Natural Resources Journal, Memo 1960-1961

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December 5, 1961

Incoming Faculty Editor of the NATURAL RESOURCES JOURNAL

Jack L. Kroner

JOURNAL AFFAIRS

This memo is intended to bring you up to date on the status of Journal affairs as of mid December, 1961.

A. Student Organization. At present there are two senior members on the Board of the Journal. The chairman of the Board is Mary Walters; working with her is Tom Neal. There are four candidates for membership on the Journal, three of whom are second year students and one of whom is a third year student. The three second year students are Jon Sutin, Melvin Barron and Gerald Monroe. The third year student is W. Byron Caton. As the instruction sheet for candidates for the Journal will indicate, there are writing requirements in order to achieve editorial status on the Journal. Since there have been some changes since the time the instruction sheet was prepared, let me indicate what the present requirements for Journal candidates are. All of the second year candidates for membership on the Journal have been advised that they are to submit two comments of publishable nature before the end of the second year. The first comment was originally set to be submitted no later than eight weeks from the beginning of the Fall semester. Since that time, however, I have extended the deadline to eleven weeks from the end of the semester and those should be in final state of preparation at about this time. As yet, however, I have not seen any of these comments. Since I am not going to be here at the time that these comments will be published, I will leave them for editing purposes) to you. The students are aware, however, that in addition to this first comment, which may have to be put into publishable form—even at this stage—they are required to write a second comment before the end of the next semester.

As far as the one senior candidate for Board membership, Mr. Caton, I have agreed with him that he will write either a comment on some complicated case or a longer note which is a form of writing geared to a subject rather than a particular case. As of the moment, he has been researching problems in one particular area, but I have not been working with him and do not know what the state of progress on that note is.

My procedure in handling comments, as well as senior notes, has been to let the two senior Board members parcel amongst themselves the writing assignments of the four candidates for membership on the Journal. This amounts to each one supervising two comments. I see the final products when they are through. I assume, however, that work is under
way on these comments and should be very near completion. This I find to be preferable to my working from the start with each student writing the comment. It accomplishes two things. First, it encourages the development of editorial capacity on the part of the senior Board members and second, it eliminates faculty member pressure. There is ample time to do this after the students have had the opportunity to develop their own thinking on the subject. As to the senior Board members, Mr. Neal has satisfied both the comment and senior note requirement. He has volunteered to do another major piece of writing in the nature of a note. However, this is not required to satisfy the Journal requirement for his graduation. On the other hand, Mrs. Walters has satisfactorily submitted a comment, but has not as yet gotten under way with her note. This will require considerable effort in order to guarantee that the requirement is met before the end of the Spring semester.

In short, the general requirement for second year candidates for Journal membership is the satisfactory submission of two publishable comments, after which they may be elected to membership on the Board and further, in their third year, the submission of a publishable note which satisfies the requirement for Journal participation for purposes of graduation. This, I believe, is clearly understood by both the students and the rest of the faculty.

As far as Journal organization is concerned, I decided last year to leave the question as to who shall be Editor-in-chief to the out-going senior Board of Editors. They work with the second year students; they are familiar with their abilities, diligence, and are much better able, I feel, than I would be to select the Editor-in-chief for the coming year. I also believe that placing this responsibility with them encourages the taking of responsibility on their part, and as a consequence, I trust, this procedure will be followed—at least for this year.

B. The functioning of the Journal. Because of the peculiar nature of this Journal, it is not entirely student-edited. As a matter of fact, since we are just starting, the faculty editor assumes the responsibility of soliciting, editing, and supervising the processing of all manuscripts that go into the Journal. Since the Journal is composed of two sections, the Natural Resources Section and the New Mexico section, the latter containing articles by faculty members and student material dealing with New Mexico law, it should be possible over a period of time to delegate the responsibility for editing, soliciting, and processing of materials for the New Mexico section to the student Board of Editors. I do not, however, anticipate—at least in the near future—arriving at a point where the student Board of Editors can supervise editing of the entire Journal. This, however, seems to be something that can be worked out over a long period of time. A short range goal that might be sought would be that of establishing student responsibility and expertise to supervise, edit and process the New Mexico section of the Journal.

At present, I operate in this manner: First, I solicit manuscripts and also read over unsolicited manuscripts to decide on what will be in the future issues of the Journal. I turn over the manu-
scripts that will be incorporated in the Journal's issues to the
students for citation checking. When they have blue-booked and
checked all the citations in the manuscript, I then send the manuscript
and the footnotes to the printer. Printing is done by the University
of New Mexico Printing Plant and they are very cooperative on giving
prompt service on all manuscripts that are sent to them. They return
the galleys and I have insisted that they place the text on one galley
and the footnotes on another, which facilitates proof-reading. I
then turn the original manuscripts and galleys back to the students
who then proof-read both from the manuscript to galley. I keep one
set of all galleys, send one set to the author for his corrections
and one set is given to the students for processing. In sum then,
we require three sets of galleys at a minimum from the printer when
the manuscript is set in type. I then transpose the student's proof-
reading marks to my set of galleys which is the one set containing
all of the corrections. And I also transpose any author's corrections
or changes to my set of galleys and send this final set of galleys
back to the printer for paging. When page proofs have been proof-
read, I then turn over the corrected page proofs to the printer along
with a dummy containing a layout of the advertising and Table of
Contents and any other material that may be warranted and the issue
is run.

It is necessary to observe that the Editor-in-chief has found
it necessary to read over all the page proofs to be sure that all
errors have been caught in the proof-reading process. I have also
found it necessary in these early stages of the founding of the
Journal to read across the galleys as well as the manuscripts to
check and pick up whatever blue-booked errors I can catch by such
reading.

Our students are, as yet, somewhat inexpert in the use of the
Blue Book and of course the latter contains many traps for the unin-
 wary. As a consequence, it is necessary to double check at every
possible point to avoid costly errors involved in making corrections
once the material has been set in type. The best advice is to be
careful that the manuscript is as complete and as thoroughly checked
as possible. Once the corrections are to be made in galley or in
page, they get increasingly expensive, and with a limited budget this
is a considerable factor. I estimate that, from the time manuscripts
are submitted to the printer to the time of final issue about 6 to 8
weeks pass. But there is a considerable period of time from the time
when the manuscript is received until the time it is ready to be sub-
mitted to the printer. Our present student staff is small and it is
necessary to plan considerably in advance in order to guarantee the
issue will be in final shape within a three-month period.

We have projected the publication of four issues a year by the
year 1963. I am not sure that this goal is attainable without a
substantial increase in student participation. The forthcoming year,
1962, has been scheduled for the publication of three issues. I am
not sure that this would have been a feasible goal except that we
have almost all the manuscripts for those three issues in hand at
present and it may be possible to schedule production so that this
can be achieved.
As to the immediate future of the Journal, that is Volume II, I planned this in conjunction with Bob Clark to be a Water Series, and manuscripts have been solicited from prominent people in the Water field, dealing with various problems of water resources and their allocation. I estimate that we will have ten manuscripts for this issue. I am taking six of them back East with me and will edit them and make comments on them for your use. I will return them by the end of January and they will be available to you to schedule out across the three issues. At that rate, you should be able to publish them in a series of three (#1) and four (#2) and three (#3) major articles on water problems. This should make up the necessary component of the resources section of the Journal for the forthcoming year. Therefore, your solicitations should be aimed at obtaining manuscripts for Volume III, which will contain four issues if the present production schedule is maintained. I would suggest soliciting manuscripts as soon as possible when you have decided upon the subject matters you wish dealt with, since it is hard to get decent manuscripts put together in less than six or eight months from people who are otherwise very busy.

The New Mexico section for Volume II has not been completely worked out. However, we have several manuscripts in hand that should be published in that issue. (1) In Volume II, No. 1, the second part of Dean Countryman's article on New Mexico Attachments must be published. (2) There is also Part II of Professor Vernon's article on Annulment in New Mexico, Part I of which appeared in Volume I, No. 1 of the Journal. Due to production requirements and delay by the author it was impossible to have Part II ready for Volume I, No. 2 and it should appear in Volume II, No. 1. (3) There is an article by Professor Dobeles, which is of exceptional local interest on problems of land zoning legislation in New Mexico--an article which we received last year and which I worked on and which has since been rewritten and is very satisfactory. This should appear also in Volume II, No. 1, if possible. If not, it should appear in Volume II, No. 2.

There is also Professor Clark's article on Developments in New Mexico Water Law since 1955 which forms an appropriate adjunct to the general water them of Volume II and which should appear in as early an issue as possible (perhaps it would be most appropriate for Volume II, No. 2). There is also a comment by Editor Walters and a note by Editor Neal, both of which pieces of writing are about ready for publication and should be used in Volume II, No. 1, along with any other student material that is pushed into final shape by the end of January or the early part of February.

As far as the functioning of the Journal goes, this is the basic structure of production as it has developed during my tenure. In addition, we have a half-time Journal secretary whose office is upstairs on the second floor of the Library and who works every day from about 9:00 to 1:00. We have by way of equipment an IBM electric typewriter and file cases and what not. She has complete control of the subscription file and billing system. We have, at present, close to 700 subscriptions and she is familiar with the procedure for billing and mailing and handling of the issues of the Journal as they come out. She should be able to continue to assume responsibility
for all that and brief you on anything you may wish to know on
the business end of the Journal.

By way of information on subscription campaigns, you should know
that we have solicited the New Mexico Bar; we have solicited all
major public libraries throughout the United States (that is, librar-
ies with budgets over $25,000 a year); and we also solicited all
foreign libraries--- some 1300--- the results of which campaign are
still to be realized since the responses are coming in in dribs and
drabs. We have exchange relationships with a number of Law Reviews,
for which we are compensated by the Library. We purchase the INDEX
TO LEGAL PERIODICALS and the ADVANCE SHEET service of the New Mexi-
coo Supreme Court for mimeographed opinions as they are handed down.
The students also receive all the WEST REPORTERS as per the West
arrangement with all the Reviews throughout the country.

Our advertising is minimal. We appear to have a continuing
advertising relationship with The West Publishing Company, The
Oil Company. We charge $100 a page for the inside front and back
cover and $50 a page for other pages and I suspect that at least
these four advertisers will more or less become institutionalized.
In addition, I have contacted, as the files will show, SHEPHERD'S
CREATORS, who advised us that at least for this year they were un-
able to take on any additional advertising expense. However, it is
my belief that, if they are pressed after this current issue comes
out, they will be interested in taking a page of advertising in
our Journal as well.

Our policy on reprints as per an agreement with the printing
plant has been to furnish each author for the Journal twenty-five
copies of his article free of charge and then to charge on the basis
of approximately $1.00 per page per 100 consistent with the length
of the article. Th s has appeared to be satisfactory.

To sum up on the forthcoming year's issues, I will return to
you the six manuscripts I have for the Water issue with my comments
during the first week of February. By that time you will have also
received the four articles which are scheduled for that series. I
will also indicate my recommendations as to those based on what I
know of the authors. The New Mexico materials should be under way
by the Journal staff. The Dean's article, the second portion of
which should appear in Volume I, No. 2, is presently being cite-
checked by the Student Board. The Doebele article will also be
left with them for processing during my absence. This leaves the
Clark article for processing. The Clark article should not be pro-
cessed until such time as the author has been reached by mail and
final suggestions from him have been solicited as to any changes
he may wish to make in the manuscript based on the latest decisions
that have been handed down. He is in contact with Lowell Green,
the Clerk of the New Mexico Supreme Court, who will keep him ap-
prised of any developments subsequent to the time when he finished
the article. It seems to me that he ought to be approached during
the month prior to the time that you wish to begin processing the
article and asked if he has any recommendations to make before you
proceed to have it made ready for the printer.
Professor Vernon's article, the second portion of which is also sitting on the desk, dealing with Annulments in New Mexico, will probably require some editing. As the note accompanying the manuscript may indicate, he would appreciate and expects to have some serious editing done to this article and I am leaving it here for that purpose. It seems to me that it would be unnecessary for me to go through it and make editorial changes and then have the incoming editor make subsequent changes on top of those. It will need only to be done once.

A final word on the benefits accruing to the student members of the Journal. The student Editor-in-chief receives a free lifetime subscription to the Journal and all those who are elected to editorial status are entitled to a waiver of one seminar requirement provided they submit a satisfactory and publishable senior note. Other than that, there are no benefits to which Journal candidates are entitled except insofar as some of the second year students may be able to satisfy Mr. Wiehoffen's legal writing requirement with the comment they submit to the Journal. This, however, is a matter entirely up to him since their comments should be submitted to the Journal prior to the completion of their final writing requirement in the course on Legal Writing.

There are some other odds and ends about manuscripts that I think ought to be mentioned. There is a manuscript sitting in table from Mr. Gerald G. Parker, a research geologist with the USGS, which I received some time ago and which, as the correspondence will indicate, he has agreed to leave for us to consider in conjunction with our water issues. I have not read it, but I should think you will want to hang on to it as a necessary fill-in should any of the other manuscripts fall through. Perhaps you will want to write to him to that effect when you take over. There is also an article from Mr. Charles V. Moore— a short piece submitted some time ago— which I have retained with the same purpose in mind. Both of these are sitting next to the file box on the table. There is also an article from Professor George R. Hall dealing with Natural Resource Investment goals. You may find this article useful and should any of the other articles not make up (or if for some reason you may need another manuscript for the forthcoming water issues) you may wish to consider this one. I am therefore corresponding with the author and reminding him of this hoping he will leave it in our possession until such time as you can make a decision. We also have in a file folder sitting on the table (which I will place with these other manuscripts) a section of a handbook by S. V. Ciricacy-Wantrup which he has agreed, as the enclosed letter in that file indicates, we can use in our Water issue if we desire. I have sat pat on this article also, after making some editorial suggestions on the first two pages, on the assumption that if we don't need the article it would be best to return it to the author. I shall leave it here for you along with the other manuscripts and you can make your decision based on how the articles for the Water issue shape up over the month after you get here.

In addition, there is (sitting in the article file on the corner of the table) an article by Professor Lee Silverstein of the
University of Pittsburgh School of Law, dealing with a problem in Pennsylvania that he believes to be of national significance on zoning problems. I have breezed through it and it is reasonably competent. However, as my letter to him indicates, I am not sure that it would fit in with our issue with our Journal unless it were to appear side by side with the Doebele article on recent developments in New Mexico zoning legislation. I think it is possible (since he hasn't objected as yet) that this program is alright with him and, should you read it over and decide to use it (or otherwise) you should contact him directly.

I have also stalled Professor Mason Gafney whose manuscript was prepared for someone else is also sitting on this vertical file. Should you decide to use it, it also is available.

There is some other miscellany in the file folder in the standing file cabinet in the corner of the table. In the first place, there is a file on Journal staff, which is self-explanatory; there is also a file on pre-lims which may or may not be helpful to you (it contains some of the pre-lims worked up by last year's class) and there is also a file of cases of comment. None of these is really up to date— I am just leaving them there in case you should want to refer to them. There is also a file containing Julia's reports on Journal finances of monthly statements which you may find interesting. Financial matters are handled by the Dean's office.

There are two extra copies of manuscripts sitting in the back. The one bound in the brown envelope belongs to Doebele and is the original draft of his paper. It is of no use to us except if you may want to refer back to it should there be anything in the current manuscript which is unclear. The same is true for the Noble-Kneese manuscript which sits behind it. I have the original and final version of those and will return them to you in January.

Thus, in summary, as I look at the table, the filing box on the right hand side of the long table contains Clark's article, which requires further work by him to bring it up to date; Professor Doebele's article and some accompanying comments which are scribbled on paper that were done by Dorothy Cline of the Government Department, and which I think is ready for final editing, and then processing by the Journal staff; and finally, Professor Vernon's article Part XI on Annulment Jurisdiction in New Mexico. Next to it are the three extra articles by Parker, Moore, and Hall plus the Ciriacy-Wantrup manuscript which you may want to use should any gaps develop in the Water series.

I hope this helps. Good luck!