

**UNM SCHOOL OF LAW
FACULTY MEETING**

Tuesday, March 3, 2009

The meeting was called to order at 3:11 p.m.

Attendance: Marsha Baum, Norman Bay, Reed Benson, Barbara Bergman, Michael Browde, Sherri Burr, Barbara Creel, Jim Ellis, Chris Fritz, Eileen Gauna, Erik Gerding, Laura Gómez, April Land, John LaVelle, José Martinez, Alfred Mathewson, Jenny Moore, Mike Norwood, Sergio Pareja, Carol Parker, Liz Rapaport, Leo Romero, Rob Schwartz, Carol Suzuki, Gloria Valencia-Weber, Peter Winograd, Christine Zuni Cruz

Staff/Sr. Admin: Sandra Bauman, Hannah Farrington, Peggy Lovato, Bonnie Stepleton

Guests: NALSA Officers: Sheldon Spotted Elk, Honor Keeler, Gertrude Lee, and Rico Frias

I. Announcements

- a. Assistant Dean Bonnie Stepleton
 - i. Reminded the faculty that nominations for the Carter and Schowers writing prizes are due no later than 4:00 p.m. on Thursday, March 12th. Any 2L or 3L is eligible for this writing prize, but must be nominated by a professor. Nominations should be e-mailed to Nancy Huffstutler.
 - ii. Encouraged the Honors and Awards Committee to begin thinking about nominations for various awards.
- b. Professor Emeritus Peter Winograd reported on the day's Albuquerque Bar Luncheon, at which Professor Jenny Moore spoke. He observed that there were very few attendees from UNMSOL, and urged the faculty to be more involved at ABQ Bar functions as a way to maintain and enhance the connection between the UNMSOL and the larger legal community. Development Director Hannah Farrington offered to fund one faculty member per month to accompany her to the lunches on her Foundation budget. Professor Eileen Gauna suggested it would be nice to have greater faculty involvement at the various bar and legal organization events that happen continually, and wondered whether a master calendar of these events could be created.

II. Consideration of Rank and Tenure for Incoming Dean Kevin Washburn

- a. Dean Romero entertained discussion on the matter of rank and tenure for Kevin Washburn, newly named dean of UNMSOL, beginning July 1, 2009.
- b. It was moved and seconded to extend tenure and full professorship to Professor Washburn. Upon a vote by tenure and tenure-track faculty members only, the motion passed unanimously.

III. Faculty Hiring

- a. Dean Romero invited NALSA officers to read, at their request, a letter endorsing and encouraging the hire of Rebecca Tsosie. The NALSA officers presenting to the faculty were Sheldon Spotted Elk, President; Gertrude Lee, Vice-President; Honor Keeler, Secretary; and Rico Frias, 1L Representative.
- b. Dean Romero then facilitated a discussion of each candidate, in alphabetical order: Camille Carey, Aliza Organick, Laticia Saucedo, and Rebecca Tsosie. Various members of the faculty voiced their observations and opinions on each candidate in the areas of teaching, scholarship and service.
- c. Associate Dean Barbara Bergman presented an overview of the curriculum for both next year, and the near future beyond.
 - i. Professor Bergman thanked the faculty for their willingness to work with her to get the curriculum covered.
 - ii. The goal is to have core courses covered with full-time regular faculty next year, and a “good hard look” will be taken at classes that haven’t had much enrollment over the years.
 - iii. She is close to finalizing a draft, which shows that core courses and the Indian Law courses can be covered next year, and the clinic classes are covered except for one clinic course currently open in the spring.
 - iv. The long-term picture is somewhat bleaker:
 1. There are faculty members close to retirement, but it is unclear as to timing.
 2. There will be clinical needs in the near future (with the potential pending retirements of Professors Norwood and Martinez).
 3. There are quite a few emeriti professors currently covering core courses who will, at some point, become unwilling or unable to do so.
 4. Some of the courses where need will be felt soonest include Federal Jurisdiction, Constitutional Law related courses, Civil Procedure, and Property.
- d. General discussion ensued, which touched on the following areas:
 - i. UNMSOL’s use of adjuncts.
 - ii. Concerns over not offering Indian Law in both semesters.
 - iii. Concerns over current administrative staffing “holes.”
 - iv. Concerns regarding the ability to offer various subjects (i.e., labor and employment law courses, Latin American and international law, etc.), and what may be sacrificed by stretching faculty to cover courses.
 - v. Procedural clarification about how to move forward with a vote.
 - vi. Whether the faculty can revisit the question of making a hire or utilizing these resources differently.
 - vii. Concern that the adopted procedure may not result in the most preferred candidate.
 - viii. The apparent avoidance of the reality that the current budgetary situation is different than the outlook when the initial hiring decision was made in May, and that the current situation impinges mightily upon moving forward.
 - ix. Concerns about UNMSOL’s reliance on emeriti professors, as decisions by these individuals to stop teaching will result in no additional funds to hire.
- e. A motion was made and seconded to vote, by secret ballot, by indicating either “yes” or “no” to hiring in either Clinic or Indian Law.
 - i. Each faculty member voting wrote out his or her own ballot, indicating his or her choice of yes or no to hire in each category.

- ii. The voting results are as follows:
 - 1. Indian Law: 7 – yes; 17 – no
 - 2. Clinic: 9 – yes; 15 - no
 - 3. Those voting no hiring in either area: 8
- f. Additional discussion ensued.
 - i. There was much disagreement about the significance of the outcome of the vote.
 - ii. It was decided to revisit the vote to hire at all, made during the February 24th meeting. The motion to vote again on making a hire was made and seconded by individuals “in the majority” of that vote’s outcome.
 - iii. Due to time constraints and the scope of discussion necessary to proceed, Dean Romero decided to postpone further conversation and voting until the next Faculty meeting.

The meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Sandra Bauman
Administrative Assistant to the Dean