

EDITORIAL GUIDELINES

Universidad de Concepción Law Review

ISSN 0303-9986 (printed version)

ISSN 0718-591X (online version)

I.- MAIN OBJECTIVES AND SCOPE

The University of Concepción Law Review has been published since 1933 by the Faculty of Legal and Social Sciences of the University of Concepción. It is the oldest university legal journal currently circulating in Chile and one of the oldest of its kind in Latin America. Its objective is to disseminate the analysis and critical discussion on issues of all branches of Law. The Journal's Editorial Management, to maintain the thematic heterogeneity of the Journal, may exclude certain topics in the call for each issue.

Of semi-annual periodicity, it is edited and published in the months of June and December, respectively. It publishes research articles, commentaries on jurisprudence, research on jurists and bibliographic reviews, original and unpublished, in Spanish and English, evaluated based on previously established quality criteria, according to the modality specified below.

This Journal establishes open access to the resources, results and publications included in its online platform. More information on our website, "[About](#)" section.

II.- ETHICAL RULES AND PLAGIARISM POLICY

The *University of Concepcion Law Review* adheres to the guidelines proposed by the Committee on Publication Ethics (COPE), in its Code of Conduct and best Practice Guidelines for Journal Editors (<http://publicationethics.org/>), which mainly establishes duties and responsibilities of editors, authors and evaluators, principles of ethical-academic integrity, transparency of funding sources, discretion and confidentiality of data from informants, freedom of expression.

The writings selected for evaluation will be submitted to the *Compilatio* plagiarism detector. Works that do not meet the minimum originality standards will be rejected.

More information about the ethical conduct of the author on our website, "[Ethical Rules](#)" section. Also learn about our policies on prohibiting academic plagiarism in the "[Plagiarism Policy](#)" section.

III.- AUTHOR INFORMATION DUTIES

The author must inform if his or her work has been exhibited in seminars or conferences of the specialty, and if there are minutes of said activities published in print or online. Exceptionally,

extracts from postgraduate thesis works will be published, as long as they are not published in databases of library or postgraduate program platforms.

Translations will be considered unpublished works, only when it is the first version in Spanish and has the authorization of the journal, publisher or site where it was published in another language.

Violations of these rules, detected by the Journal or the peer reviewers, may imply, prior to the author's right to release, the rejection of the work, and the adoption of other measures that the Journal Management deems necessary.

Conflict of Interest Statement. Both authors, reviewers and editors must declare – by email addressed to the Journal's management – any possible conflict of interest that could call into question public confidence in the review, selection and publication processes of the *University of Concepcion Law Journal's* works. A conflict of interest is the situation where a relationship (family, academic rivalry, financial or other) threatens the transparency and impartiality of trials and procedures. When submitting their work, each author declares that it is strictly unpublished, and that it is not under evaluation in any other journal.

IV.- COPYRIGHT AND AUTHORIZATION OF USE

Authors retain intellectual property of their works submitted to our publication. Its submission to this Journal implies authorization, by each author who subscribes it, for its publication and dissemination by any means it deems appropriate, as well as its inclusion in catalogues, libraries, servers or virtual sites.

It is stated that the opinions expressed in this Law Review reflect the position of each author who issues them, and do not necessarily represent the publishing institution.

For the online version, the Universidad de Concepción Law Review adopts the Creative Commons 4.0 License. More information in our website, section “[Open Access](#)”, also in part. VII of this document.

V.- PREPARATION OF PAPERS

It will be the responsibility of each author to adapt his or her work to these editorial standards. Disagreement between the work presented and these standards will be sufficient reason to return the work with the pertinent observations, and its author must correct them within the deadline indicated by the Editorial Production. Without prejudice to the above, Editorial Production will have the power to make the adjustments required for the final edition of the work.

The publication has the following permanent sections:

- Research Articles (max. length 12.000 words)
- Jurisprudence Commentaries (max. length 4.000 words)
- Bibliographic Reviews (max. length 3.000 words)
- Jurists (max. length 10.000 words)

The “Jurists” section corresponds to a category of works dedicated to highlighting the life and work of important national and international jurists.

The maximum number of words established considers the entire text, including the title, summary, footnotes and bibliography. Exceptionally, a longer length will be admitted for justified reasons, qualified at the discretion of the Journal Management.

The writings must be sent in Spanish or English, in a digital file in Word (doc) format, letter size, Times New Roman font, character size 12, single spacing, justified text and 3 cm margins in every direction. Verbatim words or phrases must be enclosed in English quotation marks. Italics will only be used for words in a foreign language and exceptionally when the author wants to highlight or emphasize a word or short phrase.

The following characteristics must be considered for the presentation of papers:

- Cover: title in Spanish and English, name of its author.
- In the footer: institutional affiliation, city and country, title and/or academic degree of the author, email, ORCID identifier and source of funding for the research, if any, which must be marked with an asterisk (*).
- Summary (maximum 10 lines) and key words (6 words or phrases), in Spanish and English (Abstract and Keywords).
- Within the text, titles and subtitles must follow a hierarchical order. Tables, charts or graphs cannot exceed the size of one page and must use size 10 font.
- Bibliography, including the regulations and jurisprudence cited, if any.
- When an author is named in the text of the article, the small caps will be used for his or her. For example: Elinor OSTROM, or OSTROM.

In the case of Jurisprudence Commentaries, in addition to complying with the above, it must be structured in a way to include two sections, namely: *Doctrine*, consisting of a descriptive paragraph of the main ideas of the commented sentence or sentences, and the *Commentary*, where the author will develop the topic, reproducing the sentence only in what is pertinent.

QUOTES AND REFERENCES

The *Universidad de Concepción Law Review* will follow the **Chilean Standard No. 1143.Of1999 (ISO 690)** in its work, with the modifications expressed below. Consequently, citations or references of cited works must follow the following instructions:

- 1.- Bibliographic references and notes to the text must be made at the bottom of each page, following numerical order, in Times New Roman font, character size 10, single spacing and justified text.
- 2.- The reference number must come after the punctuation elements.
- 3.- **Every last name must be in SMALL CAPS (VERSALES Font)**. The citation will be used using a single last name for each author. Exceptionally, when there are authors with the same surname cited in the work, both will be used to differentiate them.

4.- The way the reference is constructed will vary depending on the type of publication in question according to the following rules:

i.- Books:

LAST NAME (in SMALL CAPS) and name of the author, title of the book, publisher, place of publication, year of publication of the edition used, number and type of edition if applicable, volume if applicable, and page number(s). s) cited(s).

Examples:

- With one author: RAMOS, René, *Family Law*, Editorial Jurídica de Chile, Santiago, 2007, 6th edition, T.I, p. 157.
- With two or more authors: HALABI, Fuad; SAFFIRIO, Carlos, *The precarious action before doctrine and jurisprudence*, ConoSur Legal Publisher, Santiago, 1996, 117 p.
- With two or more authors with identical surnames: DOMÍNGUEZ BENAVENTE, Ramón; DOMÍNGUEZ ÁGUILA, Ramón, *Inheritance law*, Editorial Jurídica de Chile, Santiago, 2011, 3rd edition, T.2, p. 901.

ii.- Thesis:

LAST NAME and name of its author, “title of the thesis”, type of thesis, University, place, indicate whether or not it is published, year, number of the page(s) cited. Example:

- CORTEZ, Gonzalo, “Precautionary protection in the Chilean civil process. Comparative study with the new organization in Spanish Law”, Doctoral Thesis in Law, University of Valencia, Spain, unpublished, 2003, p. 90.

iii.- Article or work from a collective work:

LAST NAME and first name of its author, “name of the article or work”, in: SURNAME and initial of the name of its editors (eds.) or coordinators (coords.), *name of the collective work*, publisher, publication location, year of publication, edition used, number and type of edition if applicable, volume if applicable, number of the page(s) cited.

Example:

- DOMÍNGUEZ, Ramón, “Delay for payment and illiquid obligations”, in: DOMÍNGUEZ, C.; GONZÁLEZ, J.; BARRIENTOS, M; GOLDENBERG, J. (Eds.), *Civil Law Studies VIII*, Legal Publishing Thomson Reuters, Santiago, 2012, p. 283.

iv.- Journal articles:

LAST NAME and name of the author, “name of the article”, name of the journal, year of publication, volume and/or number of the journal, number of the page(s) cited.

Example:

- PEÑAILILLO, Daniel, “Some reforms to the resolution for non-compliance”, *Universidad de Concepción Law Review*, 2012, No. 231-232, p.13.

v.- Bibliographic references for subsequent citations of the same work:

If reference is made to a work that has been previously cited, the LAST NAME of its author will be indicated, followed by the word “cit.” and, in parentheses, the number of the citation in which the work appears for the first time will be added, with the abbreviation “n.”, finally the number of the cited page(s) will be indicated.

Example:

- DIEZ, cit. (n. 5), p. 55.

vi.- Legislation quotes or references:

The Legislation quotes and references must indicate the number of the law and the year of its publication. The rules must be capitalized (e.g. Law, Decree, Regulation, etc.). If the standard is foreign, the country of origin must be indicated at the end, in parentheses.

Examples:

- Law No. 19,947, 2004.
- Law No. 12,965, 2014. (Brazil).

vii.- Jurisprudence citations or references:

They must indicate their Court or Entity (Country of origin if the jurisprudence is foreign), Date of the ruling or opinion, Identifier (Journal number, Role of the case or database).

Examples:

- Supreme Court, September 23, 1997, D.J., T. 94, sec. 1 p. 85.
- Supreme Court, June 30, 2009, Role No. 2665-09.
- Supreme Court, September 10, 2013, legalpublishing.cl, N° CL/JUR/2008/2013.
- Comptroller General of the Republic, May 3, 2019, Opinion No. 2361.
- Superior Court of Justice (Brazil), April 11, 2012, Special Appeal 5916-RJ (2012/0257814-0).

VI.- SUBMISSION OF PAPERS

The submission of papers must be made through the **Academic Journals platform of the University of Concepción**, which uses the *Open Journal System* (OJS), and whose access address is **revistadederecho.udec.cl**

To send a paper, each author must register on the platform, creating a user account and password for this purpose. Likewise, each arbitrator who participates in the process must follow the same procedure. All official communication related to the evaluation process must be channeled using said platform. Exceptionally, when this is not possible, the following email box will be used: rderecho@udec.cl.

Along with the submission, each author must provide their **ORCID ID** permanent digital identifier code. If you do not have one, you must create one for this purpose. If you need assistance, the Journal will provide the necessary guide for this process.

VII.- EVALUATION PROCESS

Once the work has been sent through the platform, the Journal will carry out an **admissibility examination** within a period of 15 business days, where the relevance and quality of the work will be preliminarily evaluated, as well as compliance with these editorial standards.

Once a paper is admitted, the Journal will submit it to the evaluation process according to a previously established guideline, which contemplates the consideration of various aspects, namely:

- i.. If the work fits in the area of Legal Sciences.
- ii. Originality and novelty of the topics addressed, or of the proposed approach.
- iii. Opportunity, timeliness and legal relevance of the topic discussed.
- iv. Pertinent and coherent structure with the presented arguments.
- v. Development of arguments in a clear, complete and consistent manner.
- vi.- Coherence between the title and the summary with the content of the work.
- vii. Clarity in spelling and style.
- viii. Relevance, quality and timeliness of the sources used.

Regarding the Research Articles, the Journal Management will entrust their evaluation to two external evaluators in a “double blind” mode, who will arbitrate within the period indicated to them. The editor in charge of the article will send the anonymized manuscript to two specialist researchers. Taking into account the journal's Article Review Form, the referees will determine if the article is:

- *Accepted*, without corrections
- *Accepted with suggestions* to its author
- *Accepted with corrections* (to be made to the work)
- *Rejected*, not publishable

Each arbitration report must conclude whether or not the work can be published and, if so, whether suggestions or observations are made to the author. If there are contradictory evaluations of the same work, it will be submitted to a third arbitration. The final opinion of the Editorial Committee, informed by the observations issued by the two or three reviewers, will be final.

In relation to Commentaries on Jurisprudence and Bibliographic Reviews, upon admissibility, these will be submitted to arbitration.

The suggestions and observations made will be communicated to the author, so that he or she can adapt his or her work as appropriate, granting a deadline for this purpose.

The Law Review may always present the author with additional observations regarding his or her work. Likewise, you may insist on the observations already made, when it is considered that they have not been properly addressed, returning the work to its author so that they can make a new adjustment, within the period indicated. If the article is publishable with observations, the author must send the corrected version for a new evaluation within the deadline established in

the evaluation report. The corrected article will be reviewed to confirm the incorporation of the observations and thus be able to proceed to publication.

The Journal reserves the right to decide whether to accept or reject the publication of a work and, if accepted, decide in which edition it will be published, due to the miscellaneous nature of the Journal and based on criteria of opportunity.

The rejection of a paper will always be duly justified.

A rejected work cannot be submitted again to the editorial process of this journal until at least one year has elapsed after its rejection, and only by demonstrating that the observations and objections made have been corrected in the new text, an issue that will be qualified by the Editorial Team of the Law Review.

Notification to authors: The main author will be notified of receipt of the work and subsequently the result of the peer evaluation to the email box registered in our OJS Platform.

For more details about the editorial process, also refer to our [Ethical Standards](#) section.

VII.- OPEN ACCESS AND REUSE

For the online version, the *University de Concepción Law Review* adopts the **Creative Commons BY 4.0 License** (creativecommons.org/licenses/by/4.0/) **for open access**, which authorizes anyone to copy and redistribute the material in any medium or format for any purpose, including commercially, with appropriate citation of the source and reference to the original publication.

Interoperability protocol. The Universidad de Concepción Law Review incorporates the **OAI-PMH** (Open Archives Initiative Protocol for Metadata Harvesting) interoperability protocol, which allows it to be collected by other distribution systems. Its web address is https://revistas.udec.cl/index.php/revista_de_derecho. Each article is described with *Dublin Core* type meta tags.

VIII.- DIGITAL PRESERVATION POLICY

- The *University of Concepcion Law Review* assigns an Institutional **DOI** (Digital Object Identifier), which is a persistent identifier, managed by Crossref, which guarantees identification and avoids location problems due to URL changes or similar.

- The **PKP Preservation Network** provides free preservation services for any OJS journal that meets the basic criteria. In this sense, with a view to their digital preservation, the articles of this Law Review are archived in **LOCKSS** (Lots of Copies Keep Stuff Safe) and **CLOCKSS** (Controlled Lots of Copies Keep Stuff Safe), thus guaranteeing the Journal a permanent and safe. (https://revistas.udec.cl/index.php/revista_de_derecho/gateway/clockss).

- The Open Journal Systems, which hosts this Law Review, is compatible with the **LOCKSS** (Lots of Copies Keep Stuff Safe) system, which guarantees the journal a permanent and secure archive. LOCKSS is an open source program developed by the Stanford University Library that allows libraries to curate selected web journals by regularly searching registered journals to collect new published content and archive it. Each archive is continually validated against records

from other libraries, so any damaged or missing content can be restored using those records or the journal itself.

Archived issues can be consulted in the LOCKSS Editorial Manifesto (https://revistas.udec.cl/index.php/revista_de_derecho/gateway/lockss). In this way, the articles are progressively archived, thus ensuring that the stored digital information can remain and continue to be used in the future.

- **Institutional preservation.** All files of the *University of Concepcion Law Review* on the Academic Journals Platform are hosted and backed up on servers of the Information Technology Directorate (DTI) of the University of Concepción.

- **Indexings.** The *University of Concepcion Law Review* is indexed in: *Latindex*, Directorio 2.0, and *Scielo* Chile. It is also registered on *Dialnet*.



The content of the *Universidad de Concepción Law Review* is published under the Creative Commons Attribution 4.0 International license, and can be used free of charge, giving credit to the authors and the journal, under the terms of this license.

Rev.Der.UdeC/V.2023