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Appeals

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I spent some time growing up in one of the poorest counties in Georgia. My sister is now an attorney in a tri-county area not too far from Savannah. Before she went into her own practice, she was the county prosecutor. I always wondered about appeals and, in particular, about one old famous case in the county that some of the old timers still swear is true.

The Smiths were an extremely poor family who lost a mule to sickness. Consequently, their crop could not be plowed, and they were in danger of starving, given the situation. The Jones across the road had two mules, and within a week, one of the mules went missing. The Jones filed charges against the Smiths after discovering that the Smiths had a new mule that looked exactly like the Jones's missing mule. The charges went to court, an attorney presented the case, and the jury was instructed to determine a verdict. The jury was all townspeople who knew the Smiths would starve without the mule. So they came back to the Judge and read "Not guilty, but the Smiths have to give back the mule." The Judge was furious and instructed them back into deliberation. When they came back out, the jury read "Not guilty, and the Smiths don't have to give back the mule!"

I always chuckle when I hear my sister tell this story. In this part of Georgia, there is probably some amount of truth to it. I just want to tell you my philosophy on appealing

a paper rejection. Our associate editors make acceptance decisions based on their expertise and/or peer reviews of the paper. Usually, we get two reviews and the associate editor reads both the paper and the reviews. The associate editor can reject the paper outright for lack of significance or low quality. Or, they can use the reviews to determine whether the paper is original and significant. My requirement for them to accept a paper is that the paper is highly likely to be downloaded, read, and cited. Just because a paper is correct does not mean that it is significant. That is the reason why a paper might be rejected when one reviewer gives a positive review and another gives a negative review. I have also seen cases where an associate editor rejects a paper with two positive reviews if they feel confident that the paper is not a significant contribution. I, myself, have made similar decisions.

Ok, so now that the decision is made, what constitutes a good appeal to the decision? First, I trust all of our associate editors to make good decisions. I chose all of the associate editors personally, and they are true experts in their field. There are very few appeals that I will consider without the input of the associate editor. In fact, for 99% of all appeals, I do exactly what the associate editor suggests. Therefore, very few appeals are granted. There are a few, however. The exceptions are when the author(s) can show that there was an error in the consideration. Usually, this means that there was a piece of information that the associate editor missed in the determination, and the associate editor admits that this was the case. I never grant an appeal without collaboration with an associate editor unless the rejection decision was mine.

So, should you file an appeal? Only if you think information was overlooked in the determination of paper acceptance. On an extremely rare occasion, an author will convince an associate editor, and myself, that their significance determination was in error.

Have a great April.

Ronald G. Driggers
Editor in Chief