

Faculty Meeting Minutes

September 17, 2021

The meeting was called to order at 2:02 pm by Dean Sergio Pareja, once a quorum was reached. The following people were present for at least some portion of the meeting.

Faculty: Maryam Ahranjani, George Bach, Reed Benson, Camille Carey, Barbara Creel, Elizabeth Elia, Scott England, Paul Figueroa, Madelyn Finucane, Sonia Gipson Rankin, Vinay Harpalani, Steven Homer, John Kang, John LaVelle, Jennifer Laws, Serge Martinez, Jennifer Moore, Gabe Pacyniak, Mary Leto Pareja, Sergio Pareja, Michelle Rigual, Alejandro Rettig y Martinez, Leo Romero, Lysette Romero Cordova, Alexandra Siek, Laura Spitz, David Stout, Carol Suzuki, Cliff Villa, Samuel Winder, Peter Winograd (19 needed for quorum; names that count toward quorum in bold)

Staff: Krista Allen, Beverly Akin, Ryan Barber, Ramona Garcia, Stephanie Grant, Bonnie Stepleton, Ernest Tafoya, Emilie McVay-Ash

Students: Claire Cooley (3L Rep), Akram Hernandez (2L Rep)

Announcements:

The Dean welcomed everyone back to in-person meetings. He welcomed newcomers and introduced visiting faculty members Alejandro Rettig y Martinez and Madelyn Finucane. He welcomed new staff members, Emilie McVay-Ash and Ryan Barber. Student Representatives were introduced. Akram Hernandez is representing the 2L class. Claire Cooley is representing the 3L class. The 1L representative will be chosen later in the semester.

The Law Alumni Board's Distinguished Achievement Awards Dinner will be held in the UNM Student Union Ballrooms on Friday, October 15. There will be a reception at 6:00 PM followed by dinner and the awards ceremony at 7:00 PM. Tickets are \$125. The program can be attended either in-person or virtually. This event raises about \$75,000 for student scholarships each year and is the Alumni Board's biggest annual event. They were unable to hold any events last year. If you can't attend, please consider sponsoring a student to attend in your place. The Alumni Board elected to require either proof of vaccination or a negative Covid-19 test within 72 hours for all in-person attendees. Masks will be required except while eating. They have also increased the distance between people by changing from 10 people per table to 6 people per table. The honorees include Judge Leroy Hanson, Judge Sarah Singleton, posthumously, and the Alumni Promise Award will be given to recent graduate Billy Jimenez. There will also be a special tribute to Fred Hart.

Ryan Barber thanked all who attended the printer training last week. There will be a One Drive training next month. He'll send out invitations once he has a date and room. Many of the services that used to be handled in house have been moved over to UNM IT. Law School IT has remediated all of the computers at the Law School, and we are now on the new system. They have worked on recovering emails and think that all requested emails have been recovered. If they didn't get to someone, please put in a help ticket and they will be happy to work on that. Printers are up and functional in the common areas. You can now scan to USB or email. Next they will move to printers that are behind locked doors and in the Clinic. The vendors will be monitoring the printers and when they get low on toner, the vendor will send toner, and IT will replace it in the printer. The work study students are also checking paper and toner on Fridays.

Associate Dean Michelle Rigual thanked everyone for their patience while the library rebuilds its staff. They had been down to half-staff. They are still hiring, training, and creating a system of back-ups. The display case is in. It may not be in the best spot, but they will fix it. The door to the Mountain Wing has not been fixed yet, but hopefully it will be. Faculty research is the area where they are still hurting. Professor Ernesto Longa will return from sabbatical at the end of the semester, and they will be in a much better place. Please give as much turn-around time as possible on all research requests.

ACTION ITEMS:

Approval of Minutes from May 7, 2021 – Dean Sergio Pareja: A motion was made and seconded to approve the minutes. Professor Carol Suzuki asked for a correction: John Whitlow was hired for the Community Law Clinic and had been detailed to the Economic Justice Clinic. It was accepted as friendly amendment to the original motion. The minutes were then approved, with the correction, on a vote of 25 yes votes, 0 nay votes, and 3 abstentions.

Appointment of Primary and Secondary Representatives to the AALS House of Representatives – Dean Sergio Pareja: The annual meeting is entirely virtual this year. The Representatives should plan to attend the virtual meeting on Saturday, January 8, from 10:35 AM to 11:50 AM MST. Professor Cliff Villa was the Primary Representative last year and Professor Sherri Thomas was the back up. A motion was made and seconded that Professor Villa and Professor Thomas serve again. The motion passed unanimously.

Discussion and straw vote on faculty hiring opportunity – Dean Sergio Pareja:

Dean Pareja received a call from a former colleague, Professor Laura Gomez, who is currently on the faculty at UCLA School of Law. Professor Gomez was a professor here at UNM School of Law from 2005 -2011. She was also Associate Dean for Faculty Development for some of that time. Professor Gomez was raised in Albuquerque. She started her academic career at UCLA after law school but moved back to Albuquerque when her son was young. She went back to UCLA in 2011. She is now interested in coming back to UNM. While the Provost will not allocate funds to pay her salary, he thinks she might qualify as a target of opportunity hire, which is a hire outside the ordinary competitive search process. He asked that Dean Pareja find out if there are any endowed funds that would potentially pay her salary. Dean Pareja learned that the Karelitz Endowment, which can be used to hire or retain esteemed faculty in the area of Civil Procedure, now produces enough income to cover Professor Gomez's full salary.

Professor Gomez's background is impressive. She has taught the equivalent of our Civil Procedure 1 and 2 as well as Criminal Law many times. She attended Harvard College for her BA and graduated Magna Cum Laude. At Stanford she earned her Master's and then a PhD in Sociology and a JD with honors. She clerked for the 9th Circuit Court of Appeals. As a professor at UCLA she co-founded the Critical Race Studies program. She served as Vice Dean for the UCLA School of Law from 2013 to 2015. She was the Interim Dean of the Division of Social Sciences, which is the largest academic unit at UCLA, from 2016 to. She has published numerous books and articles.

Several professors raised the question about whether the funds could be used for other needs. Professor John LaVelle asked for assurance that the hiring of Professor Gomez would not cause the Provost to change his mind about the need for the NREL, LIPP, and Economic Justice hires. The Dean will follow up with the Provost on that. Numerous

professors shared their personal knowledge and experience as colleagues and students of Professor Gomez. They praised her scholarship, commitment to community, support for other faculty and students, reputation, collegiality, and teaching. Her presence as a faculty member would raise the national reputation of the law school.

The Dean held a straw vote to see if he should explore this possibility further. It passed with 22 yes votes, 4 no votes, and 1 abstention. As a result of the vote, the Dean will consult with the Provost about the possibility and process for a target of opportunity hire, as well as the impact of this hire on our other hiring requests. He also will read the Karelitz gift agreement. Assuming that the Provost determines that we can move forward with a target of opportunity hire and assuming that the gift agreement is clear that we can use the funds for this hire, the next step would be to have Professor Gomez visit the law school to interview with the faculty. A decision to hire would require an affirmative vote of the faculty after interviewing Professor Gomez.

Report on faculty hiring – Professor Laura Spitz, Chair, Faculty Appointments Committee:

The committee is currently working on finding candidates to consider for three faculty positions: Natural Resources and Environmental Law who will also rotate into the ENRL Clinic, Law and Indigenous People's Program who will also rotate through the Southwest Indian Law Clinic, and the Economic Justice Clinic. There are financial constraints on two of those positions, which create a preference for entry level hires who are relatively recent law school graduates (within the last three to five years). There was a "for best consideration" date of September 15, but the committee will review applications received after that date. The committee will meet next week to choose those candidates they want to interview. Professor Suzuki expressed concern that the faculty appointments interview process is not incorporating the vote to only make an offer to somebody to teach at the intersection between Natural Resources and Indian Law after a LIPP candidate has accepted an offer. The faculty had discussed that we should hire for the LIPP position first to ensure that this area is covered by the best candidate. The appointments committee should try to schedule the LIPP candidates first for interviews at the law school. Dean Pareja stated that that is a valid concern and that the Law and Indigenous Peoples Program position should be filled first, to ensure that that position gets filled, prior to moving on to the Natural Resources and Environmental Law position.

Report on Tenure and Promotion – Professor Mary Pareja, Chair, Faculty Retention, Promotion & Tenure Committee: There are four tenure candidates up for promotion to full professor: Professors Maryam Ahranjani, Vinay Harpalani, Steven Homer, and Josh Kastenberg. There also are four mid pro candidates up for promotion to Associate Professor: Professors Elizabeth Elia, Paul Figueroa, Veronica Gonzales-Zamora, and Joe Schremmer. The committee is sending letters to outside reviewers, scheduling classroom visits, and collecting evidence on teaching. There will be two votes. On February 4, there will be a vote on the tenure candidates, and on February 25, there will be a vote on the mid pro candidates. Calendar invites will be sent for both.

COVID-19 Procedures –Vice Dean Camille Carey:

100% of the faculty and adjunct faculty have uploaded their proof of vaccination documentation. Staff are very, very close to 100%. Student vaccinations are also very close. Only 7 students haven't provided proof of vaccination yet, which doesn't mean that they haven't been vaccinated.

If there are staff, faculty, or students who are symptomatic or who have been exposed, please send them to Vice Dean Carey. She asks the series of questions and works with the Covid Coordinator on main campus.

If you get a request from Vice Dean Carey to allow your class to be recorded, it is Covid related. Please allow it. It is how we will keep the law school community safe. Tony and Danny are included on the request to record a class, so they are also keeping a list. Professors will receive a link to share a recording with the student. Requests to record classes that don't come from Vice Dean Carey are accommodations. Professors are not required to allow recording for a student who goes on vacation or has a stomach bug.

Once a student has been cleared to return, professors will receive an email from Vice Dean Carey. If you haven't received the email, and the student returns, please call Vice Dean Carey. If a staff or faculty member is exposed while at the Law School and it comes to Vice Dean Carey's attention, they will be notified by her.

EXECUTIVE SESSION (only voting faculty):

ACTION ITEM: Vote on appointment of Dr. Jaymes Fairfax-Columbo, JD, PhD as Affiliated Faculty of the Law School –Dean Sergio Pareja: As an Executive Session matter, these minutes are abbreviated. A motion was made and seconded to support the appointment, subject to Provost approval, of Dr. Jaymes Fairfax-Columbo of the Medical School an Affiliated Faculty member of the law school. Discussion ensued. Dr. Fairfax-Columbo is a lawyer and a psychologist who has done a lot of research in the intersection of psychology and psychiatry as it relates to legal issues, particularly in the criminal area. An Affiliated Faculty appointment would open possibilities of greater collaboration with the Medical School, creating opportunities for teaching, faculty colloquia, clinical work, and research. Some concerns were raised concerns about additional strain this could put on the library resources if Affiliated Faculty expect research support. After some discussion, the motion passed.

EXECUTIVE SESSION (Order of the Coif faculty only):

ACTION ITEM: Vote on Order of the Coif for students from the Class of 2021 – Dean Sergio Pareja: Dean Pareja read the names of the eleven graduates of the Class of 2021 who qualify to be members of the Order of the Coif. A motion was made and seconded to seek membership for those graduates. It passed unanimously.

The meeting was adjourned by unanimous consent at 3:49 pm.