

**AMENDED POLICY ON
LEGAL WRITING FACULTY
APPOINTMENT, REVIEW & PROMOTION
Approved by the Faculty: December 6, 2016
Amended by the Faculty: February 7, 2017**

- I. Background. The Law School faculty previously approved the concept of long-term contracts for legal writing faculty. On November 26, 2013, the University Faculty Senate approved Faculty Handbook amendment C190: Lecturer Annual and Promotion Reviews. This policy implements C190 and provides procedures for the appointment, review, and promotion of legal writing faculty who are appointed as Lecturers III.
- II. Appointment & Pre-Promotion Contracts.
 - a. Appointment.
 - i. Legal writing faculty shall ordinarily be appointed to the position of Lecturer III, as defined by the University of New Mexico.
 - ii. The appointment committee for legal writing faculty who are appointed as Lecturers III shall include, if available, at least one member of the full-time legal writing faculty, and preferably at least one who holds the rank of Senior or Principal Lecturer.
 - iii. As appropriate, the hiring criteria will take into account the demands of teaching legal writing and the qualities of a successful legal writing teacher as outlined in the evaluative criteria listed below at Subsection III.b.
 - iv. The voting faculty as defined in Article III of the UNM School of Law Voting Policy may vote on the appointment, but the Dean shall make the final hiring decision, taking into account the recommendations of the appointment committee, any faculty vote, and any other relevant information.
 - v. If the Dean, in his or her discretion, determines that an applicant for lecturer has the qualifications and experience defined below at Subsection IV.a, that applicant may be appointed at the rank of Senior or Principal Lecturer.
 - b. Pre-Promotion Contracts.
 - i. Initial Contracts. The legal writing faculty member's first year of appointment is a probationary year, and the contract for that year is for one year. During the probationary year, the Director of the Legal Analysis & Communication Program will provide instruction and guidance, as appropriate, and will review the faculty member's feedback to students and classroom teaching. The Director of the Legal Analysis & Communication Program will regularly consult with the Dean about the performance of the new legal writing faculty member.

- ii. Subsequent Contracts. Newly-appointed legal writing faculty who were appointed at the rank of Senior or Principal Lecturer and who earn positive evaluations in their first year will receive the benefits of their rank, including a contract of appropriate length, after their probationary year. Otherwise, upon positive performance in the first year, renewal contracts will be for one year, except as provided below at Subsection III.c.
- III. Annual Reviews of Legal Writing Faculty.
 - a. The Dean shall provide annual reviews of the effectiveness of legal writing faculty. While the focus of review will be on teaching, the Dean will also encourage the lecturer's growth in other areas, including scholarship, service, participation in legal writing or other professional organizations and conferences, and development of advanced legal writing courses. Subject to the discretion of the Dean, positive annual reviews should lead to renewal.
 - b. Legal writing faculty will be evaluated according to the following criteria. In addition to the criteria listed below, the Dean may also consider the guidance offered by the ABA Sourcebook on Legal Writing and its suggestions for effective legal writing instruction.
 - i. Classroom teaching, including both preparation and delivery of class material;
 - ii. Problem design, including appropriateness and effectiveness in achieving teaching goals;
 - iii. Grading and assessment of student work, including the timely return of assignments;
 - iv. Quality, method, and amount of feedback provided to students;
 - v. Student guidance and conferences;
 - vi. Participation, cooperation, and collaboration in the Legal Analysis & Communication Program and its development;
 - vii. Knowledge and understanding of practice-related legal writing and its successful execution;
 - viii. Professionalism and collegiality; and
 - ix. Service to the Law School, to the University, to the legal community, to legal writing or other professional organizations, or any other equivalent service activity.
 - c. Year Three Review of Pre-Promotion Lecturers.
 - i. This subsection applies to a lecturer who does not hold the rank of Senior or Principal Lecturer.
 - ii. In the third year of service at the Law School, a lecturer's annual review will include an assessment of his or her progress towards promotion. If the review is positive, the lecturer can expect an assurance that promotion expectations are being met, and the prospects for promotion are favorable. He or she will receive a two-year contract, beginning the following academic year. No formal evaluative process, other

than the regular annual review conducted by the Dean, will be required prior to the lecturer becoming eligible for a two-year contract under this provision.

- d. Negative Evaluations, Non-Renewal & Remedial Plans. In the Dean's discretion, a negative evaluation may result in a remedial plan, or, if the lecturer is in the final year of his or her contract, either a remedial plan or non-renewal. The decision not to renew the lecturer's contract shall comply with the University's policies for non-renewal of lecturers.
 - i. Notice of Non-Renewal.
 - 1. For lecturers in their probationary year, the non-renewal decision shall be communicated in writing to the lecturer no later than March 31 of his or her first academic year.
 - 2. For lecturers past their probationary year, the non-renewal decision shall be communicated in writing to the lecturer no later than December 15 of the final year of the existing contract.
 - ii. Remedial Plan. If the Dean determines that a remedial plan is appropriate, the Dean shall provide the lecturer a written description of the areas in which the lecturer must improve to continue as a member of the faculty.
 - 1. The remedial plan will indicate the time by which the lecturer is expected to improve.
 - 2. The remedial plan may indicate that if concerns are not adequately addressed, the lecturer will not be renewed.
 - 3. Both the lecturer and the Dean must sign this document.

IV. Promotion.

- a. Standards & Criteria. Promotion to Senior or Principal Lecturer should be made after a careful review of the lecturer. The promotion is based on teaching experience and professional and leadership accomplishments and promise.
 - i. Teaching Experience. A lecturer seeking promotion must have sufficient teaching experience.
 - 1. Time.
 - a. A Senior Lecturer must have at least five years of continuous experience teaching at the Law School at 0.5 FTE or greater. At the discretion of the Dean, years of service at another institution of higher learning may be used to meet the years needed for promotion.
 - b. A Principal Lecturer must have at least eleven years of continuous experience teaching at the Law School at 0.5 FTE or greater. At the discretion of the Dean, years of service at

- another institution of higher learning may be used to meet the years needed for promotion.
- c. For purposes of this subsection, “continuous experience teaching” shall be interpreted in the same manner as it is interpreted for tenure-track faculty at the University of New Mexico.
2. A lecturer’s probationary year at the Law School is included in the calculation of teaching experience.
- ii. Professional & Leadership Accomplishments & Promise.
 1. A lecturer seeking promotion must show professional and leadership accomplishments and promise. In particular, he or she must show that he or she:
 - a. Has demonstrated professional excellence and has made and will continue to make sound and valuable contributions in his or her professional areas;
 - b. Has consistently demonstrated wider service to the Law School community and its mission; and
 - c. Has shown a conscientious interest in improving his or her professional skills.
 2. A legal writing faculty member’s professional and leadership accomplishments and promise will be measured by evaluating the criteria listed above at Subsection III.b.
- b. Promotion Timeline & Process.
 - i. For purposes of this subsection, “peer faculty” are all faculty members who may vote on the promotion of lecturers under Article III of the UNM School of Law Voting Policy.
 - ii. Deadlines. In the year after a lecturer has completed the required time in service for the promotion for which he or she would be eligible, he or she may apply for promotion to Senior or Principal Lecturer. The Dean, the Faculty Retention, Promotion & Tenure Committee, and the lecturer shall observe the following process and approximate deadlines. The Dean may adjust these deadlines as necessary to ensure a fair and adequate process, or to accommodate University of New Mexico timeline changes.
 1. Early August:
 - a. The Dean or the Chair of the Retention, Promotion & Tenure Committee shall notify the lecturer that he or she may be eligible for promotion. The lecturer may also submit notice to the Dean or the Chair of the Faculty Retention, Promotion & Tenure Committee of his or her intention to seek promotion.

- b. Failure to meet this deadline shall not disqualify a lecturer from seeking promotion in that academic year.
- 2. Early September: the Dean shall appoint eligible tenured faculty and qualified lecturers to the Faculty Retention, Promotion & Tenure Committee to evaluate the lecturer.
 - a. The Chair of the Faculty Retention, Promotion & Tenure Committee shall appoint an appropriate subcommittee consisting of at least two tenured faculty members and a lecturer who has achieved the sought-after promotion, if available.
 - b. In selecting the subcommittee, the Dean or the Chair of the Faculty Retention, Promotion & Tenure Committee shall consult with the lecturer who will be under consideration for promotion.
 - c. Any member of the subcommittee may serve as chair of the subcommittee.
- 3. Early October:
 - a. The chair of the subcommittee or the Chair of the Faculty Retention, Promotion & Tenure Committee shall advise the lecturer as to the evaluation materials that will be required for the relevant time period. In general, the lecturer should expect to provide the following materials to the Faculty Retention, Promotion & Tenure Committee before the end of the fall semester:
 - i. Curriculum vitae;
 - ii. Teaching materials, including:
 - 1. Teaching statement or portfolio;
 - 2. Summary of student evaluations;
 - 3. Peer teaching evaluations, including general peer teaching evaluations not related to a specific course; and
 - 4. Course materials:
 - a. Course syllabi;
 - b. Peer teaching evaluations specific to the particular course; and
 - c. Original teaching materials;
 - iii. Service record statement; and
 - iv. Supplemental materials. These materials, such as letters of recommendation, awards, books, articles, or research grants received, are not required but they may

be submitted by the lecturer for consideration. These materials must be accompanied by a comprehensive content list.

- b. Relevant Time Period. The evaluation of a lecturer for promotion to Senior or Principal Lecturer shall be based on materials that date from the most recent of:
 - i. The lecturer's appointment to the Law School faculty;
 - ii. The first year in which the lecturer received a two-year appointment as described above at Subsection III.b; or
 - iii. The lecturer's promotion to Senior Lecturer.
4. Mid-January to early February: The subcommittee will conduct classroom visits and seek confidential feedback from current legal writing faculty.
5. Mid-February:
 - a. The subcommittee will review the materials submitted by the lecturer, its own reports of classroom observations and feedback from current legal writing faculty, any available annual reviews by the Dean and Director of Legal Writing, and student evaluations obtained from the Registrar's office for the relevant time period. Based on these materials, the subcommittee shall prepare an initial report and recommendation. The Chair of the Faculty Retention, Promotion & Tenure Committee shall then submit the initial report and recommendation to the lecturer for review.
 - b. The lecturer may review the initial report and recommendation and may submit a written statement. If the lecturer submits a written statement, the Faculty Retention, Promotion & Tenure Committee may make changes to the report and recommendation, as it deems necessary.
6. Late February: The Faculty Retention, Promotion & Tenure Committee shall provide its recommendation and report on lecturer promotion to the peer faculty.
7. March 15: The Dean shall call a meeting of the peer faculty to consider the promotion application. The peer faculty will review the recommendation and report, and may take a vote on the recommendation and report.

8. March 25: The Dean shall review the recommendation and report of the Faculty Retention, Promotion & Tenure Committee, any statement by the lecturer, and the results of any peer faculty vote, and shall make a determination on the suitability of the promotion.
 9. April 1: The Dean shall direct that all necessary documents be submitted to the Provost using the appropriate forms and process.
- c. Effect of Promotion.
- i. Senior Lecturers will receive:
 1. Promotion to the rank of Senior Lecturer;
 2. A salary increase that is consistent with the practices of the Law School; and
 3. A two-year contract. Subject to the discretion of the Dean, Senior Lecturers whose annual evaluations demonstrate continued development and maturity with regard to their professional activities and leadership within the University can expect to maintain this rank and its benefits.
 - ii. Principal Lecturers will receive:
 1. Promotion to the rank of Principal Lecturer;
 2. A salary increase that is consistent with the practices of the Law School;
 3. Eligibility for one semester of sabbatical after at least six years of service at the Law School and after every six years of additional service thereafter; and
 4. A three-year contract. Subject to the discretion of the Dean, Principal Lecturers whose annual evaluations demonstrate continued development and maturity with regard to their professional activities and leadership within the University can expect to maintain this rank and its benefits.
- d. Denial of Promotion: If the promotion is denied, the lecturer will retain his or her former title and benefits, including eligibility for a two-year term appointment as described above at Subsection III.c. The lecturer will be eligible to reapply for promotion after a two-year period.