

Failure Was Always An Option: My Life As An EIC  
by James B. Levy\*

To mark the 30<sup>th</sup> Anniversary of JLWI, past Editors-in-Chief have been asked to share their thoughts and experiences working on the Journal as a way to help commemorate its history. I served as Editor-in-Chief for Volumes 12 to 14 beginning in 2006. It was suggested to me that I comment on a particularly noteworthy or important article published during my tenure or perhaps discuss how my response to an article has changed over time. With apologies to the authors of the many fine articles we published during my time as EIC, my recollection from that period is, by now, pretty hazy owing to too little sleep, too many energy drinks, and an ambitious publication schedule. Instead, I'd like to use this opportunity to pull back the curtain a bit on some of the challenges involved in publishing a peer-edited journal to help highlight the strength of our collective efforts over the years to establish and maintain such a well-respected publication.

When I first joined the Journal's Editorial Board in 2000, our goal had been to publish a new volume every year based on a schedule that roughly tracked the biennial LWI conferences. Thus, we would publish a "proceedings" issue that included papers from a recently concluded conference followed the next year by a volume comprised of more traditional, law-review-style scholarship. Sticking to that schedule, however, often proved to be more of an aspiration than a reality. The truth of the matter is that publishing a peer-edited journal is a lot like a home improvement project; it always

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\* Associate Professor, Nova Southeastern University College of Law. Editor in Chief Volume 12, Volume 13, and Volume 14.

takes much longer than you think and costs more than you had originally planned.<sup>1</sup> Not unexpectedly, therefore, by the time I had moved from the editorial board to EIC in 2006, we had already fallen behind.

The Journal's strength has always been the collective expertise of its editorial board on all matters related to the teaching and theory of legal research and writing. But because everyone on the board is also a full-time LRW professor, it can be challenging for these volunteers to find the time needed to make the Journal the quality publication we all want it to be. This is undoubtedly a challenge shared by other peer-edited academic journals, but teaching legal research and writing in particular is notoriously labor intensive to say nothing of everyone's obligations outside the classroom or, for example, time spent stressing over whether one's contract would be renewed. In the early days, few of us had any real job security. In that respect, it's impressive the idea for a peer-edited journal devoted to LRW scholarship ever came to fruition in the first place, much less that we're now celebrating its 30<sup>th</sup> anniversary.

During my time as an editor, and later as EIC, the LWI Board was "concerned" (to put it mildly) that we'd fallen behind in terms of publication. The fear was that if we did not correct the situation, authors would lose faith in the Journal as a reliable place to publish their scholarship. All authors want to get their ideas into print as soon as possible so they can become part of the scholarly discourse on their chosen topic. The editorial board was also acutely aware that retention and promotion decisions may hang in the balance if the volumes don't come out on time. After all, we're authors and

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<sup>1</sup> The analogy to an over-budget home improvement project is not facetious. To take one example, in the early days of the Journal, we had to eat the cost of reprinting an entire volume due to an unexpected glitch that caused the wrong galleys to be sent to the printer.

academics too who also worry about such things. And if authors lose faith in the editorial board's ability to make the trains run on time, it becomes harder to attract the kind of quality articles that make the Journal a leading source of LRW scholarship.

These issues came to the fore as I began my term as EIC. Already under pressure to get the books out on time, we also had to find enough volunteers to make that happen, negotiate a publication agreement with Lexis, appease an author whose article had been dropped from an earlier volume, as well as deal with all the other issues that are part and parcel of publishing a journal of this type. In the end, we accomplished many of our goals, though I'm particularly proud that we were able to get the publication schedule back on track. It wasn't easy; we had to publish three volumes instead of the usual one or two during that two-year cycle. But it allowed us to hand the reins over to the next board on time and up to date as we had promised.

Upon my "retirement," I received a plaque from LWI thanking me for my service, yet the real credit has always belonged to the editors, assistant editors, and many other volunteers who did the heavy-lifting behind the scenes. Like the military, we don't forget our "combat" veterans; please check out the list of their names here.<sup>2</sup> Special recognition goes to Professor Kristin Gerdy, the Assistant EIC for Volumes 12, 13 and 14, and our Managing Editor, Professor Brooke Bowman, who both put forth Herculean efforts to edit, proof, and finalize three volumes in a time-frame that usually produces only one or two. That Professor Bowman personally cite-checked more than thirty law review-style articles in that period is truly impressive.

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<sup>2</sup> 12 LEG. WRITING ii-iii (2006); 13 LEG. WRITING ii-iii (2007); 14 LEG. WRITING ii-iii (2008).

While it's important to highlight some of the significant scholarship included in these pages over the years as part of commemorating the Journal's 30<sup>th</sup> anniversary, it's also important to acknowledge the unglamorous, hard work that goes on behind the scenes to get each volume into print. And to any future board members reading this—if you find yourself waking in the middle of night worried that you don't have enough articles to fill the volume, anxious about a deadline, or despondent because you think you'll be stuck doing this job forever if no one steps forward to relieve you, we say to you: "Welcome, friend."

On this milestone marking three decades of LRW scholarship, it's easy to overlook that in publishing a peer-edited journal staffed entirely by volunteers, failure is always an option. In truth, it's the easiest one to pursue. All it takes is the steely-eyed resolve to kick whatever problem you're facing down the road to the next group to handle. The fact that doesn't happen is a testament to the scores of volunteers over the years who've quietly worked behind the scenes to make the Journal a success.

Happy Birthday, J. LWI. Here's wishing you a prosperous future.