



## **Publications and Communications Committee**

### **I. Purpose and Goals**

- A. The purpose of the Committee is to oversee and publish the Texas Environmental Law Journal (TELJ), as well as overseeing and assisting with the coordination of other publications in which ENRLS is involved, and promoting regular updates and communications with the Section's membership.
- B. The goals of the Committee are to timely publish TELJ, and to assist or facilitate publication of other ENRLS materials.

### **II. Committee**

- A. The Committee is led by two co-chairs, one serving as the Attorney Editor-in-Chief (EIC) of TELJ and the second serving at large to carry out the purpose and goals of the Committee.
- B. Other Committee members may consist of other Council members, ENRLS members, and law students involved in the production of TELJ.

### **III. Texas Environmental Law Journal**

- A. Attorney (EIC)
  - 1. Responsibilities
    - a. Oversight and mentoring of UT Law student staff
    - b. Journal production:
      - i. Solicit lead articles from ENRLS members and other sources
      - ii. Selection of content in coordination with students (see below)
      - iii. Mentoring student editors (including help with development and revisions to Student Handbook) and assistance with student editor selection
      - iv. Editing of all journal content after students complete their edits, review and cite checking process
      - v. Ensuring that articles are properly formatted for submission to Publisher (i.e. all TELJ "styles" have been applied correctly to each article type)
      - vi. Coordination with authors for final approval of all edits
      - vii. Coordination of publication process



- c. Manage Development Attorneys (see below)
  - 2. Stipend (Per issue: \$1500 for first 4 lead articles/student notes; and \$325 per additional article)
- B. Other Roles
  - 1. Assistant Editor for Production
    - a. Paralegal level support to Attorney EIC for editing/proofreading
    - b. Hired by Attorney EIC
    - c. Stipend (Per issue: \$400 for first 4 lead articles/student notes; and \$75 per additional article)
  - 2. Development Attorneys
    - a. Subject matter experts who help students with “Development” articles
    - b. Do NOT receive a stipend
    - c. Historically have helped find their replacement when they want to “retire”
- C. SBOT pays stipends directly to editors who receive them. When the publication process is underway, the Attorney EIC sends an invoice to the ENRLS Treasurer to forward on to SBOT for payment.
- D. Content and Frequency
  - 1. There are two issues produced per (UT Law) academic year. The student staff members of TELJ primarily work during the fall and spring semesters of the academic year.
  - 2. Ideally, issue 1 is published in late spring/early summer, and issue 2 is published in the fall.
  - 3. Content in each issue:
    - a. 2-3 Lead Articles
      - i. Some articles are submitted by Scholastica and Espresso to UT student staff for initial review; they send on ones to Attorney EIC for consideration that appear to be good candidates
      - ii. ENRLS member email blasts from Chair seeking submissions (often articles are not yet written, requiring further lead-time)
      - iii. Other recruitment efforts can include LinkedIn postings on environmental law pages, emails to law school faculty, etc.



- iv. Outreach has been broadened to non-Texas practitioners and academics who write articles of relevance to ENRLS, to help address lack of submissions
- b. 2-3 Student Notes
  - i. Preference given to submissions from Texas law schools, but not limited to that due to lack of submissions
  - ii. UT student staff responsible for recruitment and selection, subject to confirmation by Attorney EIC
- c. Developments
  - i. Short updates on various ENRLS topics, including:
    - a) Solid Waste
    - b) Natural Resources
    - c) Air
    - d) Water Rights
    - e) Water Quality & Water Utilities
    - f) State Casenotes
    - g) Federal Casenotes
    - h) Publications
    - i) Washington Update
  - ii. Not every topic area is covered in every issue; depends on student staffing levels and whether there are timely topics to be covered
  - iii. Drafted by student staff (in lieu of a student note requirement) with input and assistance from Development Attorneys; co-authorship to student and Development Attorney

#### E. UT Law School Relationship

##### 1. TELJ Organization

###### a. Structure

- i. Structure is determined by the student staff and can vary depending on level of student involvement; however, the current structure is described below.
- ii. Student EIC (responsible for final student edits/proofs and interaction with Attorney EIC)
- iii. Managing Editor (responsible for student journal production schedule)



- iv. 2-3 Articles and Notes Editors (coordinate cite checking and line edits for all lead articles and student notes)
- v. Developments Editor (coordinates student/attorney Developments article selection and editing)
- vi. Symposium Editor
  - a) UT requires all journals to hold an annual symposium
  - b) Organizes TELJ symposium, finds speakers/topics, coordinates volunteers, etc.
- vii. Journal Staff Members
  - a) Must meet minimum hourly requirements each semester
  - b) Perform cite checks, draft Developments articles, assist with Symposium, etc.
- b. Selection of student staff
  - i. Student Editorial Board
    - a) Includes the Student EIC, Managing Editor, Articles and Notes Editors, Developments Editor, and Symposium Editor.
    - b) In Feb./March Student Editorial Board solicits applications and selects new Editorial Board positions. New Editorial Board starts training in Spring with existing student editors and assumes roles for article selection for next volume immediately, with editing etc. beginning in August.
    - c) Attorney EIC should provide input, review applications, and participate in selection process.
    - d) Note: Often there are not enough applications to fill positions and student editors actively recruit specific staff to fill the positions, making the selection process more abbreviated than described above.
  - ii. Journal Staff Members
    - a) Journal write-on, tabling, and other recruitment events for student staff is the responsibility of the Student Editorial Board.



- c. Students have their own handbook for membership and editorial duties, which captures many of the unique stylistic aspects of TELJ. The Attorney EIC should review this periodically and provide updates on formats, etc.
  - d. Student stipend (for student editorial board only):
    - i. Amount:
      - a) \$33/page for first 4 lead articles/student notes and Developments, not to exceed \$5000 total
      - b) \$33/page for any additional student notes or lead articles beyond first 4, not to exceed a total of \$2500
    - e. SBOT pays the stipend directly to TELJ editorial board. The total amount of stipend is determined per formula above by the page count from Christensen Inc.'s first proofs (does not include table of contents or cover pages). Once page count is determined, the Attorney EIC sends an invoice to ENRLS Treasurer to forward on to SBOT for payment.
2. Publishing
- a. UT Law's Publications Dept. is responsible for entering into contracts with publishers for TELJ, but does not pay for publishing directly. Instead, SBOT is responsible for directly paying for the publication of the Journal (not reimbursing UT Law). The Attorney EIC facilitates the payment.
  - b. Joe Christensen, Inc. is the publisher currently contracted by UT Law.
    - Contact: Michele Cumpston  
Project Manager  
Joe Christensen, Inc.  
[cumpstom@christensen.com](mailto:cumpstom@christensen.com)  
Work: 800 228 5030  
Direct: 402 476 7535  
Fax: 402 476 3094  
Address: 1540 Adams Street, Lincoln, NE 68521
  - c. Christensen sends the bill to Paul Goldman, Publications Dept. ([PGoldman@law.utexas.edu](mailto:PGoldman@law.utexas.edu)) UT-Law School. Publications Dept. forwards the bill to the Attorney EIC, who then forwards the bill



to the ENRLS Treasurer for submittal to SBOT, which then pays Christensen Inc. directly.

- d. Typically, getting a TELJ issue into final publishing format once initial “final” proofs are sent to Christensen takes 4-8 weeks, with several rounds of proofreading.
  - i. The Attorney EIC sends Christensen final drafts of all Journal content and several rounds of coding and proofing ensure accuracy, as set forth below. The student staff have no involvement in this process.
  - ii. Proofing Round 1- Christensen codes the articles to ensure proper Journal formatting in their desktop publishing software and sends them back for proofreading in pdf format (coding can sometimes upset spacing or punctuation and staff inevitably find issues that were missed in MS Word versions).
  - iii. Proofing Rounds 2-3 until final versions approved for final proof
  - iv. Covers, TOC, etc.– Christensen has several forms that have to be submitted with the order of the articles, etc.
  - v. A final hard copy proof is mailed to the Attorney EIC for final proofing and sign-off before printing. Edits at this point are more expensive.

### 3. Institutional Support at UT

- a. Students get office space and other logistics support (i.e. from UT Law Library, Westlaw/Lexis access, etc. to do all of the cite checking of articles, etc.).
  - b. They have an assigned faculty advisor – David Adelman (note: faculty advisors are not very active with any of the journals).
  - c. Publications Department (Paul Goldman) holds the mailing list for hard copy requests and contracts a publisher for the Journal.
4. ENRLS also provides funds for 3 awards per year for TELJ: one top editor award per issue (for a total of 2) and a student note award. These have historically been a \$125 check. In addition, the student staff provides a small token plaque or paper weight award.

## F. Circulation

1. Christensen Inc. Distribution:



- a. Hard copies –
  - i. Sent to mailing list provided by Paul Goldman (this includes hard copies sent to TELJ Student Editorial Board and the Attorney EIC as well as any ENRLS members who have requested hard copies)
  - ii. Sent to authors (each author gets 50 free copies of their article or 10 copies of the entire issue; their requests are submitted by the Attorney EIC on form requested by Christensen)
    - a) Christensen provides form to Attorney EIC for author copies. Authors submit requests and mailing information for copies of articles or entire issues to Attorney EIC. Attorney EIC fills out form with all author requests and sends to Christensen Inc. Copies are mailed directly to authors.
  - b. Westlaw – Christensen sends the files to Westlaw needed to publish through their service.
2. ENRLS Distribution:
  - a. Christensen Inc. sends Attorney EIC PDF files of the published, completed issue, and separate files for each article.
  - b. Attorney EIC forwards the PDFs to the ENRLS Website and Technology Committee, which publishes the completed issue onto the ENRLS website.
  - c. Once Attorney EIC receives confirmation that the completed issue is on the website, Attorney EIC notifies the ENRLS Chair so s/he can distribute to the Section membership.
  - d. The ENRLS Chair sends an email blast to ENRLS members with a link to ENRLS website where the issue can be viewed immediately from link or later located and read on ENRLS website without the email link.
3. TELJ back issues
  - a. Available and searchable in a password-protected area on the ENRLS website accessible by ENRLS members.
  - b. Available through Hein Online in print, electronic, and microform formats.
  - c. Available through Westlaw for subscribers.



## G. Succession Plan for Attorney EIC

### 1. General

- a. Generally, the Attorney EIC term should be about 3-5 years, but can be shorter or longer depending on unique circumstances of each Attorney EIC.
- b. The outgoing Attorney EIC should notify the Council and their Committee Co-Chair at least 1-1.5 years in advance of their anticipated end date.
- c. Incoming Attorney EICs should commit to at least 2 years in the role in order to provide consistency and minimize the burden of finding and training a new Attorney EIC.

### 2. Soliciting next Attorney EIC

- a. Outgoing Attorney EIC should actively engage in the solicitation/selection of a new Attorney EIC.
- b. ENRLS Chair may send an email blast to Section soliciting interested applicants for the new Attorney EIC, if necessary..
- c. Council personally solicits peers and colleagues for a new Attorney EIC.
- d. The solicitation and selection process should be completed before the outgoing Attorney EIC begins their final two issues. In other words, the transition time should be approximately one (1) year so that the incoming Attorney EIC can shadow the existing Attorney EIC for one issue, then take over as Attorney EIC for the next issue, but with outgoing Attorney EIC as an active resource.

### 3. Selecting next Attorney EIC

- i. Evaluation of incoming Attorney EIC candidates can consist of correspondence or discussions between the outgoing Attorney EIC, ENRLS Officers, and potential successors
- ii. Incoming Attorney EIC should be proposed by the outgoing Attorney EIC, and selected in consultation with the ENRLS Chair and Chair-Elect, and with input from ENRLS Officers
  - a) There is no need for a Council vote on the new Attorney EIC; however, all ENRLS Officers must have their reasonable comments seriously considered by the outgoing Attorney EIC, Chair, and Chair-Elect during the selection process





4. Training next Attorney EIC

- a. Outgoing Attorney EIC is responsible for training incoming Attorney EIC on all duties and responsibilities of Attorney EIC. Typically, training should last over the publication of two TELJ issues to ensure the incoming Attorney EIC is fully informed of all facets and responsibilities related to TELJ publication.

H. Royalty Income

1. Westlaw (Thomson-Reuters)

- a. Section receives royalties twice per year (two statements per year)
- b. Website address: <https://myroyalty.com/>
- c. Account name: ENRLS Royalties
- d. Registration key: Nnql8DBFXL (if asked for)
- e. Username: enrllspubs
- f. Password: Pubs&Comms

2. Hein

- a. Contact at Hein Online
  - i. Mr. Dale Missert; Manager, Royalties/Accts. Services
    - a) Email - [dmissert@wshein.com](mailto:dmissert@wshein.com)
    - b) Phone - (716)882-2600 Ext. 113
    - c) Address - William S. Hein & Co., Inc.; 2350 North Forest Road, Getzville, NY 14068
- b. Amount
  - i. Company pays TELJ (not ENRLS via SBOT) 15% of all net revenues, less taxes and other customer costs, directly related to TELJ sales.
  - ii. Royalties are reported and paid annually by April 1.
  - iii. Royalties average about \$400 from online, occasionally \$30 from print, and \$0 from Microform.
- c. Other
  - i. Hein Online retains the exclusive right to *reprint* back issues, except that the Journal may sell its own reprints. Non-exclusive right to electronic publishing of new and back-issues. Exclusive right to produce Microform.

IV. Treatises

A. Environmental Law Treatise



1. Published/updated annually, as volumes 45 and 46 of *Texas Practice* (Thomson Reuters)
2. Current chapter editors are Jeff Civins, Aileen Hooks, and Lyn Clancy
3. Royalties paid to ENRLS
4. ENRLS Council presently has no direct role in editing or overseeing this publication; however, annual updates are publicized through the Section website.

B. *Essentials of Texas Water Resources* (ETWR)

1. Mary Sahs is the (original and) current editor; new co-editor Ben Mathews
- 2.
3. This single volume book is a project sponsored by ENRLS and originally published (by Texas BarBooks) in 2009; since then, a new ETWR edition has been published every two years; the current (5<sup>th</sup>) edition was published in 2018, and the 6<sup>th</sup> edition is scheduled for publication in spring 2020
4. The front matter of each new edition includes the then-current ENRLS Council roster, and an acknowledgments page by the then-current ENRLS Council Chair; if/as requested by TBB and/or the editors, ENRLS may also assist in soliciting a person prominent in Texas water law to author a foreword or other endorsement for the new edition.
5. Texas BarBooks pays royalties to ENRLS based on all sales of ETWR.
6. Upon request made by the book's editor(s), the Council has maintained a practice of budgeting a limited amount of funds to underwrite some of the editor's administrative/staff costs associated with preparing each new edition; this has been typically requested and budgeted for the ENRLS fiscal year that is the off-publication year for new editions of this book, as most of the coordination with authors, editing, etc. occurs during that year.
7. The ENRLS Council designates a person, either a Council member or other Section member, to serve as liaison with the ETWR editors and Texas BarBooks; this designated liaison serves on the Committee.
8. The Section publicizes the current, and upcoming, editions of ETWR by posting on the ENRLS website, and by highlighting the ETWR book at Section-sponsored conferences and CLE programs. Texas BarBooks, through coordination with the State Bar, sends periodic email blasts to ENRLS members (and other mailing lists) regarding ETWR contents and ordering information.

V. **Other ENRLS Publications**



- A. ENRLS member quarterly bulletin
1. Committee members work with ENRLS Chair, and other standing committee chairs as needed, to create a short Section outreach/update bulletin, sent by email blast after each Council quarterly meeting
  2. Content can include:
    - a. Summary of Section activities
    - b. Member engagement opportunities
    - c. People on the move
    - d. upcoming conferences and meetings
    - e. nominated slate of new Council Officers and members
    - f. publications of interest
    - g. memorials
    - h. teaser for next TELJ issue;
    - i. Maybe evolve into case summaries
    - j. Advertise website
    - k. Budget and other ENRLS Council proceedings

**Revision History**

Rev. #	Date	Nature of Rev	Author
1	July 10, 2019	Original version	S. McMillen, L. Clancy, A. Vargas, S. Maxwell