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Open Access without Open Access Values: The State of Free and Open Access to Law Reviews*

John R. Beatty**

This study examines 648 currently published law journals to determine the amount of freely available content and whether the journals have adopted open access behaviors. Although most of the journals have volumes available online for free, the usual hallmarks of open access, including open licenses and clear reuse policies, are absent.

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Introduction

¶1 In the late 1990s, as the open access movement coalesced, it spread to legal scholarship. Over the next two decades, organized movement fizzled out due to a lack of the typical pressures in many other disciplines: expensive journals and demand from researchers and funders. Student-run journals, however, have moved to openly available models while not embracing the open access doctrines common to other disciplines.

¶2 This study examines 648 currently published student-run journals as of June 2019, to determine the extent of freely available journal issues and whether those journals have adopted open access behaviors including use of Creative Commons licenses, publicly available reuse policies and model agreements, and publication agreements that maximize author rights.

¶3 While only a handful of the studied journals have publicly available policies or model agreements or use Creative Commons licenses, they nevertheless increasingly make their issues available online for free. Eighty-eight percent of the journals had at least one recent full volume available on the journal website or an institutional repository. Slightly more than half had posted their entire journal run. Newer journals tend to have more of their content online. From the 1970s on, complete journal runs are increasingly available each decade. By the 2010s, almost every new journal is available online in full.

¶4 Even when journals have not moved to more author-friendly publishing agreements, they have recognized either the value or the inevitability of authors posting to Social Science Research Network (SSRN) or institutional repositories. While slightly more than half of the journals with publicly posted policies still require authors to transfer copyright, over three-quarters of journals with a publicly available policy allow at least some amount of online posting by authors.

A Brief History of Open Access in Legal Scholarship

¶5 The Open Access (OA) movement in legal scholarship began in 1998 with two events. First, the American Association of Law Schools (AALS) propagated a model publication agreement aimed at student-run law journals. The model agreement asked authors to grant journals short-term exclusive licenses, with nonexclusive licenses thereafter.¹ Authors retained copyright, the right to post online, and the right to republish after journals' exclusive license periods expired, either one year after publication or two years after execution of the agreement.² Later that year, Duke University School of Law made its journals open access, using a similar author agreement.³

1. Memorandum from Bari Burke to Deans of Member & Fee-Paid Schools, Memorandum 98-24, ASS'N OF AM. L. SCHS. (May 18, 1998), <https://web.archive.org/web/20130105204051/https://www.aals.org/deansmemos/98-24.html>.

2. *Id.*

3. *Journals Policies*, DUKE LAW, <https://law.duke.edu/scholarship/journals/policy> [<https://perma.cc/KEW4-N8ZQ>].

¶6 The Open Access Law Program (OALP) followed in 2005.⁴ Under the program, participating law journals made a series of pledges. They would subscribe to an open access model.⁵ They would take “no more than a reasonable, limited-term exclusive license for commercial publication.”⁶ They would not interfere with an author’s freedom to adopt a Creative Commons license.⁷ They would provide authors with an electronic copy for posting on an open access repository.⁸ And they would use the Science Commons Open Access Law Model Publication Agreement or make their model publishing agreements available on their websites.⁹

¶7 In response, some commentators called open access for legal scholarship a solution in search of a problem.¹⁰ Why would law reviews go open access? Unlike scientific journals, law journals are usually inexpensive.¹¹ Most are published and heavily subsidized by law schools.¹² Authors’ institutions pay them to write the content, and publishing institutions pay the overhead and publishing costs. Labor is provided for free by law students who edit the journals. Unlike in the sciences, there was no push for law professors to move to open access publishing.¹³ There was no demand for new electronic, open access journals, largely because new journals lacked the prestige of old student-run law journals at top schools.¹⁴ Law review subscription costs were flat and unlikely to rise, so libraries were unlikely to cut subscriptions.¹⁵ Moreover, the American Bar Association (ABA) standards requiring high levels of hardcopy holdings would keep law school library purchases steady.¹⁶

¶8 There was likewise no demand from users. In the sciences, academic journals are not only used for communication among researchers, but they are also consulted by

4. Stephanie L. Plotin, *Legal Scholarship, Electronic Publishing, and Open Access: Transformation or Steadfast Stagnation*, 101 LAW LIBR. J. 31, 42, LAW LIBR. J. 2, ¶ 33.

5. *Open Access Law: Principles*, SCI. COMMONS, <https://web.archive.org/web/20160316040853/http://sciencecommons.org/projects/publishing/oalaw/principles>.

6. *Id.*

7. *Id.*

8. *Id.*

9. *Id.* The model publication agreement is no longer on the Creative Commons webpage, but can be found at <https://web.archive.org/web/20160319130453/http://sciencecommons.org/wp-content/uploads/oalawpub.pdf>.

10. Olufunmilayo B. Arewa, *Open Access in a Closed Universe: Lexis, Westlaw, Law Schools, and the Legal Information Market*, 10 LEWIS & CLARK L. REV. 797, 807–08 (2006); Michael J. Madison, *The Idea of the Law Review: Scholarship, Prestige, and Open Access*, 10 LEWIS & CLARK L. REV. 901, 904 (2006); James G. Milles, *Redefining Open Access for the Legal Information Market*, 98 LAW LIBR. J. 619, 634, 2006 LAW LIBR. J. 37, ¶ 54.

11. Arewa, *supra* note 10, at 807; Carol A. Parker, *Institutional Repositories and the Principle of Open Access: Changing the Way We Think About Legal Scholarship*, 37 N.M. L. REV. 431, 443 (2007).

12. Pamela Bluh, “Open Access,” *Legal Publishing, and Online Repositories*, 34 J.L. MED. & ETHICS 126, 127 (2006); Jessica Litman, *The Economics of Open Access Law Publishing*, 10 LEWIS & CLARK L. REV. 779, 783 (2006); Milles, *supra* note 10, at 629, ¶ 31.

13. Joseph Scott Miller, *Foreword: Why Open Access to Scholarship Matters*, 10 LEWIS & CLARK L. REV. 733, 734 (2006).

14. Plotin, *supra* note 4, at 40, ¶ 29.

15. Miller, *supra* note 13, at 734; Milles, *supra* note 10, at 634, ¶¶ 55–56.

16. Dan Hunter, *Walled Gardens*, 62 WASH. & LEE L. REV. 607, 631 n.128 (2005).

practitioners.¹⁷ In contrast, practitioners are often not seen as a primary audience of law reviews.¹⁸ To this point, many commentators have noted that the judiciary and practicing attorneys seem to have little use for the product coming out of the academy.¹⁹ Others point out that few law journal articles are cited more than 10 times, and fewer than half are cited even once.²⁰ Some go further and claim that there are no consumers of law reviews; they are chiefly used as an educational tool for training law students.²¹

¶9 But the reasons behind the lack of demand are more a product of economics than the intrinsic value of legal scholarship. In scientific fields, practitioners consult academic journals directly, and those journals are very expensive. Practitioner materials in law are mostly published outside of the scholarly publication system and are expensive, but most legal journals are inexpensive. Consequently, law professors are used to wide availability of legal scholarship in print from their institution's law library and online from their institution-funded subscriptions to Westlaw, LexisNexis, and HeinOnline.²² Similarly, when the bar and bench are interested in an article, most have access via subscriptions to Westlaw, LexisNexis, or both.²³ There was no demand for open access journals because the most frequent users already had access to what they needed.

¶10 Although there was little to no demand for open access law journals, law professors were already publishing online through preprint repositories like SSRN and Bepress's Law Commons.²⁴ Once the law reviews agreed that this posting was not prior publication, these disciplinary repositories became a popular place to post prepublication versions of works for feedback and quick dissemination.²⁵

¶11 At the same time, law schools were facilitating online publication by their faculties by funding institutional repositories and working paper series on SSRN and Bepress. In July 2006, 67 schools had a sponsored research paper series on SSRN, and 30 had paid to sponsor a Bepress working paper series.²⁶ Additionally, 77 law schools had some type of institutional repository.²⁷ By May 2008, 91 law schools sponsored a research paper series on SSRN.²⁸ In November 2008, 34 law schools sponsored a working paper series in the Bepress Legal Repository.²⁹ Nineteen schools paid SSRN or Bepress to host their

17. David A. Rier, *The Future of Legal Scholarship and Scholarly Communication: Publication in the Age of the Cyberspace*, 30 AKRON L. REV. 183, 188–89 (1996).

18. *Id.*

19. Arewa, *supra* note 10, at 820; Madison, *supra* note 10, at 904; Milles, *supra* note 10, at 632, ¶ 46. But see Susan Barker, *Exploring the Development of a Standard System of Citation Metrics for Legal Academics*, 43 CAN. L. LIBR. REV. 16, 17 (2018).

20. Milles, *supra* note 10, at 629, ¶ 32.

21. See Rier, *supra* note 17, at 189–91 (summarizing several commentators).

22. Madison, *supra* note 10, at 904.

23. *Id.*

24. See Parker, *supra* note 11, at 457.

25. See, e.g., *id.* at 462; Plotin, *supra* note 4, at 52, ¶ 57.

26. Parker, *supra* note 11, at 462.

27. *Id.*

28. Plotin, *supra* note 4, at 52, ¶ 57.

29. *Id.* at 53, ¶ 58.

repositories rather than using an existing university repository.³⁰ The repositories typically featured the law school's faculty publications. But many schools also used the repository to host back issues of their law journals, often separate from the journals' own web presence, with the occasional content overlap.

¶12 In May 2008, the Harvard Law School faculty voted unanimously to make their publications freely available in an open access repository.³¹ The Durham Statement followed in 2009.³² The statement, drafted by 10 academic law library directors, addressed three groups: law schools, authors, and student-run law journals. It asked law schools to move from print to online publishing and to host their publications in open formats on stable repositories.³³ Authors were asked to reserve their copyrights.³⁴ Journals were asked to use the AALS model publishing agreement and respect author requests to reserve copyrights.³⁵

¶13 The following year, Michael Widener published an updated version of the AALS model agreement.³⁶ Widener's model agreement explicitly described the rights of journals and authors regarding several online services launched after dissemination of the AALS agreement, including HeinOnline, SSRN, Bepress's Digital Commons, and the NELCO Scholarship Repository.³⁷

¶14 Despite the lack of demand and skepticism from some in the academy, several scholars saw the economic model of the student-run law review as a perfect fit with open access.³⁸ Law professors write and publish for tenure and prestige. Law schools subsidize publishing for prestige and as a training opportunity for their students.³⁹ Unlike most journal publishers, law schools are not expecting a financial return.⁴⁰ Heavy subsidies, which go far beyond the printing and mailing costs of print journals, are "an investment in the production and dissemination of legal scholarship whose value is unambiguously enhanced by open access publishing."⁴¹ Open access publishing of traditional law reviews would create an open access venue that was viable for newer

30. Parker, *supra* note 11 at 462–63.

31. James M. Donovan & Carol A. Watson, *Citation Advantage of Open Access Legal Scholarship*, 103 LAW LIBR. J. 553, 554, 2011 LAW LIBR. J. 35, ¶ 2; *Harvard Law School Open Access Policy*, HARV. LIBR. OFF. FOR SCHOLARLY COMM'N, 7 (May 1, 2008), <https://osc.hul.harvard.edu/policies/hls/> [<https://perma.cc/8B25-MRYL>].

32. *Durham Statement on Open Access to Legal Scholarship*, BERKMAN KLEIN CTR. (Feb. 11, 2009), <https://cyber.harvard.edu/publications/durhamstatement> [<https://perma.cc/85TC-ZBWL>] [hereinafter *Durham Statement*].

33. *Id.*

34. *Id.*

35. *Id.*

36. Michael N. Widener, *Safeguarding "The Precious": Counsel on Law Journal Publication Agreements in Digital Times*, 28 J. MARSHALL J. COMPUT. & INFO. L. 217, 243–48 (2010).

37. *Id.*

38. Litman, *supra* note 12, at 783.

39. Bernard Hibbitts, *Critical Years: An Opinionated History of the Law Review*, 24 SERIALS REV. 1, 3 (1998).

40. See Michael W. Carroll, *The Movement for Open Access on Law*, 10 LEWIS & CLARK L. REV. 741, 753 (2006); Litman, *supra* note 12, at 783.

41. Litman, *supra* note 12, at 783.

faculty because it would offer the same prestige as the print version.⁴² Since there would be no changes to the editing process, it would also offer the same value to law schools and the students who edit the journals. Further, because law greatly affects our society, there is an “enormous public benefit” to making legal scholarship freely available.⁴³

¶15 Although many commentators point to the lack of citation in dismissing the merit of law review articles, there is demonstrable public use of scholarship posted on SSRN, including discussion on nonlegal blogs and commentary sites.⁴⁴ Moreover, citations are a poor proxy for use as they measure only one use for an article and ignore both articles read but not cited by a judge or professor and the “vast audience for legal scholarship beyond judges and academics.”⁴⁵ This issue is not unique to law. It has also been noted in other disciplines.⁴⁶

Defining Open Access

¶16 The reasoning behind the various statements and model agreements was not uniform. AALS drafted its model agreement in response to the “astonishing” range of law review author agreements, some of which included the “unacceptable” practice of declaring a journal article a work-made-for-hire.⁴⁷ The OALP, in contrast, was more aligned with the wider OA movement. Its principles declared that “law journals should subscribe to Open Access principles, as articulated in the Bethesda Statement on Open Access Publishing, the Berlin Declaration on Open Access to Knowledge, and the Budapest Open Access Initiative.”⁴⁸

¶17 The three “B” statements were composed by separate groups of academics between February 2002 and October 2003.⁴⁹ Although they differ slightly, they all call for scholarship and research to be provided online to the public at no cost and to be deposited into online repositories. They further state that the public should be given broad reuse rights including copying, distribution, and public display.⁵⁰ By encouraging journals to post content online for free and authors to self-archive their work in online

42. Plotin, *supra* note 4, at 40–41, ¶ 30.

43. Hunter, *supra* note 16, at 624.

44. *Id.*

45. Paul L. Caron, *The Long Tail of Legal Scholarship*, 116 YALE L.J. POCKET PART 38, 41 (2006).

46. See, e.g., Mike Thelwall, *Why Do Papers Have Many Mendeley Readers but Few Scopus-Indexed Citations and Vice Versa?*, 49 J. LIBRARIANSHIP & INFO. SCI. 144, 150 (2017).

47. Burke, *supra* note 1.

48. *Open Access Law: Principles*, *supra* note 5.

49. *The Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities*, MAX-PLANCK-GESELLSCHAFT (Nov. 22, 2003), <https://openaccess.mpg.de/Berlin-Declaration> [<https://perma.cc/W9W3-RVQU>] [hereinafter *Berlin Declaration*]; *Bethesda Statement on Open Access Publishing*, EARLHAM COLL. (June 20, 2003), <http://legacy.earlham.edu/~peters/fos/bethesda.htm> [<https://perma.cc/DC3Z-XXSL>] [hereinafter *Bethesda Statement*]; *Read the Budapest Open Access Initiative*, BUDAPEST OPEN ACCESS INITIATIVE (Feb. 14, 2002), <http://www.budapestopenaccessinitiative.org/read> [<https://perma.cc/5QJD-SFMC>] [hereinafter *Budapest OA Initiative*].

50. *Berlin Declaration*, *supra* note 49; *Bethesda Statement*, *supra* note 49; *Budapest OA Initiative*, *supra* note 49.

repositories, the authors of these statements hoped to guarantee long-term no-cost public access to peer-reviewed scholarship and research.

¶18 The most widely accepted definition of “open access” remains the Budapest Open Access Initiative definition.⁵¹ Although widely accepted, it is not without controversy. Not everyone agrees that wide reuse rights are necessary as part of open access.⁵² Additionally, there is the built-in assumption that it applies only to peer-reviewed research literature and not to scholarship in disciplines where that is not the standard.⁵³

¶19 Because the three B statements with their emphasis on peer review were the big drivers of the larger OA movement, it has been difficult for legal scholarship in the United States to find a place in the movement. Peer review is largely absent from U.S. legal journals, most of which are edited by students.⁵⁴ The large open access directories include only journals that exercise peer review. The Directory of Open Access Journals (DOAJ), one of the best-known OA directories, includes only journals that “exercise peer-review with an editor and an editorial board or editorial review (particularly in the Humanities) carried out by at least two editors.”⁵⁵ In 2016, over 50 law journals, including Duke’s, were removed from DOAJ because of their lack of peer review.⁵⁶

¶20 Given the disagreements about exactly what is encompassed by OA, scholars have developed subcategories that cover specific instances. An early example was John Willinsky’s “Ten Flavors of Open Access,” which included typical models of open access such as posting on a webpage or institutional repository, but also models that would not typically be considered OA, such as open indexes and abstracts.⁵⁷ Stevan Harnad coined the now widely used categories Gold OA and Green OA.⁵⁸ Peter Suber defines Gold OA as open access “delivered by journals, regardless of the journal’s business model,” and Green OA as “delivered by repositories.”⁵⁹

¶21 Others have expanded on these two categories, often to distinguish between different funding models for Gold OA. Many Gold OA journals pay for publishing costs by charging a fee to the author, usually called an article processing charge (APC).⁶⁰ Some commentators use “Diamond” or “Platinum” OA to refer to journals that deliver all of their articles via open access and pay for it through some funding method besides

51. RICK ANDERSON, SCHOLARLY COMMUNICATION: WHAT EVERYONE NEEDS TO KNOW 203 (2018).

52. *Id.*

53. *Id.*

54. Bluh, *supra* note 12, at 127; Carroll, *supra* note 40, at 751; Litman, *supra* note 12, at 783.

55. *Frequently Asked Questions*, DIRECTORY OF OPEN ACCESS JOURNALS, <https://doaj.org/faq#definition> [https://perma.cc/MQ7Z-W72Z].

56. John R. Beatty, *Revisiting the Open Access Citation Advantage for Legal Scholarship*, 111 LAW LIBR. J. 573, 582 n.85, 2019 LAW LIBR. J. 20, ¶ 28 n.85.

57. JOHN WILLINSKY, THE ACCESS PRINCIPLE: THE CASE FOR OPEN ACCESS TO RESEARCH AND SCHOLARSHIP 211 (2006).

58. PETER SUBER, OPEN ACCESS 53 (2012).

59. *Id.*

60. ANDERSON, *supra* note 51, at 205; Christian Fuchs & Marisol Sandoval, *The Diamond Model of Open Access Publishing: Why Policy Makers, Scholars, Universities, Libraries, Labour Unions and the Publishing World Need to Take Non-Commercial, Non-Profit Open Access Serious*, 11 TRIPLEC 428, 438 (2013).

APCs.⁶¹ Those who use Diamond OA or Platinum OA as a term generally define Gold OA as a journal delivering OA that charges authors a fee. Commentators like Suber push back on this change in terminology, arguing that a formerly clear term has now been made ambiguous.⁶² Instead, Suber argues that the models be distinguished using modifiers like “fee-based” or “no-fee” Gold OA.⁶³ For their part, Fuchs and Sandoval have stated that the meaning of Gold OA was already confusing before they suggested Diamond OA as a new term.⁶⁴ They further suggested that APC-funded Gold OA be renamed “corporate open access.”⁶⁵

¶22 Suber does make a distinction, however, between libre and gratis OA. Gratis OA is available free of charge, but the user has no reuse rights outside of those legally allowed under fair use in the copyright law.⁶⁶ Libre OA also removes some permission barriers by explicitly allowing some amount of reuse without permission.⁶⁷ These terms are borrowed from the free software movement, which distinguishes between software that is free to use and software that allows users to modify, adapt, and reuse the source code in derivative works.⁶⁸ Libre OA is often, but not always, accomplished by licensing works using Creative Commons licenses. Similarly, in open source software, the same is often accomplished by using standardized licenses such as the GNU General Public License or Apache license.

¶23 Others have added on to this distinction with additional types of OA. Hybrid OA refers to the somewhat controversial practice of charging authors a fee to publish open access articles in journals that are normally behind a paywall.⁶⁹ Bo-Christer Björk has proposed using the term “Black OA” to refer to “pirated” articles uploaded illegally to Sci-Hub or to various academic subscription networks.⁷⁰ Others have pointed out that so-called Black OA articles are illegally posted and therefore unsustainable, and should not be considered open access.⁷¹ A team headed by Heather Piwowar and Jason Priem has proposed the term “Bronze OA” to refer to articles that are “free to read on the publisher page, but without [a] clearly identifiable license.”⁷²

61. ANDERSON, *supra* note 51, at 206.

62. Peter Suber, *Open Access* (the book), BERKMAN KLEIN CTR., [https://cyber.harvard.edu/hoap/Open_Access_\(the_book\)](https://cyber.harvard.edu/hoap/Open_Access_(the_book)) [<https://perma.cc/3GVL-5R88>] (note on chapter 3, page 53).

63. *Id.*

64. Fuchs and Sandoval, *supra* note 60, at 438.

65. *Id.*

66. SUBER, *supra* note 58, at 66.

67. *Id.*

68. *Id.*

69. ANDERSON, *supra* note 51, at 206.

70. Bo-Christer Björk, *Gold, Green, and Black Open Access*, 30 LEARNED PUB. 173, 173–74 (2017).

71. See, e.g., Heather Piwowar et al., *The State of OA: A Large-Scale Analysis of the Prevalence and Impact of Open Access Articles*, 6 PEERJ e4375, 4 (2018).

72. *Id.* at 5.

The Economic Argument for Open Access Legal Scholarship

¶24 The Durham Statement makes an economic argument to law schools. Because very few law reviews make enough money to cover the costs of printing and distribution, they should move from print to online publication.⁷³ The move would save law schools money in two ways. They could reduce or eliminate the costs of subsidizing their own journals.⁷⁴ Their libraries would also save money by ceasing purchase of print journals published by other schools.⁷⁵

¶25 As law school budgets decline, there may be pressure from the administration to cut publishing costs. In 2006, the average student-run law journal printing four issues a year had printing expenses of about \$40,000.⁷⁶ That same journal had about 500 subscribers and revenues of \$16,000 for subscriptions and \$8,000 in royalties.⁷⁷ The \$16,000 shortfall was made up by the law school.⁷⁸ Since the 2008 recession, the demand for legal jobs has fallen, and with it, enrollment at law schools.⁷⁹ These trends have persisted over 10 years, so many schools are undergoing major budget restructuring.⁸⁰ Katharine Schaffzin proposes that law schools respond to this by moving all of their specialty journals to an online, open access format and ceasing print production.⁸¹ Schaffzin suggests that although schools would lose subscription revenue, because the printing expenses are considerably larger than revenues and journals would still receive royalties from research databases, a move from print would result in a net profit for journals instead of a loss.⁸²

¶26 Subscriptions are already falling as libraries cut print journals. The foundation for the arguments that libraries would not cut subscriptions was based on three assumptions. First was the incorrect assumption that subscriptions were not already declining. Ross Davies detailed the declining subscriptions to several top law journals since the mid-1960s in a series of articles published between 2009 and 2013.⁸³ The articles examined the paid circulation figures self-reported by the journals to the U.S. Postal Service.⁸⁴

73. *Durham Statement*, *supra* note 32.

74. *Id.*

75. *Id.*

76. Litman, *supra* note 12, at 785–86.

77. *Id.* at 786.

78. *Id.*

79. Katharine T. Schaffzin, *The Future of Law Reviews: Online-Only Journals*, 32 *TOURO L. REV.* 243, 243–44 (2016).

80. *Id.* at 244.

81. *Id.* at 250.

82. *Id.*

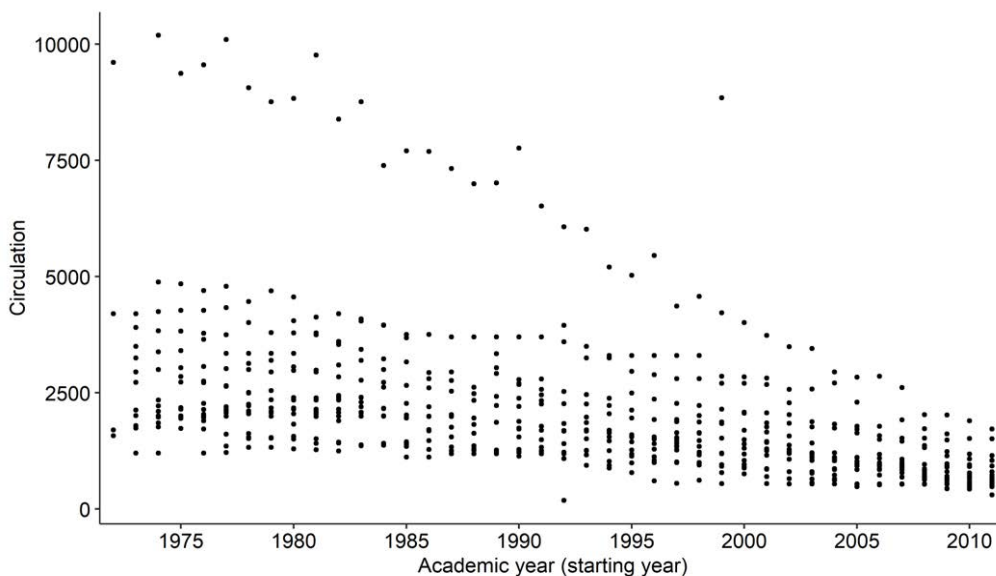
83. Ross E. Davies, *The Increasingly Lengthy Long Run of the Law Reviews: Law Review Business 2012—Circulation and Production*, 3 *J.L. (2 J. LEGAL METRICS)* 245 (2013) [hereinafter *Law Review Business 2012*]; Ross E. Davies, *Law Review Circulation 2011: More Change, More Same*, 2 *J.L. (1 J. LEGAL METRICS)* 179 (2012) [hereinafter *Law Review Circulation 2011*]; Ross Davies, *The Dipping Point: Law Review Circulation 2010*, 2010 *GREEN BAG ALMANAC & READER* 547; Ross E. Davies, *Law Review Circulation 2009: The Comb-over*, 2010 *GREEN BAG ALMANAC & READER* 419; Ross E. Davies, *Law Review Circulation*, 2009 *GREEN BAG ALMANAC & READER* 164.

84. Davies, *Law Review Business 2012*, *supra* note 83, at 257.

Although annual reporting is spotty for most of the journals, there is a clear downward trend. The 2011 survey examined the flagship law journals at 40 schools, apparently chosen from the top 50 schools as ranked by *U.S. News*. The bulk of the journals reported between 1,000 and 2,000 subscribers in the mid-1970s and slowly lost about half by 2010–2011.⁸⁵ Over that same time period, the nine journals that started with the largest circulation totals lost even more subscribers, as much as 80 percent.⁸⁶

FIGURE 1

Declining Law Review Circulation for 18 Leading Law Reviews, 1972–2011



Data source: Ross E. Davies, 3 J.L. (2 J. Legal Metrics), 2012

¶27 In 2012, Davies examined circulation numbers for 18 leading law reviews. Figure 1 shows the decline in subscriptions of these law reviews from 1972–1973 to 2011–2012.⁸⁷ Starting in 1980, there is a slow but steady decline as law review articles became increasingly available via electronic databases.

¶28 Second, there was an assumption that the ABA print holdings requirements would continue to encourage libraries to subscribe to most of the available journals. But

85. Davies, *Law Review Circulation 2011*, *supra* note 83, at 185–88.

86. *Id.* at 185–88.

87. Davies, *Law Review Business 2012*, *supra* note 83, at 258–260. Figure 1 is drawn from a table compiled by Davies of the circulation figures reported to the U.S. Post Office by 18 law reviews. The law reviews are the flagship journals from the University of Pennsylvania, Harvard, Yale, Columbia, Michigan, UC Berkeley, Virginia, NYU, Chicago, Stanford, Cornell, Duke, Georgetown, Vanderbilt, UCLA, Texas, Minnesota, and Boston University. Davies does not specify what criteria were used to pick these particular journals for analysis, but they represent 18 journals from the top 22 U.S. law schools in the 2012 *U.S. News* rankings. The outlier journal is *Harvard Law Review*, which reported an initial circulation of 9,608, more than twice *Yale Law Journal's* 4,200. The lone outlier around 1999–2000 is *Stanford Law Review*, which reported a circulation of 8,850, over five times the circulation it reported two years later.

in 2008, the ABA made two changes to the library holding requirements. The count changed from a volume count to a title count. And, for the first time, libraries could include online holdings in their counts.⁸⁸ For smaller institutions, this change created an opportunity to reduce print serials holdings. As libraries run out of space or have it taken from them by parent institutions, large journal runs become a target for weeding and discontinuation.⁸⁹ Even larger schools that have no interest in relying on databases to supply journals may cut multiple copy purchases of journals and buy only single copies, while not dropping any titles.⁹⁰

¶29 Third, they assumed that price is the only driver of library subscriptions and cancellations. Although the cost of law journals is a fraction of the cost of scientific journals, there are other factors. One of these factors is duplication. In the average academic law library, journals are provided by multiple online services. Essentially every law school provides Westlaw and LexisNexis accounts to its faculty and students. While those services do not carry the complete run of every law review, most law schools also subscribe to HeinOnline, which essentially does. And, unlike Westlaw and LexisNexis, HeinOnline may also be available to faculty and students in other departments. Larger institutions may also subscribe to JSTOR libraries that contain several of the more prestigious law journals. Consequently, each academic law library pays four times or more for articles published in most of the print journals to which it subscribes. Additionally, as researchers have turned to online databases, the need for libraries to hold multiple copies of individual journal issues in print has evaporated.

¶30 Another driver of cancellations is the cost of storage. Few libraries are expanding or moving to larger buildings. They are more likely to be losing space as enrollment falls or as they move to new buildings that prioritize study space or meeting rooms over storage of large print collections. Legal journal runs consume a lot of space and continue to grow larger. In addition, the number of legal journals has exploded in the last 40 years.⁹¹ By one count, there were 102 law-school-affiliated journals in 1966 and 382 by 1995.⁹² By my count, in June 2019 there were approximately 648 currently published student-run journals. These journals are listed in appendix 1. Figure 2 shows the decade of first publication for those 648 journals.

88. See Paul George & Billie Jo Kaufman, *Report to Law Library Directors on Upcoming Changes in the ABA Questionnaires*, AM. ASS'N L. LIBRS. (June 30, 2008), <https://www.aallnet.org/allsis/about-us/officers-committees/committee-web-pages/liaison-aba-section-legal-education-admission-bar/report-law-library-directors-upcoming-changes-aba-questionnaires/> [<https://perma.cc/GT52-MLLD>].

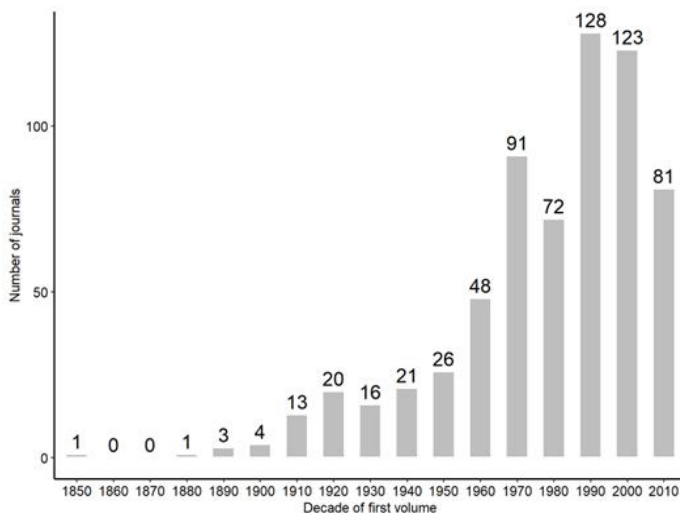
89. See, e.g., Kincaid C Brown, *How Many Copies Are Enough? Using Citation Studies to Limit Journal Holdings*, 94 LAW LIBR. J. 301, 301–02, 2002 LAW LIBR. J. 20, ¶ 3.

90. See generally *id.*

91. F. Allan Hanson, *From Key Numbers to Keywords: How Automation Has Transformed the Law*, 94 LAW LIBR. J. 563, 589, 2002 LAW LIBR. J. 36, ¶ 67.

92. Bernard J. Hibbitts, *Last Writes? Re-Assessing the Law Review in the Age of Cyberspace*, 71 N.Y.U. L. REV. 615, 639 (1996).

FIGURE 2
First Volume Date of 648 Currently Published Law Journals



¶31 The number of journals increases by roughly half every decade from the 1880s to the 1920s, and by a quarter in each following decade until the 2000s, when it finally drops to about a 12 percent increase per decade. It is worth noting that discontinued journals, commercial journals, and other non-student-run journals are not included here, so the exact totals of new journals each year will be higher than shown and offset by discontinued journals. Nevertheless, the count here shows the upward trend over the last century.

FIGURE 3
Volumes Published Each Year, 1900–2019

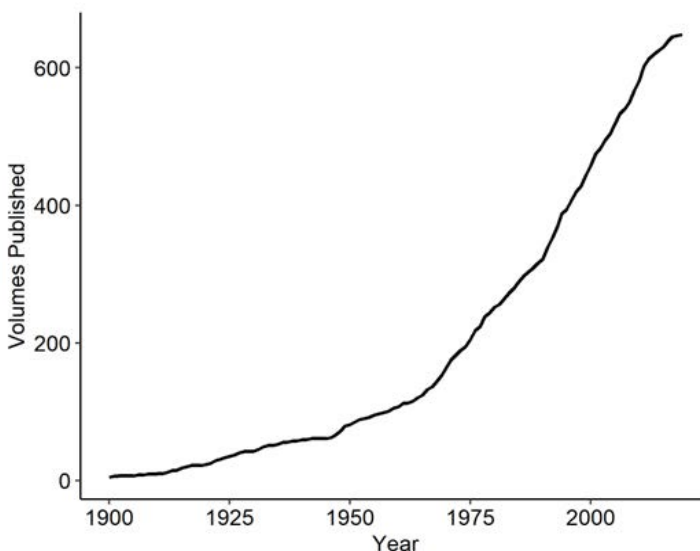
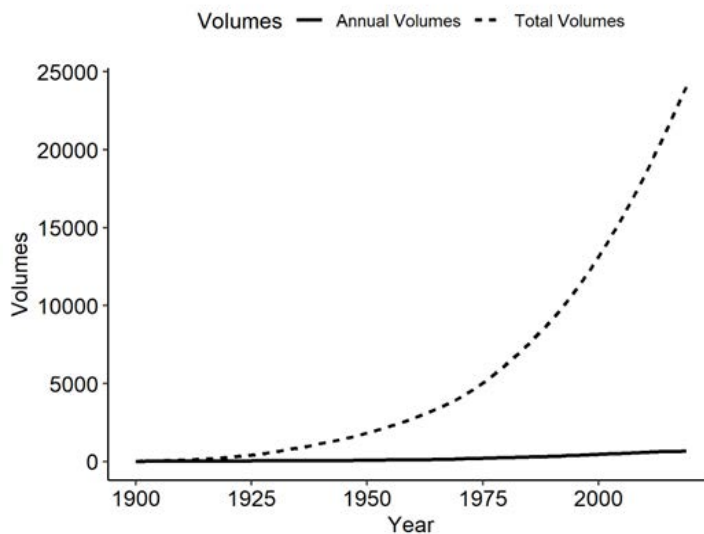


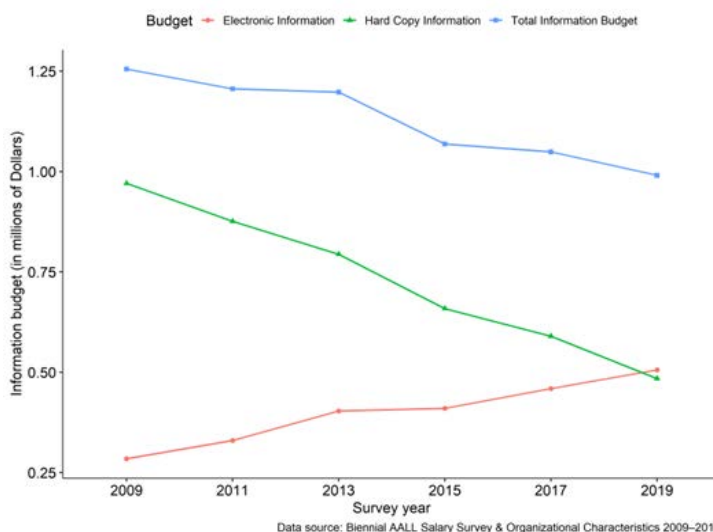
FIGURE 4
Cumulative Volumes Published, 1900–2019



¶32 The steady increase of new journals combined with the continuation of older journals leads to an even larger increase in the number of total volumes of all these journals. Figure 3 shows the number of volumes published each year since 1900. Figure 4 adds the cumulative total number of volumes published for all the journals.

¶33 Looking at just the currently published titles, if a library started subscribing to the five journals available in 1900 and added each new journal as it was available, in 1930 it would hold 618 volumes, or 30 volumes fewer than were produced in 2019 alone. In 1980, that library would hold 6,211 volumes, or 38 fewer than were produced between 2010 and 2019. A library would need five times as much space to hold all the currently published journals as it would have in 1975, and almost twice as much space as it needed in 2000. This is assuming that the volumes remained the same size. Many flagship journals have grown in size over time as the number of law schools has increased, with the corresponding increase in the number of law professors.

FIGURE 5
Declining Academic Law Library Budgets, 2009–2019



¶34 A third factor is the pressure of cost increases for other materials against declining budgets. The primary purchasers of law reviews are other law schools.⁹³ Figure 5 shows the decline in academic law library budgets between 2009 and 2019. The average academic law library budget has decreased 21 percent since 2009, dropping from \$1,255,143 to \$990,434.⁹⁴ The print portion of that budget made up three-quarters of the total in 2009, but by 2019 was slightly less than half.⁹⁵ Adjusted for inflation, the drop is even more significant. The buying power of that \$990,434 in 2009 dollars is only \$831,132, about a 16 percent decrease.⁹⁶ At the same time, the cost of other materials, especially those aimed at practitioners, has increased drastically.⁹⁷ Between 1995 and 2019, Thomson/West print titles increased an average of 566 percent, while supplementation costs increased 1,603

93. Milles, *supra* note 10, at 630, ¶ 33.

94. AM. ASS'N L. LIBRS., *Organizational Characteristics*, 2019 AALL BIENNIAL SALARY SURVEY & ORGANIZATIONAL CHARACTERISTICS 18; AM. ASS'N L. LIBRS., *Organizational Characteristics*, 2017 AALL BIENNIAL SALARY SURVEY & ORGANIZATIONAL CHARACTERISTICS 18; AM. ASS'N L. LIBRS., *Organizational Characteristics*, 2015 AALL BIENNIAL SALARY SURVEY & ORGANIZATIONAL CHARACTERISTICS 18; AM. ASS'N L. LIBRS., *Organizational Characteristics—All Respondents*, 2013 AALL BIENNIAL SALARY SURVEY & ORGANIZATIONAL CHARACTERISTICS 18; AM. ASS'N L. LIBRS., *Organizational Characteristics—All Respondents*, 2011 AALL BIENNIAL SALARY SURVEY & ORGANIZATIONAL CHARACTERISTICS 18; AM. ASS'N L. LIBRS., *Organizational Characteristics—All Respondents*, 2009 AALL BIENNIAL SALARY SURVEY & ORGANIZATIONAL CHARACTERISTICS 19.

95. AM. ASS'N L. LIBRS., *Organizational Characteristics*, 2019 AALL BIENNIAL SALARY SURVEY & ORGANIZATIONAL CHARACTERISTICS 18; AM. ASS'N L. LIBRS., *Organizational Characteristics—All Respondents*, 2009 AALL BIENNIAL SALARY SURVEY & ORGANIZATIONAL CHARACTERISTICS 19.

96. *CPI for All Urban Consumers (CPI-U)*, BUREAU OF LAB. STAT., <https://data.bls.gov/timeseries/CUUR0000SA0> [<https://perma.cc/54JZ-3Q7N>] (select 2009 and 2019 in drop-down menu and click “include annual averages” box).

97. Milles, *supra* note 10, at 634, ¶¶ 54–55.

percent.⁹⁸ LexisNexis/Matthew Bender print titles increased an average of 376 percent, and supplements increased 373 percent over that same time period.⁹⁹ These increases, far above the general rate of inflation, have further strained library budgets.

¶135 In addition to information budget cuts, academic libraries have also lost staff. Average FTE professional staff declined from 9.1 to 7.5 between 2009 and 2019.¹⁰⁰ Paraprofessional staff declined from 7.7 to 4.8.¹⁰¹ With smaller budgets and less staff to devote to cataloging and maintaining a print collection, discontinuing print journals becomes attractive to many libraries—especially when those journals can be replaced via multiple online services to which the libraries already subscribe.

The Current State of Open Access in Legal Scholarship

¶136 Ten years after the Durham Statement, the OALP is essentially dead. Twenty-one law journals signed on near the program's launch in 2005, but growth was slow.¹⁰² By October 2008, the list had grown to only 33.¹⁰³ As of the final update in June 2013, the list contained 37 journals in total, including a few faculty-run journals.¹⁰⁴ Although the list remains on the Creative Commons Wiki, the OALP website disappeared in 2018 after Science Commons was folded back into the Creative Commons website.¹⁰⁵ Almost none of the signatory law journals mention the project or its principles on their websites. Only a third post their publishing agreements. Fewer than half post their reuse policies. One journal on the list is behind a paywall. Some of that journal's authors, however, have posted the published versions of their articles on SSRN.

¶137 But even without signing on to the OALP, many journals have made content freely available on their websites.¹⁰⁶ And there is some evidence that journals are using author agreements that allow self-archiving and, to a lesser extent, licensing articles rather than requiring a transfer of copyright. In a 2004 survey of law review boards, Hunter found that 46 percent of the journals had no archiving policy, 40 percent allowed some archiving, and 14 percent did not allow any open access archiving.¹⁰⁷ Six

98. KENDALL F. SVENGALIS, *LEGAL INFORMATION BUYER'S GUIDE & REFERENCE MANUAL* 23 (2019 ed.).

99. *Id.* at 24.

100. AM. ASS'N L. LIBRS., 2019 AALL SALARY SURVEY, *supra* note 94, at 22.

101. *Id.*

102. *Creative Commons and Science Commons Announce Open Access Law Program*, CREATIVE COMMONS (June 6, 2005), <https://creativecommons.org/2005/06/06/creativecommonsandsciencecommonsannounceopenaccesslawprogram/> [<https://perma.cc/E4AH-7PVC>].

103. Plotin, *supra* note 4, at 42, n.91, ¶ 33 n.91.

104. *Open Access Law Adopting Journals*, CREATIVE COMMONS, https://wiki.creativecommons.org/wiki/Open_Access_Law_Adopting_Journals [<https://perma.cc/UC5E-NCB9>].

105. See the September 15, 2018, Internet Archive crawl of the OALP website, which redirects to a notice stating that Science Commons was reintegrated into Creative Commons, <https://web.archive.org/web/20180915015344/http://sciencecommons.org/projects/publishing/oalaw/principles/> [<https://perma.cc/CN55-CVRK>].

106. Richard Danner, *Open Access to Legal Scholarship: Dropping the Barriers to Discourse and Dialogue*, 7 J. INT'L COM. L. & TECH. 65, 69–70 (2011).

107. Hunter, *supra* note 16, at 629.

years later, Keele, in a study of 78 of the top 200 U.S. law journals, found that 92 percent of the student-edited journals allowed self-archiving.¹⁰⁸ Slightly less than half asked for a nonexclusive license, while the remaining journals required a copyright transfer or an exclusive license.¹⁰⁹ In 2009, Plotin found that 15 of the top 20 law journals posted at least one volume online, though most had five or fewer posted.¹¹⁰ Four of those 20 had an explicit open-access policy.¹¹¹

¶38 Even without demand, law reviews have increasingly moved to publish online, although most have continued to publish a print edition. This is what Willinsky called “dual-mode open access.”¹¹² Under that model, journals “continue to publish in print through the sale of subscriptions,” but also publish a freely available electronic edition.¹¹³ This model supports the Budapest and Bethesda definitions of open access, “although some users may impose restrictions that fall outside of these definitions.”¹¹⁴ Without the traditional drivers of open access, law reviews have mostly posted content online without any policies or guidelines on reuse. Because of the lack of guidelines, they effectively do not fall under the Budapest or Bethesda definition of open access regardless of peer or editorial review considerations. It was this sort of stealth open access availability for which the term “Bronze OA” was coined.

¶39 Law journals appear to be posting content online for pragmatic rather than philosophical reasons. Many of their pieces are already online because their authors are self-archiving on SSRN and institutional repositories, often before publication. Subscriptions are already declining for reasons other than open access availability, so loss of subscriptions is less of a concern than in the past.

¶40 Another driver is likely to be impact factor. Only 148 law journals, about a third of which are student-run law reviews, appear on the InCites Journal Citation Reports and have a JIF calculated by the service.¹¹⁵ But the Washington and Lee Law Library compiles an annual ranking of law journals based on citations in Westlaw.¹¹⁶ Although only the top 300 are ranked in the 2019 release, in prior releases impact factors were included for all journals.¹¹⁷ As in many disciplines, there is some evidence that legal scholarship that is freely available on the Internet is cited more than scholarship that is

108. Benjamin J. Keele, *Copyright Provisions in Law Journal Publication Agreements*, 102 LAW LIBR. J. 269, 274, 2010 LAW LIBR. J. 15, ¶ 16, tbl. 1.

109. *Id.*

110. Plotin, *supra* note 4, at 47, ¶ 46.

111. *Id.* at 48, ¶ 47.

112. WILLINSKY, *supra* note 57, at 215.

113. *Id.*

114. *Id.* at 212–13.

115. *InCites Journal Citation Reports*, CLARIVATE ANALYTICS, <https://jcr.clarivate.com/JCRCategoryProfileAction.action?year=2018&categoryName=LAW&edition=SSCI&category=OM> [<https://perma.cc/6R7K-27T4>].

116. Wash. & Lee L. Libr., *W&L Law Journal Rankings*, WASH. & LEE SCH. L., <https://managementtools4.wlu.edu/LawJournals/> [<https://perma.cc/65N7-U37S>].

117. Wash. & Lee L. Libr., *About & How to Use*, WASH. & LEE SCH. L., <https://managementtools4.wlu.edu/LawJournals/Default2.aspx> [<https://perma.cc/KQU3-UW2F>].

not, however it is made available.¹¹⁸ Instead of relying on authors to self-archive, publishing the entire journal online guarantees that all of the content is available, which could lead to increased citation of its articles.

¶41 Another incentive may be that many of the most prestigious journals were posting online. In 2009, 15 of the top 20 journals on the ISI Journal Citation Reports had content available online for free.¹¹⁹ As of 2019, all 20 had posted at least their most recent volume and most have over 10 volumes available.

¶42 Finally, in some cases, especially where backfiles are concerned, the decision may have been taken out of the hands of the journal's board. As law schools have started institutional repositories to post faculty scholarship, they are increasingly used to host issues of journals published by the law schools. At the time of the survey, several schools had current issues posted on law review websites, while the backfiles were posted on the school's repository.

Methodology

¶43 This study attempts to determine how many currently published law reviews are available in any format of OA. It further attempts to assess the availability and nature of OA or copyright policies for authors and readers. Availability of both recent issues and past content is examined.

¶44 First, a list of U.S.-based student-run law reviews was gathered from Washington and Lee's Law Journal Rankings.¹²⁰ That list was combined with a list of U.S. law schools fully accredited by the ABA. Each law school website was reviewed for a list of its student-run journals. Any titles found that were not in the Washington and Lee survey were added to the list. Defunct journals were removed. A journal was considered defunct if HeinOnline indicated that all volumes were published, a journal list on the law school's website did not include the journal in question, or the most recent volume was published before 2018. Online companions to print law reviews were removed from

118. See generally Donovan & Watson, *supra* note 31; James M. Donovan, Carol A. Watson & Caroline Osborne, *The Open Access Advantage for American Law Reviews*, 2015-03A EDISON 1 (2014). Their finding of a citation advantage for open access articles is similar to studies in other disciplines. See, e.g., Kristin Antelman, *Do Open-Access Articles Have a Greater Research Impact?*, 65 COLL. & RSCH. LIBRS. 372 (2004); Amy Atchison & Jonathan Bull, *Will Open Access Get Me Cited? An Analysis of the Efficacy of Open Access Publishing in Political Science*, 48 PS 129 (2015); Gunther Eysenbach, *Citation Advantage of Open Access Articles*, 4 PLOS BIOLOGY e157 (2006); see also Jonathan P. Tennant et al., *The Academic, Economic and Societal Impacts of Open Access: An Evidence-Based Review*, 5 F1000RES 632 (2016) (citing and discussing several major surveys). But see Philip M. Davis et al., *Open Access Publishing, Article Downloads, and Citations: Randomised Controlled Trial*, 337 BMJ a568 (2008); Pablo Dorta-González, Sara M. González-Betancor & María Isabel Dorta-González, *Reconsidering the Gold Open Access Citation Advantage Postulate in a Multidisciplinary Context: An Analysis of the Subject Categories in the Web of Science Database 2009-2014*, 112 SCIENTOMETRICS 877 (2017) (disputing others' findings of an open access citation advantage).

119. Plotin, *supra* note 4, at 47, ¶ 46.

120. Wash. & Lee L. Libr., *W&L Law Journal Rankings*, WASH. & LEE SCH. L., <https://managementtools4.wlu.edu/LawJournals/> [<https://perma.cc/PQ46-9BHF>].

the list and only the main journal was considered. If a journal was marked as an online-only journal in the Washington and Lee list or it could be easily determined from its website that a journal was only available online, it was counted as online only. The final journal list, in appendix 1, contains 648 journals.¹²¹ The list includes journals from almost all the ABA-accredited schools in the U.S. It also includes journals published by two California-accredited schools and two schools that do not offer a JD.

¶145 Each journal website was searched for full-text articles and other content. The extent of available content was noted. The website was also checked for a reuse or copyright policy and model author agreement. Then a general internet search was performed on the journal's name to find any available institutional repository providing free online access to the journal's articles. Repositories were also checked for policies. Websites were not searched exhaustively for information. If information was not found by following the available and obvious links on a website or institutional repository, then it was noted as not found. Website searches were performed in July 2019.

¶146 Only four pieces of information about the extent of online content were noted: first print volume, year of first print volume, first volume available online, and year of first volume available online. Only complete volumes and only the first and last volume of continuous content were counted. When content was available on both the journal website and an institutional repository associated with the publishing law school, the combined collection was used. Journals were also coded regarding online availability. Journals were coded "All" if the entire run was available and "None" if completely unavailable. All others were coded "Some." The percent of each journal's full run available online was calculated based on the year of the first full volume available online and the year of its first print volume. The first year of print publication, first online volume and year, and total percent of each journal's total content that is freely available online are collected in appendix 2.

¶147 Several data points were collected for reuse policies and author agreements. If any policy on reuse, self-archiving, or author copyrights was found on a website, it was counted as having a publicly posted policy. URLs of publicly available policies are in appendix 3. If a sample author agreement was present, its availability was noted. If a journal described itself as open access, it was counted as open access. If a Creative Commons license covers the journal's content, that license was noted. Additional information that was collected during the survey but not used in the dataset included the journal website URL and a contact email address.

¶148 For journals with posted policies, several attributes were noted: whether authors are allowed to post their own articles and, if so, what version may be posted, where they may be posted, and whether permission is required before posting. Embargos were

121. The list is missing at least two journals that were published across the time of the survey. *Thurgood Marshall Law Review* had a publication gap between fall 2017 and spring 2019. At the time of the survey, the journal's website was down, and the spring 2019 issue was not on HeinOnline, so the publication appeared defunct. *Lincoln Memorial University Law Review* was inadvertently omitted. The school received full ABA accreditation in March 2019, in between the time the list was compiled in late 2018 and when the website searches were performed in July 2019.

noted where required. Copyright policy or license details were noted if posted on the journal's website or if its model author agreement was available. In a few cases, the journal's website contained a dead link to an author agreement, but an archived version of the agreement was available via the Internet Archive.¹²² In those cases, the policies in those agreements were noted, but they were not counted as being available. Publicly available green open access and copyright policies are listed in appendix 4.

¶49 Journals on the OALP list were tagged. If a journal's website linked to the OALP website, stated that it was signed on to the program, or that it followed the OALP principles, it was noted as mentioning OALP. The list of OALP journals is in table 3, below.

¶50 The results were compiled in a spreadsheet and imported into R version 4.1.0 for analysis.¹²³ All charts and graphs were built in R with the Tidyverse and ggpubr plug-ins.¹²⁴

Results

¶51 The vast majority of currently published student-run law journals are making their current and recent volumes available online, either through the journal websites or an institutional repository affiliated with the school. Slightly more than half of the journals have also uploaded their entire backfile and made those volumes available. But very few have adopted other open access principles such as using Creative Commons licenses or posting open access policies, reuse policies, or standard author agreements online.

¶52 Under Suber's terminology, journals largely fall under Gold OA even though many are posted on institutional repositories. Splitting the journals into Green and Gold OA using strict application of Suber's Gold and Green OA definitions as served by "publisher's websites" and "repositories" does not make sense here. Because these journals are published by the law school and, ultimately, any repository is owned by the law school, they are properly characterized as publisher websites and, consequently, fit within Suber's Gold OA definition.

¶53 Law journals were not Piwowar's focus, and most of the articles in that study were published in commercial journals. Bronze OA, however, seems like a perfect fit for most student-run law journals. Although most of the journals offer freely available content online, very few have publicly available licenses or open access policies, and there is no guarantee that the content will remain freely available.

122. INTERNET ARCHIVE, <http://www.archive.org> [<https://perma.cc/3XF8-EFXU>].

123. *The R Project for Statistical Computing*, R PROJECT (2021), <https://www.R-project.org/> [<https://perma.cc/S2QH-3FEH>].

124. Hadley Wickham et al., *Welcome to the Tidyverse*, 4 J. OPEN SOURCE SOFTWARE 1686 (2019); Alboukadel Kassambara, *ggpubr: "ggplot2" Based Publication Ready Plots*, R PROJECT (2020), <https://CRAN.R-project.org/package=ggpubr> [<https://perma.cc/63RP-W25G>].

Availability

¶54 Student-run law journals are overwhelmingly offering their new content online for free. Table 1 shows the number of journals offering all their volumes online, some of their volumes online, or no volumes online. Only 12 percent of journals have no volumes available online. Of the journals offering content online, slightly more than half have posted all their volumes online.

TABLE 1
Journals Available Online

Volumes Available Online	Count
All	358
None	77
Some	213

¶55 When broken out by general and specialty journals, there is no real difference in the number of journals that have no volumes available online. But almost 25 percent more of the specialty journals have posted their entire runs online. Table 2 shows the number of journals offering their content online by type of journal.

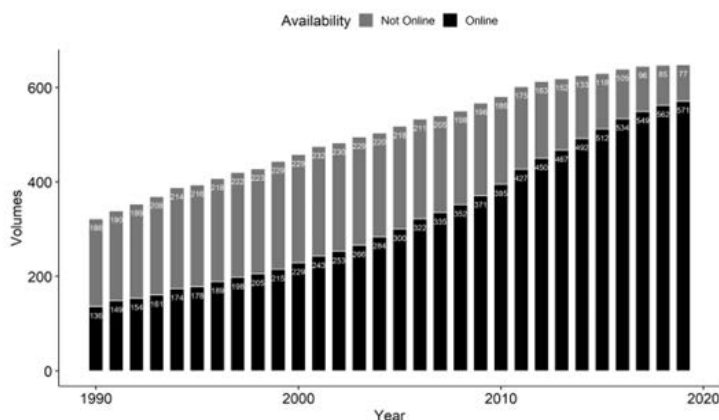
TABLE 2
Online Availability of General and Specialty Journals

Volumes Available Online	General Journals		Specialty Journals	
	<i>Count</i>	<i>Percentage</i>	<i>Count</i>	<i>Percentage</i>
All	77	39%	281	63%
None	25	13%	52	12%
Some	97	49%	116	26%

¶56 Figure 6 shows the number of journals available online and the number published only in print for each year from 1990 to 2019. The number of new journals each year stays fairly steady over most of that period but drops sharply after 2012. At the same time, the number of journal volumes available online increases each decade from around nine per year in the 1990s to almost 20 per year in the 2010s. In 2000, half of student-run journal volumes from that year are available online. This is around twice what Piwowar found for a random sampling of articles with Crossref DOIs published in 2000.¹²⁵

125. Piwowar et al., *supra* note 71, at 12.

FIGURE 6
Journal Volumes Available Online Since 1990



¶157 Overall, since 1990, around 63 percent of all volumes published by the surveyed journals are available online. This is considerably more than found in multidisciplinary surveys but similar to previous law-focused surveys. In a random sampling of articles that are assigned a DOI in CrossRef, Piwowar found that 28 percent were open source.¹²⁶ But in a sample of articles from 30 law reviews published between 1990 and 2010, Donovan found that 58 percent were available in some form of open access.¹²⁷

126. *Id.* at 10.

127. Donovan, Watson & Osborne, *supra* note 118, at 11.

TABLE 3
Open Access Law Project Journals

Journal	Policy	Model Agreement
Cardozo Arts & Entertainment Law Journal	No	No
Boston University Journal of Science & Technology Law	Yes	Yes
Alaska Law Review	Yes	Yes
Duke Environmental Law & Policy Forum	Yes	Yes
Duke Journal of Comparative & International Law	Yes	Yes
Duke Journal of Gender Law & Policy	Yes	Yes
Duke Law & Technology Review	Yes	Yes
Duke Law Journal	Yes	Yes
Law and Contemporary Problems	Yes	Yes
Harvard Journal of Law & Gender	Yes	Yes
Harvard Journal of Law & Technology	No	No
Animal Law Review	No	No
Lewis & Clark Law Review	No	No
Marquette Intellectual Property Law Review	No	No
Indiana Law Journal	No	No
Michigan State Law Review	Yes	No
New York Law School Law Review	Yes	Yes
Berkeley Technology Law Journal	Yes	Yes
University of Illinois Law Review	No	No
University of La Verne Law Review	No	No
University of Miami Inter-American Law Review	No	No
University of Miami Law Review	No	No
Michigan Law Review	No	No
Minnesota Journal of Law, Science & Technology	No	No
University of New Hampshire Law Review	Yes	No
North Carolina Banking Institute	No	No
North Carolina Journal of Law & Technology	No	No
Texas Law Review	No	No
Vanderbilt Law Review	No	No
Villanova Environmental Law Journal	No	No
Villanova Law Review	No	No
Wayne Law Review	No	No

¶158 Journals on the OALP list are more likely to have at least some volumes available online than journals not on the list. Table 3 lists the 32 student-run law journals on the July 2013 version of the OALP list and shows the availability of OA policies and model agreements on their websites. Table 4 shows the online availability of those journals.

Only one OALP journal has no volumes available online. In contrast, 12 percent of the non-OALP journals have no volumes online. In addition, OALP journals are more likely to have posted all their volumes online. Sixty-nine percent of OALP journals have posted all volumes, while only 55 percent of non-OALP journals have posted all their volumes.

TABLE 4
Online Availability of OALP and Non-OALP Journals

Volumes Available Online	Non-OALP Journals		OALP Journals	
	<i>Count</i>	<i>Percentage</i>	<i>Count</i>	<i>Percentage</i>
All	336	55%	22	69%
None	76	12%	1	3%
Some	204	33%	9	28%

¶59 But even though most student-run law journals are publishing online, they have largely continued to publish print editions. Only 41 of the journals studied are exclusively published online. These journals are listed in table 5. Of those, only two are flagship law reviews. Most are newer specialty law reviews. Most of the journals were started after 1999, and only three were first published before 1990.

TABLE 5
Online-Only Journals

Journal	Type	Year Started
Boston College Intellectual Property and Technology Forum	Specialty	2015
Diversity and Social Justice Forum	Specialty	2016
Chicago-Kent Journal of Environmental and Energy Law	Specialty	2010
Chicago-Kent Journal of Intellectual Property	Specialty	1999
Chicago-Kent Journal of International and Comparative Law	Specialty	2001
Columbia Journal of Race and Law	Specialty	2011
Columbia Science and Technology Law Review	Specialty	1999
Duke Law & Technology Review	Specialty	2001
Environmental and Earth Law Journal	Specialty	2011
George Mason Journal of International Commercial Law	Specialty	2010
Journal of Comparative Urban Law & Policy	Specialty	2017
IP Law Book Review	Specialty	2010
Göttingen Journal of International Law	Specialty	1997
Harvard Journal of Sports and Entertainment Law	Specialty	2010
Unbound: Harvard Journal of the Legal Left	Specialty	2005
Journal of Animal & Environmental Law	Specialty	2009
Loyola University Chicago Journal of Regulatory Compliance	Specialty	2016
NYU Journal of Intellectual Property & Entertainment Law	Specialty	2011
Northeastern University Law Journal	General	2009
Northwestern Journal of International Law & Business	Specialty	1979
Northwestern Journal of Technology and Intellectual Property	Specialty	2003
Rutgers Journal of Law & Religion	Specialty	2000
Rutgers Law Record	Specialty	1976
Journal of High Technology Law	Specialty	2002
Syracuse Journal of Science and Technology Law	Specialty	1986
Berkeley Journal of Entertainment & Sports Law	Specialty	2012
UCLA Entertainment Law Review	Specialty	1994
UCLA Journal of Law and Technology	Specialty	1997
Crit: A Critical Studies Journal	Specialty	2008
Ocean and Coastal Law Journal	Specialty	1994
University of Miami Business Law Review	Specialty	1990
Journal of Law & Public Affairs	Specialty	2016
University of Puerto Rico Business Law Journal	Specialty	2010
Richmond Journal of Law and Technology	Specialty	1995
Richmond Journal of Law and the Public Interest	Specialty	1996

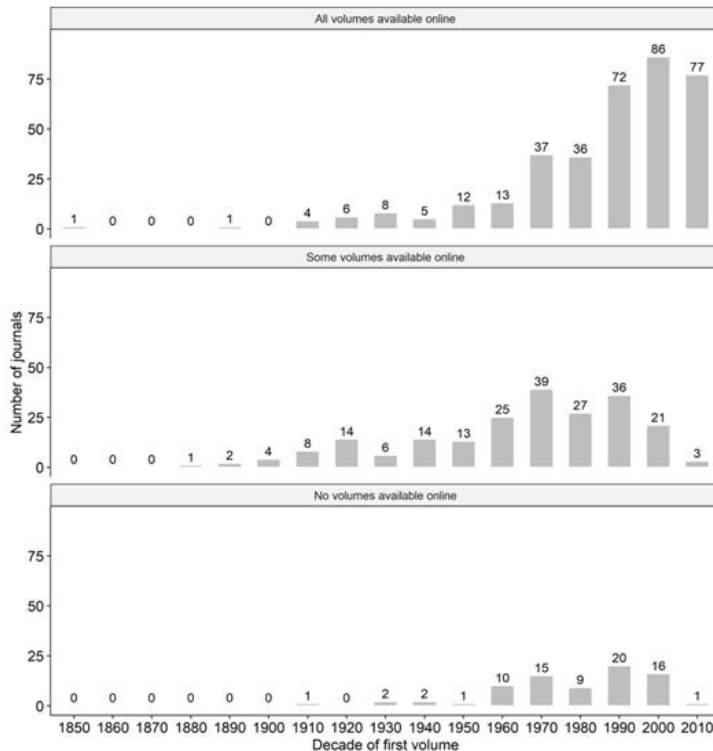
Journal	Type	Year Started
University of St. Thomas Law Journal	General	2003
Washington Journal of Law, Technology & Arts	Specialty	2004
American University Labor & Employment Law Forum	Specialty	2011
Legislation and Policy Brief	Specialty	2009
Asian-Pacific Law & Policy Journal	Specialty	2011
Yale Journal of Law & Technology	Specialty	1999

Characteristics of Journals That Post Online

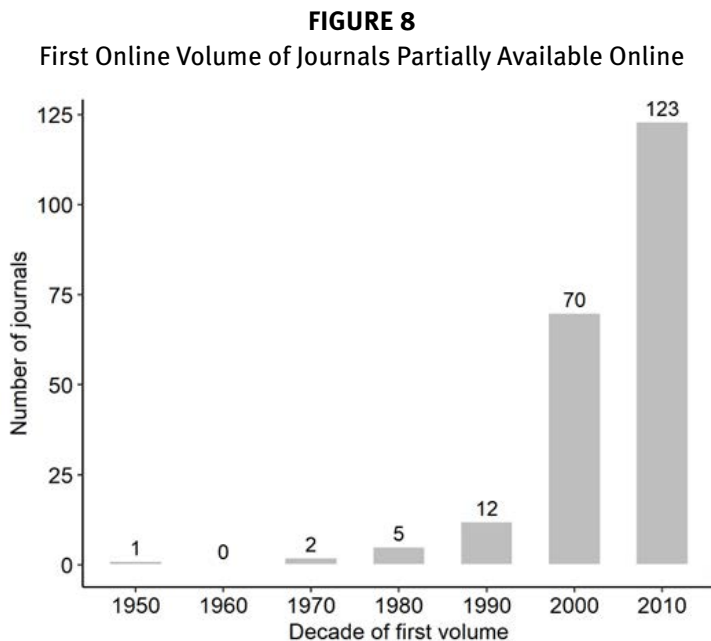
¶60 There are no apparent distinctive characteristics of journals that are available online versus not available online. Journals with more of their volumes posted online tend to be newer. But that is true of the surveyed journals overall. The earliest volume was published in 1852, but half of the volumes were published after 1997.

¶61 Only weak correlations were found between the percentage of a journal's volumes posted online and other variables. Spearman's rank correlation was computed to assess the relationships between the percentage of journal volumes posted online and both the school's and journal's ranks. There was a very weak negative correlation between the percentage of volumes posted and the journal's ranking by Washington and Lee ($r = -.082$, $p = 0.036$). There was an even weaker negative correlation between the percentage of a journal posted online and the *U.S. News* ranking of its school ($r = -.029$, $p = 0.48$).

FIGURE 7
Online Availability of Journals by Decade of First Volume



¶62 Across all decades, most journals have at least some volumes available. Figure 7 shows the number of journals by the year of their first volume, separated by their online availability. The journals with no volumes available roughly track the number of new volumes available each year until the 2000s. In the 2010s, that number falls off completely, and only one new journal is not available online. Newer journals are more likely to have all their volumes online. Before the 1970s, journals are more likely to have only some volumes available. In the 1970s, it is close to even. Starting in the 1980s, more journals have posted all their volumes online, increasing each decade.



¶63 The vast majority of journals started since 2000 are available online in full. Journals that started before 2000 are more likely to either be online in full or to have posted their volumes from 2000 on. Figure 8 shows the decade of the earliest volume available online for the journals that have posted only some of their volumes. Over half (58%) of the journals' earliest available online volumes were published in the 2010s, and 90 percent were published in the 2000s or later. Journals first started posting online in the mid-1990s. This suggests that most or all of the journals that have posted only some volumes online began posting at some point in the 2000s and have continued to post but have never posted their backfiles. This also suggests that most journals that have posted any of their older volumes have posted all of them.

Policies

¶64 In contrast with the large amount of available online content, few journals have posted open access policies, copyright policies, or model agreements. Even fewer describe themselves as open access, and fewer still have adopted Creative Commons licenses. Less than 20 percent of journals have posted any policies. In general, OALP journals are more likely to have posted policies or model agreements, but less likely to have adopted a Creative Commons license. Only two OALP journals mention either OALP or its principles on their website.¹²⁸ Interestingly, two journals not on the list mention the OALP principles.¹²⁹

128. *New York Law School Law Review* and *Harvard Journal of Law & Gender*.

129. *Minnesota Law Review* and the online-only *Sea Grant Law & Policy Journal*.

Self-Archiving

¶165 Although various versions of Gold OA are held up as the ideal, Green OA is also important to sustainability. Fully OA journals generally have expansive reuse policies in conformance with the three B statements. Those policies are required to be included in the largest open access journal directory, DOAJ.¹³⁰ Often, the reuse is guaranteed by implementation of a Creative Commons license, though it is not required. Creative Commons licenses are discussed more below.

¶166 Green OA is important for OA journals because it helps guarantee continued access to the publications. If an OA journal has a conspicuous open reuse policy, then its articles will be harvested and reposted by large OA repositories like CORE.¹³¹ Select articles will be reposted in digital repositories hosted and maintained by its authors' institutions. When works are hosted in multiple places, they are more likely to continue to be available if the original journal ceases publication and stops maintenance of its backfile.

¶167 Green OA is also important for non-OA journals. When author self-archiving is allowed, then articles posted on institutional repositories, personal or department websites, noncommercial subject repositories like ArXiv, or even commercial subject repositories like SSRN will enjoy greater distribution beyond journal subscribers.

¶168 In contrast with the high availability of articles on journal websites, fewer than one-fifth (19%) of the journals surveyed had a publicly posted Green OA or self-archiving policy. Absence of author agreements for the other 521 journals does not indicate that authors are prohibited from posting their published articles online. The number of law journal articles posted to SSRN suggests otherwise. But this does mean that there is no formal indication to prospective authors or repository administrators that articles may be posted to a repository or elsewhere.

TABLE 6

Posted Policies for OALP and Non-OALP Journals

Posted Policy	Non-OALP Journals		OALP Journals	
	<i>Count</i>	<i>Percentage</i>	<i>Count</i>	<i>Percentage</i>
No	502	81%	19	59%
Yes	114	19%	13	41%

¶169 OALP journals are more than twice as likely to have posted a reuse or green open access policy or to describe themselves as open access. Table 6 compares the number of OALP and non-OALP journals that have posted policies. Forty-one percent of OALP journals have posted a policy, compared to only 19 percent of the non-OALP journals.

130. *Guide to Applying*, DIRECTORY OF OPEN ACCESS JOURNALS (Feb. 2022), <https://doaj.org/apply/guide/> [<https://perma.cc/EXG4-DAT4>].

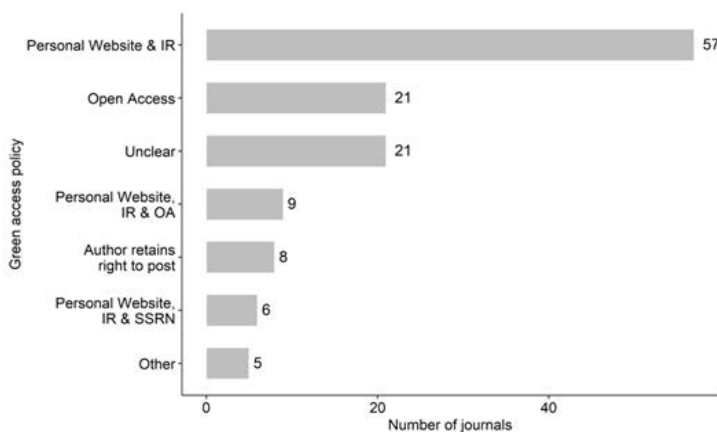
131. CORE, <https://core.ac.uk/> (last visited Jan. 25, 2023).

¶70 Self-archiving policies run from the very open to the specific. Some allow any kind of author posting without restriction. Restrictions can include the version posted, the time period when a publication can be posted, or the location where posting is allowed.

¶71 Fully open access journals generally allow posting of the final published version, often called the “version of record.” This is also true of open access articles published in a Hybrid OA journal. Posting of the version of record of non-OA articles in commercially published journals is usually not allowed. Instead, a preprint or postprint is allowed. Terms vary between publishers, but generally a preprint is defined as the initial author submission, before peer review, if applicable. These are sometimes called “author accepted versions.” A postprint is generally defined as the author’s final submission, after peer review, if applicable, but before copy editing and typesetting by the publisher. This is also sometimes called the “accepted manuscript.”

¶72 Although commercial journals rarely allow them to be posted, none of the journals here that allow posting restrict posting of the version of record. It is fairly typical for a journal to require an embargo of some sort. For commercial journals, this can be anywhere from six months to two years following publication. For law journals, it is more common that the journal will ask authors to refrain from posting the version of record until after the journal has published it. Generally, this embargo will not apply to any preprint or postprint on a repository. Only six of the surveyed journals required an embargo period past the date of publication in the journal. Three had a 12-month embargo, two had a 6-month embargo, and one had a 2-month embargo.

FIGURE 9
Green Open Access Policies



¶73 At a minimum, most journals with a posted green open access policy allow authors to post their articles on their personal websites and an institutional repository associated with their employer. Figure 9 shows the types of green open access policies posted by the 127 journals that have posted policies. Policies were grouped into seven categories. “Personal Website and IR” groups several policies that allow authors to post

articles on their personal or department websites and any institutional repository affiliated with their employers. Many of the policies also add language allowing posting to any website under the author's "effective control." This is the most common policy (45%). "Personal Website, IR & SSRN" (5%) groups policies with similar language to the preceding group, which also explicitly allow posting on SSRN. Similarly, "Personal Website, IR & OA" (7%) includes policies that add language allowing posting to "open access repositories." "Open Access" (17%) includes any journal declaring itself open access but not detailing its posting policies. "Author retains right to post" (6%) covers journals that require copyright transfer but allow authors to post anywhere. "Unclear" (17%) includes any journal with a copyright policy under which authors retain copyright but that does not have a publicly posted green open access policy. The five remaining journals (4%) are grouped as "Other." Of those journals, two require permission to post. One only allows a link to its own online repository to be posted. One forbids all posting. The final journal has an unknown policy, as it has only posted a reuse policy for other users, and not one for authors.

Copyright Policies

¶74 One of the drivers of the initial OA movement in law was the policy of many law reviews to demand that authors sign over their copyrights. This was seen as an overreach on the part of journals. The AALS model author agreement attempted to remedy this by substituting language granting a nonexclusive license to the journals instead. Copyright transfer is still typical in commercial publishing. In the greater OA movement, there is a move away from this in favor of nonexclusive licenses.

¶75 Copyright policies were assessed based on the posted policy on the journal webpage and the model author agreement where one was available. Any policy requiring an author to assign full copyright to the journal or an institution affiliated with the journal is listed as "Copyright transfer." Any policy under which the author retains copyright is listed as "Nonexclusive license/Author retains copyright." The "author retains copyright" language appears on many journal websites with no further detail. Licensing information was most frequently found in model author agreements. The "Unknown" category includes all journals that have posted a Green OA or reuse policy but have not posted a copyright policy.

TABLE 7

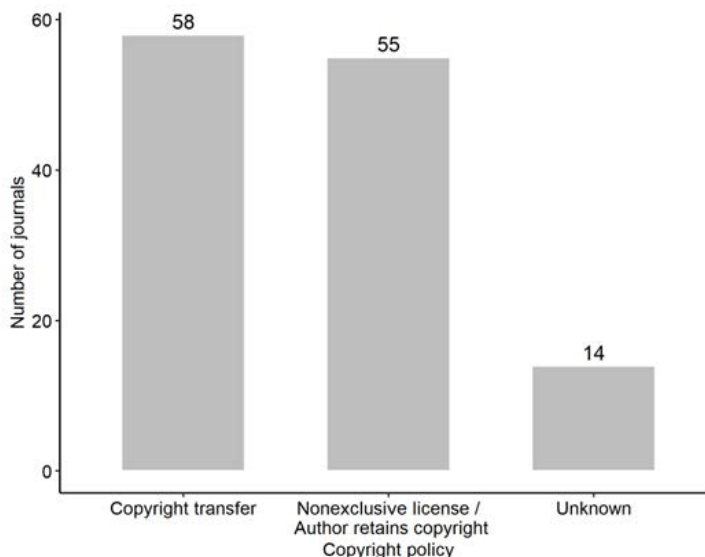
Posted Model Author Agreements for OALP and Non-OALP Journals

Posted Model Agreement	Non-OALP Journals		OALP Journals	
	Count	Percentage	Count	Percentage
No	609	99%	21	66%
Yes	7	1%	11	34%

¶76 Table 7 compares the number of OALP and non-OALP journals that have posted model agreements. OALP journals are far more likely to post a model agreement

than other journals. A third of the OALP journals have posted agreements, while only seven of the remaining 616 journals have posted an author agreement.

FIGURE 10
Author Copyright Policies



¶77 Figure 10 shows the copyright policy of all journals with a posted policy. While many law reviews have moved away from demanding authors sign over copyright, slightly more than half of the journals with a posted policy or model agreement still require a copyright transfer. Only 1 of 14 OALP journals with a posted copyright policy requires a transfer of copyright. The others all use a nonexclusive license.

¶78 The nonexclusive license category covers several slightly different sets of terms. The common thread is that all eventually end up as a nonexclusive license to publish in several formats, with the author retaining copyright and expansive rights to reuse the work. They typically give the journal the exclusive right to publish in all formats for a limited time, usually six months or a year. That is often, though not always, accompanied by an author's right to immediately post the piece online. A few give the journal the exclusive right to publish only in print and a nonexclusive right to publish in other formats. This gives the author full rights to post online immediately. Most journals retain a perpetual nonexclusive right to give permission to third parties for classroom copying. Essentially all require any republication, by the author or others, to credit the journal with first publication. Essentially all journals reserve the right to republish the content in online databases including Westlaw, LexisNexis, and HeinOnline. Most reserve the right to republish in anthologies or retrospective collections.

Creative Commons Licenses

¶79 Generally, OA journals with an expansive reuse policy will use a Creative Commons license. Creative Commons offers a suite of licenses with different sets of restrictions. The least restrictive license is the Attribution license, abbreviated CC BY. The Attribution license allows the end user to reuse the content in the licensed material for any purpose, including derivative works, whether commercial or noncommercial.¹³² The license requires users to give appropriate credit for the work used and bars them from applying any additional restrictions, whether legal or technological, to the licensed work.¹³³ Additional restrictions are allowed for derivative works.¹³⁴

¶80 The next most restrictive license is the Attribution-ShareAlike license (CC BY-SA).¹³⁵ Under this license, users may share and copy the licensed work and create derivative works.¹³⁶ Any derivative works must be licensed under the same license as the original.¹³⁷ There are also noncommercial versions of each (CC BY-NC and CC BY-NC-SA) that allow noncommercial redistribution only and require a separate license for commercial use.¹³⁸

¶81 The most restrictive licenses are the Attribution-NoDerivatives license (CC BY-ND) and Attribution-NonCommercial-NoDerivatives (CC BY-NC-ND).¹³⁹ These licenses allow users to copy and redistribute the original work but do not allow derivative works.¹⁴⁰

132. About CC Licenses, Creative Commons, <https://creativecommons.org/about/ccllicenses/> [<https://perma.cc/8FD4-DZY9>].

133. Creative Commons—Attribution 4.0 International—CC BY 4.0, <https://creativecommons.org/licenses/by/4.0/> [<https://perma.cc/33SK-EHKL>] (last visited Aug 29, 2022).

134. *Id.*

135. About CC Licenses, *supra* note 132.

136. *Id.*

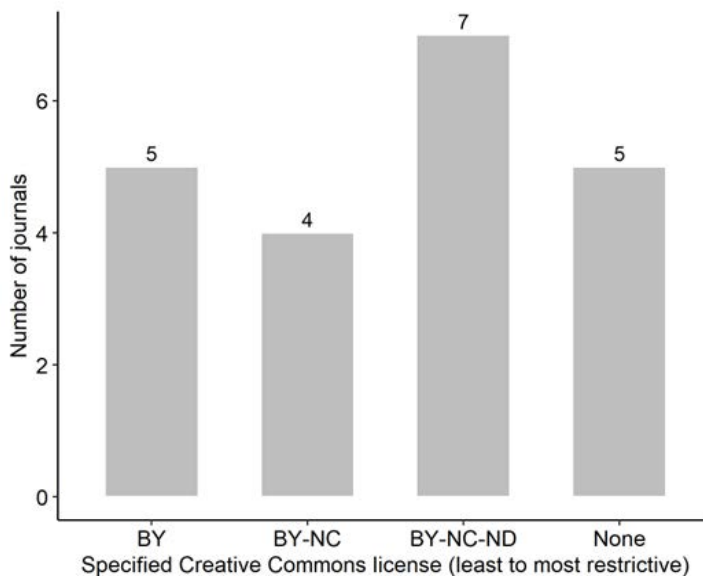
137. *Id.*

138. *Id.*

139. *Id.*

140. *Id.*

FIGURE 11
Creative Commons Licenses for Open Access Journals



¶82 Figure 11 shows the Creative Commons licenses adopted by the 21 journals that describe themselves as open access. Only 16 used a Creative Commons license. The journals were fairly evenly split between the CC BY, CC BY-NC, and CC BY-NC-ND licenses. None used a version of the CC BY-SA license. Five journals described themselves as open access but did not use a Creative Commons license. In addition, these journals did not publicly post a reuse policy, leaving users to guess at what the permitted uses may be. None of the 16 journals that have adopted a Creative Commons license are on the OALP list.

Conclusion

¶83 Eleven years after the Durham Statement, most currently published law journals offer at least some volumes online for free. Over half of them have made their complete runs available. This mass availability does not, however, include adoption of traditional open access policies. Fewer than 20 percent of law journals have a posted policy for self-archiving (Green OA) or copyright transfer requirements for authors. Only a handful of journals use Creative Commons licenses. Even the journals that signed on to OALP are not typical of open access journals. Although they are twice as likely to post a policy or model agreement, none have adopted a Creative Commons license.

¶84 Instead, journals seem to mostly post content online for pragmatic reasons. Subscriptions are already down significantly, so there is not much subscriber revenue to be lost. Authors are already posting online, as are law schools through repositories.

Studies have shown that open access journal articles receive more citations, and editors understand better citation numbers attract more authors. At this point, with the overwhelming amount of recent journal content available online, it might be more of a disadvantage to not post articles online than an advantage to do so.

¶85 This type of open access also exists in other disciplines and has recently been given the name Bronze OA. Little work has been done investigating the extent and parameters of Bronze OA in various disciplines. The team that coined it found that Bronze OA made up the greatest portion of open access articles in samples from CrossRef and Web of Science. Here, Bronze OA also made up the largest segment of the open access articles, but to a much greater extent.

¶86 Piwowar et al. speculated that a large part of the Bronze OA they found was Delayed OA. Delayed OA is generally practiced by subscription journals. After a period of time has lapsed from initial publication, the publisher will open access to some or all of the articles. Here, none of the Bronze OA is Delayed OA. The journals were coded available if the current volume was available and the availability of back issues was determined. Consequently, further studies will probably find that the amount of Bronze OA in law is far greater than in other disciplines, particularly if Delayed OA is ultimately counted as a separate category from Bronze OA.

¶87 Because this study looks at only a subset of law journals, it is difficult to directly compare the results to other studies. The remainder of law journals likely do not offer OA in anything close to the numbers here. It is likely that if the entire journal literature were examined, the overall percentage of OA articles would be considerably lower.

¶88 Although a large part of the economic argument for journals to move online included a move away from print, journals have not abandoned print publishing. Only two general law reviews have moved exclusively to online publication. As institutions cut budgets even further in the wake of COVID-19, it seems very likely that libraries will drastically cut journal subscriptions as one way to address budget cuts while attempting to retain staff. Further reductions to law review subscriptions may spur more law schools to save money by cutting large subsidies for printing.

¶89 Once again, law journal publishing has carved out its own unique niche that does not quite match other disciplines. Although it would be helpful to interested authors (and repository administrators) for journals to post their policies and model agreements, most of the recent legal scholarship is freely available in some form online, not only for the academy, but for the interested citizen to read and discuss. And it happened with no disruption to the traditional functions of law reviews or to the activities of tenure-seeking law professors.

Appendix 1

Journals

School	Journal
Akron	Akron Intellectual Property Journal
Akron	Akron Law Review
Akron	Akron Tax Journal
Alabama	Alabama Civil Rights & Civil Liberties Law Review
Alabama	Alabama Law Review
Alabama	Journal of the Legal Profession
Alabama	Law and Psychology Review
Albany	Albany Government Law Review
Albany	Albany Law Journal of Science & Technology
Albany	Albany Law Review
American (Washington)	Administrative Law Review
American (Washington)	American University Business Law Review
American (Washington)	American University Criminal Law Brief
American (Washington)	American University Intellectual Property Brief
American (Washington)	American University International Law Review
American (Washington)	American University Journal of Gender, Social Policy & the Law
American (Washington)	American University Labor & Employment Law Forum
American (Washington)	American University Law Review
American (Washington)	American University National Security Law Brief
American (Washington)	Human Rights Brief
American (Washington)	Legislation and Policy Brief
American (Washington)	Modern American: A Scholarly Publication Dedicated to Diversity and the Law
American (Washington)	Sustainable Development Law & Policy
Appalachian	Appalachian Journal of Law
Arizona (Rogers)	Arizona Journal of Environmental Law & Policy
Arizona (Rogers)	Arizona Journal of International and Comparative Law
Arizona (Rogers)	Arizona Law Review
Arizona State (O'Connor)	Arizona State Law Journal
Arizona State (O'Connor)	Law Journal for Social Justice
Arizona State (O'Connor)	Sports and Entertainment Law Journal
Arkansas	Arkansas Law Review
Arkansas	Journal of Food Law and Policy
Arkansas–Little Rock (Bowen)	Arkansas Journal of Social Change and Public Service

School	Journal
Arkansas–Little Rock (Bowen)	Journal of Appellate Practice and Process
Arkansas–Little Rock (Bowen)	University of Arkansas at Little Rock Law Review
Atlanta’s John Marshall	John Marshall Law Journal
Ave Maria	Ave Maria Law Review
Ave Maria	Ave Maria School of Law International Law Journal
Baltimore	Journal of Media Law & Ethics
Baltimore	University of Baltimore Journal of International Law
Baltimore	University of Baltimore Law Forum
Baltimore	University of Baltimore Law Review
Barry (Andreas)	Barry Law Review
Barry (Andreas)	Child and Family Law Journal
Barry (Andreas)	Environmental and Earth Law Journal
Baylor	Baylor Law Review
Belmont University	Belmont Law Review
Boston College	Boston College Environmental Affairs Law Review
Boston College	Boston College Intellectual Property and Technology Forum
Boston College	Boston College International and Comparative Law Review
Boston College	Boston College Journal of Law and Social Justice
Boston College	Boston College Law Review
Boston University	Boston University International Law Journal
Boston University	Boston University Journal of Science & Technology Law
Boston University	Boston University Law Review
Boston University	Boston University Public Interest Law Journal
Boston University	Review of Banking and Financial Law
Brooklyn	Brooklyn Journal of Corporate, Financial & Commercial Law
Brooklyn	Brooklyn Journal of International Law
Brooklyn	Brooklyn Law Review
Brooklyn	Journal of Law and Policy
Buffalo	Buffalo Environmental Law Journal
Buffalo	Buffalo Human Rights Law Review
Buffalo	Buffalo Intellectual Property Law Journal
Buffalo	Buffalo Law Review
BYU (Clark)	Brigham Young University Education and Law Journal
BYU (Clark)	Brigham Young University Journal of Public Law
BYU (Clark)	Brigham Young University Law Review
California Western	California Western International Law Journal

School	Journal
California Western	California Western Law Review
Campbell (Wiggins)	Campbell Law Review
Capital University	Capital University Law Review
Cardozo	Cardozo Arts & Entertainment Law Journal
Cardozo	Cardozo Journal of Conflict Resolution
Cardozo	Cardozo Journal of Equal Rights and Social Justice
Cardozo	Cardozo Law Review
Cardozo	International Comparative, Policy & Ethics Law Review
Case Western Reserve	Canada-United States Law Journal
Case Western Reserve	Case Western Reserve Journal of International Law
Case Western Reserve	Case Western Reserve Journal of Law, Technology & the Internet
Case Western Reserve	Case Western Reserve Law Review
Case Western Reserve	Health Matrix: Journal of Law-Medicine
Catholic (Columbus)	Catholic University Journal of Law and Technology
Catholic (Columbus)	Catholic University Law Review
Chapman University (Fowler)	Chapman Law Review
Chapman University (Fowler)	Diversity and Social Justice Forum
Charleston	Charleston Law Review
Chicago	Chicago Journal of International Law
Chicago	University of Chicago Law Review
Chicago	University of Chicago Legal Forum
Chicago-Kent	Chicago-Kent Journal of Environmental and Energy Law
Chicago-Kent	Chicago-Kent Journal of Intellectual Property
Chicago-Kent	Chicago-Kent Journal of International and Comparative Law
Chicago-Kent	Chicago-Kent Law Review
Cincinnati	Freedom Center Journal
Cincinnati	Immigration and Nationality Law Review
Cincinnati	Intellectual Property and Computer Law Journal
Cincinnati	University of Cincinnati Law Review
City University of New York	City University of New York (CUNY) Law Review
Cleveland-Marshall	Cleveland State Law Review
Cleveland-Marshall	Global Business Law Review
Cleveland-Marshall	Journal of Law and Health
Colorado	Colorado Natural Resources, Energy, & Environmental Law Review
Colorado	Colorado Technology Law Journal

School	Journal
Colorado	University of Colorado Law Review
Columbia	Columbia Business Law Review
Columbia	Columbia Human Rights Law Review
Columbia	Columbia Journal of Asian Law
Columbia	Columbia Journal of Environmental Law
Columbia	Columbia Journal of European Law
Columbia	Columbia Journal of Gender and Law
Columbia	Columbia Journal of Law & the Arts
Columbia	Columbia Journal of Race and Law
Columbia	Columbia Journal of Tax Law
Columbia	Columbia Journal of Transnational Law
Columbia	Columbia Law Review
Columbia	Columbia Science and Technology Law Review
Connecticut	Connecticut Insurance Law Journal
Connecticut	Connecticut Journal of International Law
Connecticut	Connecticut Law Review
Connecticut	Connecticut Public Interest Law Journal
Cornell	Cornell International Law Journal
Cornell	Cornell Journal of Law and Public Policy
Cornell	Cornell Law Review
Creighton	Creighton International and Comparative Law Journal
Creighton	Creighton Law Review
Cumberland	American Journal of Trial Advocacy
Cumberland	Cumberland Law Review
Dartmouth College	Dartmouth Law Journal
Dayton	University of Dayton Law Review
Denver (Sturm)	Denver Journal of International Law and Policy
Denver (Sturm)	Denver Law Review
Denver (Sturm)	Sports and Entertainment Law Journal
Denver (Sturm)	Transportation Law Journal
Denver (Sturm)	University of Denver Water Law Review
DePaul	DePaul Business & Commercial Law Journal
DePaul	DePaul International Human Rights Law Journal
DePaul	DePaul Journal for Social Justice
DePaul	DePaul Journal of Art, Technology & Intellectual Property Law
DePaul	DePaul Journal of Health Care Law

School	Journal
DePaul	DePaul Journal of Sports Law & Contemporary Problems
DePaul	DePaul Journal of Women, Gender, and the Law
DePaul	DePaul Law Review
Detroit Mercy	University of Detroit Mercy Law Review
Dickinson, Penn State	Dickinson Law Review
Drake	Drake Journal of Agricultural Law
Drake	Drake Law Review
Drexel	Drexel Law Review
Duke	Judicature
Duke	Alaska Law Review
Duke	Duke Environmental Law & Policy Forum
Duke	Duke Forum for Law & Social Change
Duke	Duke Journal of Comparative & International Law
Duke	Duke Journal of Constitutional Law & Public Policy
Duke	Duke Journal of Gender Law & Policy
Duke	Duke Law & Technology Review
Duke	Duke Law Journal
Duke	Law and Contemporary Problems
Duquesne	Duquesne Business Law Journal
Duquesne	Duquesne Law Review
Elon	Elon Law Review
Emory	Emory Bankruptcy Developments Journal
Emory	Emory Corporate Governance and Accountability Review
Emory	Emory International Law Review
Emory	Emory Law Journal
Emory	Southern Journal of Policy and Justice
Faulkner University (Jones)	Faulkner Law Review
Florida (Levin)	Florida Journal of International Law
Florida (Levin)	Florida Law Review
Florida (Levin)	Journal of Technology Law & Policy
Florida (Levin)	University of Florida Journal of Law and Public Policy
Florida A&M	Florida A & M University Law Review
Florida Coastal	Florida Coastal Law Review
Florida International	FIU Law Review
Florida State	Florida State University Law Review
Florida State	Journal of Land Use & Environmental Law

School	Journal
Florida State	Journal of Transnational Law & Policy
Fordham	Fordham Environmental Law Review
Fordham	Fordham Intellectual Property, Media & Entertainment Law Journal
Fordham	Fordham International Law Journal
Fordham	Fordham Journal of Corporate & Financial Law
Fordham	Fordham Law Review
Fordham	Fordham Urban Law Journal
George Mason	George Mason Journal of International Commercial Law
George Mason	George Mason Law Review
George Mason	George Mason University Civil Rights Law Journal
George Mason	Journal of Law, Economics & Policy
George Mason	National Security Law Journal
George Washington	Business & Finance Law Review
George Washington	Federal Communications Law Journal
George Washington	George Washington International Law Review
George Washington	George Washington Journal of Energy and Environmental Law
George Washington	George Washington Law Review
Georgetown	American Criminal Law Review
Georgetown	Annual Review of Criminal Procedure
Georgetown	Georgetown Environmental Law Review
Georgetown	Georgetown Immigration Law Journal
Georgetown	Georgetown Journal of Gender and the Law
Georgetown	Georgetown Journal of International Law
Georgetown	Georgetown Journal of Law & Modern Critical Race Perspectives
Georgetown	Georgetown Journal of Law & Public Policy
Georgetown	Georgetown Journal of Legal Ethics
Georgetown	Georgetown Journal on Poverty Law & Policy
Georgetown	Georgetown Law Journal
Georgetown	Journal of National Security Law & Policy
Georgia	Georgia Journal of International and Comparative Law
Georgia	Georgia Law Review
Georgia	Journal of Intellectual Property Law
Georgia State	Georgia State University Law Review
Georgia State	Journal of Comparative Urban Law & Policy
Golden Gate	Annual Survey of International and Comparative Law

School	Journal
Golden Gate	Golden Gate University Environmental Law Journal
Golden Gate	Golden Gate University Law Review
Golden Gate	IP Law Book Review
Gonzaga	Gonzaga Law Review
Gonzaga	Göttingen Journal of International Law
Harvard	Harvard Business Law Review
Harvard	Harvard Civil Rights-Civil Liberties Law Review
Harvard	Harvard Environmental Law Review
Harvard	Harvard Human Rights Journal
Harvard	Harvard International Law Journal
Harvard	Harvard Journal of Law & Gender
Harvard	Harvard Journal of Law & Public Policy
Harvard	Harvard Journal of Law & Technology
Harvard	Harvard Journal of Sports and Entertainment Law
Harvard	Harvard Journal on Legislation
Harvard	Harvard Journal on Racial and Ethnic Justice
Harvard	Harvard Latino Law Review
Harvard	Harvard Law & Policy Review
Harvard	Harvard Law Review
Harvard	Harvard National Security Journal
Harvard	Harvard Negotiation Law Review
Harvard	Unbound: Harvard Journal of the Legal Left
Hawaii (Richardson)	Asian-Pacific Law & Policy Journal
Hawaii (Richardson)	University of Hawaii Law Review
Hofstra	Hofstra Labor and Employment Law Journal
Hofstra	Hofstra Law Review
Hofstra	Journal of International Business
Houston	Houston Business and Tax Law Journal
Houston	Houston Journal of Health Law & Policy
Houston	Houston Journal of International Law
Houston	Houston Law Review
Howard	Howard Human & Civil Rights Law Review
Howard	Howard Law Journal
Idaho	Crit: A Critical Studies Journal
Idaho	Idaho Law Review
Illinois	Comparative Labor Law & Policy Journal

School	Journal
Illinois	Elder Law Journal
Illinois	Illinois Business Law Journal
Illinois	University of Illinois Journal of Law, Technology & Policy
Illinois	University of Illinois Law Review
Indiana (McKinney)	Indiana Health Law Review
Indiana (McKinney)	Indiana International & Comparative Law Review
Indiana (McKinney)	Indiana Law Review
Indiana Bloomington (Maurer)	Indiana Journal of Law and Social Equality
Indiana Bloomington (Maurer)	Indiana Law Journal
Interamerican	Revista de Estudios Críticos del Derecho
Interamerican	Revista Juridica de la Universidad Interamericana de Puerto Rico
Iowa	Iowa Law Review
Iowa	Journal of Corporation Law
Iowa	Journal of Gender, Race & Justice
Iowa	Transnational Law & Contemporary Problems
John Marshall	John Marshall Global Markets Law Journal
John Marshall	John Marshall Journal of Information Technology & Privacy Law
John Marshall	John Marshall Law Review
John Marshall	John Marshall Review of Intellectual Property Law
Kansas	Kansas Journal of Law & Public Policy
Kansas	University of Kansas Law Review
Kentucky	Kentucky Journal of Equine, Agriculture & Natural Resources Law
Kentucky	Kentucky Law Journal
La Verne	University of La Verne Law Review
Lewis & Clark	Animal Law Review
Lewis & Clark	Environmental Law
Lewis & Clark	Lewis & Clark Law Review
Liberty University	Liberty University Law Review
Louisville (Brandeis)	Journal of Animal & Environmental Law
Louisville (Brandeis)	University of Louisville Law Review
Loyola Chicago	Annals of Health Law
Loyola Chicago	Children's Legal Rights Journal
Loyola Chicago	Loyola Consumer Law Review
Loyola Chicago	Loyola University Chicago Journal of Regulatory Compliance
Loyola Chicago	Loyola University Chicago Law Journal
Loyola Marymount	Loyola of Los Angeles Entertainment Law Review

School	Journal
Loyola Marymount	Loyola of Los Angeles International & Comparative Law Review
Loyola Marymount	Loyola of Los Angeles Law Review
Loyola New Orleans	Loyola Journal of Public Interest Law
Loyola New Orleans	Loyola Law Review
Loyola New Orleans	Loyola Maritime Law Journal
LSU (Hebert)	Louisiana Law Review
LSU (Hebert)	LSU Journal of Energy Law and Resources
Maine	Maine Law Review
Maine	Ocean and Coastal Law Journal
Marquette	Marquette Benefits & Social Welfare Review
Marquette	Marquette Intellectual Property Law Review
Marquette	Marquette Law Review
Marquette	Marquette Sports Law Review
Maryland	Journal of Business & Technology Law
Maryland	Journal of Health Care Law & Policy
Maryland	Maryland Journal of International Law
Maryland	Maryland Law Review
Maryland	University of Maryland Law Journal of Race, Religion, Gender & Class
Massachusetts	University of Massachusetts Law Review
Memphis (Humphreys)	University of Memphis Law Review
Mercer (George)	Mercer Law Review
Miami	University of Miami Business Law Review
Miami	University of Miami Entertainment & Sports Law Review
Miami	University of Miami Inter-American Law Review
Miami	University of Miami International and Comparative Law Review
Miami	University of Miami Law Review
Miami	University of Miami National Security & Armed Conflict Law Review
Miami	University of Miami Race & Social Justice Law Review
Michigan	Michigan Business & Entrepreneurial Law Review
Michigan	Michigan Journal of Environmental and Administrative Law
Michigan	Michigan Journal of Gender & Law
Michigan	Michigan Journal of International Law
Michigan	Michigan Journal of Race & Law
Michigan	Michigan Law Review
Michigan	Michigan Telecommunications and Technology Law Review

School	Journal
Michigan	University of Michigan Journal of Law Reform
Michigan State	Journal of Animal & Natural Resources Law
Michigan State	Journal of Business & Securities Law
Michigan State	Michigan State International Law Review
Michigan State	Michigan State Law Review
Minnesota	Law and Inequality
Minnesota	Minnesota Journal of International Law
Minnesota	Minnesota Journal of Law, Science & Technology
Minnesota	Minnesota Law Review
Mississippi	Journal of Space Law
Mississippi	Mississippi Law Journal
Mississippi	Mississippi Sports Law Review
Mississippi	Sea Grant Law & Policy Journal
Mississippi College	Mississippi College Law Review
Missouri	Business, Entrepreneurship & Tax Law Review
Missouri	Journal of Dispute Resolution
Missouri	Missouri Law Review
Missouri–Kansas City	UMKC Law Review
Mitchell Hamline	Cybaris, an Intellectual Property Law Review
Mitchell Hamline	Mitchell Hamline Law Journal of Public Policy and Practice
Mitchell Hamline	Mitchell Hamline Law Review
Montana	Montana Law Review
Montana	Public Land & Resources Law Review
Nebraska–Lincoln	Nebraska Law Review
New England	New England Law Review
New Hampshire	IDEA: The Intellectual Property Law Review
New Hampshire	University of New Hampshire Law Review
New Mexico	Natural Resources Journal
New Mexico	New Mexico Law Review
New Mexico	Tribal Law Journal
New York Law School	New York Law School Law Review
New York University	Annual Survey of American Law
New York University	New York University Environmental Law Journal
New York University	New York University Journal of International Law and Politics
New York University	New York University Journal of Law & Business
New York University	New York University Journal of Law & Liberty

School	Journal
New York University	New York University Journal of Legislation and Public Policy
New York University	New York University Law Review
New York University	New York University Review of Law & Social Change
New York University	NYU Journal of Intellectual Property & Entertainment Law
North Carolina	First Amendment Law Review
North Carolina	North Carolina Banking Institute
North Carolina	North Carolina Journal of International Law and Commercial Regulation
North Carolina	North Carolina Journal of Law & Technology
North Carolina	North Carolina Law Review
North Carolina Central	North Carolina Central Law Review
North Dakota	North Dakota Law Review
Northeastern	Northeastern University Law Journal
Northern Illinois	Northern Illinois University Law Review
Northern Kentucky (Chase)	Northern Kentucky Law Review
Northwestern	Journal of Criminal Law and Criminology
Northwestern	Northwestern Journal of International Law & Business
Northwestern	Northwestern Journal of Law and Social Policy
Northwestern	Northwestern Journal of Technology and Intellectual Property
Northwestern	Northwestern University Journal of International Human Rights
Northwestern	Northwestern University Law Review
Notre Dame	Journal of Legislation
Notre Dame	Notre Dame Journal of International and Comparative Law
Notre Dame	Notre Dame Journal of Law, Ethics & Public Policy
Notre Dame	Notre Dame Law Review
Nova Southeastern (Broad)	ILSA Journal of International and Comparative Law
Nova Southeastern (Broad)	Nova Law Review
Ohio Northern (Pettit)	Ohio Northern University Law Review
Ohio State (Moritz)	Ohio State Business Law Journal
Ohio State (Moritz)	Ohio State Journal of Criminal Law
Ohio State (Moritz)	Ohio State Journal on Dispute Resolution
Ohio State (Moritz)	Ohio State Law Journal
Oklahoma	American Indian Law Review
Oklahoma	Oklahoma Law Review
Oklahoma	ONE J: Oil and Gas, Natural Resources, and Energy Journal
Oklahoma City	Oklahoma City University Law Review

School	Journal
Oregon	Journal of Environmental Law and Litigation
Oregon	Oregon Law Review
Oregon	Oregon Review of International Law
Pace	Pace Environmental Law Review
Pace	Pace International Law Review
Pace	Pace Law Review
Penn State	Arbitration Law Review
Penn State	Penn State International Law Review
Penn State	Penn State Journal of Law and International Affairs
Penn State	Penn State Law Review
Pennsylvania	Journal of Law & Public Affairs
Pennsylvania	University of Pennsylvania Asian Law Review
Pennsylvania	University of Pennsylvania Journal of Business Law
Pennsylvania	University of Pennsylvania Journal of Constitutional Law
Pennsylvania	University of Pennsylvania Journal of International Law
Pennsylvania	University of Pennsylvania Journal of Law and Social Change
Pennsylvania	University of Pennsylvania Law Review
Pepperdine	Pepperdine Dispute Resolution Law Journal
Pepperdine	Pepperdine Journal of Business, Entrepreneurship, and the Law
Pepperdine	Pepperdine Law Review
Pittsburgh	Journal of Law and Commerce
Pittsburgh	Pittsburgh Journal of Environmental and Public Health Law
Pittsburgh	Pittsburgh Journal of Technology Law and Policy
Pittsburgh	University of Pittsburgh Law Review
Pontifical Catholic	Revista de Derecho Puertorriqueño
Puerto Rico	Revista Juridica Universidad de Puerto Rico
Puerto Rico	University of Puerto Rico Business Law Journal
Quinnipiac	Quinnipiac Health Law Journal
Quinnipiac	Quinnipiac Law Review
Quinnipiac	Quinnipiac Probate Law Journal
Regent	Regent Journal of Global Justice and Public Policy
Regent	Regent University Law Review
Richmond	Richmond International Business and Anti-Corruption Forum
Richmond	Richmond Journal of Law and Technology
Richmond	Richmond Journal of Law and the Public Interest
Richmond	University of Richmond Law Review

School	Journal
Roger Williams	Roger Williams University Law Review
Rutgers (Both campuses)	Rutgers University Law Review (2015 -)
Rutgers (Camden campus)	Rutgers Journal of Law & Religion
Rutgers (Camden campus)	Rutgers Journal of Law and Public Policy
Rutgers (Newark campus)	Rutgers Computer and Technology Law Journal
Rutgers (Newark campus)	Rutgers Law Record
Rutgers (Newark campus)	Rutgers Race & the Law Review
Rutgers (Newark campus)	Women's Rights Law Reporter
Saint Louis University	Saint Louis University Journal of Health Law & Policy
Saint Louis University	Saint Louis University Law Journal
San Diego	Journal of Contemporary Legal Issues
San Diego	San Diego International Law Journal
San Diego	San Diego Journal of Climate & Energy Law
San Diego	San Diego Law Review
San Francisco	Intellectual Property and Technology Law Journal
San Francisco	University of San Francisco Law Review
San Francisco	University of San Francisco Maritime Law Journal
San Joaquin University	San Joaquin Agricultural Law Review
Santa Clara	Santa Clara High Technology Law Journal
Santa Clara	Santa Clara Journal of International Law
Santa Clara	Santa Clara Law Review
Savannah	Savannah Law Review
Seattle	American Indian Law Journal
Seattle	Seattle Journal for Social Justice
Seattle	Seattle Journal of Environmental Law
Seattle	Seattle University Law Review
Seton Hall	Seton Hall Circuit Review
Seton Hall	Seton Hall Law Review
Seton Hall	Seton Hall Legislative Journal
SMU (Dedman)	Journal of Air Law and Commerce
SMU (Dedman)	Law and Business Review of the Americas
SMU (Dedman)	SMU Annual Texas Survey
SMU (Dedman)	SMU Law Review
SMU (Dedman)	SMU Science and Technology Law Review
South Carolina	Journal of Law & Education
South Carolina	South Carolina Journal of International Law and Business

School	Journal
South Carolina	South Carolina Law Review
South Dakota	South Dakota Law Review
South Texas	Currents: International Trade Law Journal
South Texas	South Texas Law Review
Southern Illinois	Southern Illinois University Law Journal
Southern University	Journal of Race, Gender & Poverty
Southern University	Southern University Law Review
Southwestern	Journal of International Media and Entertainment Law
Southwestern	Southwestern Journal of International Law
Southwestern	Southwestern Law Review
St. John's	Journal of Catholic Legal Studies
St. John's	St. John's Law Review
St. Mary's	Scholar: St. Mary's Law Review on Race and Social Justice
St. Mary's	St. Mary's Journal on Legal Malpractice & Ethics
St. Mary's	St. Mary's Law Journal
St. Thomas (FL)	Intercultural Human Rights Law Review
St. Thomas (FL)	St. Thomas Law Review
St. Thomas (MN)	University of St. Thomas Journal of Law and Public Policy
St. Thomas (MN)	University of St. Thomas Law Journal
Stanford	Stanford Environmental Law Journal
Stanford	Stanford Journal of Civil Rights and Civil Liberties
Stanford	Stanford Journal of Complex Litigation
Stanford	Stanford Journal of International Law
Stanford	Stanford Journal of Law, Business & Finance
Stanford	Stanford Law & Policy Review
Stanford	Stanford Law Review
Stanford	Stanford Technology Law Review
Stetson	Journal for International Aging Law and Policy
Stetson	Stetson Journal of Advocacy and the Law
Stetson	Stetson Law Review
Suffolk	Journal of Health & Biomedical Law
Suffolk	Journal of High Technology Law
Suffolk	Suffolk University Law Review
Suffolk	Transnational Law Review
Syracuse	Syracuse Journal of International Law and Commerce
Syracuse	Syracuse Journal of Science and Technology Law

School	Journal
Syracuse	Syracuse Law Review
Temple (Beasley)	Temple International and Comparative Law Journal
Temple (Beasley)	Temple Law Review
Tennessee	Tennessee Journal of Law & Policy
Tennessee	Tennessee Journal of Race, Gender & Social Justice
Tennessee	Tennessee Law Review
Tennessee	Transactions: The Tennessee Journal of Business Law
Texas	American Journal of Criminal Law
Texas	Review of Litigation
Texas	Texas Hispanic Journal of Law and Policy
Texas	Texas Intellectual Property Law Journal
Texas	Texas International Law Journal
Texas	Texas Journal of Oil, Gas, and Energy Law
Texas	Texas Journal on Civil Liberties & Civil Rights
Texas	Texas Law Review
Texas	Texas Review of Entertainment & Sports Law
Texas	Texas Review of Law and Politics
Texas A&M	Texas A&M Law Review
Texas A&M	Texas A&M Journal of Property Law
Texas Tech	Estate Planning & Community Property Law Journal
Texas Tech	Texas Tech Law Review
The Judge Advocate General's Legal Center and School	Military Law Review
Thomas Jefferson	Thomas Jefferson Law Review
Toledo	University of Toledo Law Review
Touro (Fuchsberg)	Journal of Aging, Longevity, Law, and Policy
Touro (Fuchsberg)	Journal of Experiential Learning
Touro (Fuchsberg)	Journal of Race, Gender, and Ethnicity
Touro (Fuchsberg)	Touro Law Review
Tulane	Tulane Journal of Law & Sexuality
Tulane	Tulane Environmental Law Journal
Tulane	Tulane European and Civil Law Forum
Tulane	Tulane Journal of International and Comparative Law
Tulane	Tulane Journal of Technology & Intellectual Property
Tulane	Tulane Law Review
Tulane	Tulane Maritime Law Journal

School	Journal
Tulsa	Tulsa Law Review
U Pacific (McGeorge)	University of the Pacific Law Review
UC Berkeley (Boalt Hall)	Asian American Law Journal
UC Berkeley (Boalt Hall)	Berkeley Business Law Journal
UC Berkeley (Boalt Hall)	Berkeley Journal of African-American Law & Policy
UC Berkeley (Boalt Hall)	Berkeley Journal of Criminal Law
UC Berkeley (Boalt Hall)	Berkeley Journal of Employment and Labor Law
UC Berkeley (Boalt Hall)	Berkeley Journal of Entertainment & Sports Law
UC Berkeley (Boalt Hall)	Berkeley Journal of Gender, Law & Justice
UC Berkeley (Boalt Hall)	Berkeley Journal of International Law
UC Berkeley (Boalt Hall)	Berkeley Journal of Middle Eastern & Islamic Law
UC Berkeley (Boalt Hall)	Berkeley La Raza Law Journal
UC Berkeley (Boalt Hall)	Berkeley Technology Law Journal
UC Berkeley (Boalt Hall)	California Law Review
UC Berkeley (Boalt Hall)	Ecology Law Quarterly
UC Davis (King Hall)	Environs: Environmental Law and Policy Journal
UC Davis (King Hall)	U.C. Davis Business Law Journal
UC Davis (King Hall)	U.C. Davis Journal of International Law & Policy
UC Davis (King Hall)	U.C. Davis Journal of Juvenile Law and Policy
UC Davis (King Hall)	U.C. Davis Law Review
UC Hastings	Hastings Business Law Journal
UC Hastings	Hastings Communications and Entertainment Law Journal (Comm/Ent)
UC Hastings	Hastings Constitutional Law Quarterly
UC Hastings	Hastings Environmental Law Journal
UC Hastings	Hastings International and Comparative Law Review
UC Hastings	Hastings Law Journal
UC Hastings	Hastings Race and Poverty Law Journal
UC Hastings	Hastings Science & Technology Law Journal
UC Hastings	Hastings Women's Law Journal
UC Irvine	UC Irvine Journal of International, Transnational, and Comparative Law
UC Irvine	UC Irvine Law Review
UCLA	Chicana/o Latina/o Law Review
UCLA	Criminal Justice Law Review
UCLA	Dukeminier Awards Journal of Sexual Orientation and Gender Identity Law

School	Journal
UCLA	Indigenous Peoples' Journal of Law, Culture & Resistance
UCLA	National Black Law Journal
UCLA	UCLA Asian Pacific American Law Journal
UCLA	UCLA Entertainment Law Review
UCLA	UCLA Journal of Environmental Law & Policy
UCLA	UCLA Journal of International Law and Foreign Affairs
UCLA	UCLA Journal of Islamic and Near Eastern Law
UCLA	UCLA Journal of Law and Technology
UCLA	UCLA Law Review
UCLA	UCLA Pacific Basin Law Journal
UCLA	UCLA Women's Law Journal
UDC (Clarke)	University of the District of Columbia Law Review
University of La Verne	Journal of Law, Business & Ethics
University of Utah (Quinney)	Utah Law Review
UNLV (Boyd)	Nevada Law Journal
UNLV (Boyd)	UNLV Gaming Law Journal
USC (Gould)	Southern California Interdisciplinary Law Journal
USC (Gould)	Southern California Law Review
USC (Gould)	Southern California Review of Law and Social Justice
Valparaiso	Valparaiso University Law Review
Vanderbilt	Vanderbilt Journal of Entertainment and Technology Law
Vanderbilt	Vanderbilt Journal of Transnational Law
Vanderbilt	Vanderbilt Law Review
Vermont	Vermont Journal of Environmental Law
Vermont	Vermont Law Review
Villanova	Jeffrey S. Moorad Sports Law Journal
Villanova	Villanova Environmental Law Journal
Villanova	Villanova Law Review
Virginia	Journal of Law & Politics
Virginia	Virginia Environmental Law Journal
Virginia	Virginia Journal of Criminal Law
Virginia	Virginia Journal of International Law
Virginia	Virginia Journal of Law & Technology
Virginia	Virginia Journal of Social Policy & the Law
Virginia	Virginia Law Review
Virginia	Virginia Sports and Entertainment Law Journal

School	Journal
Virginia	Virginia Tax Review
Wake Forest	Wake Forest Journal of Law and Policy
Wake Forest	Wake Forest Law Review
Washburn	Washburn Law Journal
Washington	Washington International Law Journal
Washington	Washington Journal of Environmental Law & Policy
Washington	Washington Journal of Law, Technology & Arts
Washington	Washington Law Review
Washington	Washington University Global Studies Law Review
Washington	Washington University Journal of Law and Policy
Washington	Washington University Jurisprudence Review
Washington	Washington University Law Review
Washington and Lee	Washington and Lee Journal of Civil Rights and Social Justice
Washington and Lee	Washington and Lee Law Review
Wayne State	Journal of Law in Society
Wayne State	Wayne Law Review
West Virginia	West Virginia Law Review
Western Michigan (Cooley)	Thomas M. Cooley Law Review
Western Michigan (Cooley)	Western Michigan University Cooley Journal of Practical and Clinical Law
Western New England	Western New England Law Review
Western State	Western State University Law Review
Widener Law Commonwealth	Widener Commonwealth Law Review
Widener University	Delaware Journal of Corporate Law
Widener University	Widener Law Review
Willamette	Willamette Environmental Law Journal
Willamette	Willamette Journal of International Law and Dispute Resolution
Willamette	Willamette Journal of Social Justice and Equity
Willamette	Willamette Law Review
William and Mary	William & Mary Bill of Rights Journal
William and Mary	William & Mary Environmental Law and Policy Review
William and Mary	William & Mary Journal of Race, Gender, and Social Justice
William and Mary	William and Mary Business Law Review
William and Mary	William and Mary Law Review
Wisconsin	Wisconsin International Law Journal
Wisconsin	Wisconsin Journal of Law, Gender & Society

School	Journal
Wisconsin	Wisconsin Law Review
Wyoming	Wyoming Law Review
Yale	Yale Human Rights & Development Law Journal
Yale	Yale Journal of Health Policy, Law, and Ethics
Yale	Yale Journal of International Law
Yale	Yale Journal of Law & Technology
Yale	Yale Journal of Law & the Humanities
Yale	Yale Journal of Law and Feminism
Yale	Yale Journal on Regulation
Yale	Yale Law & Policy Review
Yale	Yale Law Journal

Appendix 2

Online Availability of Journals¹⁴¹

Journal	First Year	First Volume Online	First Year Online	Percent Online
Admin. L. Rev.	1949	59	2007	18%
Akron Intell. Prop. J.	2007	1	2007	100%
Akron L. Rev.	1968	1	1968	100%
Akron Tax J.	1983	1	1983	100%
Ala. C.R. & C.L. L. Rev.	2011	1	2011	100%
Ala. L. Rev.	1948	49	1997	32%
Alaska L. Rev.	1984	1	1984	100%
Alb. Gov't L. Rev.	2008	1	2008	100%
Alb. L. Rev.	1931	68	2005	17%
Alb. L.J. Sci. & Tech.	1991	18	2008	41%
Am. Crim. L. Rev.	1962	55	2018	3%
Am. Indian L. Rev.	1973	1	1973	100%
Am. Indian L.J. ¹⁴²	2012	0	2012	100%
Am. J. Crim. L.	1972	44	2016	8%
Am. J. Trial Adv.	1977	None	None	0%
Am. U. Bus. L. Rev.	2011	1	2011	100%

141. The column in the original survey for first volume has been omitted to save space. Almost every journal begins with volume 1. Several journals instead use the year as the volume number. Journals that fall outside of these two cases are noted individually.

142. The first volume of *American Indian Law Journal* is volume 0.

Journal	First Year	First Volume Online	First Year Online	Percent Online
Am. U. Crim. L. Brief	2003	1	2003	100%
Am. U. Int'l L. Rev.	1986	1	1986	100%
Am. U. Intell. Prop. Brief	2010	1	2010	100%
Am. U. J. Gender Soc. Pol'y & L.	1993	1	1993	100%
Am. U. L. Rev.	1952	40	1991	43%
Am. U. Lab. & Emp. L.F.	2011	1	2011	100%
Am. U. Nat'l Security L. Brief	2011	1	2011	100%
Animal L. Rev.	1994	1	1994	100%
Ann. Rev. Crim. Proc.	1971	107	2019	2%
Ann. Surv. Am. L.	1942	66	2010	13%
Ann. Surv. Int'l & Comp. L.	1994	1	1994	100%
Annals Health L.	1992	1	1992	100%
Appalachian J.L.	2002	None	None	0%
Arb. L. Rev.	2009	3	2011	82%
Ariz. J. Envtl. L. & Pol'y	2010	1	2010	100%
Ariz. J. Int'l & Comp. L.	1982	19	2002	47%
Ariz. L. Rev.	1959	46	2004	26%
Ariz. St. L.J.	1969	46	2014	12%
Ariz. St. U. Sports & Ent. L.J.	2011	4	2014	67%
Ark. J. Soc. Change & Pub. Serv.	2012	1	2012	100%
Ark. L. Rev.	1946	68	2014	8%
Asian-Pacific L. & Pol'y J.	2011	1	2011	100%
Asian Am. L.J.	1994	1	1994	100%
Ave Maria L. Rev.	2003	1	2003	100%
Ave Maria Sch. L. Int'l L.J.	2011	1	2011	100%
B.C. Envtl. Aff. L. Rev.	1971	1	1971	100%
B.C. Int'l & Comp. L. Rev.	1977	1	1977	100%
B.C. Intell. Prop. & Tech. F.	2015	2015	2015	100%
B.C. J.L. & Soc. Just.	1980	1	1980	100%
B.C. L. Rev.	1959	1	1959	100%
B.U. Int'l L.J.	1982	22	2004	42%
B.U. J. Sci. & Tech. L.	1995	14	2008	48%
B.U. L. Rev.	1921	89	2009	11%
B.U. Pub. Int. L.J.	1991	17	2007	45%
Barry L. Rev.	2000	12	2009	55%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Baylor L. Rev.	1948	66	2014	8%
Belmont L. Rev.	2014	1	2014	100%
Berkeley Bus. L.J.	2004	1	2004	100%
Berkeley J. Afr.-Am. L. & Pol'y	1994	1	1994	100%
Berkeley J. Crim. L.	2000	1	2000	100%
Berkeley J. Emp. & Lab. L.	1976	1	1976	100%
Berkeley J. Ent. & Sports L.	2012	1	2012	100%
Berkeley J. Gender L. & Just.	1985	1	1985	100%
Berkeley J. Int'l L.	1983	1	1983	100%
Berkeley J. Middle Eastern & Islamic L.	2008	1	2008	100%
Berkeley La Raza L.J.	1983	1	1983	100%
Berkeley Tech. L.J.	1986	1	1986	100%
Brook. J. Corp. Fin. & Com. L.	2006	1	2006	100%
Brook. J. Int'l L.	1975	1	1975	100%
Brook. L. Rev.	1932	57	1991	33%
Buff. Envtl. L.J.	1993	1	1993	100%
Buff. Hum. Rts. L. Rev.	1994	1	1994	100%
Buff. Intell. Prop. L.J.	2001	1	2001	100%
Buff. L. Rev.	1951	1	1951	100%
Bus. & Fin. L. Rev.	2018	1	2018	100%
Bus. Entrepreneurship & Tax L. Rev.	2017	1	2017	100%
BYU Educ. & L.J.	1992	1992	1992	100%
BYU J. Pub. L.	1986	1	1986	100%
BYU L. Rev.	1975	1975	1975	100%
Cal. W. Int'l L.J.	1970	18	1987	66%
Cal. W. L. Rev.	1965	20	1984	65%
Calif. L. Rev.	1912	97	2009	10%
Campbell L. Rev.	1979	37	2015	12%
Can.-U.S. L.J.	1978	1	1978	100%
Cap. U. L. Rev.	1972	43	2015	10%
Cardozo Arts & Ent. L.J.	1981	1	1981	100%
Cardozo J. Conflict Resol.	1998	17	2015	23%
Cardozo J. Equal Rts. & Soc. Just.	1993	25	2018	7%
Cardozo L. Rev.	1979	35	2014	15%
Case W. Res. J. Int'l L.	1968	1	1968	100%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Case W. Res. J.L. Tech. & Internet	2009	1	2009	100%
Case W. Res. L. Rev.	1949	1	1949	100%
Cath. U. J.L. & Tech.	1993	1	1993	100%
Cath. U. L. Rev.	1950	1	1950	100%
Chap. L. Rev.	1998	1	1998	100%
Charleston L. Rev.	2006	None	None	0%
Chi.-Kent J. Envtl. & Energy L.	2010	1	2010	100%
Chi.-Kent J. Int'l & Comp. L.	2001	1	2001	100%
Chi.-Kent J. Intell. Prop.	1999	1	1999	100%
Chi.-Kent L. Rev.	1923	1	1923	100%
Chi. J. Int'l L.	2000	1	2000	100%
Chicana/o Latina/o L. Rev.	1972	1	1972	100%
Child & Fam. L.J.	2013	1	2013	100%
Children's Legal Rts. J.	1979	33	2013	17%
Clev. St. L. Rev.	1952	1	1952	100%
Colo. Nat. Resources Energy & Envtl. L. Rev.	1990	23	2012	27%
Colo. Tech. L.J.	2001	1	2001	100%
Colum. Bus. L. Rev.	1986	1986	1986	100%
Colum. Hum. Rts. L. Rev.	1967	48	2016	8%
Colum. J. Asian L.	1987	1	1987	100%
Colum. J. Envtl. L.	1974	44	2019	2%
Colum. J. Eur. L.	1994	None	None	0%
Colum. J. Gender & L.	1991	1	1991	100%
Colum. J. Race & L.	2011	1	2011	100%
Colum. J. Tax L.	2010	1	2010	100%
Colum. J. Transnat'l L.	1961	51	2012	14%
Colum. J.L. & Arts	1974	35	2012	17%
Colum. L. Rev.	1901	113	2011	8%
Colum. Sci. & Tech. L. Rev.	1999	1	1999	100%
Comp. Lab. L. & Pol'y J.	1976	None	None	0%
Conn. Ins. L.J.	1995	1	1995	100%
Conn. J. Int'l L.	1985	30	2014	17%
Conn. L. Rev.	1968	41	2009	21%
Conn. Pub. Int. L.J.	2001	1	2001	100%
Cornell Int'l L.J.	1968	43	2010	19%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Cornell J.L. & Pub. Pol'y	1992	6	1996	86%
Cornell L. Rev.	1915	90	2004	15%
Creighton Int'l & Comp. L.J.	2011	1	2011	100%
Creighton L. Rev.	1968	1	1968	100%
Crim. Just. L. Rev.	2017	1	2017	100%
Crit: A Critical Stud. J.	2008	4	2011	75%
Cumb. L. Rev.	1970	44	2014	12%
CUNY L. Rev.	1996	1	1996	100%
Currents	1991	None	None	0%
Cybaris Intell. Prop. L. Rev.	2010	1	2010	100%
Dartmouth L.J.	2003	11	2013	41%
Del. J. Corp. L.	1976	1	1976	100%
Denv. J. Int'l L. & Pol'y	1971	35	2007	27%
Denv. L. Rev.	1923	94	2017	3%
DePaul Bus. & Com. L.J.	2002	1	2002	100%
DePaul Int'l Hum. Rts. L.J.	2015	1	2015	100%
DePaul J. Art Tech. & Intell. Prop. L.	1991	1	1991	100%
DePaul J. Health Care L.	1996	1	1996	100%
DePaul J. Soc. Just.	2007	1	2007	100%
DePaul J. Sports L. & Contemp. Probs.	2003	1	2003	100%
DePaul J. Women Gender & L.	2011	1	2011	100%
DePaul L. Rev.	1951	1	1951	100%
Dick. L. Rev. ¹⁴³	2017	122	2017	100%
Diversity & Soc. Just. F.	2016	1	2016	100%
Drake J. Agric. L.	1996	1	1996	100%
Drake L. Rev.	1951	1	1951	100%
Drexel L. Rev.	2009	1	2009	100%
Duke Envtl. L. & Pol'y F.	1991	1	1991	100%
Duke F. for L. & Soc. Change	2009	1	2009	100%
Duke J. Comp. & Int'l L.	1991	1	1991	100%
Duke J. Const. L. & Pub. Pol'y	2006	1	2006	100%

143. *Dickinson Law Review* split from *Penn State Law Review* in 2017, when the two Penn State campuses split into separate schools. The complete run of the original, premerger journal from 1897 to 2003 and its current run from 2017 to date are available at *Dickinson Law IDEAS*, Penn State Dickinson Law's digital repository. Only the new iteration of the journal is represented here, and the full run from 1897 is in the entry for *Penn State Law Review*.

Journal	First Year	First Volume Online	First Year Online	Percent Online
Duke J. Gender L. & Pol'y	1994	1	1994	100%
Duke L. & Tech. Rev.	2001	1	2001	100%
Duke L.J.	1951	1	1951	100%
Dukeminier Awards J. Sexual Orientation & Gender Identity L.	2001	1	2001	100%
Duq. Bus. L.J.	1999	10	2012	38%
Duq. L. Rev.	1963	52	2014	11%
Ecology L. Q.	1971	1	1971	100%
Elder L.J.	1993	None	None	0%
Elon L. Rev.	2009	1	2009	100%
Emory Bankr. Devels. J.	1984	28	2012	22%
Emory Corp. Governance & Accountability Rev.	2014	1	2014	100%
Emory Int'l L. Rev.	1986	25	2011	26%
Emory L.J.	1952	59	2010	15%
Environs	1976	1	1976	100%
Envtl. & Earth L.J.	2011	5	2015	56%
Envtl. L.	1970	36	2006	28%
Est. Plan. & Community Prop. L.J.	2008	1	2008	100%
Faulkner L. Rev.	2009	None	None	0%
Fed. Comms. L.J.	1937	66	2014	7%
First Amend. L. Rev.	2003	None	None	0%
FIU L. Rev.	2006	1	2006	100%
Fla. A & M U. L. Rev.	2006	1	2006	100%
Fla. Coastal L. Rev.	1999	10	2008	57%
Fla. J. Int'l L.	1984	22	2010	28%
Fla. L. Rev.	1948	56	2004	22%
Fla. St. U. L. Rev.	1973	23	1996	51%
Fordham Env'tl. L. Rev.	1989	1	1989	100%
Fordham Int'l L.J.	1977	1	1977	100%
Fordham Intell. Prop. Media & Ent. L.J.	1990	1	1990	100%
Fordham J. Corp. & Fin. L.	1996	1	1996	100%
Fordham L. Rev.	1914	1	1914	100%
Fordham Urb. L.J.	1972	1	1972	100%
Freedom Center J.	2008	None	None	0%
Ga. J. Int'l & Comp. L.	1970	1	1970	100%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Ga. L. Rev.	1966	46	2012	15%
Ga. St. U. L. Rev.	1984	1	1984	100%
Geo. Envtl. L. Rev.	1988	30	2017	9%
Geo. Immigr. L.J.	1985	32	2017	9%
Geo. J. Gender & L.	1999	19	2017	14%
Geo. J. Int'l L.	1969	49	2018	4%
Geo. J. Legal Ethics	1987	None	None	0%
Geo. J. on Poverty L. & Pol'y	1993	25	2018	7%
Geo. J.L. & Mod. Critical Race Persp.	2009	None	None	0%
Geo. J.L. & Pub. Pol'y	2002	16	2018	11%
Geo. L.J.	1912	107	2019	1%
Geo. Mason J. Int'l Com. L.	2010	1	2010	100%
Geo. Mason L. Rev.	1993	12	2004	59%
Geo. Mason U. C.R. L.J.	1990	23	2013	23%
Geo. Wash. Int'l L. Rev.	1966	40	2009	20%
Geo. Wash. J. Energy & Envtl. L.	2010	1	2010	100%
Geo. Wash. L. Rev.	1932	76	2008	14%
Global Bus. L. Rev.	2010	1	2010	100%
Golden Gate U. Envtl. L.J.	2007	1	2007	100%
Golden Gate U. L. Rev.	1971	1	1971	100%
Gonz. L. Rev.	1966	None	None	0%
Göttingen J. Int'l L.	1997	1	1997	100%
Harv. Bus. L. Rev.	2011	1	2011	100%
Harv. C.R.-C.L. L. Rev.	1966	37	2002	33%
Harv. Envtl. L. Rev.	1976	27	2003	39%
Harv. Hum. Rts. J.	1988	16	2003	53%
Harv. Int'l L.J.	1959	45	2004	26%
Harv. J. on Legis.	1964	53	2016	7%
Harv. J. on Racial & Ethnic Just.	1984	18	2002	50%
Harv. J. Sports & Ent. L.	2010	1	2010	100%
Harv. J.L. & Gender	1978	28	2005	36%
Harv. J.L. & Pub. Pol'y	1978	29	2006	33%
Harv. J.L. & Tech.	1988	1	1988	100%
Harv. L. & Pol'y Rev.	2007	1	2007	100%
Harv. L. Rev.	1887	120	2007	10%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Harv. Latino L. Rev.	1994	None	None	0%
Harv. Nat'l Security J.	2010	1	2010	100%
Harv. Negot. L. Rev.	1996	1	1996	100%
Hastings Bus. L.J.	2005	1	2005	100%
Hastings Comms. & Ent. L.J. (Comm/Ent)	1978	1	1978	100%
Hastings Const. L. Q.	1974	1	1974	100%
Hastings Envtl. L.J.	1994	1	1994	100%
Hastings Int'l & Comp. L. Rev.	1978	1	1978	100%
Hastings L.J.	1950	1	1950	100%
Hastings Race & Poverty L.J.	2003	1	2003	100%
Hastings Sci. & Tech. L.J.	2009	1	2009	100%
Hastings Women's L.J.	1989	1	1989	100%
Health Matrix	1991	1	1991	100%
Hofstra L. Rev.	1973	9	1981	83%
Hofstra Lab. & Emp. L.J.	1983	30	2013	19%
Houston Bus. & Tax L.J.	2001	1	2001	100%
Houston J. Health L. & Pol'y	2001	1	2001	100%
Houston J. Int'l L.	1978	19	1997	55%
Houston L. Rev.	1963	36	1999	37%
How. Hum. & C.R. L. Rev.	2016	1	2016	100%
How. L.J.	1955	54	2011	14%
Hum. Rts. Brief	1994	1	1994	100%
Idaho L. Rev.	1964	48	2012	14%
IDEA	1957	1	1957	100%
Ill. Bus. L.J.	2004	3	2006	88%
ILSA J. Int'l & Comp. L.	1992	None	None	0%
Immigr. & Nat'lity L. Rev.	2019	1	2019	100%
Ind. Health L. Rev.	2004	1	2004	100%
Ind. Int'l & Comp. L. Rev.	1991	1	1991	100%
Ind. J.L. & Soc. Equality	2013	1	2013	100%
Ind. L. Rev.	1967	7	1973	89%
Ind. L.J.	1926	1	1926	100%
Indigenous Peoples' J.L. Culture & Resistance	2004	3	2016	25%
Int'l Comp. Pol'y & Eth. L. Rev.	2017	1	2017	100%
Intell. Prop. & Computer L.J.	2016	1	2016	100%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Intell. Prop. & Tech. L.J.	1996	17	2013	29%
Intercultural Hum. Rts. L. Rev.	2006	1	2006	100%
Iowa L. Rev.	1915	99	2014	6%
IP L. Book Rev.	2010	1	2010	100%
J. Aging Longevity L. & Pol'y	2016	1	2016	100%
J. Air L. & Com.	1930	1	1930	100%
J. Animal & Envtl. L.	2009	1	2009	100%
J. Animal & Nat. Resources L.	2005	1	2005	100%
J. App. Prac. & Process	1999	1	1999	100%
J. Bus. & Sec. L.	2005	16	2016	27%
J. Bus. & Tech. L.	2006	1	2006	100%
J. Cath. Legal Stud.	1955	44	2005	23%
J. Comp. Urb. L. & Pol'y	2017	1	2017	100%
J. Contemp. Legal Issues	1987	None	None	0%
J. Corp. L.	1975	None	None	0%
J. Crim. L. & Criminology	1910	1	1910	100%
J. Disp. Resol.	1984	1984	1984	100%
J. Envtl. L. & Litig.	1986	19	2004	47%
J. Experiential Learning	2015	1	2015	100%
J. Food L. & Pol'y	2005	13	2018	13%
J. Gender Race & Just.	1997	None	None	0%
J. Health & Biomedical L.	2005	1	2005	100%
J. Health Care L. & Pol'y	1998	1	1998	100%
J. High Tech. L.	2002	4	2004	89%
J. Int'l Aging L. & Pol'y	2005	1	2005	100%
J. Int'l Bus.	2002	1	2002	100%
J. Int'l Media & Ent. L.	2006	6	2015	36%
J. Intell. Prop. L.	1993	1	1993	100%
J. Land Use & Envtl. L.	1985	10	1994	74%
J. Legal Prof.	1976	None	None	0%
J. Legis.	1974	1	1974	100%
J. Marshall Global Markets L.J.	2016	1	2016	100%
J. Marshall J. Info. Tech. & Privacy L.	1978	1	1978	100%
J. Marshall L. Rev.	1966	1	1966	100%
J. Marshall L.J.	2008	1	2008	100%

Journal	First Year	First Volume Online	First Year Online	Percent Online
J. Marshall Rev. Intell. Prop. L.	2001	1	2001	100%
J. Media L. & Ethics	2009	1	2009	100%
J. Nat'l Security L. & Pol'y	2005	1	2005	100%
J. Race Gender & Ethnicity	2008	7	2015	42%
J. Race Gender & Poverty	2009	None	None	0%
J. Space L.	1973	1	1973	100%
J. Tech. L. & Pol'y	1996	19	2014	25%
J. Transnat'l L. & Pol'y	1992	10	2000	71%
J.L. & Com.	1981	26	2008	31%
J.L. & Educ.	1972	None	None	0%
J.L. & Health	1987	1	1987	100%
J.L. & Pol'y	1993	1	1993	100%
J.L. & Politics	1983	None	None	0%
J.L. & Pub. Aff.	2016	1	2016	100%
J.L. Bus. & Ethics	1994	None	None	0%
J.L. Econ. & Pol'y	2005	8	2012	53%
J.L. Soc'y	1999	17	2015	24%
Jeffrey S. Moorad Sports L.J.	1994	1	1994	100%
Judicature	1917	99	2015	5%
Kan. J.L. & Pub. Pol'y	1991	23	2014	21%
Ky. J. Equine Agr. & Nat. Resources L.	2008	None	None	0%
Ky. L.J.	1913	None	None	0%
L.J. for Soc. Just.	2011	1	2011	100%
La. L. Rev.	1938	1	1938	100%
Law & Bus. Rev. Americas (LBRA)	1995	1	1995	100%
Law & Contemp. Probs.	1933	1	1933	100%
Law & Ineq.	1983	1	1983	100%
Law & Psychol. Rev.	1975	None	None	0%
Legis. & Pol'y Brief	2009	1	2009	100%
Lewis & Clark L. Rev.	1997	1	1997	100%
Liberty U. L. Rev.	2006	1	2006	100%
Loy. Consumer L. Rev.	1988	30	2018	6%
Loy. J. Pub. Int. L.	2000	None	None	0%
Loy. L. Rev.	1941	55	2009	14%
Loy. L.A. Ent. L. Rev.	1981	1	1981	100%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Loy. L.A. Int'l & Comp. L. Rev.	1978	1	1978	100%
Loy. L.A. L. Rev.	1968	1	1968	100%
Loy. Mar. L.J.	2002	None	None	0%
Loy. U. Chi. J. Reg. Compliance	2016	1	2016	100%
Loy. U. Chi. L.J.	1970	36	1990	60%
LSU J. Energy L. & Resources	2012	1	2012	100%
Marq. Benefits & Soc. Welfare Rev.	1999	17	2016	19%
Marq. Intell. Prop. L. Rev.	1997	1	1997	100%
Marq. L. Rev.	1916	1	1916	100%
Marq. Sports L. Rev.	1990	1	1990	100%
Md. J. Int'l L.	1975	1	1975	100%
Md. L. Rev.	1936	1	1936	100%
Me. L. Rev.	1908	67	2015	4%
Mercer L. Rev.	1949	1	1949	100%
Mich. Bus. & Entrepreneurial L. Rev.	2012	1	2012	100%
Mich. J. Envtl. & Admin. L.	2012	1	2012	100%
Mich. J. Gender & L.	1993	1	1993	100%
Mich. J. Int'l L.	1979	1	1979	100%
Mich. J. Race & L.	1996	1	1996	100%
Mich. L. Rev.	1902	83	1984	31%
Mich. St. Int'l L. Rev.	1992	18	2009	39%
Mich. St. L. Rev.	1975	2012	2012	18%
Mich. Telecomm. & Tech. L. Rev.	1994	1	1994	100%
Military L. Rev.	1958	1	1958	100%
Minn. J. Int'l L.	1992	1	1992	100%
Minn. J.L. Sci. & Tech.	2000	1	2000	100%
Minn. L. Rev.	1917	90	2006	14%
Miss. C. L. Rev.	1978	None	None	0%
Miss. L.J.	1928	80	2011	10%
Miss. Sports L. Rev.	2011	1	2011	100%
Mitchell Hamline L. Rev.	2016	42	2016	100%
Mitchell Hamline L.J. Pub. Pol'y & Prac.	2017	38	2017	100%
Mo. L. Rev.	1936	1	1936	100%
Mod. Am.	2010	1	2010	100%
Mont. L. Rev.	1940	1	1940	100%

Journal	First Year	First Volume Online	First Year Online	Percent Online
N. Ill. U. L. Rev.	1980	31	2011	23%
N. Ky. L. Rev.	1973	1	1973	100%
N.C. Banking Inst.	1997	1	1997	100%
N.C. Cent. L. Rev.	1969	None	None	0%
N.C. J. Int'l L. & Com. Reg.	1976	42	2017	7%
N.C. J.L. & Tech.	2000	1	2000	100%
N.C. L. Rev.	1922	1	1922	100%
N.D. L. Rev.	1924	82	2006	15%
N.M. L. Rev.	1971	1	1971	100%
N.Y. L. Sch. L. Rev.	1955	46	2003	26%
N.Y.U. Envtl. L.J.	1992	16	2008	43%
N.Y.U. J. Int'l L. & Politics	1968	38	2006	27%
N.Y.U. J. Legis. & Pub. Pol'y	1997	1	1997	100%
N.Y.U. J.L. & Bus.	2004	1	2004	100%
N.Y.U. J.L. & Liberty	2005	1	2005	100%
N.Y.U. L. Rev.	1924	71	1996	25%
N.Y.U. Rev. L. & Soc. Change	1971	1	1971	100%
Nat'l Black L.J.	1971	1	1971	100%
Nat'l Security L.J.	2013	1	2013	100%
Nat. Resources J.	1961	1	1961	100%
Ne. U. L.J.	2009	6	2013	64%
Neb. L. Rev.	1922	33	1953	68%
Nev. L.J.	2000	1	2000	100%
New Eng. L. Rev.	1965	40	2006	25%
Notre Dame J. Int'l & Comp. L.	2011	1	2011	100%
Notre Dame J.L. Ethics & Pub. Pol'y	1985	1	1985	100%
Notre Dame L. Rev.	1925	1	1925	100%
Nova L. Rev.	1977	None	None	0%
Nw. J. Int'l L. & Bus.	1979	1	1979	100%
Nw. J. Tech. & Intell. Prop.	2003	1	2003	100%
Nw. J.L. & Soc. Pol'y	2006	1	2006	100%
Nw. U. J. Int'l Hum. Rts.	2004	1	2004	100%
Nw. U. L. Rev.	1906	105	2011	8%
NYU J. Intell. Prop. & Ent. L.	2011	1	2011	100%
Ocean & Coastal L.J.	1994	17	2011	35%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Ohio N. U. L. Rev.	1973	28	2002	38%
Ohio St. Bus. L.J.	2006	1	2006	100%
Ohio St. J. Crim. L.	2003	1	2003	100%
Ohio St. J. on Disp. Resol.	1985	1	1985	100%
Ohio St. L.J.	1935	1	1935	100%
Okla. City U. L. Rev.	1976	37	2012	18%
Okla. L. Rev.	1948	58	2005	21%
ONE J	2015	1	2015	100%
Or. L. Rev.	1921	78	1999	21%
Or. Rev. Int'l L.	1999	13	2011	43%
Pace Envtl. L. Rev.	1983	1	1983	100%
Pace Int'l L. Rev.	1989	1	1989	100%
Pace L. Rev.	1980	1	1980	100%
Penn St. Int'l L. Rev.	1982	1	1982	100%
Penn St. J.L. & Int'l Aff.	2012	1	2012	100%
Penn St. L. Rev.	1897	113	2008	10%
Pepp. Disp. Resol. L.J.	2000	1	2000	100%
Pepp. J. Bus. Entrepreneurship & L.	2008	1	2008	100%
Pepp. L. Rev.	1974	1	1974	100%
Pittsburgh J. Envtl. & Pub. Health L.	2007	1	2007	100%
Pittsburgh J. Tech. L. & Pol'y	2000	1	2000	100%
Pub. Land & Resources L. Rev.	1980	1	1980	100%
Quinnipiac Health L.J.	1996	21	2018	8%
Quinnipiac L. Rev.	1980	34	2016	10%
Quinnipiac Probate L.J.	1985	29	2016	11%
Regent J. Global Just. & Pub. Pol'y	2014	1	2014	100%
Regent U. L. Rev.	1991	1	1991	100%
Rev. Banking & Fin. L.	1982	25	2006	37%
Rev. Litig.	1980	None	None	0%
Revista de Derecho Puertorriqueño	1961	None	None	0%
Revista de Estudios Críticos del Derecho	2006	8	2012	57%
Revista Juridica de la Universidad Interamericana de Puerto Rico	1964	52	2018	4%
Revista Juridica Universidad de Puerto Rico	1932	None	None	0%
Richmond Int'l Bus. & Anti-Corruption F.	1999	1	1999	100%
Richmond J.L. & Pub. Int.	1996	1	1996	100%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Richmond J.L. & Tech.	1995	1	1995	100%
Roger Williams U. L. Rev.	1996	1	1996	100%
Rutgers Computer & Tech. L.J.	1970	44	2018	4%
Rutgers J.L. & Pub. Pol'y	2004	1	2004	100%
Rutgers J.L. & Religion	2000	1	2000	100%
Rutgers L. Rec.	1976	29	2005	34%
Rutgers Race & L. Rev.	1998	16	2015	23%
Rutgers U. L. Rev. (2015 -)	1947	60	2008	16%
S. Cal. Interdisc. L.J.	1992	11	2002	64%
S. Cal. L. Rev.	1927	79	2005	16%
S. Cal. Rev. L. & Soc. Just.	1992	16	2007	46%
S. Ill. U. L.J.	1976	39	2016	9%
S. J. Pol'y & Just.	2006	None	None	0%
S. Tex. L. Rev.	1954	56	2015	8%
S.C. J. Int'l L. & Bus.	2003	14	2017	18%
S.C. L. Rev.	1948	None	None	0%
S.D. L. Rev.	1956	None	None	0%
S.U. L. Rev.	1975	None	None	0%
San Diego Int'l L.J.	2000	None	None	0%
San Diego J. Climate & Energy L.	2009	None	None	0%
San Diego L. Rev.	1964	None	None	0%
San Joaquin Agric. L. Rev.	1991	1	1991	100%
Santa Clara High Tech. L.J.	1985	1	1985	100%
Santa Clara J. Int'l L.	2003	1	2003	100%
Santa Clara L. Rev.	1961	1	1961	100%
Savannah L. Rev.	2014	1	2014	100%
Scholar	1999	21	2019	5%
Sea Grant L. & Pol'y J.	2008	1	2008	100%
Seattle J. Envtl. L.	2015	1	2015	100%
Seattle J. for Soc. Just.	2002	1	2002	100%
Seattle U. L. Rev.	1977	1	1977	100%
Seton Hall Cir. Rev.	2005	1	2005	100%
Seton Hall L. Rev.	1970	31	2000	40%
Seton Hall Legis. J.	1975	35	2010	22%
SMU Ann. Tex. Surv.	2014	1	2014	100%

Journal	First Year	First Volume Online	First Year Online	Percent Online
SMU L. Rev.	1947	1	1947	100%
SMU Sci. & Tech. L. Rev.	1997	11	2008	52%
St. John's L. Rev.	1926	1	1926	100%
St. Louis U. J. Health L. & Pol'y	2007	None	None	0%
St. Louis U. L.J.	1949	59	2015	7%
St. Mary's L.J.	1969	50	2019	2%
St. Mary's J. on Legal Malpractice & Ethics	2011	7	2018	22%
St. Thomas L. Rev.	1988	23	2011	28%
Stan. Envtl. L.J.	1978	32	2013	17%
Stan. J. C.R. & C.L.	2005	9	2013	47%
Stan. J. Complex Litig.	2013	1	2013	100%
Stan. J. Int'l L.	1966	None	None	0%
Stan. J.L. Bus. & Fin.	1994	None	None	0%
Stan. L. & Pol'y Rev.	1989	30	2019	3%
Stan. L. Rev.	1948	58	2006	19%
Stan. Tech. L. Rev.	1997	19	2016	17%
Stetson J. Adv. & L.	2014	1	2014	100%
Stetson L. Rev.	1970	1	1970	100%
Suffolk U. L. Rev.	1967	47	2014	11%
Sustainable Devel. L. & Pol'y	2000	1	2000	100%
Sw. J. Int'l L.	1994	21	2016	15%
Sw. L. Rev.	1971	44	2015	10%
Syracuse J. Int'l L. & Com.	1972	41	2013	15%
Syracuse J. Sci. & Tech. L.	1986	26	2012	24%
Syracuse L. Rev.	1949	None	None	0%
T. Jefferson L. Rev.	1976	None	None	0%
T.M. Cooley L. Rev.	1982	31	2014	16%
Temp. Int'l & Comp. L.J.	1987	22	2008	36%
Temp. L. Rev.	1927	80	2007	14%
Tenn. J. Race Gender & Soc. Just.	2012	1	2012	100%
Tenn. J.L. & Pol'y	2004	1	2004	100%
Tenn. L. Rev.	1922	81	2014	6%
Tex. A&M J. Prop. L.	2013	1	2013	100%
Tex. A&M L. Rev.	2013	1	2013	100%
Tex. Hisp. J.L. & Pol'y	1994	None	None	0%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Tex. Int'l L.J.	1965	None	None	0%
Tex. Intell. Prop. L.J.	1992	1	1992	100%
Tex. J. Oil Gas & Energy L.	2006	10	2014	43%
Tex. J. on C.L. & C.R.	1993	None	None	0%
Tex. L. Rev.	1922	95	2017	3%
Tex. Rev. Ent. & Sports L.	2000	None	None	0%
Tex. Rev. L. & Politics	1997	14	2009	48%
Tex. Tech L. Rev.	1969	42	2010	20%
Touro L. Rev.	1985	14	1998	63%
Transactions	1999	1	1999	100%
Transnat'l L. & Contemp. Probs.	1991	None	None	0%
Transnat'l L. Rev.	1978	38	2016	10%
Transp. L.J.	1969	None	None	0%
Tribal L.J.	2000	1	2000	100%
Tul. Envtl. L.J.	1988	None	None	0%
Tul. Eur. & Civil L. F.	1973	None	None	0%
Tul. J. Int'l & Comp. L.	1993	None	None	0%
Tul. J. Tech. & Intell. Prop.	1999	None	None	0%
Tul. J.L. & Sexuality	1991	None	None	0%
Tul. L. Rev.	1916	89	2015	5%
Tul. Mar. L.J.	1975	36	2012	18%
Tulsa L. Rev.	1964	1	1964	100%
U. Ark. Little Rock L. Rev.	1978	1	1978	100%
U. Balt. J. Int'l L.	2012	1	2012	100%
U. Balt. L. F.	1970	2	1971	98%
U. Balt. L. Rev.	1971	1	1971	100%
U. Chi. L. Rev.	1933	1	1933	100%
U. Chi. Legal F.	1986	1986	1986	100%
U. Cin. L. Rev.	1927	79	2011	10%
U. Colo. L. Rev.	1928	81	2010	11%
U. Dayton L. Rev.	1976	35	2010	23%
U. Denv. Sports & Ent. L.J.	2005	1	2005	100%
U. Denv. Water L. Rev.	1997	None	None	0%
U. Detroit Mercy L. Rev.	1931	83	2006	16%
U. Fla. J.L. & Pub. Pol'y	1987	None	None	0%

Journal	First Year	First Volume Online	First Year Online	Percent Online
U. Haw. L. Rev.	1979	None	None	0%
U. Ill. J.L. Tech. & Pol'y	2001	2001	2001	100%
U. Ill. L. Rev.	1949	2000	2000	28%
U. Kan. L. Rev.	1952	61	2013	10%
U. La Verne L. Rev.	1977	None	None	0%
U. Louisville L. Rev.	1961	None	None	0%
U. Mass. L. Rev.	2006	1	2006	100%
U. Md. L.J. Race Religion Gender & Class	2001	1	2001	100%
U. Mem. L. Rev.	1970	31	2000	40%
U. Miami Bus. L. Rev.	1990	1	1990	100%
U. Miami Ent. & Sports L. Rev.	1984	1	1984	100%
U. Miami Int'l & Comp. L. Rev.	1991	1	1991	100%
U. Miami Inter-Am. L. Rev.	1969	1	1969	100%
U. Miami L. Rev.	1947	1	1947	100%
U. Miami Nat'l Security & Armed Conflict L. Rev.	2011	1	2011	100%
U. Miami Race & Soc. Just. L. Rev.	2011	1	2011	100%
U. Mich. J.L. Reform	1968	1	1968	100%
U. N.H. L. Rev.	2003	1	2003	100%
U. P.R. Bus. L.J.	2010	1	2010	100%
U. Pa. Asian L. Rev.	2005	11	2015	33%
U. Pa. J. Bus. L.	1998	1	1998	100%
U. Pa. J. Const. L.	1998	1	1998	100%
U. Pa. J. Int'l L.	1978	1	1978	100%
U. Pa. J.L. & Soc. Change	1993	1	1993	100%
U. Pa. L. Rev.	1852	1	1852	100%
U. Pacific L. Rev.	1970	39	2008	24%
U. Pittsburgh L. Rev.	1935	66	2004	19%
U. Richmond L. Rev.	1958	54	2019	2%
U. S.F. L. Rev.	1966	36	2002	33%
U. S.F. Mar. L.J.	1989	None	None	0%
U. St. Thomas J.L. & Pub. Pol'y	2007	1	2007	100%
U. St. Thomas L.J.	2003	1	2003	100%
U. Tol. L. Rev.	1969	None	None	0%
U.C. Davis Bus. L.J.	2001	1	2001	100%
U.C. Davis J. Int'l L. & Pol'y	1995	12	2006	56%

Journal	First Year	First Volume Online	First Year Online	Percent Online
U.C. Davis J. Juvenile L. & Pol'y	2001	6	2006	74%
U.C. Davis L. Rev.	1969	1	1969	100%
U.C. Irvine J. Int'l Transnat'l & Comp. L.	2016	1	2016	100%
U.C. Irvine L. Rev.	2011	1	2011	100%
UCLA Asian Pacific Am. L.J.	1993	19	2014	22%
UCLA Ent. L. Rev.	1994	1	1994	100%
UCLA J. Envtl. L. & Pol'y	1980	1	1980	100%
UCLA J. Int'l L. & Foreign Aff.	1996	None	None	0%
UCLA J. Islamic & Near Eastern L.	2001	12	2013	37%
UCLA J.L. & Tech.	1997	1	1997	100%
UCLA L. Rev.	1953	50	2003	25%
UCLA Pacific Basin L.J.	1982	1	1982	100%
UCLA Women's L.J.	1991	1	1991	100%
UDC/DCSL L. Rev.	1992	None	None	0%
UMKC L. Rev.	1932	None	None	0%
Unbound	2005	1	2005	100%
UNLV Gaming L.J.	2009	1	2009	100%
Utah L. Rev.	1949	2014	2014	8%
Va. Envtl. L.J.	1980	35	2017	8%
Va. J. Crim. L.	2012	None	None	0%
Va. J. Int'l L.	1960	57	2017	5%
Va. J. Soc. Pol'y & L.	1993	17	2010	37%
Va. J.L. & Tech.	1997	1	1997	100%
Va. L. Rev.	1913	90	2004	15%
Va. Sports & Ent. L.J.	2001	None	None	0%
Va. Tax Rev.	1981	None	None	0%
Val. U. L. Rev.	1966	1	1966	100%
Vand. J. Ent. & Tech. L.	1999	1	1999	100%
Vand. J. Transnat'l L.	1967	40	2007	25%
Vand. L. Rev.	1947	69	2016	5%
Vill. Envtl. L.J.	1991	1	1991	100%
Vill. L. Rev.	1956	1	1956	100%
Vt. J. Envtl. L.	1998	1	1998	100%
Vt. L. Rev.	1976	29	2005	34%
W. Mich. U. Cooley J. Prac. & Clinical L.	1997	None	None	0%

Journal	First Year	First Volume Online	First Year Online	Percent Online
W. New Eng. L. Rev.	1978	1	1978	100%
W. St. U. L. Rev.	1972	None	None	0%
Wake Forest J.L. & Pol'y	2011	1	2011	100%
Wake Forest L. Rev.	1965	None	None	0%
Wash. & Lee J. C.R. & Soc. Just.	1995	1	1995	100%
Wash. & Lee L. Rev.	1939	1	1939	100%
Wash. Int'l L.J.	1990	1	1990	100%
Wash. J. Envtl. L. & Pol'y	2009	1	2009	100%
Wash. J.L. Tech. & Arts	2004	1	2004	100%
Wash. L. Rev.	1925	1	1925	100%
Wash. U. Global Stud. L. Rev.	2002	1	2002	100%
Wash. U. J.L. & Pol'y	1999	1	1999	100%
Wash. U. Juris. Rev.	2009	1	2009	100%
Wash. U. L. Rev.	1915	1	1915	100%
Washburn L.J.	1960	1	1960	100%
Wayne L. Rev.	1954	56	2010	15%
West Va. L. Rev.	1894	121	2019	1%
Widener Commonwealth L. Rev.	1992	None	None	0%
Widener L. Rev.	1996	20	2014	25%
Willamette Envtl. L.J.	2012	1	2012	100%
Willamette J. Int'l L. & Disp. Resol.	1993	None	None	0%
Willamette J. Soc. Just. & Equity	2018	1	2018	100%
Willamette L. Rev.	1959	40	2004	26%
Wis. Int'l L.J.	1982	28	2011	24%
Wis. J.L. Gender & Soc'y	1985	None	None	0%
Wis. L. Rev.	1920	2011	2011	9%
Wm. & Mary Bill Rts. J.	1992	1	1992	100%
Wm. & Mary Bus. L. Rev.	2010	1	2010	100%
Wm. & Mary Envtl. L. & Pol'y Rev.	1975	11	1986	76%
Wm. & Mary J. Race Gender & Soc. Just.	1994	1	1994	100%
Wm. & Mary L. Rev.	1957	1	1957	100%
Women's Rts. L. Reporter	1971	None	None	0%
Wyo. L. Rev.	2001	1	2001	100%
Yale Hum. Rts. & Devel. L.J.	1998	1	1998	100%
Yale J. Health Pol'y L. & Ethics	2001	1	2001	100%

Journal	First Year	First Volume Online	First Year Online	Percent Online
Yale J. Int'l L.	1974	1	1974	100%
Yale J. on Reg.	1983	1	1983	100%
Yale J.L. & Feminism	1989	1	1989	100%
Yale J.L. & Human.	1989	1	1989	100%
Yale J.L. & Tech.	1999	1	1999	100%
Yale L. & Pol'y Rev.	1982	1	1982	100%
Yale L.J.	1891	1	1891	100%

Appendix 3

Journal Posting Policies

Journal	Policy URL	Posting Allowed	Permission Required
Alaska L. Rev.	https://law.duke.edu/scholarship/journals/policy/	Yes	No
Am. J. Trial Adv.	https://www.samford.edu/cumberlandlaw/american-journal-of-trial-advocacy	Unclear	Unclear
Am. U. Crim. L. Brief	https://digitalcommons.wcl.american.edu/clb/policies.html	Yes	No
Am. U. Intell. Prop. Brief	https://digitalcommons.wcl.american.edu/ipbrief/policies.html	Yes	No
Am. U. J. Gender Soc. Pol'y & L.	https://digitalcommons.wcl.american.edu/jgspl/policies.html	Yes	No
Am. U. Nat'l Security L. Brief	https://digitalcommons.wcl.american.edu/nslb/policies.html	Yes	No
Ann. Surv. Int'l & Comp. L.	https://digitalcommons.law.ggu.edu/annlsurvey/policies.html	Yes	No
Arb. L. Rev.	https://elibrary.law.psu.edu/arbitrationlawreview/policies.html	Yes	No
Ariz. J. Int'l & Comp. L.	http://arizonajournal.org/submissions/	Yes	No
Ariz. St. L.J.	http://arizonastatelawjournal.org/submit/	Yes	No
Asian Am. L.J.	https://scholarship.law.berkeley.edu/aalj/policies.html	Yes	No
B.U. J. Sci. & Tech. L.	http://www.bu.edu/jostl/files/2015/02/JOSTL-Publication-Agreement.pdf	Yes	No
Berkeley J. Afr.-Am. L. & Pol'y	https://scholarship.law.berkeley.edu/bjalp/policies.html	Yes	No
Berkeley La Raza L.J.	https://scholarship.law.berkeley.edu/blrlj/policies.html	Yes	No
Berkeley Tech. L.J.	http://btlj.org/submissions/	Yes	No

Journal	Policy URL	Posting Allowed	Permission Required
Brook. J. Corp. Fin. & Com. L.	https://brooklynworks.brooklaw.edu/bjcfcl/about.html	Yes	No
Brook. J. Int'l L.	https://brooklynworks.brooklaw.edu/bjil/about.html	Yes	No
Brook. L. Rev.	https://brooklynworks.brooklaw.edu/blr/about.html	Yes	No
BYU J. Pub. L.	https://digitalcommons.law.byu.edu/jpl/policies.html	Yes	No
BYU L. Rev.	https://digitalcommons.law.byu.edu/lawreview/policies.html	Yes	No
Cal. W. Int'l L.J.	https://scholarlycommons.law.cwsl.edu/cwilj/policies.html	Yes	No
Cal. W. L. Rev.	https://scholarlycommons.law.cwsl.edu/cwlr/policies.html	Yes	No
Chi.-Kent L. Rev.	https://scholarship.kentlaw.iit.edu/cklawreview/policies.html	Yes	No
Chicana/o Latina/o L. Rev.	https://escholarship.org/uc/uclalaw_cllr/policies	Yes	No
Colum. Hum. Rts. L. Rev.	http://hrlr.law.columbia.edu/open-access-statement/	Yes	No
Colum. J. Asian L.	https://cjal.columbia.edu/about/	Unclear	Unclear
Colum. J. Eur. L.	http://cjel.law.columbia.edu/rights-permissions/	None	NA
Colum. J. Gender & L.	https://cjgl.cdrs.columbia.edu/open-access-policy/	Yes	No
Colum. J. Race & L.	https://cjrl.columbia.edu/about/	Yes	No
Colum. J. Tax L.	https://taxlawjournal.columbia.edu/about/	Yes	No
Colum. Sci. & Tech. L. Rev.	http://stlr.org/archived-volumes/volume-x-2008-2009/letter-from-the-eic/	Yes	No
CUNY L. Rev.	https://academicworks.cuny.edu/clr/policies.html	Yes	No
DePaul L. Rev.	http://via.library.depaul.edu/law-review/policies.html	Yes	No
Diversity & Soc. Just. F.	https://www.chapman.edu/law/publications/diversity-social-justice/index.aspx	Unclear	Unclear
Duke Envtl. L. & Pol'y F.	https://law.duke.edu/scholarship/journals/policy/	Yes	No
Duke F. for L. & Soc. Change	https://law.duke.edu/scholarship/journals/policy/	Yes	No
Duke J. Comp. & Int'l L.	https://law.duke.edu/scholarship/journals/policy/	Yes	No
Duke J. Const. L. & Pub. Pol'y	https://law.duke.edu/scholarship/journals/policy/	Yes	No

Journal	Policy URL	Posting Allowed	Permission Required
Duke J. Gender L. & Pol’y	https://law.duke.edu/scholarship/journals/policy/	Yes	No
Duke L. & Tech. Rev.	https://law.duke.edu/scholarship/journals/policy/	Yes	No
Duke L.J.	https://law.duke.edu/scholarship/journals/policy/	Yes	No
Emory Bankr. Devels. J.	http://law.emory.edu/ebdj/about.html	Unclear	Unclear
Emory Corp. Governance & Accountability Rev.	http://law.emory.edu/ecgar/copyright-policy.html	Unclear	Unclear
Emory Int’l L. Rev.	http://law.emory.edu/eilr/about.html	Unclear	Unclear
Emory L.J.	http://law.emory.edu/elj/about.html	Unclear	Unclear
Envtl. & Earth L.J.	https://lawpublications.barry.edu/ejej/policies.html	Yes	No
Fordham Envtl. L. Rev.	https://ir.lawnet.fordham.edu/elr/policies.html	Yes	No
Fordham Int’l L.J.	https://ir.lawnet.fordham.edu/ilj/policies.html	None	NA
Fordham Intell. Prop. Media & Ent. L.J.	https://ir.lawnet.fordham.edu/iplj/policies.html	Yes	No
Fordham J. Corp. & Fin. L.	https://ir.lawnet.fordham.edu/jcfl/policies.html	Yes	No
Fordham Urb. L.J.	https://ir.lawnet.fordham.edu/ulj/policies.html	Yes	No
Golden Gate U. Envtl. L.J.	https://digitalcommons.law.ggu.edu/gguelj/policies.html	Yes	No
Golden Gate U. L. Rev.	https://digitalcommons.law.ggu.edu/ggulrev/policies.html	Yes	No
Harv. J.L. & Gender	http://harvardjlg.com/	Yes	No
Hum. Rts. Brief	https://digitalcommons.wcl.american.edu/hrbrief/policies.html	Yes	No
Ind. Health L. Rev.	http://journals.iupui.edu/index.php/iplr/about	Yes	No
Ind. Int’l & Comp. L. Rev.	http://journals.iupui.edu/index.php/iiclr/about	Unclear	Unclear
Indigenous Peoples’ J.L. Culture & Resistance	https://escholarship.org/uc/uclalaw_ipjllcr/policies	Yes	No
J. Bus. & Sec. L.	https://digitalcommons.law.msu.edu/jbsl/policies.html	Yes	No
J. Comp. Urb. L. & Pol’y	https://readingroom.law.gsu.edu/jculp/policies.html	Yes	No
J. Experiential Learning	https://digitalcommons.tourolaw.edu/jel/policies.html	Yes	No
J. Legis.	https://scholarship.law.nd.edu/jleg/policies.html#rights	Yes	No

Journal	Policy URL	Posting Allowed	Permission Required
J. Marshall Global Markets L.J.	https://globalmarkets.jmls.edu/submissions/	Yes	No
J. Marshall L. Rev.	https://lawreview.jmls.edu/submissions/	Unclear	Unclear
J. Media L. & Ethics	http://law.ubalt.edu/academics/publications/medialaw/index.cfm	Yes	No
J. Nat'l Security L. & Pol'y	http://jnslp.com/submission-guidelines/	Yes	No
J.L. & Com.	http://jlc.law.pitt.edu/ojs/index.php/jlc/about/editorialPolicies#openAccessPolicy	Yes	No
J.L. & Pol'y	https://brooklynworks.brooklaw.edu/jlp/about.html	Yes	No
Law & Contemp. Probs.	https://law.duke.edu/scholarship/journals/policy/	Yes	No
Legis. & Pol'y Brief	https://digitalcommons.wcl.american.edu/lpb/policies.html	Yes	No
Liberty U. L. Rev.	https://digitalcommons.liberty.edu/lu_law_review/policies.html	Yes	No
Marq. L. Rev.	https://scholarship.law.marquette.edu/mulr/prospective_authors.html	Yes	No
Mich. St. Int'l L. Rev.	https://digitalcommons.law.msu.edu/ilr/policies.html#rights	Yes	No
Mich. St. L. Rev.	https://digitalcommons.law.msu.edu/lr/policies.html#rights	Yes	No
Minn. L. Rev.	http://www.minnesotalawreview.org/submissions/	Yes	No
Mitchell Hamline L.J. Pub. Pol'y & Prac.	https://open.mitchellhamline.edu/policypractice/policies.html	Unclear	NA
Mod. Am.	https://digitalcommons.wcl.american.edu/tma/policies.html	Yes	No
N.M. L. Rev.	http://nmlr.unm.edu/about/use-permissions.html	Yes	No
N.Y. L. Sch. L. Rev.	https://www.nylslawreview.com/about-us/copyright-policy/	Yes	No
Nat'l Black L.J.	https://escholarship.org/uc/uclalaw_nblj/policies	Yes	No
Nat. Resources J.	http://lawschool.unm.edu/nrj/permissions.html	Yes	No
Notre Dame J. Int'l & Comp. L.	https://scholarship.law.nd.edu/ndjicl/policies.html	Yes	No
Nw. U. L. Rev.	http://www.northwesternlawreview.org/about/open-access-policy	Yes	No
Ohio St. Bus. L.J.	https://moritzlaw.osu.edu/osblj/2018/06/19/submissions/	Yes	No
Pepp. Disp. Resol. L.J.	https://digitalcommons.pepperdine.edu/drlj/policies.html	Yes	No

Journal	Policy URL	Posting Allowed	Permission Required
Pepp. J. Bus. Entrepreneurship & L.	https://law.pepperdine.edu/jbel/content/submissions/jbel-publication-information-for-authors.pdf	Yes	Yes
Pittsburgh J. Envtl. & Pub. Health L.	http://pjeph.law.pitt.edu/ojs/index.php/pjeph/about/editorialPolicies#openAccessPolicy	Yes	No
Pittsburgh J. Tech. L. & Pol'y	http://tlp.law.pitt.edu/ojs/index.php/tlp/about/editorialPolicies#openAccessPolicy	Yes	No
Pub. Land & Resources L. Rev.	https://scholarship.law.umt.edu/plr/policies.html	Yes	No
Richmond J.L. & Pub. Int.	https://scholarship.richmond.edu/pilr/policies.html	Yes	No
Roger Williams U. L. Rev.	https://docs.rwu.edu/rwu_LR/policies.html	Yes	No
S.C. L. Rev.	http://sclawreview.org/publications/reprint-policy/	Yes	Yes
Santa Clara High Tech. L.J.	https://digitalcommons.law.scu.edu/chtlj/submissions.html	Yes	No
Sea Grant L. & Pol'y J.	http://nsglc.olemiss.edu/sglpj/guidelines/index.html	Yes	No
Seattle U. L. Rev.	https://digitalcommons.law.seattleu.edu/sulr/policies.html	Unclear	Unclear
SMU Sci. & Tech. L. Rev.	https://scholar.smu.edu/scitech/policies.html	Yes	No
Syracuse J. Int'l L. & Com.	http://jilc.syr.edu/submissions/#rights	Yes	No
Tenn. J. Race Gender & Soc. Just.	https://trace.tennessee.edu/rgsj/policies.html	Yes	No
Tenn. J.L. & Pol'y	https://trace.tennessee.edu/tjlp/policies.html	Yes	Yes
Tex. A&M J. Prop. L.	https://scholarship.law.tamu.edu/journal-of-property-law/policies.html	Yes	No
Transactions	https://trace.tennessee.edu/transactions/policies.html	Yes	No
Tribal L.J.	http://lawschool.unm.edu/tlj/submission/agreement.html	Yes	No
Tul. Envtl. L.J.	https://law.tulane.edu/elj/submissions	Yes	No
U. Ark. Little Rock L. Rev.	https://lawrepository.ualr.edu/lawreview/policies.html	Yes	No
U. Balt. J. Int'l L.	https://scholarworks.law.ubalt.edu/ubjil/policies.html	Yes	No
U. Balt. L. F.	https://scholarworks.law.ubalt.edu/lf/policies.html	Yes	No
U. Balt. L. Rev.	https://scholarworks.law.ubalt.edu/ubl/policies.html	Yes	No
U. Mass. L. Rev.	https://scholarship.law.umassd.edu/umlr/policies.html	Yes	No
U. N.H. L. Rev.	https://scholars.unh.edu/unh_lr/policies.html	Yes	No

Journal	Policy URL	Posting Allowed	Permission Required
U. Pa. J. Bus. L.	https://scholarship.law.upenn.edu/jbl/policies.html	Yes	No
U. Pa. J. Const. L.	https://scholarship.law.upenn.edu/jcl/policies.html	Yes	No
U. Pa. J. Int'l L.	https://scholarship.law.upenn.edu/jil/policies.html	Yes	No
U. Pa. J.L. & Soc. Change	https://scholarship.law.upenn.edu/jlasc/policies.html	Yes	No
U. Pa. L. Rev.	https://scholarship.law.upenn.edu/penn_law_review/policies.html	Yes	No
U. Pittsburgh L. Rev.	http://lawreview.law.pitt.edu/ojs/index.php/lawreview/about/editorialPolicies#openAccessPolicy	Yes	No
U.C. Davis L. Rev.	https://lawreview.law.ucdavis.edu/submissions.html	Yes	No
UCLA Asian Pacific Am. L.J.	https://escholarship.org/uc/uclalaw_apalj/policies	Yes	No
UCLA Ent. L. Rev.	https://escholarship.org/uc/uclalaw_elr/policies	Yes	No
UCLA J. Envtl. L. & Pol'y	https://escholarship.org/uc/uclalaw_jelp/policies	Yes	No
UCLA J. Islamic & Near Eastern L.	https://escholarship.org/uc/uclalaw_jinel/policies	Yes	No
UCLA L. Rev.	https://www.uclalawreview.org/republication-permissions/	Yes	No
UCLA Pacific Basin L.J.	https://escholarship.org/uc/uclalaw_pblj/policies	Yes	No
UCLA Women's L.J.	https://escholarship.org/uc/uclalaw_wlj/policies	Yes	No
Utah L. Rev.	https://dc.law.utah.edu/ulr/policies.html	Yes	No
Vt. L. Rev.	https://lawreview.vermontlaw.edu/manuscript-submissions-new/	Yes	No
Willamette L. Rev.	http://willamette.edu/law/resources/journals/review/pdf/2009-publishing-agreement.pdf	Yes	No
Wyo. L. Rev.	https://repository.uwyo.edu/wlr/policies.html	Yes	No

Appendix 4

Green Access and Copyright Policies

Policies were coded as follows: “Open Access” is the journal’s description of its policy. Unless the journal uses a Creative Commons license, specific terms of the open access policy are usually not specified. “WS” means the author may post on a personal, department, or school website. “IR” means the author’s school or department may post on its institutional repository. “OA” means the author may post on an “open access repository.” “SSRN” means that the journal specifically mentions that posting is allowed on SSRN, as opposed to the more generic “OA.”

Journal	Green Access Policy	CC License	Copyright Policy
Alaska L. Rev.	WS, IR, OA	NA	Nonexclusive license
Am. J. Trial Adv.	Unclear	NA	Author retains copyright
Am. U. Crim. L. Brief	WS, IR	NA	Copyright transfer
Am. U. Intell. Prop. Brief	Open Access	BY 3.0	Copyright transfer
Am. U. J. Gender Soc. Pol’y & L.	WS, IR	NA	Copyright transfer
Am. U. Nat’l Security L. Brief	WS, IR	NA	Copyright transfer
Ann. Surv. Int’l & Comp. L.	WS, IR	NA	Copyright transfer
Arb. L. Rev.	WS, IR	NA	Copyright transfer
Ariz. J. Int’l & Comp. L.	WS, IR, SSRN	NA	Unknown
Ariz. St. L.J.	Author retains right to post	NA	Nonexclusive license
Asian Am. L.J.	WS, IR	NA	Copyright transfer
B.U. J. Sci. & Tech. L.	WS, IR	NA	Nonexclusive license
Berkeley J. Afr.-Am. L. & Pol’y	WS, IR	NA	Copyright transfer
Berkeley La Raza L.J.	WS, IR	NA	Copyright transfer
Berkeley Tech. L.J.	Author retains right to post	NA	Nonexclusive license
Brook. J. Corp. Fin. & Com. L.	Open Access	BY-NC 4.0	Nonexclusive license
Brook. J. Int’l L.	Open Access	BY-NC 4.0	Nonexclusive license
Brook. L. Rev.	Open Access	BY-NC 4.0	Nonexclusive license
BYU J. Pub. L.	WS, IR	NA	Copyright transfer
BYU L. Rev.	WS, IR	NA	Copyright transfer
Cal. W. Int’l L.J.	WS, IR	NA	Copyright transfer
Cal. W. L. Rev.	WS, IR	NA	Copyright transfer
Chi.-Kent L. Rev.	WS, IR	NA	Copyright transfer
Chicana/o Latina/o L. Rev.	Unclear	NA	Nonexclusive license
Colum. Hum. Rts. L. Rev.	Open Access	BY 4.0	Nonexclusive license

Journal	Green Access Policy	CC License	Copyright Policy
Colum. J. Asian L.	Unclear	NA	Author retains copyright
Colum. J. Eur. L.	No uploading allowed	NA	Unknown
Colum. J. Gender & L.	Open Access	BY 4.0	Author retains copyright
Colum. J. Race & L.	Open Access	BY 4.0	Nonexclusive license
Colum. J. Tax L.	Open Access	BY 4.0	Author retains copyright
Colum. Sci. & Tech. L. Rev.	Open Access	BY-NC-ND 3.0	Author retains copyright
CUNY L. Rev.	WS, IR	NA	Copyright transfer
DePaul L. Rev.	WS, IR	NA	Copyright transfer
Diversity & Soc. Just. F.	Unclear	NA	Author retains copyright
Duke Envtl. L. & Pol'y F.	WS, IR, OA	NA	Nonexclusive license
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