



Association of American Law Schools

February 21, 2008

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University of New Mexico
MSC05 3300
One University of New Mexico
Albuquerque, NM 87131

Dean Suellyn Scarnecchia
University of New Mexico
School of Law
1117 Stanford Drive, N.E.
MSC11 6070
Albuquerque, NM 87131-0001

Dear President Schmidly and Dean Scarnecchia:

In early April the Membership Review Committee of the Association of American Law Schools will consider your law school as part of the AALS membership review process.

The AALS Report from the recent site visit to your school is enclosed. The AALS checklist completed by the law school is not attached to the report since you already have a copy. As you know, the AALS Membership Review Committee also reviews and considers the site evaluation report, which you received from ABA Consultant Hulett Askew, as well as the site evaluation questionnaire and self-study report.

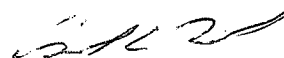
You are invited to submit any additional information or comments you believe would be helpful to the AALS Membership Review Committee. It would be very useful to have a report on significant developments in your program or your school's circumstances that have occurred since the site visit. In order for the committee members to have sufficient time to consider all the materials sent to them before they meet, please submit your comments, if any, as soon as feasible but no later than March 25. We also need a copy of any comments you may have on the site evaluation report itself.

One of our objectives is to maintain a list of competent, fair, and effective site evaluators to serve as an AALS appointee on future site evaluation teams. Thus, your candid evaluation of anyone on the team who you think would be an appropriate candidate to serve as an AALS appointee would be helpful. Any information you provide will be used by us only in selecting future AALS appointees, and will remain **confidential**. Please provide me with your evaluation in a separate letter from your comments on the report.

If you have questions about the procedure for submitting your comments to the AALS, please call Barbara Studenmund, my assistant, or me.

Thank you for your cooperation.

Sincerely yours,

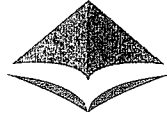


Carl C. Monk
Executive Director

Enclosures: AALS Report
Executive Committee Regulation 5.6

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Association of American Law Schools

President
Nancy H. Rogers
The Ohio State University

January 2007

President-Elect
John H. Garvey
Boston College

MEMORANDUM

Immediate Past President
Judith C. Areen
Georgetown University

TO: Deans of Member Schools Receiving
Sabbatical Report

Serving through 2007
Michael A. Olivas
University of Houston

FROM: Carl C. Monk

Stephanie M. Wildman
Santa Clara University

SUBJECT: Confidentiality of Site Evaluation Reports

Serving through 2008
H. Reese Hansen
J. Reuben Clark Law School
Brigham Young University
Robert C. Post
Yale Law School

As you may know, American Bar Association Rule 25 permits a law school or university to release the site evaluation report, or portions of it, to the public. AALS Executive Committee Regulation 5.6, however, provides that the site evaluation report "is not for publication." Under both ABA Rule 25 and Executive Committee Regulation 5.6, the dean of the law school and the president of the institution may show or give a copy of the report to members of the full-time faculty and professional staff of the law school and the governing board and to officials in the university administration who have official reason to see the report.

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University of Washington
Lauren K. Robel
Indiana University-Bloomington

*Executive Vice President
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Deputy Director
Elizabeth Hayes Patterson

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Associate Director
Jane M. La Barbera



Association of American Law Schools

AALS EXECUTIVE COMMITTEE REGULATION

CHAPTER 5. ACCESS TO ASSOCIATION MEETINGS AND DOCUMENTS

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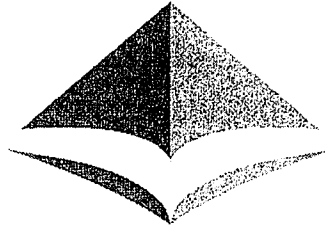
Managing Director

Jane M. La Barbera

5.6 Access to a Site Evaluation Report and Executive Committee Response Thereto.

- a. The site evaluation report on a member or applicant law school made on behalf of the Association, whether or not it is made on behalf of the American Bar Association also, shall be furnished to the dean of the school and the President of the institution. They shall be informed that the report is not for publication, but in the spirit of Bylaw Section 6-6, nothing in these regulations limits or impedes them from showing or giving a copy of the report to members of the full-time faculty and professional staff of the law school and the governing board and to officials in the university administration who have official reason to see the report.
- b. The dean shall review the site evaluation report to determine whether it contains criticism of the professional performance, competence, or the behavior of an identifiable member of the school's full-time faculty or professional staff. If the report contains this criticism, the dean shall make available to the person concerned the germane extract of the report and shall send the Executive Director a copy of the transmitting letter and of the extract. The member of the faculty or professional staff criticized in the report is entitled to submit in writing his or her comments on the statement in the report to the individuals who have received the report.
- c. The dean of the law school and President of the institution shall be provided with the resolution or minute adopted by the Executive Committee in response to the site evaluation report and shall be informed that the resolution or minute may be published. The dean and President shall also be informed that those persons to whom subsection (a) authorizes them to show or give a copy of the inspection report are entitled to read or receive a copy of the resolution or minute. If denied access to the resolution or minute, a member of the full-time faculty may obtain a copy of the Association's response from the Association's office.

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Association of American Law Schools

AALS REPORT ON

New Mexico University School of Law

November 11-14, 2007

By: Dean Gilbert A. Holmes
University of Baltimore School of Law

IMPORTANT: The report was prepared for the use of the Membership Review and Executive Committees of the Association of American Law Schools and is not for public release. Any copying or redistribution of part or all of this report is subject to this restriction.

**Report to the Association of American Law Schools
Membership Review Committee
New Mexico University School of Law**

I. INTRODUCTION

The University of New Mexico School of Law is New Mexico's only law school. It seeks to maximize the unique benefits of its geographic location and demographics in the pursuit of its educational, research and service goals. New Mexico's diverse demographic profile provides the School of Law the opportunity to create an exceptionally rich learning environment characterized by a wealth of different ideas considered from a multitude of perspectives. Its cultural, political, historical, economic, geographic, and social setting is unique among U.S. law schools, as ethnic and racial diversity is a hallmark of the state.

The School of Law has a clear mission to produce graduates who will be excellent lawyers and leaders for the State of new Mexico and the Nation; to serve as the repository for legal expertise for the State; and to provide an avenue for residents of New Mexico to obtain a legal education that will transform their lives and their communities. The School of Law takes pride in its intimate learning environment, small class sizes, mandatory clinical courses, and a low student-to-faculty ratio, that naturally result in close relationships between faculty and students. The School also takes pride in its Indian Law program that includes the Southwest Indian Law Clinic, six faculty members from federally recognized tribes, including three New Mexico pueblos, an Indian Law Certificate program, and the Trial Law Journal. The Indian Law program also includes a special relationship with the American Indian Law Center. The Center was started by the School of Law,¹ has spun off into its own organization and is housed in the School of Law building.

II. FACULTY GOALS

The faculty of the School of Law has a strong commitment to three very clear goals. First, they desire to produce the best attorneys for the State of New Mexico and the Nation. Second, they desire to have their students, in particular, and their law school in general, reflect the diverse populations of the State, with a particular emphasis on the underrepresented communities. Third, they see themselves and the Law School as being a resource for state and local government entities as those entities grapple with the important policies and issues facing the State of New Mexico. There is a deep consensus among the faculty members that these goals are important and that they are what makes the University of New Mexico School of Law unique and special. As with all law school faculties, there is not unanimous agreement on the approach to these goals, particularly relating to where to place the emphasis and deploy the resources to achieve the goals. There is some minor disagreement about how far and with what dedication should the push to work on these goals be pursued. The School of Law appears to be effectively and realistically implementing its goals.

III. EVIDENCE OF SCHOLARSHIP

There appears to be a culture of scholarship at the School of Law. It is always challenging to determine the quality of faculty scholarship. However, it is not difficult to determine the quantity of scholarship. The faculty of the University of New Mexico School of Law has an impressive scholarly production. Among the 34 full time tenure and tenure-track faculty members, only four have not produced any scholarship – law review articles, books, book chapters, briefs in the highest appellate courts in a State, Circuit or the Nation, or significant practice or theoretical publications – in the past three years. During this period, the faculty produced the following based on the information provided:

Articles	Books	Book Chapters	Briefs	Theory Books	Practice Books	Other
34	14	16	3	1	2	18

The faculty members included in this compilation includes 6 tenure-track faculty members and 25 tenured faculty members. A perusal of the titles and introductions indicates that this body of scholarship includes works exploring theoretical analysis, historical analysis, critical race theory, clinical education, Indian Law and Tribal Law, International Law, teaching, and issues facing practitioners and policy makers.

In addition to the quantity and breath of the scholarship at the School of Law, the formal faculty mentoring program adds to the culture of scholarship. Under the formal mentoring program, non-tenured faculty members select an external mentor who is a recognized scholar in their field. The non-tenured faculty member is encouraged to invite the external mentor to deliver a talk at the school as part of the mentoring process. This program brings recognized scholars to the school and fosters a relationship between a non-tenured faculty member and a scholar in the faculty member's field that includes review and advice on pending scholarly work. When talking to non-tenured members of the faculty about this process, it became very clear that they were excited about creating and sustaining these relationships and contributing the scholarly atmosphere of the School of Law.

The faculty members who have not produced any scholarship during the past three years fall in the following categories:

Category	Number of Faculty Members
Less Than Seven Years Teaching	1
Seven to Fifteen Years Teaching	1
More Than Fifteen years Teaching	2

Attached is a list of faculty publication for the past three years.

IV. TEACHING

A. QUALITY OF TEACHING

The quality of teaching at the School of Law is quite high. The general scores by the team members observing classes were in the 7-10 range, with a very occasional 5-6. In addition, the student teaching evaluations indicated high praise and satisfaction of the teaching at the school. The faculty takes pride in the teaching at the School of Law and actively works to maintain high standards. A number of the senior faculty members are considered excellent teachers and role models, and are willing to participate in peer observations and feedback about teaching. The faculty members individually identified producing well prepared graduates as a collective goal of the law school and see excellence in teaching as a major part of that goal. Additionally, the low student-faculty ratio (11-1) and the significant emphasis on clinical education – all students must take a clinic course in order to graduate – create an ample environment for teaching excellence. However, even with the clear commitment to teaching and the willingness of faculty members to assist each other, there are factors that inhibit teaching and creative innovations in the classroom. The main factors are the lack of technology equipment and services available to the faculty and some classrooms where the professor must either stay away from the students (locked in the front of the room) or become more engaging and turn his/her back on some students while talking to others.

The School of Law does not appear to have a formal methodology for ascertaining the quality of teaching, aside from student teaching evaluations. Additionally, there does not appear to be any formal process for rewarding effective teaching. However, according to faculty members, there are a lot of classroom visits, for observation, learning and feedback about teaching. As a result, there appears to be a strong informal process for ascertaining the quality of teaching and working to maintain high standards. Moreover, the regular peer observations create an atmosphere where effective teaching is encouraged and valued.

B. USE OF ADJUNCTS:

There appears to be very little use of adjunct faculty members at the School of Law with several factors supporting this phenomenon. First, the size of the full time faculty provides a significant number of individuals to cover the curriculum. Second, the program of legal education is almost exclusively a day program, thus making the scheduling of attorneys and judges more challenging than at schools that have either an evening program or significant evening classes. Third, the writing program, often a source of adjunct professors, is staffed by full time writing instructors, and finally, the rotation of faculty members into the clinic provides a cadre of faculty members available to teach the non-clinical skills courses. The School of Law does use adjunct faculty members to provide specialized expertise and to fill gaps in the upper division curriculum. The Associate Dean for Academic Affairs supervises and coordinates the adjunct faculty. The Associate Dean ensures that the adjunct faculty members attend an orientation session that emphasizing expectations, teaching skills, and staff support. The Associate Dean also provides adjunct faculty members with written copies of academic policies and information about law school infrastructure and reviews adjunct teaching evaluations annually. A review of the school's ABA Course Hour Summary did not suggest an over-reliance on adjuncts.

C. EXTERNSHIPS:

Because of the size of the clinical program and the graduation requirement that every student participate in a clinic, the externship program at the School of Law is very small. There are three externship programs: the Law Office Extern Program, the Alternative Dispute Resolution Program and the Judicial Extern Program. The Associate Dean for Clinical Affairs or a faculty member supervises and administers all externship programs. Students may enroll in one of the externship programs after the completion of their first year of academic studies and can take a maximum of six credit hours. They may take a second externship by petition to the Associate Dean for Clinical Affairs, but then must be supervised directly by a member of the faculty and complete an additional writing requirement. Few students enroll in a second externship. See the ABA Site Evaluation Report for more specifics about the Externship Program.

D. CURRICULAR INNOVATIONS:

The School of Law offers a very traditional legal education with heavy emphasis on lawyering skills. The major curricular innovations are in the first year curriculum and the “Hybrid Courses.”

Two of the first year required courses are innovative and not required at many law schools. Comparative and Historical Legal Perspectives is a historical introduction to the common law tradition, which also provides a comparative perspective on the common law versus civil law systems. Practicum introduces first semester students to lawyers’ work and professional roles. The course stresses professionalism and ethics, including the role of personal and professional values in becoming and being a lawyer, introduces students to a variety of practice settings and career options, and provides advisement and general assistance with adjusting to the rigors of legal studies.

The School of Law has developed several “hybrid courses” that cover a specific substantive area of law and also provide a significant opportunity for students to obtain practical experience in the subject. Criminal Law in Practice is a course taught in collaboration with the Public Defender’s Office and the District Attorney, where students work under the supervision of attorneys in those offices and also study criminal law and procedure issues in a classroom component. The Innocence and Justice Project provides an in-depth study of habeas corpus and other post-judgment avenues for relief. Students work on prisoner applications and conduct fact investigation to determine whether they should recommend the potential case to a volunteer lawyer. Other substantive courses, such as Gender and the Law, also contain a significant community service aspect.

The School of Law has not yet implemented the goal it set for itself in its 2004 Strategic Plan of reviewing its second- and third-year curriculum with recommendations for comprehensive enhancement and improvement. During at least two of the Dean’s Hours conducted in the 2006-2007 year, this subject was discussed. The faculty concedes that they need to move forward on this goal during the 2007-2008 academic year with an emphasis on implementing the outcomes approach to legal education outlined in the Report, *Educating Lawyers – Preparation for the Profession of Law*, published by the Carnegie Foundation in 2007, and in the book, *Best Practices for Legal Education – A Vision and A Road Map*, also published

in 2007. They will be assisted in the effort by having been named one of 10 schools slated to participate in the Carnegie Report follow-up project

V. MENTORING OF NEW FACULTY

The School of Law has recently reinvigorated its mentoring of new faculty members. The appointment of Professor Laura Gomez as the Associate Dean for Faculty Development is seen as a significant step in this direction. Dean Gomez oversees the formal mentoring program. In that program, pre-tenure faculty members select a mentor from among the tenured faculty and a mentor in their area of expertise from outside the School of Law. The internal mentor serves as a teaching and community adjustment support for the faculty member. The outside mentor serves as a scholarship support. Pre-tenure faculty members are encouraged to invite their external mentor to come to the campus and deliver a paper. This process enriches the scholarly discourse and helps the pre-tenure faculty member become connected to the scholars in his/her field. As the program has been recently instituted, there is little data on its impact. However, the pre-tenured faculty members were unanimous in their praise and appreciation for the program.

VI. NONDISCRIMINATION AND DIVERSITY

A. NONDISCRIMINATION POLICY:

The School of Law subscribes to the nondiscriminatory policy articulated by the University of New Mexico Board of Regents. A copy of that policy is attached to the AALS Questionnaire. The School of Law publishes the policy in its Bulletin and Handbook of Policies. The 2007-2008 version of the Handbook has the following language:

EQUAL EDUCATIONAL OPPORTUNITY POLICY

UNM is committed to providing equal educational opportunity and forbids unlawful discrimination on the basis of race, color, religion, national origin, physical or mental handicap, age, sex, sexual preference, ancestry, or medical condition. Equal educational opportunity includes: admission, recruitment, extracurricular programs and activities, housing, facilities, access to course offerings, counseling and testing, financial assistance, employment, health and insurance services and athletics. In keeping with this policy of equal educational opportunity, the University is committed to creating and maintaining an atmosphere free from all forms of harassment.

AFFIRMATIVE ACTION POLICY

UNM is committed to providing equal educational and employment opportunity regardless of sex, marital and parental status, race, religion, sexual preference, age, national origin or handicap. Title IX of the Educational Amendments of 1972 prohibits discrimination on the basis of sex in any educational program or activity receiving federal assistance by way of grant, contract, or loan. Title VI of the Civil Rights Act of 1964 is similar in its prohibition of discrimination on the basis of race, color, or national origin, and section 504 of the Rehabilitation Act of 1973 prohibits discrimination against qualified handicapped persons.

The School of Law does not have a separate policy from the one referenced above.

B. ASSURANCES FROM EMPLOYERS:

In order to submit a position vacancy to the Career and Student Services Office of the School of Law, a potential employer must complete a form that has the school's nondiscriminatory policy printed at the bottom. The form states that submission of the form constitutes an affirmation of the policy by the employer that uses the form. A copy of the blank form is in the AALS Questionnaire. Employers who interview on campus also complete the same form. During the site visit, John Feldman, Assistant Dean of Career Services provided forms that had been completed by potential employers, for review by the team members.

C. AMELIORATION:

The School of Law permit's the military services to participate in its career placement activities and to interview students on campus. As amelioration for the discriminatory practice of the military regarding sexual orientation, the School of Law engages in several activities. Each job posting for positions in the military contains the following language added by the School of Law:

The [Name of the military branch] which implements 10 U.S.C. §654 and the Department of Defense regulations, is not in compliance with the Law Schools nondiscrimination policy. Information about amelioration related to the above recruitment visit will be made available.

Additionally, each year Dean Scarnecchia issues a letter to the UNM Law School Community detailing the requirement to permit military recruiters on campus, the schools nondiscrimination policy, the fact that the military's hiring policy regarding gay men and lesbians is at odds with the school's anti-discrimination policy and the reason that the school must allow the recruiters on campus. A copy of Dean Scarnecchia's letter and the job postings for positions in the military are attached to the AALS Questionnaire.

Finally, the faculty and administration undertake additional amelioration activities. These include having the faculty Student Affairs Committee set up a table in the Forum, the center of the School of Law through which most if not all students pass on a daily basis, with material from the Society of American Law Teachers on the military hiring policies and the Solomon Amendment. Members of the faculty and the administration are present at the table and it serves as a discussion locale for students and faculty members to discuss "Don't Ask, Don't Tell." Moreover, as a matter of course, faculty members have discussion in classes regarding the expectation and obligation of the law to be both a tool and an opportunity for all people to operate within an open and nondiscriminatory society.

D. EFFORTS TO CREATE A DIVERSE INTELLECTUAL COMMUNITY:

The School of Law has a serious and long-standing commitment to diversity. It manifest this commitment in is enrollment of students, its hiring of faculty and its appointment of administrators.

Student Diversity

The mission statement of the School of Law is quite long and extensive. However the part relevant to the schools efforts to create a diverse intellectual community is as follows:

The mission of the Law School is consistent with the long-range plans of the University, recently formalized in a document entitled "UNM 2000". As a part of the University, the general mission of the Law School is to transmit and to increase the store of human knowledge. As a professional school, the Law School's role is to provide academic and professional instruction to those who wish a legal education.

The context in which the University of New Mexico Law School operates helps to define these goals. Since the Law School is highly subsidized by the state, the taxpayers of New Mexico are entitled to a law school that sees its role as providing a high quality legal education primarily to the citizens of the state, and which devotes significant research resources to improving the justice system of the state. This commitment includes education in Indian Law because nineteen pueblos and four reservation tribes operate government within the territorial boundaries of New Mexico.

The nature of the State of New Mexico influences the Law School's mission statement. The state's population is ethnically and racially diverse. For many in the state, including some in its larger metropolitan areas, English is a second language. Spanish, Native American, and, more recently, Black and Asian cultures play a significant role in the lives of many of the state's citizens. This ethnic and racial diversity has been deliberately taken into account in student admissions policies, curricular design, and is reflected in the significant number of students, faculty, and staff who are functionally bilingual and bicultural.

This mission has resulted in a long-standing affirmative action policy with respect to groups underrepresented in the legal profession and a student body that reflects the diverse population of the state of New Mexico. In Fall, 2006, 57% of the matriculating students were female and 50% were minorities (approximately 5% African American, 11% American Indian, 4% Asian, and 30% Hispanic). Although the percentage of enrolled minority students dropped to 39% in 2007, the School of Law remains committed to having a diverse student body that mirrors the population of the state. The School of Law has had significant success in enrolling members of groups underrepresented in the legal profession, coming close to the approximately 55% minority proportion of the total population of New Mexico.

In order to encourage underrepresented groups to apply to School of Law, the Admissions Office participates in a wide variety of recruitment programs. As a taxpayer-funded institution and the only law school in the state, UNM Law School focuses primarily on recruiting within New Mexico, and representatives work with pre-law advisors at each of the state's four-year colleges, making special visits and attending law fairs and career days. In addition, recruiters visit several undergraduate colleges with a high concentration of groups underrepresented in the legal profession; and the Law School also participates in LSAC's annual

Washington, DC Forum, sends targeted Candidate Referral Service mailings, hosts Open Houses, and offers individual visits and tours of the school.

The School of Law takes part each year in early outreach programs, such as the Minority Law Student Recruitment Month (sponsored by the Law School Admission Council); African-American Student Day, American Indian Student Day, and Hispano Student Day (all sponsored by the University of New Mexico); the UNM Star Scholars Program (which reaches out to local high school juniors); and the UNM Pre-Law Advising Program. The School of Law supports and recommends special pre-law programs for underrepresented and disadvantaged applicants, such as the summer programs offered by the American Indian Law Center's Pre-Law Summer Institute (PLSI) and the Council on Legal Education Opportunity (CLEO). Each year, the school hosts a Minority Pre-Law Mixer, inviting high school students and early college students and their parents (particularly those belonging to groups underrepresented in the legal profession) to attend a one-day program including admissions workshops, information sessions, and opportunities to meet and speak with current law students, faculty members, and practicing attorneys and judges from around the state.

Because of the School of Law's substantial commitment to Indian Law, special efforts are made to attract Native American applicants. However, the number of Native Americans in the national pool continues to be small, leading to heightened competition for these applicants. For example, in 2006-2007, the School of Law offered admission to 25 Native Americans, and eight ultimately enrolled. Although the Law School offers at least a full resident tuition grant to each enrolled Native American, it has become apparent in recent years that other law schools are offering even more attractive financial packages.

Recognizing¹ that traditional outreach and affirmative action programs frequently occur too late in the process to help many students who want to pursue legal careers, the School of Law has coupled such programs with pipeline initiatives to increase the quantity and preparation of P-12 students who can aspire to professional or graduate studies. The School of Law has created a strong partnership with ENLACE (ENgaging LATino Communities in Education), a program originally funded by the Kellogg Foundation and now supported by the state legislature.

Diversity in Faculty and Administrative Personnel:

The faculty is very diverse. More than half of the thirty-four tenure/tenure track faculty members are women and sixteen (47%) are persons of color (including two African-Americans, nine Hispanics, three Native Americans, and two Asian Americans). Both of these statistics are above the national norms and the peers of the School of Law. Moreover, the diversity of the faculty involves teaching throughout the curriculum. There is no concentration of faculty of color in the skills or writing courses.

Additionally, because of the long-standing commitment to diversity, there are faculty members of color among the senior faculty ranks and within the administrative positions appointed from the faculty. Two of the three associate deans are women and faculty of color. Diversity among the administrative personnel is not extensive as it is among the faculty members and students. Among the senior administrators there is only one person of color. Dean Scarnecchia attributes this to the fact that there has been very little turnover among the senior administrators for years, including the period preceding her deanship. There is more diversity

among the second level of administrators and the Library recently hired an African American woman. Because of the very diverse community at the School of Law, the lack of diversity at the senior administrator level does not appear to have had an impact. Sensitivity to diverse perspectives is a hallmark of the community and this permeates all levels of the operation and instruction that the school provides.

VII. LIBRARY

The Library has a good reputation among both faculty and students. Both faculty and students were very complimentary about the Library's service-oriented staff and the quality of research and reference assistance. The Library's mission mirrors that of the School of Law. The top priority is to educate the state's lawyers. A second important goal is to provide resources that will help fill "some of New Mexico's most pressing legal needs" through educational and other programs. The Library has taken this goal to heart with an innovative and ambitious outreach program to help educate the public, as well as public and academic librarians throughout the state, about legal resources and legal research.

The Library maintains a written collection development plan that is altered as acquisition priorities change and new formats are incorporated into the Library's collection. All the law librarians have collection development responsibilities, and review the Library's needs at regular collection development meetings. Revisions to the collection development plan are reviewed by the Library and Instructional Technology Committee. Individual faculty members are consulted about collection needs in their particular areas of expertise, and faculty requests and suggestions are encouraged

Like other academic law libraries, the Library is in the process of determining whether print subscriptions can be canceled in favor of electronic access. During the past few years, the Library has vastly increased the amount of money spent for databases, ranking 11th in the Fall 2006 ABA Annual Questionnaire, which is unusual for a law school the size of the University of New Mexico. The emphasis on databases is natural, and especially useful, given the Library's mission of serving people throughout the state.

The Library is autonomous, and functions as part of the School of Law. The Director of the Library reports to the Dean, and library policies are established by the Director and the Dean in consultation with the law faculty. The Director and the Dean are responsible for the selection of personnel, as well as provision of services and collection development. The Library's budget is determined as part of the School of Law budget. The Law Library Director is a tenure-track member of the Law School faculty. She came to UNM in 2004 with ten years of professional law library experience, after a nationwide search led by a faculty committee. In addition to managing the Library, she teaches several courses in the Law School, including Wills & Trusts, Advanced Legal Research, and International Legal Research. The Law Library Director serves as chair of the Law Library faculty, chairs the Library and Instructional Technology Committee, and serves on various other committees.

VIII. OTHER FISCAL MATTERS

As the flagship university in the State, the University of New Mexico has unquestionable long-term financial viability. Similarly, as the only law school in the State, the University of New Mexico School of Law has received strong fiscal support from the University. Both the university in general and the Law School in particular have enjoyed a remarkable level of support from the New Mexico legislature, which takes great pride in both institutions. While New Mexico is neither a large nor an especially prosperous state, it has supported UNM and the Law School with admirable consistency, in keeping with the state's fiscal capability.

The School of Law receives some particular fiscal benefits including, direct line-item appropriations from the state, allocation from the University that significantly exceeds (estimated to be in the neighborhood of \$2 million) the amount generated by tuition, fees, and the formula for state appropriation, and University coverage of many services (physical plant, human resources, financial management, etc.) the School of Law could be held to bear from its own budget

All of the above place the School of Law in a position to attract and maintain quality students and faculty members and support its legal education program, particularly its clinic program and low student faculty ratio.

IX. DEGREE PROGRAMS BEYOND THE FIRST DEGREE IN LAW (not applicable)

Attachment

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Faculty Publications

Marsha Baum

The Law of U.S. Weather: Regulation, Liabilities, and Relief (Buffalo, NY: Wm. S. Hein, early 2008). Approx. 300 pp.

When Nature Strikes: Weather Disasters and the Law (Westport, CT: Praeger Publishing, June 2007). Approx. 250 pp.

Barbara M. Waxer and Marsha L. Baum, *Copyright on the Internet Illustrated: Essentials* (Boston: Thomson Course Technology), September 2006 (© 2007). 54 pp.

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Norman Bay

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March 18, 2008

Carl C. Monk
Executive Director
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1201 Connecticut Avenue NW
Suite 800
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Dear Mr. Monk:

Thank you for this opportunity to respond to the AALS Report from the recent site visit at the University of New Mexico School of Law. We appreciated Professor Holmes' hard work and respectful manner during the visit. His report is both thorough and an accurate reflection of our school.

There are only two areas that need clarification in response to the report:

1. On page 2, paragraph 2, there is a reference to our Native American faculty. It is accurate to report that we have six faculty members who teach in the Indian Law Program. Three tenured or tenure track Indian Law professors are Native American, two from New Mexican pueblos. One other Indian Law professor is a member of our library faculty and is from a New Mexican pueblo. A typo in that paragraph also inaccurately reports the name of our related journal. It should read: Tribal Law Journal.
2. On page 4, paragraph 2, it is important to note that we do have a formal method for evaluating pre-tenure faculty teaching apart from student evaluations. Those faculty members receive observations by colleagues who provide feedback. These observations become part of the faculty member's mid-probationary and tenure files. In addition, the dean reads the evaluations for all faculty members and provides feedback and suggestions for professional development at annual evaluation meetings. Finally, there are two monetary awards given by the dean each year to excellent professors. One award, especially, recognizes teaching excellence.

There are some updates, since the visit, available in the ABA response letter and attachment for your reference. In addition, Dean Scarnecchia has announced that she has accepted a new position at the University of Michigan as of June 1, 2008. As of May 15, all correspondence should be directed to our interim dean. We will notify you when that person is appointed.

Sincerely,

Dr. David J. Schmidly
President

University of New Mexico

Suellen Scarnecchia
Dean

University of New Mexico School of Law