De Jure [sic] Park

Ronen Perry

Available at: https://works.bepress.com/ronen_perry/9/
Essay

De Jure [sic] Park

DR. RONEN PERRY

This Essay, solicited by the Connecticut Law Review for the inauguration of its online companion CONNtemplations, discusses the main structural deficiencies of student-edited general interest paper-based law reviews, namely that they are student-edited, general interest and paper-based.

I. INTRODUCTION

The roots of the American law review may be traced back to the 19th century. The University of Pennsylvania Law Review, established in 1852 as the American Law Register, is probably the oldest continuously published legal periodical in America. However, it began as a practitioners' journal and became affiliated with an academic institution only in 1896. The gradual proliferation of academic law journals started in 1887, with the establishment of the Harvard Law Review, the first student-edited legal periodical to last more than a few years. At present,
there are nearly 200 ABA-approved law schools in the United States.\textsuperscript{4} Each publishes or sponsors a general interest student-edited paper-based legal periodical, also known as the school’s “flagship journal.”\textsuperscript{5} Very often the general interest law review is accompanied by specialized, peer-edited or online legal periodicals.

The traditional student-edited general interest paper-based law review, one of the pillars of American legal scholarship and education, is unfit for life in the modern academic world. Yet it still exists, much like the dinosaurs in Michael Crichton’s \textit{Jurassic Park}.\textsuperscript{6} In my view, it must evolve or be extinct.\textsuperscript{7} This Essay discusses the main structural deficiencies of flagship journals, namely that they are student-edited, general interest and paper-based. I am grateful to the editors of \textit{Connecticut Law Review} for this opportunity to share my raw thoughts on the subject, and obtain useful comments through the newly established online companion to their print edition. I am honored to share this virtual podium with my distinguished colleagues, Alfred L. Brophy and John Doyle.

\section{II. STUDENT-EDITED}

For a non-American scholar, and even for American scholars in all disciplines but law, the most intriguing feature of the American law review is the absolute control by second and third-year students of the entire publication process. Law students are the gatekeepers and ultimate fashioners of legal scholarship. They appraise the relative worth of numerous submissions, select a handful for publication, and edit them. This is uncommon in other jurisdictions, or in other disciplines, where academic periodicals are normally peer-reviewed and peer-edited.

There may be several reasons for this unique reality. First, reviewing and editing academic manuscripts is time consuming, so law professors gladly renounced this task. Nowadays, when the number of annual submissions to general interest law reviews may range from hundreds to thousands, they are unwilling to resume it. Second, law review

\begin{itemize}
\item \textsuperscript{4} See American Bar Association, ABA Approved Law Schools, \url{http://www.abanet.org/legaled/approvedlawschools/approved.html} (last visited Apr. 29, 2007).
\item \textsuperscript{5} The Northeastern University School of Law is the only exception. However, the students at this school intend to establish their own journal shortly. See e-mail from Sue D. Zago, Associate Director of the Northeastern University School of Law Library, to Law-Lib Electronic Discussion List (Mar. 3, 2007, 06:35 AM), available at \url{http://lawlibrary.ucdavis.edu/Lawlib/Mar07/date.asp} (follow “Estimate of librarian’s time to support law review” hyperlink).
\item \textsuperscript{6} \textsc{Michael Crichton, Jurassic Park} (1990).
\item \textsuperscript{7} The view presented in this Essay is relatively optimistic. In a well known article, Bernard Hibbitts anticipated the complete demise of law reviews. See generally Bernard J. Hibbitts, \textit{Last Writes? Reassessing the Law Review in the Age of Cyberspace}, 71 N.Y.U. L. Rev. 615 (1996), available at \url{http://www.law.pitt.edu/hibbitts/lastrev.htm}. In a way, my Essay endeavors to help law reviews survive. Unlike Hibbitts, I assume that academic periodicals, and their reputational hierarchy, serve important goals: they indicate the intrinsic value of academic manuscripts and their relative quality.
\end{itemize}
membership enhances and refines law students’ professional skills. It is thus considered a valuable educational tool, which is part and parcel of the law school experience.\(^8\)

Still, the flaws of student-run academic periodicals are well known. It is often said that even students with excellent credentials are not qualified—after one or two years of law school—to run an academic periodical.\(^9\) First, it seems quite odd that “novices judge the works of their academic seniors.”\(^10\) Students do not have an adequate background in each and every field of legal and interdisciplinary scholarship, which is required to evaluate scholarly manuscripts on various unrelated topics, and to select those of best academic quality. Hence the review process is biased. Submissions are evaluated less on their substantive merit and more on simplistic criteria that are used as proxies for substantive merit, such as the prestige of the school from which the author graduated or with which she or he is currently affiliated, the author’s prior publication record, or the prominence of the scholars whose comments are acknowledged in the asterisk footnote.\(^11\)

Second, students lack the expertise and experience required to edit papers accepted for publication. Since they spend two years at most as law review editors, they do not gain much experience along the way. Many

---


\(^11\) See, e.g., Arthur D. Austin, *The “Custom of Vetting” as a Substitute for Peer Review*, 32 ARIZ. L. REV. 1, 5–7 (1989); Richard A. Bales, *Electronically Submitting Manuscripts to Law Reviews*, 30 STETSON L. REV. 577, 582 (2000). Lindgren suggests that the author’s identity and biography be concealed from the reviewers. Lindgren, supra note 9, at 538. However, this would not make students more equipped to assess submissions’ quality.
authors complain that students tend to “over-edit,” sometimes to the detriment of the manuscript.\textsuperscript{12} A more acute problem is that student editors focus mainly on technical matters such as style, citation form and accuracy, and the like. Peer-reviewed journals usually provide more substantive feedback, helping authors to refine their manuscripts.

Apparently, these flaws call for a categorical shift to faculty-edited peer-reviewed journals,\textsuperscript{13} but this option is impractical and unwarranted. It is impractical because, as stated above, faculty members might not be willing to assume all editorial tasks. It is unwarranted for two reasons. First, researchers should generally focus on the substantive advancement of human knowledge, whereas editing involves many administrative and technical matters. Second, the proposed shift would deprive students of the educational benefits of law review membership. So, in my view, excluding students would be tantamount to throwing the baby out with the bathwater.

There are, however, more plausible solutions. Student-reviewed student-edited journals and faculty-edited peer-reviewed journals are the extremes. Many alternatives lie in between. My colleague, Alfred L. Brophy, seems to support a middle-ground solution. Brophy does not advocate the abandonment of student-edited law reviews, but he has consistently called for more faculty involvement in the review process.\textsuperscript{14} I think we can take this proposal one step farther and try to delineate the boundaries of student power. The most promising alternative to the traditional student-run law review is a peer-reviewed journal, jointly edited by students and faculty.\textsuperscript{15} The term “jointly edited” means actual cooperation between faculty and students, not necessarily formal assignment of editorship to both.

This model has been implemented successfully in other jurisdictions. In Israel, for example, peer review is the norm. While there may be some variance in faculty impact on ultimate editorial decisions, no offer to publish a paper can be extended in the absence of a mostly positive report from an external referee. This does not mean that any submitted paper is sent out for peer review. In-house editorial board members, usually law students supervised or guided by a faculty member, are still responsible for

\textsuperscript{12} E.g., Dekanal, supra note 10, at 236.
\textsuperscript{13} Cf. Dekanal, supra note 10, at 237–38 (proposing the establishment of more faculty-edited peer-reviewed journals).
\textsuperscript{15} But cf. Day, supra note 8, at 13–43 (advocating professionalized student-edited journals); Dekanal, supra note 10, at 238–39 (advocating peer-reviewed student-edited journals).
an initial rough screening. But this screening is based on qualities that may be appraised by exceptional students, such as structure, coherence, clarity, style, depth, apparent innovation (as opposed to mere summary of existing knowledge), and the like. Peer review is used for a more profound examination of the content. The referee is generally a law professor with relevant expertise. The report may corroborate or contradict the students’ intuition, and is given considerable weight in the final decision. As is customary in peer-reviewed journals, the editors are not limited to only two types of editorial decisions (acceptance or rejection), and frequently use intermediate options, such as conditional acceptance, or an invitation to revise and resubmit, thereby ensuring that substantive comments will be seriously dealt with. Student editors write editorial letters whenever necessary, based on the referees’ reports and their own comments. A faculty adviser or editor usually oversees and refines these letters. Student editors are also responsible for cite checking (substance and form) and proofreading of final drafts.

A similar model has been used for decades by leading law reviews in Australia and in Canada. The underlying principle is quite simple: let students perform every task not requiring unique academic expertise, with minimally required faculty supervision, and let faculty appraise academic quality (in the narrowest sense) and propose substantive revisions. That way we can enjoy the best of all worlds: professional quality control, efficient allocation of resources (researchers focusing solely on the advancement of knowledge), and educational benefits.

III. PAPER-BASED

In the beginning, there was no alternative to paper. Law reviews were published in print and circulated to subscribers through “snail mail.” With the advance of technology, electronic venues of publication and dissemination have gradually become more available. In his renowned article *Last Writes? Reassessing the Law Review in the Age of*

---


18 True, multiple-submission is forbidden in Australia, Canada, and Israel as in most countries. One may argue that peer review is impractical in a multiple-submission regime, where an author is free not to accept an offer to publish his or her paper. But this problem can be solved. If a certain article passes the first screening the author may be contacted and informed that the article will be sent to peer review only if the author promises to accept an offer extended by that journal within, say, seven days.

19 It appears that several student-edited journals already use peer review to a certain extent. See, e.g., Harvard Law Review, Guidelines for Submitting Manuscripts: Review Process, [http://www.harvardlawreview.org/manuscript.shtml](http://www.harvardlawreview.org/manuscript.shtml) (last visited Apr. 27, 2007) (“[M]any pieces go through substantially more stages of review, including . . . faculty peer review[.]”).
Cyberspace, Bernard J. Hibbitts identified three stages in the development of electronic dissemination of legal scholarship. First, two commercial databases (Lexis and Westlaw) started to provide online access to the full texts of law review articles. Second, many law reviews have begun to provide free online access to their own content at their official websites without discontinuing their print editions. Third, several law-school-related journals have started publishing exclusively online. The number of online publications has increased dramatically in the last decade. Nowadays, 40% of law and technology journals publish exclusively online.

During the last few years two noteworthy developments have taken place. First, several companies, most notably SSRN and Bepress, have started providing free online access to legal manuscripts, published and unpublished. These companies provide not only access, but also e-mail notifications about new papers. Certain journals might expect authors whose papers were accepted for publication to remove such papers from these free-access repositories. But most understand the promotional value of such access and allow or even encourage authors to post their papers. Second, several general interest law reviews have started publishing online companions to their print editions. The online companion usually consists of comments and responses to papers published in the print edition, and preliminary reflections on various law-related topics. Prominent examples include The Pocket Part

---

20 Hibbitts, supra note 8.
21 Id. at 654–66.
23 Fifty American e-journals were listed in John Doyle’s database on March 22, 2007, of which only two (Richmond Journal of Law & Technology and Rutgers Law Record) have been publishing online for more than a decade (the Journal of Online Law started in 1995 but ceased publication in 2001). See Washington & Lee Law School, Law Journals: Submissions and Ranking, http://lawlib.wlu.edu/LJ/ (last visited Apr. 28, 2007).
24 According to the Washington & Lee Law School databases, there were thirty-six American journals specializing in law, science and technology in March 2007. Fourteen were published exclusively-online. See Washington & Lee Law School, Law Journals: Submissions and Ranking, supra note 23.
26 The California Law Review used to ask authors to remove any drafts posted on SSRN upon publication by the journal. See Posting of Gordon Smith, Missteps @ Cal. L. Rev., to Conglomerate, http://www.theconglomerate.org/2003/11/missteps_cal_1.html (Nov. 20, 2003). It appears, however, that even the California Law Review has changed its policy since. See e-mail from Jean Galbraith, Editor-in-Chief of the California Law Review to Dan Hunter, Associate Professor of Legal Studies and Business Ethics, Wharton School of Business, University of Pennsylvania (March 31, 2004), available at http://commons.unilaw.net/index.php?title=California_Law_Review.
(accompanying the Yale Law Journal),\textsuperscript{27} the Harvard Law Review Forum,\textsuperscript{28} First Impressions (supplementing the Michigan Law Review),\textsuperscript{29} Colloquy (accompanying the Northwestern University Law Review),\textsuperscript{30} PENNumbra (supplementing the University of Pennsylvania Law Review),\textsuperscript{31} and In Brief (accompanying the Virginia Law Review).\textsuperscript{32} Connecticut Law Review has joined this avant-garde group with the inauguration of CONNtemplations.\textsuperscript{33}

While the content of most general interest law reviews is now available both in print and online, none has adopted an exclusively online publication policy so far. This may seem odd. Paper-based publication is much more expensive than online publication. The production costs of print journals include paper, printing, binding, and shipping. These are so high that most law reviews are not profitable enterprises, and are subsidized by law schools under the assumption that they serve some educational goal.\textsuperscript{34} The advantages of online publication for the publisher are quite clear, and have already brought about significant changes in other branches of the publishing industry.\textsuperscript{35} Moreover, the use of paper and ink involves externalized costs such as environmental harms,\textsuperscript{36} and ever-mounting expenditure on handling and storage by libraries and individuals.\textsuperscript{37}

One may argue that a shift from paper-based to online publication entails other costs, including the establishment and maintenance of dynamic websites with database applications. I believe that the special costs of the print edition are much higher than the special costs of the online edition.\textsuperscript{38} More importantly, many law reviews simultaneously publish in print and online, so they already bear the costs of online publication. A transition to exclusively online publication would only save costs.

\textsuperscript{29} First Impressions, http://www.michiganlawreview.org/index-fi.htm (last visited Apr. 28, 2007).
\textsuperscript{32} In Brief, http://virginialawreview.org/ (last visited Apr. 28, 2007).
\textsuperscript{34} Alfred Brophy reports that the costs of printing and mailing a single volume (five issues) of the Alabama Law Review add up to $35,000. See Brophy, Mrs. Lincoln’s Lawyer’s Cat, supra note 14, at 19.
\textsuperscript{36} The use of recycled paper may reduce environmental harms but increase paper price.
\textsuperscript{37} For an interesting discussion of law review storage, see generally Kincaid C. Brown, How Many Copies are Enough? Using Citation Studies to Limit Journal Holdings, 94 L. LIBR. J. 301 (2002).
\textsuperscript{38} I cannot provide empirical evidence to substantiate my intuition at this stage.
Online publication is not only more economical, but also much faster, making it more responsive to current events and more attractive to authors. Today, an author may wait several weeks before an article—already in its final law review form—becomes publicly available. Online publication shortens this interval. It saves the time of printing, binding, handling and shipping. It may also break the current interdependence of papers that are to be included in a single issue. A paper may be published whenever it is ready, without having to wait for others. Electronic publishing also enables refinement of articles after their official publication.

Online publishing is clearly more attractive for readers. First, it makes manuscripts more accessible. An online version is more easily obtained than a print version, even where both are available. Tangible volumes must be physically searched for at the library when it is open, and they are sometimes borrowed, misplaced or destroyed. More importantly, libraries can provide online access to various journals even where budgetary constraints and space limitations preclude access to print editions of the same journals. In fact, online publishing often makes the trip to the library redundant, as it allows access from home. Easy access is not only beneficial for readers, but also for authors, whose manuscripts thereby gain more exposure and impact. Second, an electronic version is a more convenient research tool. It can be easily scanned, searched, quoted and referenced. Third, electronic versions take up much less physical space and are more portable than print. Readers can hold and carry an enormous collection of manuscripts on their laptops or personal digital assistants. Fourth, online publishing enables editors to produce reader-friendly layouts, including hyperlinks, flexible font size, multimedia content and so on. Fifth, readers may be given an opportunity to take part in an ongoing discourse about published papers through online discussion forums and the like. Unsurprisingly, empirical studies show a strong preference by users for electronic access to academic periodicals.


Id. at 34–35; Hibbitts, supra note 7, at 663.

See Hibbitts, supra note 7, at 663.

For all that, the most prestigious venues for scholarly publication in law are still paper-based. More accurately, they are available both in print and online. How can this be explained? One possible explanation is the apparent perpetuity of paper. It may be argued that while electronic access is contingent on the survivability and continuous reliability of electronic databases, and subject to software and hardware failures, computer viruses, hacking, etc., paper has already proved to be a long-lasting and reliable medium. Accordingly, the renowned maxim “Publish or Perish” may be paraphrased into “Publish on Paper or Perish.” This argument is clearly flawed. Electronic versions of legal documents are usually available through various independent databases. Presumably, most databases have reliable backups, and some have mirrors and external electronic archiving. So the risk of losing an article published exclusively online is negligible. On the other hand, history shows that hardcopies may be lost forever.

Another explanation is that the costs related to paper-based publishing force editors to conduct a more rigorous screening process. If they could publish whatever they wished without caring about the cost, they would not be as meticulous. Publication in print thus serves as a signal for better quality. This argument must also be rejected. All journals, print or electronic, bear similar costs in preparing selected articles for publication, so skillful screening is still mandated by budgetary constraints. More importantly, changes in journal quality may be sensed by the academic community, and quantified in various ways. Therefore, each journal has a strong reputational incentive to adhere to the highest standards possible regardless of the publication method.

A third explanation is that reading from paper may be a deep-rooted habit. Many distinguished law professors have been using print journals for years. They used them when they studied law, edited law reviews,
practiced law, and conducted research. Old habits die hard, and as long as there is demand for print editions, there must be supply. This argument has some merit. Still, consumers’ preferences are rapidly changing. As indicated above, most patrons of academic journals already prefer electronic versions, and their proportion seems to be growing. If demand for print editions consistently decreases, they must ultimately vanish. At any rate, it is doubtful whether society needs to accommodate inefficient habits. Old-fashioned readers may print online articles for their personal use at their own expense.

Some of my colleagues maintain that hardcopies are preferable because “they can be read everywhere, even in bed or at the beach, and uninterrupted, without having to be recharged.” This argument seems inapplicable to legal periodicals. After all, how many scholars read law review articles in bed or at the beach? Be that as it may, this argument hinges on technological obstacles that will surely be overcome in the future. Tablet PCs already emulate the traditional reading experience in many respects, and battery life is gradually getting longer.

In sum, there is no convincing reason for the continuation of print editions. Any preference for paper is either irrational or outdated. Nonetheless, it still exists. Many scholars, probably with overrepresentation on appointments committees, have an irrational preference for paper. So legal academia may be said to suffer, to a decreasing extent, from a “paper bias.” My hypothesis is that the market is consequently trapped in a fragile inefficient equilibrium. Law reviews are practically facing a prisoner’s dilemma. All journals are aware of the advantages of online publishing. But each knows that given the “paper bias,” transitioning to an exclusively online format will put it at a significant disadvantage vis-à-vis other journals competing for the same authors and readers. Consequently, none makes the required shift.

I predict that this inefficient equilibrium will eventually break. As soon as one of the top-ten journals makes the rational decision to discontinue its print edition, the reputational value of paper will drop dramatically, and other journals will immediately follow suit. Put differently, once the market is signaled by a top journal that a print edition has no additional value, no journal will be willing to bear its costs. It is hard to say when this will happen. At the moment, top general interest paper-based law reviews seem to be very lucrative businesses. Still, print edition subscriptions are gradually and consistently declining.\textsuperscript{47} This trend may continue to the point where a print edition becomes unprofitable even for elite journals.

\textsuperscript{47} See Doyle, supra note 39, at 33–34.
Another notable feature of the paradigmatic law review is non-specialization. In other disciplines there may be a few general interest journals, but the vast majority of first-rate articles are published in specialized outlets. The quality of each journal is usually assessed relative to journals of the same specialization. For example, most business journals specialize in one area, such as accounting/finance, entrepreneurship, human resources, information systems management, international business, marketing, operations management, organizational behavior, or strategic management. Similarly, most psychology journals specialize in one area, such as abnormal psychology, behavioral psychology, biopsychology, clinical psychology, cognitive psychology, comparative psychology, developmental psychology, educational psychology, or social psychology. Eighty years ago, a distinguished law professor at Northwestern University envisaged a similar fragmentation in the law review world: “A few journals could be specialized. For example, the Harvard Law Review might become what is consistent with its traditions, a journal of legal history; the Yale Law Journal might become a journal of jurisprudence; and the Columbia Law Review might become a journal of commercial law.” Obviously, this has not happened yet.

Clearly, generality is not a critical flaw. Students’ absolutism and devotion to paper are much worse. Still, in my view, law review specialization would be a warranted development. First, from a reader’s perspective, the proliferation of legal research makes it practically impossible to keep track of cutting-edge scholarship in each field. Leading general interest law reviews receive hundreds of submissions annually, of which they select a very few for publication. Thousands of well written and well researched papers on numerous unrelated topics are, therefore,

51 I am aware, of course, of the growing number of specialized law journals. However, the traditional general-interest law review is usually the flagship journal of the respective school, and most scholars still aspire to publish with a general-interest review.
scattered among hundreds of journals. The average reader, interested in a specific branch of law, cannot systematically monitor all journals for relevant articles. Assuming that she could receive periodic updates on new articles that meet her professional interests, it would still be very difficult to ascertain the relative worth of each paper and decide which merits reading. Specialization enables readers to pinpoint relevant manuscripts more easily, and with a more reliable approximation of relative quality. Moreover, in the current state of affairs, private subscribers, organizations, and non-law libraries are practically forced to pay for content they do not truly need. Specialization facilitates more personalized, hence cost-effective, acquisitions.

Second, from an author’s perspective, the current structure of the law review market creates an unwarranted subject-matter bias. Law reviews already tend to publish too many articles on “favored” topics (usually trendy, sensational or core-curricular), while neglecting others that may be as important but—perhaps temporarily—less privileged. For example, constitutional law seems to be overrepresented in top journals, while tort law is underrepresented. Articles on more esoteric subjects, such as Roman law, are lucky to get published at all. Put differently, scholars do not gain the appropriate reputational benefits for writing thought-provoking, well researched articles on non-popular topics. The same is true for non-popular research perspectives and methodologies. Scholars are thus impelled to design their research in accordance with the ephemeral taste of the masses, or be denied the opportunity for a reputable placement.

This problem is exacerbated by the current tendency to rank legal periodicals by different citation-based measures. These rankings are biased in favor of journals that publish more articles on popular topics, and

---

53 Such as those currently distributed by SSRN or Bepress.
55 E.g., business students may be interested in law review articles about commercial law. A business school library must, therefore, retain access to numerous general-interest journals that may include these articles.
56 Law libraries, on the other hand, need to provide access to articles on various topics. So subscribing to a general-interest periodical, either print or electronic, or providing access to a general-interest periodical through Lexis or Westlaw cannot be deemed redundant.
57 See, e.g., William J. Turner, Tax (and Lots of Other) Scholars Need Not Apply: The Changing Venue for Scholarship, 50 J. LEG. EDUC. 189, 190–98, 211 (2000) (showing that a few areas of legal research, and constitutional law in particular, get a lot more attention than all others from top general-interest law reviews); see also Leo P. Martinez, Babies, Bathwater, and Law Reviews, 47 STAN. L. REV. 1139, 1143 (1995) (noting that law reviews often publish what is “hot,” rather than what is the best scholarship).
58 I admit to be partly responsible for this tendency.
against journals that publish more articles on esoteric subjects. Excellent articles on unpopular topics may rarely be cited, while run-of-the-mill articles on popular subjects may frequently be cited. The continuous use of citation-based ranking methods may induce editors of general interest journals to publish (and authors to submit) mediocre articles on popular subjects rather than creative, innovative, profound, and well-written manuscripts on less popular subjects. Law review specialization gives authors the opportunity to be appraised with reference to their true peers, and puts the emphasis back on relative quality.

Third, from an editorial perspective a specialized journal seems to be a more sensible enterprise than a general interest journal. There may be specialists in a particular branch of law, but no one is an expert in all branches. So it should be much easier to assemble and administer an editorial board that needs to appraise and edit papers in a specific field than an editorial board that ought to handle an open-ended array of topics and research methods on a rolling basis.

Admittedly, there are hundreds of specialty law journals in America today. A few of them, like the American Journal of International Law or the Journal of Legal Studies, are highly reputable and very influential. However, all law schools (but one) still have general interest journals, and the legal academia (authors, appointments committees, etc.) categorically favors these journals despite their inherent subject-matter bias. This unhealthy reality, where authors who specialize in different fields do not compete on equal terms for a few slots in general interest journals, and editors work on numerous unrelated topics, must change.

V. CONCLUSION

In this Essay I have endeavored to show that student-edited general-interest paper-based law reviews suffer from three basic structural problems: they are student-edited, general interest, and paper-based. Law reviews need to remodel or fade away. Given the undisputed prestige of general interest journals in the legal academia, I am fairly skeptical about the prospects of full specialization in the law review market in the coming years.

---

59 See Korobkin, supra note 8, at 869.

60 Id.

61 Cf. Carlin Meyer, Not Whistlin’ Dixie: Now, More than Ever, We Need Feminist Law Journals, 12 COLUM. J. GENDER & L. 539, 539 (2003) (explaining that feminist and women’s law journals “have published articles that would not otherwise have been read, covered issues largely untouched by more traditional reviews, and reviewed books that might otherwise have gone unreviewed”).

62 For a critical appraisal of law reviews’ style and contents, see Fred Rodell, Goodbye to Law Reviews, 23 VA. L. REV. 38 (1936); Fred Rodell, Goodbye to Law Reviews—Revisited, 48 VA. L. REV. 279 (1962).

63 In fact, one may point to opposite changes. For example, the Lewis & Clark Law Review was founded as the Journal of Small and Emerging Business Law, and shifted to a general-interest form in 2004. See Lewis & Clark Law Review, http://law.lclark.edu/org/lclr/ (last visited Apr. 29, 2007).
However, this warranted change will ultimately occur. In the nearer future law reviews will transition to an exclusively online format, and rely more heavily on faculty input in the review process. Those that do not adapt to the growingly competitive environment will be left behind.