

UNIVERSITY OF GEORGIA SCHOOL OF LAW

Criteria

for

Promotion and Tenure

April 9, 1970

Redrafted February 17, 1971

Revised September 20, 1977

Revised February, 1992

Revised November, 2004

Revised January, 2016

The University of Georgia School of Law is committed to excellence in legal education. The recruitment and retention of an able and distinguished faculty are fundamental to the attainment of this goal, and this document is directed toward that end. The following criteria for promotion and tenure have been developed and approved by the Law Faculty. These criteria are approved as the “discipline-specific criteria” for promotion and tenure, which must be generated and applied by each promotion and tenure unit, according to the University of Georgia’s Guidelines for Appointment, Promotion and Tenure (“University Guidelines”).

In all matters related to promotion and tenure, the Law School will carefully adhere to the University Guidelines, including, but not limited to, the procedures for Annual Evaluation, Third-Year Review, and Preliminary Consideration for promotion and tenure. The criteria presented in this document are intended to supplement and to interpret those Guidelines. All faculty members are expected to be familiar with both this document and the University Guidelines. If any direct conflict with the Guidelines is found in this document or if this document does not address a certain issue, those Guidelines will govern on that issue.

This document replaces the Law School’s previous criteria for promotion and tenure, dated 2004, for

- (a) all faculty hired as of the effective date of this document; and
- (b) all promotion and tenure applications, regardless of the faculty member's hire date, forwarded to the Law School in Fall semester 2020 or later.

For faculty hired before the effective date of this document, promotion and tenure applications forwarded to the Law School for promotion and tenure consideration starting in the 2020 promotion and tenure cycle will be evaluated using these criteria, but with the following caveats. Until the 2020 promotion and tenure cycle, if these new criteria would in any way disadvantage a faculty member who has been attempting to satisfy the 2004 criteria, then promotion and tenure decisions will be made in 2016, 2017, 2018, and 2019 using the 2004 criteria. It is the PTU head's responsibility to make the transition clear to all faculty in the Law School. It is also the PTU head's responsibility to make this transition clear to all university-level review committees (e.g., in the PTU head's cover letter in the candidate's dossier and application for promotion or tenure, in the Unit Level Criteria provided within the dossier, and in other ways as may be relevant).

I. Promotion to Associate Professor

In general, a candidate for promotion to associate professor must have demonstrated strength in the areas of teaching, research, and service, in keeping with the following standards:

- a. Superior ability as a teacher of law.
 - i. In determining whether a candidate satisfies the “superior ability as a teacher of law” criterion, consideration will be given to all relevant factors, including, but not limited to, the following: thoroughness of preparation and organization; mastery of the subject matter being taught; commitment to teaching and learning; effectiveness in presenting material and/or in leading discussions; innovation and creativity in organizing and presenting material; decorum and professionalism in interacting with students both inside and outside the classroom; accessibility to students; and demonstrated interest in students’ welfare.
 - ii. In assessing these factors, the Law School relies primarily on peer evaluation of teaching performance. Faculty colleagues make this evaluation based on discussions with the candidate and observation of his or her classes. Student evaluations play a distinctly secondary role in the promotion and tenure process.
- b. Substantial contribution to legal scholarship sufficient to show by clear and convincing evidence emerging stature as a regional or national authority. Ordinarily, clear and convincing evidence of substantial contribution to legal scholarship will include, at a minimum, publication or acceptance for publication of three articles of recognized quality in legal publications, or their equivalent, substantially completed while a tenure-track faculty member here and, if applicable, in a tenure-track position at another law school. Scholarship substantially completed prior to this time will be considered as evidence of the

candidate's stature in his or her field, but it will not be considered in measuring quantity. "Substantial contribution to legal scholarship" is further defined and described below.

- c. Participation in the service activities of the Law School, University, or organized bar, or other professionally-related public service.

II. Tenure

In general a candidate for tenure must satisfy the aforementioned criteria for promotion to associate professor and must have a demonstrated record of exemplary performance in the discharge of his or her teaching, research, and service responsibilities. Consistent with the University Guidelines, the candidate must likewise have established—through clear and convincing evidence—that he or she is likely to continue to be an active and productive scholar over the extended period of time that tenure supposes.

III. Promotion to Professor

In general, a candidate for promotion to professor must have demonstrated strength in the areas of teaching, research, and service, in keeping with the following standards:

- a. Superior ability as a teacher of law. As with promotion to Associate Professor, the Law School relies primarily on peer evaluation of teaching performance in assessing this criterion. In addition, as with promotion to Associate Professor, all relevant factors—including those listed above—will be considered in determining whether the candidate demonstrates "superior ability as a teacher of law."
- b. Substantial contribution to legal scholarship sufficient to demonstrate, by clear and convincing evidence, the candidate's national or international recognition in his or her field and the likelihood that the candidate will maintain that stature. In determining whether a candidate has received national or international recognition, the faculty will consider the candidate's full body of work, including scholarship substantially completed prior to promotion to associate professor, as well as other evidence. In determining the likelihood that the candidate will maintain that stature, however, the faculty will focus on the candidate's scholarship published after a positive faculty vote for promotion to the rank of associate professor. Evidence of substantial contribution to legal scholarship will ordinarily include, at a minimum, publication or acceptance for publication of three articles of recognized quality in legal publications, or their equivalent, after a positive faculty vote for promotion to the rank of associate professor, both here and, if applicable, while holding a similar rank at another law school. For the avoidance of doubt, the intent of the faculty is that each article completed while a tenure track faculty member at this law school, or another law school, should count for quantitative purposes for one, and only one, promotion decision.

“Substantial contribution to legal scholarship” is further defined and described below.

- c. Substantial participation in the service activities of the Law School, University or organized bar, or other professionally-related public service.

IV. “Substantial contribution to legal scholarship,” defined and described

- a. When considering whether a candidate for promotion has made a “substantial contribution to legal scholarship,” the significance and quality, not quantity, of a candidate’s full body of work is of primary importance. In the vast majority of cases, however, a successful candidate will have met a minimum quantitative expectation. Consistent with the practices of leading law schools in the United States, these criteria provide expected minimums of three articles, or their equivalent, for each promotion stage.
- b. For a piece of work to qualify as an “article of recognized quality in a legal publication, or its equivalent,” it should address an important topic relevant to the law with creativity and analytical rigor, be thoroughly researched and well written, and meaningfully contribute to the candidate’s field(s). The critical consideration is intellectual substance, not length, methodology, or form of publication.
- c. Because the law is a pervasive institution in contemporary society, scholars analyzing the law or advocating for law reform have long directed their scholarship not only to their academic peers, but also to lawmakers, judges, and the public. That scholarship also should be considered in determining whether a candidate has made a substantial contribution to legal scholarship.
- d. The Law School recognizes that a substantial contribution to legal scholarship can be made in a variety of fora, including peer-review journals, law reviews, books, and monographs. Publication through these several processes differs in important ways that should be considered when evaluating substantial contribution to scholarship. Peer-review journals require exclusive submission and often entail a lengthy “revise and resubmit” process before acceptance. Law review articles are typically aimed at a broader audience than traditional peer review articles and are generally exhaustive treatments of a subject, comparable to a monograph in some other disciplines. Books and monographs may address a scholarly audience or the general public. These differences in the manner of publication do not determine whether a piece makes a substantial contribution to legal scholarship.

- e. In light of the student-edited nature of law review articles, the identity of the journal in which a work of legal scholarship is published is not necessarily indicative of its quality and thus is a distinctly secondary consideration.
- f. External reviews of a candidate's work provided by experts in the candidate's subject matter area(s) provide an independent review that plays a central role in determining whether the candidate has made a substantial contribution to legal scholarship. The reviews also play a central role in determining the reputation of the candidate and whether the candidate is developing or has achieved regional, national or international recognition. The PTU Head, in consultation with the candidate and experts in the candidate's field, selects these external reviewers. In most cases the external reviewers should be full professors who have a national or international reputation in the relevant field.
- g. In addition to external reviews, the faculty should consider the following non-exclusive list of factors relevant when assessing quality or quantity of scholarship:
 - i. The uniqueness and complexity of the scholarship.
 - ii. The type of publication in which it appears.
 - iii. Whether the publication is the product of peer review.
 - iv. If co-authored, the faculty member's individual contribution, with the understanding that co-authored pieces present both an important contribution to legal scholarship and also unique difficulties for evaluation.
 - v. Citations, republication, invited publications, or other evidence of outside recognition by the legal academy or professional community.
 - vi. If a book, the nature of the project, with the recognition that a book will be weighed more heavily—in some cases far more heavily—than would a single article.
 - vii. If a shorter publication, whether it in combination with other publications (or, in exceptional cases, alone) meets the definition of quality in Section IV.B, with the recognition that it or they may be considered as the equivalent of a single article for purposes of measuring quantity, and in any event shall be considered in determining whether the candidate has made a substantial contribution to legal scholarship

V. Revisions to These Criteria

This document and discipline-specific criteria must be accepted by the Law School, and must be reviewed and approved by the dean of the Law School and the Senior Vice President for Academic Affairs and Provost. New faculty members must be provided with this document and the University Guidelines. In addition, any changes or updates to this document must be approved by the faculty, dean and the Provost. All revisions and approval dates must be listed in the document.

Approved by the faculty, January 13, 2016
Approved by the Dean, January 14, 2016
Approved by the Provost, January 22, 2016