

**Faculty Meeting Minutes**  
**September 15, 2023**

*The meeting was called to order at 2:04 pm by Dean Camille Carey, once a quorum was reached. The following people were present for at least some portion of the meeting.*

**Faculty:** Reed Benson, Camille Carey, Christy DeSanctis, Elizabeth Elia, Scott England, Paul Figueroa, Allison Freedman, Sonia Gipson Rankin, Marc-Tizoc González, Steven Homer, John Kang, Josh Kastenber, Jennifer Laws, Ernesto Longa, Serge Martinez, Aliza Organick, Gabriel Pacyniak, Nadine Padilla, Mary Pareja, Michelle Rigual, Alexandra Siek, Sarah Steadman, David Stout, Carol Suzuki, Sherri Thomas, Samuel Winder, Peter Winograd

**Staff:** Beverly Akin, Krista Allen, Ryan Barber, Renee Ferrell, Robbie Fontenot, Stephanie Grant, Courtney Holmes, Ernest Tafoya, Emilie McVay-Ash (minutes)

**Students:** Samuel Peoble (1L Representative)

**Guests:** Shannel Wilson for the New Mexico Law Review, Rodina Cave Parnall for the American Indian Law Center

**Announcements:**

**New Mexico Law Review - Shannel Wilson:** The New Mexico Law Review will host a symposium on the New Mexico Civil Rights Act on October 28, 2023. The symposium will be an all-day event here at the law school. The entire faculty is invited to attend. Students and faculty may attend for free. Professor Suzuki and Shannel will send an email next week with a link to register. The Symposium will have both local and non-local speakers. Two of the keynote speakers are with the National ACLU's U.S. Supreme Court Initiative, and they will speak about the process to bring civil rights claims under state constitutions. Professor Joanna Schwartz from the UCLA School of Law will be the third keynote speaker. Local professionals will be speaking about the New Mexico Civil Rights Act.

**Natural Resources Journal Symposium - Professor Gabe Pacyniak:** The Natural Resources Journal is partnering with the Speaker of the House Javier Martinez's office to co-host a symposium on November 2, 2023. The focus of the symposium is a Just Transition to a Low Carbon Economy. It will be held at the UNM Continuing Education building.

**Tribal Law Journal Symposium - Professor Marc-Tizoc González:** The Tribal Law Journal will host a symposium on November 9, 2023. The focus of the symposium will be the bicentennial of Johnson v. McIntosh.

**Distinguished Achievement Awards Dinner - Dean Camille Carey:** The Distinguished Achievement Awards Dinner will be held on October 20, 2023 at the SUB.

**Introductions - Dean Camille Carey:** Christy DeSanctis is new to the faculty this year. Scott England is attending his first faculty meeting as a tenure-track professor. Samuel Peoble is the new SBA representative for the 1L class.

**Madrid Summer Program - Professor Mary Pareja:** If anyone is interested in teaching in Madrid next summer, proposals are due to her via email by Sunday, September 17, 2023.

**Affirmative Action Panel - Professor Marc-Tizoc González:** Panelists included Thomas Saenz of MALDEF, Professor Emerita Margaret Montoya, Professor of Sociology Nancy Lopez, and Regent's Professor of Biology Margaret Werner-Washburne. The panel was well attended and brought together student organization co-sponsors and members of our diversity bar associations. Please be on the look out for further efforts to stimulate discourse around the effects of the Supreme Court's affirmative action decision.

**Johnson v. Board of Education for Albuquerque Public Schools - Professor Marc-Tizoc González:** The New Mexico Supreme Court has granted certiorari. If you are a New Mexico appellate lawyer, Professor González would like to discuss collaborating on an amicus brief.

**Admissions Report - Director of Admissions and Financial Aid Renee Ferrell:** There are 92 students in the incoming 1L class. They have a median LSAT score of 155 which is down one point from last year's 156. Their median GPA is 3.61 which is up from last year's 3.5. Sixty-one of the students are NM residents, and 31 are non-residents. 59% of the class identifies as a member of a racial or ethnic minority group. Five are members of federally recognized tribes. We have 50 female, 40 male, and 2 non-binary students. 26 self identify as members of the LGBTQ+ community. Their ages range from 20 to 52. Two have prior military service. We were not able to meet our LSAT goal this year, and there will be some major challenges in the future. Applications were down 1.9% nationwide and 5.8% in the Mountain West region. Applications were down to UNM SOL by 14.6%. The number of students overall who scored between 155 and 169 decreased as did those scoring between 150 and 154. There was a 28% increase in the number of students scoring below 140. Schools are facing demographic shifts and preparing for an enrollment cliff as the number of college age students declines. UNM SOL will be competing for NM students with other regional and Eastern schools who see our diverse population and have more money to offer in terms of scholarships.

To improve our recruitment, we have reclassified our recruiter position to a higher-level position. It will be more like an Associate Director of Admissions. This person will specifically be in charge of pathways programming to increase interest in the legal profession and increase the pipeline of students who are applying to law schools.

The faculty discussed different ways they can assist with recruiting efforts. Some of the faculty are already working with main campus groups to connect with students who are interested in law school. The NM Bar asked for volunteers to travel to Las Cruces to serve as judges for a middle school mock trial competition which would provide an opportunity

to speak to students about law school. Other suggestions included – professors making calls to newly admitted students welcoming them to the law school, visiting other smaller campuses across NM, asking current students with connections to their undergraduate schools to assist with recruiting efforts and accompany the recruiter on visits to those campuses, working with PLSI to connect with students at their events, choosing one student and mentoring them, and reaching out to not just pre-law advisors, but student groups across NM campuses to arrange meetings. Professor Gipson Rankin encouraged all faculty to share their ideas and efforts with her.

Professor Longa will carry the idea of expanding the Opportunity Scholarship to include tuition for graduate and professional programs to the state legislature.

### **Action Items:**

**Approval of Minutes from April 21, 2023 faculty meeting - Dean Camille Carey:** A motion was made and seconded to approve the minutes. There were no amendments or discussion. The minutes passed with 20 yea, 0 nay, and 6 abstentions.

**Appointment of primary and secondary representatives to AALS House of Representatives - Dean Camille Carey:** Dean Carey called for volunteers to serve as representatives to the Association of American Law Schools. Professor Carol Suzuki volunteered to be the primary representative, and Professor Sonia Gipson Rankin volunteered to be the secondary representative. A motion to appoint these two professors passed unanimously.

**Self-Assessment for Site Visit - Standards 204 and 301 and the Law School's Mission Statement - Site Visit Co-Chairs Associate Dean Steven Homer and Associate Dean Michelle Rigual:** Associate Dean Homer presented an overview of the ABA re-accreditation process. The site visit will be April 7-10, 2024. The site visit team will visit your classrooms and your offices. Please plan to be available and do not schedule trips or cancel classes during the visit.

Associate Deans Homer and Rigual have been compiling the self-assessment which is required by standard 204. There are 2 parts to this self-assessment. The first part is the site evaluation questions or SEQ. This SEQ has 83 questions and each question has multiple parts resulting in about 300 total questions about the operations of the law school. Most of this is very technical information held by senior staff. If you haven't already been contacted about the self-assessment, you probably won't be. The second part is the self-study. Some of you may remember this as a giant multivolume 200-300 page document. That is no longer the case. Now they require something in the 15-20 page range that is more like an executive summary with a broad picture. Associate Deans Homer and Rigual hope to share the findings in November and get your feedback. Then they will circulate a draft in January.

They do not anticipate that UNM SOL will be found out of compliance with any of the standards, but the ABA might return suggestions for improvement.

Associate Dean Homer will be available in the faculty lounge for questions regarding the standards and the process. He will send those dates and times out via email.

**July Bar Results - Dean Camille Carey:** The results were better this time. We did not receive the detailed reports from the NM Board of Bar Examiners that we usually get. We did get outcomes broken down by gender and race. The male overall pass rate for UNM was 79.5%. The male repeat pass rate was 37.5%. The male overall first-time pass rate was 88.9%. The female overall pass rate was 74.5% and the female repeat pass rate was 40%. The female first-time pass rate was 76.2%. The pass rate for those who declined to state gender was 100%.

In terms of race, the African American pass rate was 75%. The repeat pass rate was 0 and the first-time pass rate was 100%. The Native American overall pass rate was 37.5%, the repeat pass rate was 66.7%, and the first-time pass rate was 20%. The Asian American overall pass rate was 75%, and the first-time pass rate was 75%. The Hispanic overall pass rate was 80.8%, the repeat pass rate was 100%, and the first time pass rate was 79.2%. The Caucasian overall pass rate was 80.4%, the repeat pass rate was 16.67%, and the first time pass rate was 90%. Among those who declined to state their race, the overall pass rate was 50%, the repeat pass rate was 0%, and the first time pass rate was 66.7%.

We are still seeing racially disparate outcomes.

In the past we received lists of the students who failed from the NM Board of Bar Examiners, and that was very helpful. The information we received this time did not include the individuals' names. We are seeing issues with students who have mental health or substance abuse issues passing the bar. As we think about how to support our students, we need to consider those things.

Thank you for supporting the tuition differential, which will give us a full salary for a second academic and bar passage support staff person here at the law school. Bonnie has been interviewing applicants. We are very excited to have that person join Beth and provide much more robust one-on-one and small group academic and bar passage support.

We are also looking at whether NM will be adopting the Next Gen Bar. Our current 1L class would be the first group to possibly take it. Professor Suzuki has participated in the pilot testing. We are going to participate in the next field test as well. A delegation from the National Conference of Bar Examiners is going to be meeting with the New Mexico Supreme Court, the New Mexico Board of Bar Examiners, and Dean Carey to discuss whether or not to adopt the Next Gen Bar for the class of 2026. If anyone has any thoughts, please share them with Dean Carey.

The faculty continued to discuss the bar results and additional ways to support students. There is a part-time counselor from Student Health and Counseling here at the law school to support students' mental health. There was discussion about changing the criteria used to determine which students are required to seek academic support services. The current criteria identify only one or two students in each class. Some suggestions included working

with students in the bottom quartile of student GPAs or those who receive a C or lower in any class.

The faculty also discussed different possible efforts to support bar passage. There are coaching programs through the State Bar, and we offer supplemental bar support here at the law school. Perhaps next year we could offer food or coffee to encourage them to keep studying. The percentage of a bar prep course the student completes does seem to be statistically significant. Several professors shared strategies they use in their classes to help prepare their students for the bar.

**Updates: Fundraising, Judicial Education Center, New Mexico Law Center Building, Forum, Faculty Library - Dean Camille Carey:** The previous fiscal year was our best year ever. We raised \$8.5 million, which is \$5 million more than any other year in the history of the law school. Some of this includes estate gifts, almost \$3 million of which will go to the Peter A. Winograd Scholarship. Thank you, Peter for making a gift to the scholarship fund. We received a \$2 million estate gift from Deborah Berardinelli to establish scholarships for aspiring trial lawyers. We also received a \$2 million Cervantes, Scherr, Legate, Isaac, and Anchondo cash gift. They have waived confidentiality about the gift. This gift was set up as a quasi-endowment that will provide two to four full-tuition scholarships per year.

Other exciting gifts include the Johnny Cochran and Hannah Banks Best Scholarships, the Phil Davis Scholarship, the Barbara Brown Simmons Endowed Scholarship honoring the first black woman to graduate from UNM SOL, and The Judith Ceccoli Endowed Navajo Graduate Scholarship, which we share with the medical school.

We also received money from donors and Junior Bill funding to update the building. The Forum remodel is underway. We have new carpet and new wood paneling. We will be getting new doors and new furniture as well. We will be updating some of the classrooms. We will also update the Faculty Library, including putting in a kitchen with a fridge, microwave, and dishwasher.

The Supreme Court decided to move judicial education from the Institute of Public Law at the UNM School of Law to the Administrative Office for the Courts. The move was proposed in HB 76 which was converted into an emergency bill. HB 76 passed in March, and the governor signed it in April. The work of judicial education technically moved from our Judicial Education Center to the Administrative Office for the Courts in April. However, our wonderful staff stayed on and continued doing most of the work for judicial education during the transition. The last few remaining faculty members have been given layoff notices.

The New Mexico Law Center Building next door continues to house the Wild Friends and the Corrine Wolfe Children's Law Center on the second floor, but we will move them into this building. In July, we were able to purchase the leasehold to the first floor of the Law Center Building. Now we have the whole building. It is 11,578 square feet, and it needs a lot of work. We have received support from Main Campus to seek legislative funding to remodel the building. We are moving forward with Main Campus Planning, Design and

Construction, and yesterday, eight architecture firms came and did a walk through. Their feasibility study proposals are due September 25. The selected architecture firm will meet with us to get our ideas about how we want to use the building. Krista and the Dean would love to give anyone a tour of the building and hear ideas for the space. We have talked about having a one-stop student center with the registrar, financial aid, the counselor, and student and career services in one location. We need some additional mid-size classrooms, and it would be nice to have an event space for alumni board meetings and similar events. We welcome your input on this process. There will be a series of three workshops seeking feedback from the community. We will not be able to build a new building, so this is the next best thing. It will cost about \$10 million to complete the renovations.

There was a request from the faculty to have more women's restrooms in the Mountain Wing or change the men's room on the third floor to an all gender restroom to accommodate the changing demographics on that floor. Samuel Peoble also recommended better signage directing people to the existing restrooms. They are difficult to find outside of the Hart Wing. Dean Carey thanked everyone for their feedback.

*The meeting moved into executive session at 4:25 PM.*

**EXECUTIVE SESSION (Order of the Coif faculty only):**

**ACTION ITEM: Vote on Order of the Coif for students from the Class of 2023 – Dean Camille Carey:** Dean Carey read the names of the graduates of the Class of 2023 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 with 16 yes votes, 0 nay votes, and 0 abstentions.

*The meeting was adjourned with unanimous consent at 4:34 PM.*