

The Asian Business Lawyer
Regulations on Evaluation and Publication of Articles

Chapter 1. General Provisions

Article 1 (Purpose)

These regulations are to establish guidelines for the *The Asian Business Lawyer* (hereafter, "ABL"), published by the Legal Research Institute of Korea University (hereafter, "KULRI").

These include the following:

1. Publications of the ABL.
2. Composition and management of the ABL editorial board (hereafter, the "editorial board").
3. Standards of evaluation and evaluation of articles that have been submitted for publication to the ABL.

Article 2 (Enactment and Amendment)

These regulations are to be enacted or amended according to the decisions of the governing committee of the KULRI. Additional detailed regulations may be set can be laid down through by separate regulations or bylaws.

Chapter 2. Publishing

Article 3 (Publishing of the ABL)

- ① The ABL is published twice a year.
- ② The publication dates for the ABL are May 31 and November 30.
- ③ The submission date(DD/MM/YYYY), review date(DD/MM/YYYY), and confirmed publication date(DD/MM/YYYY) must be indicated in articles published in the ABL.

④ The ABL can be issued as a festschrift memorial number or a special issue according to decisions of the editorial board.

Article 4 (Offprints and Electronic Publication)

① The contributors of articles, commentaries or any academic writings equivalent to such aforementioned materials article or commentary (hereafter collectively, “article”) published in the ABL will receive a free copy of the journal and offprints of the article.

② Up to 10 copies of offprints can be given. However, additional copies can be given upon request.

③ The journal will be published as both a print publication and as an electronic publication. Electronic publications will also provide the abstracts and original articles.

④ When articles in the ABL are published electronically, they are made available on the KULRI web site, on the ABL web site, and through other online legal research services according to agreements with the KULRI, with the contributor’s consent.

Chapter 3. Editorial Board

Article 5 (Composition of the Editorial Board)

① The editorial board shall be composed of 1 editor-in-chief and 5 or more board members.

② Board members are appointed by the Director of the KULRI.

③ The Director of the KULRI will appoint the editor-in-chief of the editorial board from among the board members.

④ The Director of the KULRI may appoint a managing editor from among the board members, when necessary.

⑤ The term of each board member shall be two years.

Article 6 (Works of the Editorial Board)

① The editorial board has the following authority:

1. To appoint reviewers of committees to evaluate submitted articles.
 2. To decide whether submitted articles are suitable for the journal based on the reviewers' decisions.
 3. To conduct any and all matters related to the publication and editing of the ABL.
- ② The editorial board is to review article manuscripts submitted to the ABL and decide on their suitability for the journal.
 - ③ Decisions according to paragraph 2 shall be categorized as "publication without revision," 'publication after revision,' 're-evaluation after revision,' and 'publication deferred'.
 - ④ When manuscripts designated as "publication after revision" in paragraph 3 are re-submitted after revision, the editorial board may request re-evaluation of the manuscripts by the editor-in-chief or some of the board members.

Article 7 (Editorial Board Meeting)

- ① The editor-in-chief of the editorial board can convene the editorial board before publication of the ABL, and as otherwise necessary.
- ② When the majority of the editorial board members are present, and the majority of the attending members agree, the editorial board will make decisions. The editor-in-chief may make a decision when votes are tied.
- ③ The editor-in-chief shall keep minutes of the editorial board meetings.

Article 8 (Duty of Confidentiality of Board Members)

The editorial board members shall not make public any such information related to the publication of the ABL.

Article 9 (Details)

Details about the management of the editorial board that are not regulated in these Regulations can be decided by the editor-in-chief based on proposals from the editorial board.

Chapter 4. Soliciting and Evaluating Articles

Article 10 (Soliciting Applications for Articles)

- ① Every February and August, the editor-in-chief of the editorial board shall post an invitation for submission of articles to the relevant web sites, including but not limited to the ABL, the Korea University Law School, the KULRI, the Korea Law Professors Association, and other suitable venues.
- ② This notice must contain the basic details about submission procedures; guidelines for article format and citation of sources; and procedures and standards of evaluation.
- ③ Details for article submissions and citation formats shall be delineated laid down by subsequent separate rules.

Article 11 (Requesting Article Evaluation and Sending Manuscripts)

- ① For each article, the editor-in-chief of the editorial board shall nominate 3 reviewers from candidates with expertise in the relevant field of an article, and whom have been recommended by the editorial board members. However, any articles that have been written and submitted according special request by the KULRI, or any articles which have been announced at symposiums sponsored by the KULRI, may be excluded from the evaluation process.
- ② In nominating a reviewer for evaluation, his or her expertise in the relevant field and the fairness of the evaluation must be considered.
- ③ Personal information of the contributor shall not be indicated on the manuscript; if already present, it must be deleted.
- ④ Personal information of the contributor and reviewers shall be confidential throughout the evaluation process, unless this information is necessary for the editorial board.

Article 12 (Standards on Evaluation)

Reviewers must evaluate based on these standards:

1. The suitability of the format and substance of the article.

2. Originality of the researched contents.
3. Clearness of the research methods and results.
4. Adequate citations of relevant documents.
5. Potential contribution of its results.

Article 13 (Evaluation)

Reviewers must send a notice of the evaluation results under article 4 and the reasons for such results, according to these rules:

1. If no revision or supplementation is required: publication without revision.
2. If simple revision or supplementation is required: publication after revision.
3. If significant revision is required: re-evaluation after revision.
4. If extensive revision or supplementation is required: publication deferred.

Article 14 (Decision on Publication)

① After evaluation by the reviewers, the editor-in-chief of the editorial board shall convene a meeting to decide on publication of the manuscript.

② The editor-in-chief of the editorial board shall draft a summary of the reviewers' evaluations and report this at the editorial meeting. The editorial board shall decide whether to approve publication, based on the reviewers' opinions. Care must be taken so that personal information of the contributor and reviewers is not disclosed until after the final decision is made.

③ Decisions regarding the publication must be based on these standards:

1. If 3 reviewers all agree to publication without revision or publication after revision, or 2 of the reviewers agree to the above and 1 reviewer judges the article as re-evaluation after revision, the decision is considered to be for publication. In this case revision may be provisional.
2. If 1 reviewer deems it as 'publication without revision' or 'publication after revision' and 2 reviewers agree on 're-evaluation after revision,' or 3 reviewers all agree to 're-evaluation after revision', the decision is considered 're-evaluation after revision.'

3. If 2 reviewers agree on ‘publication deferred,’ the manuscript shall not be published. If 2 reviewers agree on ‘publication without revision’ or ‘publication after revision’ and 1 reviewer deems it as ‘publication deferred,’ the decision is considered ‘re-evaluation after revision.’

④ The editor-in-chief of the editorial board can have a manuscript designated as ‘re-evaluation after revision’ re-evaluated by the editor-in-chief himself or herself or by some of the editorial board members. After re-evaluation, the editor-in-chief shall decide for ‘publishable’ or ‘publication deferred’. If the contributor has refused to revise the manuscript which has been designated as ‘re-evaluation after revision,’ such a manuscript shall be deemed as ‘publication deferred.’

⑤ When the manuscript that has been accepted for publication has plagiarized another article, or has been published in another journal, the editor-in-chief of the editorial board shall cancel the decision to publish the article.

Article 15 (Notice of Evaluation Results)

① The editor-in-chief of the editorial board shall inform the editorial board and the contributor of the evaluation results and reasons under article 5, immediately after the editorial meeting is concluded.

② The contributor who has received a ‘publication deferred’ decision may file a complaint to object to the editor-in-chief. The editor-in-chief has the authority to decide to accept or reject this claim.

③ If the editor-in-chief of the editorial board decides to accept the objection, he or she must appoint new reviewers and request re-evaluation from them. The editor-in-chief will decide on ‘publishable’ or ‘publication deferred’ according to the re-evaluation opinions.

Article 16 (Submission, Correction and Editing of the Final Manuscript)

① The contributor who has received a notice of ‘publishable’ must submit the final manuscript to the KULRI within the designated period.

② The editor-in-chief of the editorial board shall decide any detailed matters on format changes and editing of the final manuscript. When necessary, the editor-in-chief of the editorial board may send the edited script to the contributor for final correction.

Article 17 (Issuing Certification for Articles Expected to Be Published)

Before publication of the relevant ABL, the editor-in-chief of the editorial board may confirm the schedule for publication and issue certification of the forthcoming publication for any articles which are then scheduled to be published, upon the contributor's request.

Article 18 (Confidentiality Obligations)

Those who are participating or have participated in the evaluation procedure in any way have an obligation of confidentiality regarding personal information of the contributors and reviewers; and regarding results of the evaluation.

Article 19 (Observance of Guidelines for Research Ethics)

The contributor of the article shall observe the Guidelines for Research Ethics set forth by the KULRI.

Article 20 (Sanctions on False Research of Submitted Articles)

Any details for procedures and sanctions against any submitted article(s) in violation of the Guideline for Research Ethics of the KULRI and any submitted article(s) culpable of any other form of falsified or fraudulent research result shall be provided by separate bylaw(s).

Addendum

Article 1 (Enforcement Date)

These regulations shall enter into force on August 20, 2012.

The Asian Business Lawyer
Rules for Article Submission and Citation Format

Article 1 (Purpose)

The purpose of this rule is to prescribe criteria for matters related with article submission and the citation format of *The Asian Business Lawyer* (Hereafter "ABL") published by the Legal Research Institute of Korea University (hereafter, "KULRI").

Article 2 (Submission Date)

- ① The journal shall be published twice a year on May 31 and November 30, in principle.
- ② Articles that wish to be published in the journal shall be submitted to the KULRI by March 31 or September 30 in an electronic file format.

(Address of the KULRI office: Legal Research Institute, New Law Building 301, Korea University, Anam Ro 145(Anam Dong 5 Ga 1 Bunji), Sung-Buk Gu, Seoul, South Korea, Telephone: 82-2-3290-1630, E-mail of the person in charge of the ABL: abl_articles@korea.ac.kr)

- ③ Articles shall be submitted through the following web site: abl_articles@korea.ac.kr.

Article 3 (Qualifications for Submission)

Submitted articles shall qualify under at least one of the following criteria, which are to be publicly announced according to the editorial board's decision.

- 1. An article either presented at a symposium held by the KULRI, or a contribution requested by the KULRI.
- 2. A research paper by a current and former professor of an approved domestic or foreign university.
- 3. A research paper by an individual with a Ph.D. degree in a legal field, or such individuals.
- 4. A research paper by an individual belonging to the legal profession, or such individuals
- 5. An exclusive research paper by a student in a master's or doctoral course from an approved domestic or foreign university, provided; however, a recommendation from at least one or more researchers in the KULRI is required.

Article 4 (Guidelines for Articles)

- ① The manuscript should be an article demonstrating originality and creativity. It shall not be one that was published before.
- ② The manuscript should be written in English.
- ③ The manuscript should have its title, author's name or authors' names, occupation and position of the author(s), academic degree of the author(s), and address, telephone number (office and home), fax number, and e-mail address for the main author.
- ④ The manuscript should have an abstract within 200 words, keywords, and references.
- ⑤ Microsoft word format is preferred, with A4 size paper form. The font style should be Times New Roman, and the font size should be 12.
- ⑥ Footnotes should conform to the newest edition of *The Bluebook* and the *Attachment*.

[Attachment]

The Asian Business Lawyer Manuscript Format

1. Page Size (A4) and margins (MSWord)

- Top: 23; Bottom: 23; Left: 28; Header: 11; Footer: 11.

2. Font Style

- Font: Times New Roman, Space Between Letters: -5, Scale: 100, Font Size: 12

3. Paragraph Style

- Left: 0, Right: 0, Indentation: 2, Line Spacing: 160, Top: 0, Bottom: 0, Space Between Letters: 0, Paragraph Alignment: Justify text

4. Table of Contents

I. Heading Title

A. Subheading Title

1. Sub-subheading Title

(i) Sub-sub-subheading Title

(a) Sub-sub-sub-subheading Title

(1) Sub-sub-sub-sub-subheading Title

5. Footnotes

- Book citations:

- Periodical citations: author's name, "Title of article", 「*Title of periodical*」, Volume ○
○, Number ○○, date of publication, cited pages.

- Citation of the Korean Supreme Court: Supreme Court of Korea, 20○○Da○○
(DD/MM/YYYY).

- Citation of the Korean Constitutional Court: Constitutional Court of Korea, 20○○HunGa○○
(DD/MM/YYYY).

6. Author(s)

- Write the author's name or authors' names below the title of the article, and the author's biography in a footnote with an asterisk (*) to the right of the author's name.
- For a joint research paper, the main author should be distinguished from the co-authors, and should be written in the order of main author, co-author(s).

7. References

- A bibliography for all the references should be included at the end of the article.

8. Abstract

- An abstract should be included at the beginning of the article.

9. Keyword

- At least 5 keywords should be included below the abstract.

The Asian Business Lawyer

Bylaws on Rejection of Submitted Articles

Article 1 (Purpose)

The purpose of this Bylaw is to set forth procedures for evaluating whether articles submitted to *The Asian Business Lawyer* (hereafter, "ABL") violate the ABL Guidelines for Research Ethics, and for imposing adequate sanctions under article 20 of the ABL Regulations on Evaluation and Publication of Articles.

Article 2 (Principles)

The ABL editorial board (hereafter, the "editorial board") shall fairly and promptly proceed in evaluating whether articles submitted to the ABL violate the ABL Guidelines for Research Ethics of KULRI.

Article 3 (Preliminary Procedures)

- ① Those who consider that articles submitted to the ABL to be in violation of the ABL Guidelines for Research Ethics can enter an objection to the submitted articles.
- ② The editorial board must give the contributor of the disputed article a chance to defend himself or herself.
- ③ When necessary, the editorial board can provide the objector under paragraph 1 another chance to object to this explanation under paragraph 2, and the contributor can be granted another chance to defend against this objection.
- ④ Objections and explanations under paragraphs 1 to 3 shall be submitted in writing. When this writing is delivered either in person, via mail, or via e-mail attachment, it is considered to be delivered in writing.

Article 4 (Termination of Preliminary Procedures)

- ① After proceeding according to Article 3, the editorial board shall conclude this preliminary procedure and commence proceeding according to the merits of the case.

- ② If there is obviously no reasonable grounds for objection under Article 3, regardless of despite of paragraph 1, the editorial board can overrule the objection, dispense with the proceedings, and terminate the evaluation procedure by canceling on cancellation of the submitted article.
- ③ The decision under paragraph 1 or 2 shall be communicated notified to the persons directly involved via mail or e-mail.

Article 5 (Proceeding and Deciding on the Case's Merits)

- ① The editorial board shall follow procedures for evaluating the case's merits regarding whether the submitted article violates the ABL Guidelines for Research Ethics under the ABL Regulations on Evaluation and Publication of Articles.
- ② The editorial board can appoint and consult 3 expert reviewers from relevant fields who can make a fair decision about alleged violations of the ABL Guidelines for Research Ethics, before proceeding on the case's merits under paragraph 1.
- ③ When reviewers are appointed under paragraph 2, the editorial board shall provide the relevant information for judging potential violations. This information must include the objections and explanatory documents under Article 3.
- ④ The editorial board can decide on cancellation of the submitted articles, if there is an obvious material breach of the ABL Guidelines for Research Ethics after proceeding based on the case's merits. For other breaches, follow-up actions such as warnings or restrictions on future submissions may be taken, proportional to the seriousness degree of the violation.
- ⑤ The editorial board can overrule the objection and decide to conclude the evaluation procedure regarding the cancellation of submitted articles, if there exists no suspicion of violation of the ABL Guidelines for Research Ethics based on the case's merits.
- ⑥ The decision under paragraphs 4 and 5 shall be communicated to the objector and the contributor in writing via mail or e-mail.

Article 6 (Actions Following a Court Decision)

- ① If a differing and irrevocable court decision is issued contrary to the editorial board's

decision under paragraph 2 of Article 4, and paragraph 3 and 4 of Article 5, the editorial board must cancel its previous decision and take appropriate actions pursuant to the judgment.

② The editorial board shall notify the objector and the contributor of actions taken under paragraph 1 of this article via mail or e-mail in writing.

Addendum

Article 1 (Enactment Date)

These bylaws shall enter into force on August 20, 2012. The previous Bylaw shall be applied to articles submitted before this date of enactment.