MEMO TO AUTHORS
Information for Authors

This is a guide for authors who wish to submit articles for publication in the *Real Property, Trust and Estate Law Journal*, the law review publication of the Section of Real Property, Trust and Estate Law of the American Bar Association.

EDITORIAL PURPOSE

The *Journal* publishes scholarly articles on subjects of practical interest and importance to lawyers practicing in the fields of real property, estate planning, probate, and trust law. We consider for publication articles that address topics within these areas of the law, as well as related fields, including environmental law, ERISA, insurance, and bankruptcy.

TOPIC TREATMENT

We will consider the following types of articles for publication:

1. **Analytical articles on discrete topics of current interest or recent developments in the law.** Such articles should analyze issues of practical significance and, when appropriate, discuss techniques that may be used to achieve legal objectives and propose how perceived ambiguities or conflicts in the law may be resolved. Articles on recent developments should describe the developments and analyze thoroughly their practical and theoretical significance.

2. **Survey or primer articles discussing the development of the law to date in a particular subject area.** Such articles should not be merely historical summaries, but should provide useful analysis of various factors and policy concerns that have shaped the development of the law, pointing out when appropriate why the law has been slow to develop in certain areas or has developed inconsistently among jurisdictions.

3. **Articles discussing proposals for legal reform.** Such articles should explain the motivation for reform efforts, describe any proposed reform, and analyze critically the strengths or weaknesses of the proposal discussed.

4. **Special reports or other material of unusual value to the Bar.** From time to time, the *Journal* may publish materials not in traditional law review form, when special circumstances dictate the need for such publication. The individual or group submitting such materials may be asked to author a more traditional law review style article to accompany the material, analyzing its content and its significance to the law or practice of law.

5. **Book Reviews.** Book reviews may analyze and comment on books of interest to the *Journal’s* subscribers.
STYLE

Articles should be written in traditional law review style, presenting a scholarly discussion with full citation to authority in footnotes. Lengthy lists and outlines normally are not appropriate within the text of an article, but they may be included as appendices to a textual discussion if they would be of particular value to the reader. For example, if an article surveys the law of all states on a particular subject, the text may compare analytically how and why the law differs between jurisdictions, but a mere listing of the law by jurisdiction within the body of the article would not be appropriate. Similarly, lengthy forms may be included in an appendix.

Article length may vary, although 30-50 double-spaced typed pages is typical. Generally speaking, the Journal does not publish articles of either fewer than 15 or more than 50 printed pages. Book reviews and case notes, however, may be somewhat shorter. Articles of more than 50 printed pages may be subdivided to facilitate printing in two or more issues of the Journal.

Authors should use the active voice wherever possible, and generally avoid the use of the first and second persons. We edit articles to conform to The Bluebook—A Uniform System of Citation and to the Texas Law Review Manual on Usage & Style. Authors who do not have access to these books should conform generally to William Strunk, Jr. & E.B. White, The Elements of Style.

SUBMISSION

The Journal welcomes the submission of articles for publication consideration regardless of whether the author is a member of the Section of Real Property, Trust and Estate Law. As a publication of the Section, however, the Journal particularly encourages Section members and committees to submit materials for publication consideration.

Articles must be submitted in electronic format by e-mail to:

- RPTEJ@law.sc.edu

We do not require that articles be submitted to the Journal on an exclusive basis, but we do expect that articles submitted to us will not have been previously published in, or committed to, any other publication, in either the same or the similar form. Authors should notify us immediately if an article submitted to us for consideration is accepted for publication elsewhere. We may consider for publication articles that overlap with articles that have previously appeared elsewhere, but only if the submitted article is substantially different—either in treatment, focus or length—from the previously published version.

We do not consider for publication articles that are in draft form or contain any unfinished material. Occasionally we will ask authors of articles we have already accepted to update the articles prior to publication in order to clarify items or to take into account changes in the law or other current developments.

Revised July 2020
**ARTICLE SELECTION**

The professional editorial board selects articles for publication based upon consideration of a number of factors, including (1) the subject of the article and its compatibility with the editorial purpose of the *Journal*; (2) the substantive accuracy and clarity of style of the article; (3) the thoroughness with which the article treats its subject, including the adequacy of citation within the article; (4) the number of lawyers likely to be interested in the topic; and (5) the extent to which the topic previously has been considered in the *Journal* and in other publications. We will also consider the objectivity of the author and whether any real or apparent conflicts of interest may exist, based on the interest or relationship of the author in or to any product or service referred to in the article.

**EDITORIAL PROCESS**

All accepted articles are edited by a student editorial board at the University of South Carolina School of Law and reviewed and edited by one or more members of the professional editorial board of the *Journal* to ensure accuracy of content and clarity of style. After we complete our editing, we return the article, as edited, to its author, who is then asked to make final suggestions and comments before publication.

The professional editorial board is appointed by the Section. The names and contact information for the current professional editors are listed on the attached *Schedule I*. Any author who has a question about *Journal* editorial policy while preparing an article is encouraged to contact any member of the professional editorial board.

**COMPLIMENTARY REPRINTS FOR AUTHORS**

The Section of Real Property, Trust and Estate Law Journal provides authors with 25 complimentary copies of their articles. Authors may order additional reprints, at their own expense, at the time they return their edited article to the *Journal’s* editor-in-chief immediately prior to publication.

**PUBLICATION SCHEDULE**

The *Journal* is published three times each year. The following table summarizes the publication schedule, but Articles are reviewed and scheduled for publication on a rolling basis. Sometimes an issue is filled earlier than the listed target submission date, and sometimes an issue may remain open a little later. We cannot hold space “open” in an issue for promised articles or promised redrafts of articles.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Publication Target</th>
<th>Submission Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall/Winter</td>
<td>February</td>
<td>September (of preceding year)</td>
</tr>
<tr>
<td>Spring</td>
<td>June</td>
<td>December (of preceding year)</td>
</tr>
<tr>
<td>Summer</td>
<td>November</td>
<td>April</td>
</tr>
</tbody>
</table>

Revised July 2020
**COPYRIGHT**

Authors must sign a copyright agreement provided by the American Bar Association, the form of which is attached as *Schedule II*, and which, in addition, contains certain warranties made by authors. By submitting an article for consideration to the *Journal*, authors represent and warrant that the submitted article does not contain any material that would violate the rights of any third party, and that the author does not have a financial or other interest in any product or service referred to in the article, unless the interest is disclosed in writing to the editors of the *Journal* at the time the article is submitted for consideration. If any representation or warranty made by an author should prove to be untrue, the *Journal* reserves the right to revoke any prior acceptance of that author’s article, immediately and without notice to the author.

The views expressed in articles published in the *Journal* have not been approved by the House of Delegates or the Board of Governors of the ABA and should not be construed as representing the policy of the ABA.
**REAL PROPERTY, TRUST AND ESTATE LAW JOURNAL PROFESSIONAL EDITORIAL BOARD**

**Editor**
Amy L. Milligan  
University of South Carolina School of Law  
1525 Senate St, Rm 231  
Columbia, SC  29208-0001  
803.777.3386  
milligal@law.sc.edu

**Immediate Past Editor**
Alexander R. Arpad, Esquire  
PO Box 270  
Phoenix, AZ  85001  
602.254.6687  
aarpad@602law.com

**Associate Editor for Trust and Estate**
Nancy A. McLaughlin  
University of Utah College of Law  
332 S 1400 E, Rm 101  
Salt Lake City, UT  84112-0730  
801.581.5944  
mclaughlinn@law.utah.edu

**Associate Editor for Real Property**
Michele M. McCue  
LewisRice LLC  
1010 Walnut St, Ste 500  
Kansas City, MO  64106-2147  
816.421.2536  
mmmccue@lewisricekc.com

**Associate Editor for Trust and Estate**
Michael H. Barker  
McGuireWoods LLP  
800 E. Canal St  
Richmond, VA  23219  
804.775.1679  
mbarker@mcguirewoods.com

**Associate Editor for Real Property**
Jay S. Claypoole  
Nelson Mullins LLP  
151 Meeting St, Ste 600  
Charleston, SC  29401-2233  
843.534.4211  
jay.claypoole@nelsonmullins.com

**Acquisitions Editor for Trust and Estate**
W. Birch Douglass, III  
McGuireWoods LLP  
Gateway Plaza  
800 East Canal St  
Richmond, VA  23219-3916  
804.775.1150  
b Douglass@mcguirewoodsemeritus.com

**Acquisitions Editor for Real Property**
Andrea J. Boyack  
Professor of Law  
Washburn University School of Law  
1700 SW College Ave  
Topeka, KS  66621  
785.670.1664  
andrea.boyack@washbun.edu

**Acquisitions Editor for Trust and Estate**
Jessica Baggenstos  
Duffy Kekel LLP  
111 SW 5th Ave, Ste 1500  
Portland, OR  97204-1079  
971.244.1834  
jbaggenstos@duffykekel.com

**Acquisitions Editor for Real Property**
Todd W. Roles  
F.R.I. & Roles Property Holdings  
20118 N. 67th Ave #300-186  
Glendale, AZ  85308  
602.363.3340  
todd@rolesproperty.com

Revised July 2020
Schedule II

PUBLICATION AGREEMENT:
CONTRIBUTION TO A COLLECTIVE WORK (NO PAY) -- PERIODICAL

FROM: AMERICAN BAR ASSOCIATION, Section of Real Property, located at:
321 North Clark Street
Chicago, IL 60654
Attn: Amy L. Milligan

TO: Name of Copyright Owner ("You"): 
Address: 

[Joint authorship: If the Work has more than one author whose individual contributions are "inseparable parts of a unitary whole," each author must sign a separate counterpart to this agreement. All such counterparts shall be considered collectively as one and the same agreement.]

The American Bar Association ("ABA") is pleased to consider publication of the article, tentatively entitled:

Title of Work: _____ ("The Work") By: _____ ("Author")
in the ABA publication: Periodical Name: Real Property, Trust & Estate Law Journal Volume: ___ Issue: ___

License Terms: As a condition of publication and for no monetary compensation, You hereby grant to the ABA the following rights to the Work in any and all media or form of communication whether now existing or hereafter developed: (1) the exclusive right of first publication worldwide as part of the Publication; (2) the non-exclusive worldwide right to reproduce, distribute, sell, perform, display, and license the Work, or any part thereof, as published in the Publication, alone or in conjunction with other materials; (3) the non-exclusive worldwide right to use the Work, or any part thereof, in any other publication produced by the ABA; (4) the non-exclusive worldwide right to use the Work to promote and publicize the ABA or its publications; and (5) the non-exclusive right to use Author’s name, likeness and biography in connection with the advertising, publicity, and promotion of the Work.

The ABA shall have the right to edit the Work to conform to the Publication’s standards of style, technological requirements, language usage, grammar and punctuation, provided that the meaning of the Work is not materially altered. If published, Author will be identified as the author of the Work, or co-author if applicable.

Warranty: You warrant that the Work is original with You and that it is not subject to any third party copyright; that You have authority to grant the rights in this Agreement; that publication of the Work will not libel anyone or infringe on or invade the rights of others; that You have full power and authority to enter into this Agreement; that the Work has not been published elsewhere in whole or in part (except as may be set out in a rider attached hereto); and that You have obtained permission from the copyright owner consistent with this Agreement for any third party copyrighted material in the Work.

Nothing herein shall obligate the ABA to publish the Work in the Publication, however if we do not publish the Work by ______________, then all rights granted in the Work will automatically revert back to You. If the foregoing terms are satisfactory, please sign and date this agreement below and return it to the project coordinator.

Please sign and date below and return this agreement to the program coordinator. Execution of this Agreement does not obligate the ABA to publish your presentation or other materials.

I hereby consent to the use of my presentation and other materials as described and agree with the provisions of this release form:

Signature: _________________________ Date: _________________________

========================================================================
FREQUENTLY ASKED QUESTIONS – PROSPECTIVE EDITORS

1. What is the ABA Real Property, Trust and Estate Law Journal?

The Journal is a scholarly publication in a law-review format. The Journal differs from traditional law reviews in that it has a dual editorial board consisting of an editorial board of practicing lawyers who are members of ABA’s Real Property, Trust and Estate (RPTE) Section and a student editorial board that is located at the University of South Carolina Law School. The Journal focuses on subjects of interest and importance to lawyers practicing in the fields of real property, estate planning, probate, and trust law.

2. What is the circulation of the RPTE Law Journal?

The Journal’s subscription base consists of over 22,000 RPTE section members, the major law libraries in the United States, and the major electronic research databases.

3. How often is the RPTE Law Journal published?

Three times a year.

4. How do you recruit professional editors?

Replacement editors are usually recruited from active RPTE Section members at meetings, but expressions of interest are welcome from any RPTE Section member. Turnover among the professional editors probably averages one or two openings every few years.

5. What are the different editorial positions?

There are two Associate Editors and two Assistant Editors. They provide an additional level of professional review after the student editors finish with an article.

There are two Acquisitions Editors and two Associate Acquisitions Editors. They solicit and review incoming articles.

There is one Editor. The Editor reviews articles at both the beginning and end of the editorial process, and proofs the final product. Additionally, the Editor works with the professional editors as well as the staff and students at the University of South Carolina School of Law.

There is also an Administrative Assistant at the University of South Carolina School of Law.

Finally, there are approximately 25-40 members of the Student Editorial Board at University of South Carolina School of Law.
6. **What background do I need to become a professional editor?**

   The professional editors are lawyers with a background in some aspect of real property and/or trust and estate law, and they are members of the ABA and the RPTE Section. Experience with a similar journal in law school is helpful but not necessary. Reliability and attention to detail are important.

7. **What is the time commitment for a professional editor?**

   The time commitment varies greatly. The Associate and Assistant Editors may spend as little as three to four hours every three to four months reviewing articles. Acquisitions Editors spend an average of three or four hours a month reading article submissions, although the timing can be irregular. The Editor spends two to four hours a week during ordinary weeks, and six to ten hours per week for two to three weeks when an edition is in final production.

8. **How long are the professional editor appointment terms?**

   Appointments are renewed each year, but a willingness to serve for at least two to three years is strongly preferred.

9. **Who does the Bluebooking and citation checking?**

   The Student Editorial Board, with oversight by the Editor.

10. **Do the professional editors need to attend meetings or travel?**

    Professional editors are encouraged to attend two RPTE Section leadership meetings each year, but the editors can attend the *Journal* meetings by telephone if they are unable to travel.

11. **Are professional editors reimbursed for expenses?**

    Editors are invited to the Section’s two leadership meetings, and their expenses are reimbursed, subject to the same limitations as others attending the same meetings.

12. **What involvement do the professional editors have with the University of South Carolina School of Law?**

    The professional editors are encouraged to visit the University of South Carolina School of Law and meet the student editors and staff if possible, but most of the professional editors do not have substantial, ongoing involvement with the students. The Associate and Assistant Editors communicate directly with the student Editor in Chief when they review articles, and the Editor is in regular contact with the student Editor in Chief and the administrative assistant at the University of South Carolina School of Law.
For Real Property:  
Brent C. Shaffer  
Young Conaway Stargatt & Taylor LLP  
Wilmington, DE 19899-0391  
bshaffer@ycst.com  

For Trust & Estate:  
Michael A. Sneeringer  
Porter Wright Morris & Arthur LLP  
9132 Strada Place, 3rd Floor  
Naples, FL 34108  
msneeringer@porterwright.com

Before submitting an article, the author may wish to consult the appropriate articles editor. Probate & Property seeks to publish articles ranging from 1,500 to 4,000 words in length (approximately 7 to 18 double-spaced, typed pages). Subject matter will be an important consideration, but articles that are too long for the magazine's limited space will of necessity be rejected or edited to fit. The best length for an article in the magazine is 2,000 to 3,000 words. Relevant charts, tables, photographs, illustrations, and sample language are desirable and will be included as space permits, at the discretion of the editors.

3. Web Searching: The author should provide at least five keywords and a one-sentence description of the article to enhance electronic searching when the article is uploaded to the magazine's web page.

4. Style: Articles should present practical information in a clear and readable manner. The style should be as nontechnical as possible, and "legalese" should be avoided. The extensive use of bullet points is discouraged. Articles should be written for the lawyer who is not a specialist in the subject and who is looking for usable information that is not difficult or time-consuming to read. Introductions and conclusions are strongly encouraged. Short paragraphs and sentences are preferred. Short subheads are suggested in longer articles. When an article includes tables, charts, or forms, these should not be included within the body of the article but should be submitted on separate pages. Except when referring to a specific individual, articles should be gender neutral. Generally, they should also be written in the third person. Cases or other relevant authority should be cited in which the author's article appears and a pdf of the article, without artwork, for the title of any article accepted for publication and to edit the text of the article.

5. Author Credits: Probate & Property authors will receive bylines and credit lines. Generally, the credit line will include only the author's name, title, firm, company or school, city and state, Section committee memberships or other Section activities, and, if applicable, the RPTE committee or group of which the article is a project. No biographical sketches, names of those who inspired or assisted in preparing the article, or other information will be included.

6. Multiple Authors: When more than one person has written an article, one person should be designated who can be contacted about editorial changes. The authors named should be only those who have actually written the article and should not include persons who have assisted with research or in other ways.

7. Committee and Group Projects: If the article is the project of a committee or group of RPTE, the author (if a single author) or person designated as the editorial contact (if multiple authors) should be so indicated at the time of submission. Only individuals may be authors; however, the committee or group itself may not be an author.

8. Disclosure: Each author should disclose any relationship he or she may have with the firm, company, or person producing any product or providing any service referred to in the article and any financial or other interest he or she may have in any product or service discussed in the article. The author should make full disclosure even when the relevance seems remote. Full disclosure will allow the editors to judge the objectivity of the author, to determine whether a real or apparent conflict of interest exists, and to determine whether disclosure should be made in publishing the article.

9. Copyright: It is the policy of Probate & Property that on all submissions of original articles the author retains the copyright but the American Bar Association and Probate & Property, on acceptance of the article for publication, shall have:

a. first publication rights (unless the article is submitted and identified as a reprint);

b. subsequent, multiple reprint rights in any American Bar Association publication in any medium;

c. the right to grant access to the article, its title, and other bibliographic citation material stored electronically in public databases and to furnish printed copies requested through public databases; and
d. the right to authorize others to reproduce or reprint the article, subject to the author's consent.

For questions about the ABAs copyright policies, contact ABA's Licensing & Copyrights Department.

10. Warranty and Representation: By submission of an article to Probate & Property, the author warrants and represents that he or she has included no material in the article in violation of any rights of any other person or entity, that he or she has disclosed to Probate & Property all relationships with any person or entity producing any product or providing any service referred to in the article, and that he or she has disclosed any financial or other interest in any product or service discussed in the article.

11. Publication Agreement: Authors of accepted articles are required to sign a Publication Agreement, which includes the author's warranty that the work is original and does not infringe on the rights of others. Please note that ABA General Counsel discourages changes to the standard publication agreement. Alterations to the agreement must be reviewed by ABA Licensing & Copyrights and ABA General Counsel and are subject to approval.

12. Multiple Submissions: If an article is submitted or accepted for publication elsewhere before acceptance by Probate & Property, the author agrees to notify the appropriate articles editor immediately. As a general rule, Probate & Property does not accept articles that have been published elsewhere. The submission of previously published material is strongly discouraged.

13. Editing of Title and Text: Probate & Property reserves the right to change the title of any article accepted for publication and to edit the text of the article. The author's grant of permission to reprint the article in another publication elsewhere before acceptance by Probate & Property, the author agrees to notify the appropriate articles editor immediately. As a general rule, Probate & Property does not accept articles that have been published elsewhere. The submission of previously published material is strongly discouraged.

14. Payment for Articles/Complimentary Copies: Probate & Property does not pay for articles. Each author will receive five complimentary copies of the issue in which the author's article appears and a pdf of the article, without artwork, for the author's use in internal marketing, for client mailings, and on the organization's web site.

15. Reprints: The author's grant of permission to reprint the article in another publication elsewhere before acceptance by Probate & Property, the author agrees to notify the appropriate articles editor immediately. As a general rule, Probate & Property does not accept articles that have been published elsewhere. The submission of previously published material is strongly discouraged. The reproduction of the ABA logo, covers, and mastheads of ABA publications is strictly prohibited. For questions about the ABAs reprint policies, contact ABA's Licensing & Copyrights Department.

16. Acceptance Policy: No single member of the Editorial Board has the authority to commit to the publication of any article before it has been submitted, even when the article has been specifically solicited by a member of the Board. Authors are notified by the appropriate articles editor of the acceptance or rejection of articles. In its discretion, the Editorial Board may withdraw an article previously selected for publication, delay publication of a selected article, or reschedule a selected article.

17. Author's Agreement: By permitting the publication of an article in Probate & Property, the author agrees to all the terms, provisions, and policies of Probate & Property stated in this Memorandum for Authors.
FREQUENTLY ASKED QUESTIONS BY PROSPECTIVE AUTHORS

1. **What kind of articles are you looking for?**
   Articles with practical information of interest to lawyers practicing in the areas of real property, trusts, and estates. Topics vary from broad introductions helpful to lawyers working on a task or matter that is new to them, to advanced analyses of specific issues, to cutting-edge reports on new developments.

2. **How long should my article be?**
   Seven to eighteen double-spaced typed printed pages (1500 to 4000 words).

3. **How do I submit an article for consideration?**
   Email a completed article in Word to Stephanie Casteel (scasteel@wallacetrustlaw.com) for estate or trust-related topics, or to Brent Shaffer (bshaffer@ycst.com) for real estate-related topics.

4. **Do I need to have my topic pre-approved before I write my submission?**
   Absolutely not required, but you are welcome to do so. Often we can provide feedback on whether we have recently published, or currently have in production, another article on the same or a similar topic and the likelihood that a submission on that topic would be accepted.

5. **Do I need to worry about citations and The Bluebook?**
   Though the magazine does not use footnotes, we do want citations in the text of your article, especially those that would be helpful to a reader wanting to find out more information about the topic. Lack of familiarity with The Bluebook should not discourage anyone from submitting an article, as our editors will assist in making sure citations are in proper form.

6. **Can I revise my article after it is accepted for publication?**
   Not unless we ask you to do so as a condition to acceptance. You should consider your submission to be your final draft.

7. **What’s your editing process?**
   Our Managing Editor at the ABA will first make revisions to conform to our magazine’s format and style conventions, then our Associate Articles Editors, Articles Editor, and Editor of the magazine will review your article in succession.

8. **Do I get to provide feedback on any changes you make to my article?**
   Yes, you will be mailed page proofs for review once all edits are complete.
9. **Will you accept my article for publication if I previously published it elsewhere?**

Generally, we insist on being the point of first publication. As explained in our Reprint Policy (found here: http://www.americanbar.org/content/dam/aba/administrative/real_property_trust_estate/aba_rpte_publications_reprint_permission_policies.pdf), authors retain rights to their articles and may republish them freely with revisions, or may reprint them with proper attribution to Probate & Property. ABA permission is needed for any reprints that use ABA logos or artwork from the magazine, however.

10. **How quickly can you publish my article?**

The time interval from the article submission deadline for an issue until the issue is mailed is 4 months.

11. **Where can I get more information about writing for Probate & Property?**

Our Memorandum for Authors can be found here: http://www.americanbar.org/content/dam/aba/administrative/real_property_trust_estate/aba_rpte_publications_magazine_memo_for_authors.pdf
Guidelines for eReport submissions:

- We do not guarantee acceptance of articles in advance, though we do indicate our interest in a proposed topic.

- We prefer articles of current interest since eReport is intended to present up to date information, and we discourage very long and heavily footnoted articles since eReport is not a law review. Where appropriate, we may refer a potential author to the Section magazine or law journal for consideration.

- Articles cannot promote a particular product or company, and logos, designs, etc. must be removed from any published text.

- An author must disclose any relationship to a product being reviewed or recommended (e.g., a document assembly program).

- A brief biography of the author should contain the author's employer and postal and email address, and a link to the author's law firm or other employer is fine.

- All authors must sign a standard ABA release form.

- Items may be of any length because we publish by electronic links -- some items are two page summaries of recent cases or rulings, while some articles exceed 100 or 200 pages and are in-depth discussions of new topics.

- Drafts should be submitted in Microsoft Word with endnotes rather than footnotes, and in Ariel 12 point.

- Drafts should be submitted approximately six weeks before publication, which is quarterly, generally in February, May, August, and November.

- The eReport editor is Robert Steele at rsteele@ssrga.com

- The RP editor is Cheryl Kelly at ckelley@thompsoncoburn.com

- The TE editor is Ray Prather at ray@pratherebner.com
FREQUENTLY ASKED QUESTIONS BY PROSPECTIVE AUTHORS

What makes eReport different from the other Section publications?

The most important distinction is that eReport is electronic. It is delivered by email only (see below) and consists of links to electronic versions of articles and other items of interest. Since eReport is electronic, it is flexible in many ways.

How is eReport delivered and to whom?

eReport is delivered every other month via email to all Section members with valid email addresses. At the ABA website, www.americanbar.org, click myABA and then navigate to Email, Lists and Subscriptions. You have the option of receiving eReport. Currently almost 19,000 Section members receive eReport.

What kind of articles are you looking for?

We are looking for timely articles on almost any topic of interest to real estate or trust and estate lawyers. This covers anything from recent case decisions, whether federal or state, if of general interest, administrative rulings, statutory changes, new techniques with practical tips, etc. The best guide is to look at prior issues, all of which are on the Section website. https://www.americanbar.org/groups/real_property_trust_estate/publications/ereport/

How long should my article be?

Since eReport is electronic and therefore very flexible, we can publish a two page case or ruling summary, and we can publish a 150 page article. eReport is able to do this since the main page consists of links to the underlying article, therefore imposing no page restraints. This is a unique feature of eReport.

How do I submit an article for consideration?

Email either a paragraph on a potential topic or a polished draft — the choice is yours — to the Editor, Robert Steele, at rsteele@ssrga.com, and either our Real Estate Editor, Cheryl Kelly, at CKelly@thompsoncoburn.com, or our Trust and Estate Editor, Raymond Prather, at ray@pratherebner.com.

Do I need to have my topic pre-approved before I write my submission?

Not required, but the choice is yours. We welcome topic suggestions and can give guidance at that stage, or you may submit a detailed outline or even a full draft. You may even submit an article previously published (discussed below) for our consideration.

Do citations need to be in formal Bluebook style?
eReport is the most informal publication of the Section. We do not publish with heavy footnotes and all references are in endnotes. If there are citations, however, whether to the case you are writing about, or in endnotes, they should be in proper Bluebook format to allow the reader to find the material. Certainly you may include hyperlinks to materials as well.

**Can I revise my article after it is accepted for publication?**

While we do not encourage last minute changes, it is possible to make changes since we work on Word documents until right before publication when all articles are converted to pdf format for publication.

**What is your editing process?**

Our Editor and either the Trust and Estate Editor or the Real Estate Editor work together to finalize your article. The article and the style are yours, however, and you are solely responsible for the content and accuracy. We will just help to polish the article, not re-write it. Our authors have a huge variety of styles and we embrace all variety in our publication.

**Do I get to provide feedback on any changes that you make to my article?**

Yes. We will email a final draft to you unless we have only made very minor typographical or grammatical changes.

**Will you accept an article for publication if I previously published it elsewhere?**

YES! This is another unique feature of eReport. We bring almost 19,000 new readers to your material. Therefore, something substantive published on your firm’s or company’s website or elsewhere may be accepted for publication if we believe that our readers will benefit from your analysis and insight. In some cases, articles are updated or refreshed for eReport. In other cases, we re-publish essentially unchanged, but logos and biographical information is either eliminated or moved to the end of the article.

**How quickly can you publish my article?**

Since we publish every other month, the lead time is rarely more than two months. If you have a submission on a very timely topic, we can publish in under a month and present your insights on a new topic in a matter of weeks.

**Where can I get more information about writing for eReport?**

See our memorandum for authors
FREQUENTLY ASKED QUESTIONS BY PROSPECTIVE AUTHORS

1. Why should I write a book for the Real Property Trust and Estate Section (RPTE) of the ABA?

You are knowledgeable and experienced in the substantive content of the book. The subject matter is timely either as a classic topic not recently treated or as a changing area of the law caused by recent case law or legislation. You have the time and inclination to write. Publishing through the RPTE provides an opportunity for authors to gain national recognition.

2. What is the number of books sold by the RPTE for a particular publication?

The answer depends upon the title of the book and the audience for the publication. Generally, 1,000 copies is a good seller. In some cases, major corporations have written and published books through RPTE which they market to their clients.

3. What royalties are paid to authors? How are royalties divided between multiple authors? Does the editor of a multi-authored book receive royalties?

Each contract is negotiated separately. Typically there is a 10% gross profit royalty paid to a single author which can be shared in the case of two authors. A royalty is not paid in the event of multiple authors with a coordinating editor(s) on a single publication but the Section does furnish those authors with a certain quantity of free copies.

For books written by members of the same law firm or corporation (i.e. all contributing authors are from same organization), ABA Publishing can provide customized covers and bulk sale prices.

4. How long should a book be?

Average length of a book is 200-300 pages, but a publication could exceed that and be hundreds of pages. Entirely dependent on the topic and the author’s determination of the depth and breadth it should cover.

5. Should the book contain forms?

Absolutely, if appropriate for the subject matter. Forms help sell books! Our publications are primarily for practitioners who always appreciate forms they can use in their practice.

6. What is the process for having a book published by RPTE?

a. For detailed description, see the attached Exhibits. Exhibit A is entitled “Book Publications Process” and Exhibit B is entitled “The Entity Book Publishing Process – A Quick Guide.”
b. In general: Submit a proposal to RPTE Books Committee (see the ABA Publishing Proposal Form attached as Exhibit C) for review and approval. Upon approval, a contract is entered into with ABA Publishing. An editor is assigned to work with the author. Together the editor and the author develop timelines for manuscript delivery and final publication. Once a draft manuscript is submitted, peer review is conducted. Upon completion of peer review, ABA Publishing takes over for final editing, pricing, cover design and publication.

7. What is the length of time from acceptance of proposal to publication?
Manuscripts are typically submitted for publication one year from acceptance of a book proposal and contract signing. Each manuscript is peer reviewed. Once a manuscript is in final form and approved, it is submitted to ABA publishing and is typically produced in about 80 days after that submission.

8. Is the process the same for electronically published books?
Yes. Note that all current titles are presently being produced both in paper and electronic formats.

9. Is there a style sheet available to assist the author in developing an appropriate format for the book?
Not at this time.

10. Can a book have multiple authors?
Yes, but these types of books also require at least one of the authors to serve as the editor for the book.

11. If a book does have multiple authors, how does the Books Committee ensure that there is consistency of format and style before submitting for publication?
This is a challenge for the editor(s) of the book, who must organize the authors and coordinate amongst them to achieve consistency of format and style.

12. Can an author use material in a book that has previously been used for other purposes (i.e. CLE, magazine article)?
Yes! This is often a source for our book authors; however, copyright matters and releases, if needed, will have to be worked out prior to entering into a contract.

13. Is there any revenue sharing with ABA Publishing?
There is no revenue sharing with the ABA. Remuneration is in the form of a royalty.
14. Will the editors of the RPTE Books Committee provide the necessary expertise to review a book for substantive content?

Yes.

15. Will the author have any input prior to the book being type set?

Not generally, but see No. 3 above. If an author has a very definite vision for the cover design of the book, RPTE and ABA Publishing will work with the author to achieve a satisfactory result.

16. What is the role of the Editors on the RP Books Committee? On the TE Books Committee?

Editors on both the RP Books Committee and TE Books Committee have a similar focus.

The Acquisition Editors generate book ideas and identify authors to write the manuscripts.

The Book Editors manage the overall peer review process of the manuscripts.

These are distinct efforts on the RP Books Committee and combined on the TE Books Committee. So an RP publication will have both an Acquisition and Book Editor while a TE publication will have one Editor that serves both capacities.

Among the criteria Book Editors focus on during the review process is accuracy and whether the book provides a significant review or analysis of the topic, contains sound scholarship and is of practical interest. A timeline is generated identifying all of the books and authors in the pipeline. The Book Editors work with the editors to see that the manuscripts they are responsible for are reviewed and completed in accordance with the timeline.

Above all, RP and TE Book Editors are seeking to identify manuscripts that are practical, reasonable and straightforward and have a style that is appropriate to the subject/audience.
BOOK PUBLICATIONS PROCESS

BOOK IDEA

AUTHOR / EDITOR SELECTED; AUTHOR / EDITOR SUBMITS **PUBLICATION PROPOSAL**
TO COMMITTEE CHAIR AND EXECUTIVE EDITOR

BOARD REVIEWS PROPOSAL AT NEXT REGULARLY SCHEDULED MEETING
(OR BY TELEPHONE CONFERENCE WHERE NECESSARY)

PROFORMA REQUIRED

BOARD APPROVES, DISAPPROVES, CONDITIONALLY APPROVES OR SEEKS MORE INFORMATION ON PROPOSAL;
OUTLINE AND SAMPLE CHAPTER ARE SUBMITTED; IF PROPOSAL IS ACCEPTED, EXECUTIVE EDITOR DRAFTS
CONTRACT AND A COMMITTEE LIAISON FOR BOOK IS SELECTED

ABA EXECUTIVE EDITOR NEGOTIATES AND ISSUES CONTRACT IN CONSULTATION WITH CHAIR

EXECUTIVE EDITOR / COMMITTEE LIAISON WORKS WITH EDITOR TO DEVELOP MANUSCRIPT AND TIMELINE FOR
COMPLETION

FIRST DRAFT OF MANUSCRIPT SENT TO CHAIR, EXECUTIVE EDITOR, BOARD LIAISON AND PEER REVIEWER
(TYPICAL REVIEW IS 30 DAYS)

AUTHOR / EDITOR REVISES MANUSCRIPT BASED ON REVIEWER’S COMMENTS AND SUGGESTIONS AND SUBMITS
FINAL DRAFT

CHAIR, EXECUTIVE EDITOR, BOARD LIAISON REVIEW FINAL DRAFT

IF MANUSCRIPT MEETS COMMITTEE’S STANDARDS, CHAIR “SIGNS OFF” ON FINAL DRAFT
OTHERWISE CHAIR WORKS WITH EXECUTIVE EDITOR WITH BOARD LIAISON TO MAKE NECESSARY CHANGES

MANUSCRIPT GOES INTO PRODUCTION
The Entity Book Publishing Process—A Quick Guide

ABA Publishing is dedicated to helping ABA entities achieve their strategic publishing goals by providing professional editorial, marketing, design and production services. This guide is intended as a quick reference to the book publishing process. The goal of this document is to clarify the roles and responsibilities of your Book Board and ABA Publishing. A publishing workflow diagram is included as a reference. Other documents are included to illustrate points throughout the process.

Throughout the book publishing process an ABA Publishing team consisting of an editor and marketer are the primary contacts in supporting the entity

1. **Book ideas**: Because Book Publishing Board members themselves have expertise and contacts with practitioners in a given area, ideally the Board is the primary driver for developing a pipeline of titles consistent with the entity’s book publishing strategy
   a. **Generating book ideas** – Book ideas can come from virtually any source, but the Board should set down some guidelines for the type of titles that are desired as well as suggestions for specific titles and perhaps authors. ABA Publishing can help the Board structure a coherent title list by mapping areas of topics against possible book audiences to suggest title/series opportunities. Sample maps are included to provide you with some idea of this process. These are illustrative only. Each entity’s map is developed in close consultation with the Board. The goal is to make the best use of the entity’s publishing resources to achieve the best financial and mission results.
   b. **Gathering book ideas** – Each idea is captured in a Book Proposal filled out by the author or other person (such as a Publication Board member). These proposals should be sent to both the Board Chair and the appropriate Executive Editor at ABA Publishing so that proposals can be considered in an orderly and efficient manner.

2. **Proposal Evaluation Process** -- To ensure proper consideration of each idea in the context of the entity’s strategy, there should be a two-part evaluation process.
   a. **Initial evaluation** – Each proposal should be evaluated initially for fit with the entity’s publishing strategy, including the existence of similar types of books on other topics (i.e., whether a series can be developed), fit with the needs of the profession and the particular audience (e.g., types of attorney or industry). Ideally this evaluation would be discussed at a meeting of the Publication Board, including representatives from ABA Publishing editorial and marketing functions, after each member has had a chance to review the proposal in
advance. If the Board decides not to proceed with a particular title, the Chair should notify the submitter of the Proposal.

b. **Preparation of Business Case** -- For each proposal approved at the initial evaluation stage, ABA Publishing will prepare a business case for the book. The business case will include:
   i. a clear specification of the book's content,
   ii. a competitive analysis that includes price review and proposal,
   iii. a distribution plan with projected revenue from each source,
   iv. a title P/L showing projected revenue, expenses and profit over the lifetime of the book.

c. **Final evaluation** -- Based on the initial evaluation and the business case, the Board will formally approve or reject the book proposal.

3. **Acquisition Process** – Once the Board approves a titles for publication, the following acquisition steps are taken:
   a. **Board member liaison** – The Board assigns a Board member to act as liaison in ensuring that the title publishes per the proposal as to content and timing. Primary responsibilities are:
      i. Suggesting authors and making initial author contact if necessary.
      ii. Securing peer review of the manuscript.

   b. **Author acquisition** -- ABA Publishing staff can assist with author acquisition and in all cases develops, negotiates and finalizes the book contract with the author(s).

   c. **Manuscript generation** -- ABA editorial staff will be the primary contact with the author(s) during this process and will keep the Board apprised of progress. ABA editors will consult with the Board member liaison as necessary to move this process along.

   d. **Administrative matters** – ABA Publishing handles all administrative matters connected with the title, including:
      i. Securing approval of the title from the ABA Standing Committee on Publishing Oversight (SCOPO). All titles must be approved by SCOPO and this approval is typically granted as a matter of course.

4. **Editorial Process** – ABA Publishing editorial staff completes final editing of the book and coordinates printing of the book with the ABA Publishing production department. Steps include:
   a. Coordinating changes upon peer review
   b. Independent manuscript review.

Exhibit B
c. Overseeing copy editing.

5. **Production Process** – ABA Printing Administration maintains a list of experienced, approved vendors to take the book from manuscript to printed copies as expeditiously as possible.
   a. Copy editing – ABA editorial staff work closely with outside copy editors to ensure
   b. Typesetting – ABA editorial staff coordinate review of type-set pages with authors.
   c. Printing – ABA Printing Administration coordinates printing with a group of established printers to ensure high quality books in a variety of formats, including soft-cover and hard-cover.

6. **Marketing Plan** – After receipt of the manuscript is assured, ABA Publishing marketing staff develops a book marketing plan and presents it to the Board. Each plan includes:
   a. Description of target audience
   b. Description of marketing communications
      i. Event marketing
      ii. Direct marketing (e.g., email, direct mail)
      iii. Influencer communications,(e.g., reviews, Blogs)
      iv. Advertising (e.g. in entity publications)
   c. Description of sales channels
      i. ABA Web Store
      ii. NBN distribution
      iii. ABA Package Plan program
      iv. State and local bar program
   d. Associated CLE opportunities

7. **Book launch** – Book arrives in ABA fulfillment vendor.
   a. Execution of marketing plans begins with advance selling activities when publication date is known.
   b. ABA Publishing provides regular reporting on book sales.

8. **New edition** – editorial staff works with authors and Publications Board to determine the timing of updates on the basis of developments in the law or forestalling staleness.
Thank you for your interest in ABA Publishing. Please complete this proposal form and submit to Jeffrey W. Salyards, Executive Editor, ABA Book Publishing (contact information is below). Along with this proposal, please include a brief outline or table of contents and an introduction or sample chapter, if available. Any additional supporting materials are always helpful as well.

All proposals are reviewed quarterly.

Proposal submitted by: __________________________________________________________

Address: _____________________________________________________________________

City/State/Zip: _________________________________________________________________

Business Phone: __________________ Home Phone: __________________

E-Mail: ___________________________ Fax Number: _____________________________

A. INFORMATION REGARDING THE CONTENT OF THE PROPOSED BOOK:

1. Working title: ____________________________________________________________

2. Briefly describe your proposed book.

__________________________________________________________________________

3. At what level will the subject matter be treated?

☐ Beginner       ☐ Intermediate       ☐ Advanced
4. a.) Do you know of any other publications that cover the same or similar subject matter? Please list them.

________________________________________________________________________
________________________________________________________________________

b.) If there are other publications that cover similar subject matter, how will your proposed book differ from others on the same subject?

________________________________________________________________________

5. What is the proposed length of your book in typewritten pages (number of 8 ½ by 11, 12 pt typed, double spaced pages) _______________. (Please keep in mind that 100 pages of typewritten pages translate into 69 pages of typeset pages.)

6. Do you think your proposed publication should be supplemented or revised in the future?

☐ No    ☐ Yes    If yes, how often will you prepare the supplements? ________________

Do you have the commitment from authors and contributors to produce timely supplements?

________________________________________________________________________

7. Please attach an outline and/or a proposed table of contents. If one is not available, when will your be able to produce it? __________________________ Please also send a sample chapter, if available.

B. INFORMATION REGARDING THE AUTHOR(S)

1. Author (check one)

☐ individual author    ☐ multi-author    ☐ ABA Committee __________________________

2. Name and address of editor/author(s) if different from “submitted by” on page 1; if a committee work, please supply name and address of primary contact for the book:

________________________________________________________________________
________________________________________________________________________

3. Please identify any other book(s) and articles you have written and have had published.

Exhibit C
4. Are you a member of the ABA Section of Real Property, Trust & Estate?  □ No  □ Yes
   If yes, please identify the committee(s) of which you are a member.

________________________________________________________________________

________________________________________________________________________

5. Individual authors, please attach your resume(s) or CV(s), including: any awards; media
   appearances; key-note speaking; seminars, workshops, or conferences taught, led, or on
   which you served as a panelist; previous publications (articles, monographs, etc.)

C. COPYRIGHT INFORMATION
1. Has the book you propose here been previously published in any format by any other
   publisher? If so, please give details.

________________________________________________________________________

2. Will it be necessary to obtain any special copyright releases for any material to be reprinted?
   □ No  □ Yes  If yes, please describe the necessary releases and the holder of the
   copyright and estimate the likelihood that the holder of the copyright will consent without
   additional costs to the ABA.

________________________________________________________________________

D. INFORMATION REGARDING REVIEWING/EDITING BOOK
1. Proposed Timetable
   a. Final outline submitted by: ________________________________

   b. First draft submitted by: ________________________________

   c. Completed manuscript to be submitted by: ________________________________

   Please note, that completed manuscripts typically are submitted one year from acceptance.
   Every manuscript is peer-reviewed. Once a final, approved manuscript is submitted to ABA
   Publishing, a book typically is produced in four to six months, depending on the length of
   the manuscript.

2. In your view, what Real Property, Trust & Estate Law Section committee(s) address(es) the
   substantive area of your proposed book?
3. Will your manuscript require cite checking or blue booking?  □ No  □ Yes  If yes, what types of references will need to be checked, and how extensive are the citations?

E. INFORMATION REGARDING BOOK PRODUCTION /FORMAT

1. What software will you use to prepare the manuscript? (ABA Publishing prefers Microsoft Word for text files.)

__________________________________________________________________________

ABA Publishing books are usually produced in paperback and in 6 x 9 or 7 x 10 format. If your book would differ from this norm (such as three-hole punch or 8 ½ x 11 format), please describe why this format would need to be used.

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

2. Will your book benefit from being published with a CD-ROM containing charts, forms, other appendix-type material? If so, please describe the contents.

__________________________________________________________________________

3. Please list any special features that you plan to include in the book, such as illustrations. Will you be able to provide the illustrations or do you need assistance from ABA Publishing on the graphics?

__________________________________________________________________________

F. INFORMATION REGARDING MARKETING

1. What is the target audience for your book (e.g., small, medium, large law firms; practicing attorneys; non-attorney professionals; corporate counsel; litigators; legal administrators; law schools; etc.)?
2. Please identify any persons who might be appropriate to write a review for the finished book.

________________________________
__________________________________________
__________________________________________
__________________________________________

3. Please identify any persons who might recommend the book and consent to their recommendations being used in marketing brochures (testimonials).

________________________________
__________________________________________
__________________________________________
__________________________________________
__________________________________________

4. Please suggest any special marketing strategy or promotional ideas you may have.

________________________________
__________________________________________
__________________________________________
__________________________________________
G. MISCELLANEOUS
1. Please include any other comments helpful to support your proposal.

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

All proposals will be reviewed by the Publications Development Board at its quarterly meetings.

Please submit your proposal to:

Jeffrey W. Salyards
Executive Editor
ABA Book Publishing
American Bar Association
321 North Clark Street, 20th FL
Chicago, IL 60654-7598
Phone: 312-988-6288
Email jeff.salyards@americanbar.org
Fax: 312-988-6030

Cc:
Richard M. Frome
Chair, Real Property Publications Development Board
Email: Rmf@fromelaw.com
Fax: 212.751.2235