

CALL FOR SOLIDARITY

The following statement was co-authored by a coalition of law review student leaders and editors throughout the country. The Wisconsin Law Review's Senior Editorial Board agreed to join the statement on December 22, 2023.

THE WISCONSIN LAW REVIEW JOINS COALITION OF LAW JOURNALS IN CALL FOR COMPENSATION

The editors of *Wisconsin Law Review* have come together with the editors of journals across the country to demand compensation for the work we do to publish legal scholarship. Our demand rests on one fundamental principle: Uncompensated labor is wrong. Below, we expand on this argument and present other important supporting principles.

We are all students at institutions that purport to educate in the furtherance of justice. Our journals believe compensated labor is a core tenet of justice, and we hope our schools share this belief. Despite the American Bar Association's urging for journal members to receive credit or compensation, and despite a growing list of schools who have done so in recent years, many of our institutions remain woefully behind.

We publish this editorial to shed light on how uncompensated labor affects students, journals, the legal industry, and academia. We want to highlight the profound contradictions between the beliefs law schools espouse with respect to justice and diversity and the academic world they have created. At its core, this statement is a call for solidarity and action—from universities, journals, and others.

1. Our demand is simple: each and every journal worker should receive credit, compensation, or both. Each school could, for example, pledge to do this for the 2024–25 academic year and retroactively compensate current students for their work.
2. We call on journal boards to join our coalition across journals and across institutions. This coalition will work in solidarity towards compensation. To that end, we join with the signatory journals to publish this statement, and pledge that:
 - We will publish the journal compensation practices of each of our universities on a continuing basis.

- We hope this serves as a guide for prospective students and provides transparency for journals organizing in solidarity towards compensation.
 - We call on other journals to submit the compensation practices of their schools even if they cannot commit to joining our coalition.
 - We will recruit other journals and students at our institution and beyond to join this coalition.
3. We call on anyone and everyone to sign on to this editorial in support.¹

JOURNAL WORK ESSAY

The coordinating, editing, curating, writing, and publishing law journal editors do is labor and much of it goes uncompensated. Even the American Bar Association has recently recognized the injustice of this uncompensated labor, by adopting a resolution at the 2023 Annual Meeting that “urges all law schools to adopt policies . . . to permit students to obtain either academic credit or monetary compensation for their participation as editors of law reviews and other academic law journals.”² In other fields, workers or professors do this work for pay. Within legal academia, students who do similar work, such as research assistants, often receive credit or compensation. Courts across the country cite the product of our labor in their administration of justice. Research services rely on our labor to provide a steady stream of publishable scholarship. Without our labor, legal academia would cease to function, and professors would be unable to publish their articles and meet their tenure requirements. Yet, the legal industry and legal academia fail to recognize much of this essential labor. At almost every school, students are not compensated in any form for the work they do in their first year as journal editors. At many schools, editors never receive any compensation. These law students work for free in exchange for the supposed personal prestige that journals add to resumes, but law schools and professors reap the reputational, professional, and financial advantages generated by our labor.

1. To join the *Demand for Compensation and Call for Solidarity*, please visit Demand for Compensation and Call for Solidarity *Sign-on*, GOOGLE FORMS, https://docs.google.com/forms/d/e/1FAIpQLScaoutPi7g-ItsVWObmeO8jrs8vTRz8cK_Rt7E7Ixd1zTdYFw/viewform [<https://perma.cc/WTX7-ZJGB?type=standard>].

2. H.D. Res. 403, 2023 Ann. Mtg. (Am. Bar Ass’n 2023), <https://www.americanbar.org/content/dam/aba/directories/policy/annual-2023/403-annual-2023.pdf>.

In addition to our principled commitment to compensated labor, we hold these convictions because uncompensated labor hurts journal workers, students, and the journals themselves. Law students face intense demands on their time and capacity. As journal editors, we either forgo or juggle other academic, professional, and personal opportunities and responsibilities. Journal editors work long hours, often sacrificing time dearly needed for their other responsibilities to meet the needs of their journals. We are expected to balance that workload with clinics, classes, externships, jobs, caretaking responsibilities, personal relationships, and more. We should be compensated for these efforts.

Working as a journal editor prevents students from working to support themselves while in school, and this in turn serves a powerful gatekeeping function in legal academia. Students face a debt crisis, and, in a country that has built its educational system on the profit interests of corporate loan providers and servicers, this reality pushes financially precarious students away from journal work. This leads to less diverse journals turning out blinkered legal scholarship. For students, this means only those who can afford to work on journals are granted the reputational prestige it confers for clerkships, firm associateships, and other competitive legal positions. The students who do join journals face greater financial burdens, which disincentivizes them from future public interest work. The commitments our universities have made to diversity and inclusion and the public interest are simply irreconcilable with uncompensated labor.

THE UNIVERSITY OF WISCONSIN LAW SCHOOL'S JOURNAL CREDIT PRACTICES

The *Wisconsin Law Review's* third-year members are compensated with up to three credits each semester.³ These members receive one credit for every sixty hours of educationally beneficial work performed. This typically means that members who serve on the *Law Review's* Senior Editorial Board earn three credits each semester and members who serve as Contributing Editors earn one credit each semester.

The *Law Review's* second-year members are compensated with two credits each semester for writing a note or comment. They are not compensated for their editorial work.

3. UNIV. OF WIS. LAW SCH. RULE 3.06,
<https://law.wisc.edu/current/rules/chap3.html> [<https://perma.cc/59AE-KWJ3>].