

## Submitting to Law Reviews, Expediting, and More

As I mentioned in my email from a few days ago, the process of submitting to law reviews has changed dramatically in recent years. These days, almost all law reviews prefer articles and essays to be submitted electronically through ExpressO. (A few holdouts such as Harvard, Yale, and Columbia prefer electronic submissions, but via their own websites.) The practice of securing an expedited review has also changed. Accordingly, I've put together a brief primer on submitting through ExpressO and the process of expediting, as well as a few other tips.

Submitting Through ExpressO. ExpressO is now the venue through which most law review articles are submitted and received. For the few journals that do not accept electronic submissions through ExpressO, ExpressO will handle the submission of hard copies. The directions for using ExpressO are simple, and can be reviewed at [http://law.bepress.com/expresso/how\\_to\\_get\\_started.html](http://law.bepress.com/expresso/how_to_get_started.html). Please be sure to use your Hofstra email address when you create your ExpressO account so your charges are billed to our institutional account and we receive our institutional discount. We do not get our discount if you pay with your own credit card. Faculty members are authorized to charge up to \$250 to submit their articles through ExpressO. (Please see me if additional funds are required.)

The advantages to using ExpressO? It allows you to submit your article to dozens of journals simultaneously with a click of a button. It lets you easily monitor the status of your submission and request expedited reviews. And it is extremely easy to use. What makes using ExpressO even easier? Having certain materials (cv, cover letter, abstract) ready for uploading, and having a submission strategy.

Materials Necessary for Submission. In addition to your article, you will need to have ready a cover letter, an updated CV, and an abstract. Each of these items can make a difference in terms of how well you place your article. Consider the cover letter, often the first (and only) thing law review editors read. Do not just write, "I have enclosed my submission." Your cover letter should not only include a very brief summary of your article, but should also explain why you are the perfect person to have authored your article. This is not the place to be shy. A few sentences about where your previous work has been published and cited can do a lot to frame the piece (and its author). If your article has already generated buzz at conferences, say that. If you are not certain about your cover letter, ask a colleague who has done well placing her articles. I also have several sample cover letters on file that can be used as models or for inspiration. Lastly, make sure that your cover letter is on electronic Hofstra letterhead. (A copy is attached.)

Submitting Strategically. In my prior email, I mentioned that the optimal time to submit to law reviews during the Fall Submission Season appears to be between mid-August and Labor Day. This does not mean that you cannot submit in late September or early October, but it does mean that journals, even ones that love your article, may not have a slot available for offer you. A separate issue is determining how many journals to submit to and whether those submissions should be staggered. A good rule of thumb is to submit

to a mixture of special interest journals and top-100 general interest journals. Some people recommend staggering your submissions. For example, submitting to specialty journals one week, journals ranked 80 through 40 the next week, and then journals ranked 39 through 1 the following week. For your convenience, I've attached a recent ranking of the top 150 journals. Washington & Lee also maintains a well-regarded and searchable ranking system, which you can access at <http://lawlib.wlu.edu/LJ/>. If you'd like a list of all journals (there are over 600), let me know and I'll provide you a spreadsheet I have.

Once You Receive An Offer. Unless the offer of publication is from the *Harvard Law Review*, please think twice before accepting the first offer you receive. There are at least two reasons for this. First, although we would all like to believe that courts and other scholars will find, read, and cite to our work, no matter where it is published, the reality is that the placement of your article will likely affect the size of its audience. In a world flooded by legal scholarship, many judges and scholars use the "quality" of an article's placement as a proxy for its substantive quality. The "better" your placement, the more likely your article will get a fair read from others, be cited by them, and then read by others as a result of those citations. Second, there is an institutional reason why you should think twice before accepting the first offer you receive. How well we place our articles affects Hofsta's academic reputation and rankings.

Accordingly, upon receiving an offer of publication, you should begin the process of asking higher-ranked journals to expedite their review of your article. Indeed, many of the top journals may not get around to reading your manuscript until they receive an "expedited review" request from you, requesting a speedy review in light of a pending offer from another journal. What does expediting entail? The first step may be securing more time from the journal making the initial offer. Although a journal may say they want a decision within a week, this is almost always negotiable to two weeks. The second step is contacting higher-ranked law reviews. This can be done with a click of a button on ExpressO. (Some colleagues also swear by following up the electronic expedite request with phone calls and personalized emails.) You may even want to strategize about staggering your requests for expedited review. For example, if you receive an offer from a journal ranked # 80, it may be wise to initially send an expedite request to the next 25 to 30 higher-ranked journals. Assuming you then receive an offer from one of those journals, you can continue up the rankings. Of course, this is just one of many strategies. The best advice? Seek out colleagues who have mastered the expedite process and use them as sounding boards.

If You Do Not Receive An Offer (Or An Offer You're Willing To Accept). Don't panic. Many of us have been in this situation. The beauty of this process is that you can resubmit in the spring. Some of us have obtained great placements this way. (In fact, law reviews fill most of their slots during the Spring Submission Season, making getting an offer during the Fall Submission Season all the more difficult.)

Additional Help With ExpressO and Expediting. Questions? Just ask me. Want someone else to take care of submitting through ExpressO on your behalf, or expediting on your behalf? Let's talk.

Last Minute Research/Bluebooking Help. I recently learned that the law library keeps a pool of two students available to do discrete research projects. If you need a student to do last minute research or bluebooking and don't have your own research assistant, the library pool should be the first stop. If demand is great, I can see about increasing the pool of students available. (Actually, I'd love to hear feedback about this.)

Other Tips? Last year, Julian Ku posted his own submission tips, now available as a resource on the Hofstra website at [http://law.hofstra.edu/FacultyStaff/facsta\\_services.html](http://law.hofstra.edu/FacultyStaff/facsta_services.html). If others have tips they'd like to share (even snarky tips), I encourage you to share them.

Prof. Bennett Capers