the notes available in order to answer the author’s questions.
- II. What to look for in a substantive edit
 - a. Look at the thesis
 - i. If the thesis was not timely, original, or important, the Board would not have accepted the article for publication.
 - ii. With that said, what the Board Editors need to help the author with are when the thesis
 1. is not clearly articulated,
 2. is buried too far into the article, or
 3. is not “woven” throughout the article.
 - b. Look at the reasoning and the arguments
 - i. If the reasoning and arguments had not been strong and well-developed, the Board would not have accepted the article for publication.
 - ii. With that said, look for gaps in the reasoning and missing counter-arguments or policy arguments.
 - iii. Ask “Is there anything missing from the article?”
 - c. Look at the large-scale organization
 - i. Does the article include headings and subheadings? Does the organization make sense logically?
 - ii. Do the sections have roadmaps? Do the sub-sections have mini-roadmaps?

¹ This handout is based off of several materials, including Anne Enquist’s article, *Substantive Editing Versus Technical Editing: How Law Review Editors Do Their Job*, 30 Stetson L. Rev. 451 (2000), and materials drafted by previous Board Editors such as Darby Dickerson, Vice President, Dean and Professor of Law, at Stetson University College of Law, and Jill Ramsfield, Professor of Law and Director, Legal Research and Writing Program, at William S. Richard School of Law, at University of Hawaii at Manoa.

² Anne Enquist, *Substantive Editing Versus Technical Editing: How Law Review Editors Do Their Job*, 30 Stetson L. Rev. 451, 452 (2000) (emphasis in original).

- iii. Does each section or subsection have (or need) a mini-conclusion?
- iv. Does each section and subsection transition into the next section or subsection?
- d. Look at the footnotes
 - i. First, the frequency of the footnotes, or whether the arguments are appropriately supported.
 - 1. Has the author provided sufficient support?
 - 2. Or are there places in the article in which footnotes need to be added?
 - ii. Second, the sources cited in the footnotes.
 - 1. Has the author cited to the best sources?
 - 2. Are the sources current?
 - iii. Third, the content of the footnotes
 - 1. Has the author left any pertinent information out of the footnotes?
 - 2. Do the footnote include string citations?
 - 3. Do the footnotes include explanatory parentheticals (if the author provides signals, except with the signals *see generally* and *e.g.*)
 - iv. Fourth, has the author left any footnotes blank (i.e., [need cite])?
- e. Author's voice: Typically, editors do not comment on the author's voice, unless the presentation is unclear or grammatically incorrect.³

III. The Critique

- a. The Board Editors will draft a critique of the article.
- b. The critique should be in a memo format (but comments can be added to the electronic version of the article).
- c. The critique should be presented in a professional manner and provide examples (referring to specific pages and paragraphs), when necessary.
- d. The critique and the article, if edited, should be forwarded to the Editor in Chief, who will forward the materials to the author, and to the Assistant Editor in Chief and the Managing Editor, who keeps all versions of the articles.

³ *See id.* at 457 (stating that “asking an author to change his or her writing voice is tantamount to suggesting that clothing they are wearing is not quite appropriate”).