

Appendix B
Text of Survey Instrument

For the following, indicate the degree to which the stated fact, if true and known to you, would influence your decision to make an offer of publication:

Scale: Strong negative influence; negative influence; minor negative influence; no influence at all; weak positive influence; positive influence; strong positive influence.

Section I: Author

1. The author is employed at a highly ranked law school.
2. The author is employed at a poorly ranked law school.
3. The author received her legal degree from a highly ranked law school.
4. The author received her legal degree from a poorly ranked law school.
5. The author has a legal graduate degree (LLM/SJD).
6. The author has a graduate degree in a non-legal field.
7. The author participated on law review while in law school.
8. The author received academic honors as a law student.
9. The author clerked for a judge after graduating from law school.
10. The author does not have a legal degree.
11. The author is a student.
12. The author is a practitioner.
13. The author is a judge.
14. The author teaches at an institution other than a law school.
15. The author teaches outside the United States.
16. The author is a full-time professor.
17. The author is tenured.
18. The author holds an endowed professorship.
19. The author has a large number of previous publications.
20. The author has no previous publications.
21. The author has published frequently in highly ranked law reviews.
22. The author has never published in a highly ranked law review.
23. The author has not published an article for several years.
24. The author has published with your journal before.
25. The author has practice experience related to the manuscript submitted.
26. The author has teaching experience related to the manuscript submitted.
27. The author is highly influential in her respective field.
28. The author is female.
29. The author is a member of a racial minority.
30. The author has a current offer of publication from another journal.
31. The author has a current offer of publication from a highly ranked law review.
32. A draft version of the article has been frequently downloaded from SSRN.
33. The author is a professor at your law school.

Section II: Accompanying Documents and Article Format:

1. The article is accompanied by a cover letter.
2. The author's submission includes an abstract.
3. The cover letter is personally addressed to your journal.
4. The article is accompanied by the author's curriculum vita or resume.
5. The article has been reviewed by the author's peers.
6. The article has been reviewed by the author's peers at your university.
7. You have received an unsolicited email from one of the author's peers supporting the article.
8. The author tells you that she is only submitting the article to a limited number of journals.

Section III: Topic of Article:

1. You have taken a class in the subject matter the author addresses.
2. The topic interests you personally.
3. The topic would interest the general legal public.
4. The topic has been discussed in the news in the past year.
5. The topic is one about which many articles are currently being written.
6. The article fills a gap in the literature.
7. The article provides enough background explanation so that one not familiar with the particular field can understand the relevant issues.
8. The topic is one you consider to be controversial.
9. Articles on similar topics have not been published in your journal recently.
10. Your journal published a major article on a similar topic last year.

Section IV: Editing:

1. The article contains several missing footnotes.
2. Parentheticals are generally missing from the footnotes.
3. Many citations do not include the page numbers of the sources the author cites (pincites or jumpcites).
4. The citations do not conform to the Bluebook.
5. The footnotes contain sources that are difficult to locate.
6. The article contains numerous typographical and grammatical errors.
7. The article is more than 35,000 words.
8. The article is less than 20,000 words.

Section V: Article Length:

Which of the following best describes your journal's policy regarding article length:

- We have no length restrictions
- We have a preference for articles with fewer than ____ words (including footnotes)
- We do not publish articles with more than ____ words except in special circumstances
- We do not consider for publication articles with more than ____ words

Section VI: Publication Criteria:

Rank order the following characteristics that you consider most important in deciding to extend an offer of publication, with 1 = most important and 7 = least important. Please use each number only one time.

- Originality of the arguments
- Persuasiveness of the arguments
- Potential to influence legal scholarship
- Potential to change substantive law (through influencing legislators or judges)
- Readability of the article
- Notability of the author
- Timeliness of the topic

Section VII: Selection Process

1. I can reject a submission without consulting my fellow editors(Yes/No)
2. I can make an offer of publication without consulting my fellow editors(Yes/No)
3. Before an offer of publication is made, how many editors must read the article? ____
4. How many of those must agree for an offer to be made?
5. Approximately how many submissions do you expect to receive this year?
6. How frequently do you ask a faculty member to read the article before extending an offer of publication (always/occasionally/never)?
7. How frequently do you conduct a preemption check using Lexis or Westlaw (always/occasionally/never)?
8. Does submitting an article via the methods(s) specified on your website make it more likely that you will select the article than if the article is submitted via a submission service such as ExpressO? Please explain.
9. Does submitting the same article in two successive submission cycles affect the article's chances of selection the second time around? Please explain.
10. How soon during the year does your volume tend to fill up?
11. Approximately how many articles will your journal publish this year?