

**UNM SCHOOL OF LAW
FACULTY MEETING**

Tuesday, December 1, 2009

The meeting was called to order at 3:07 p.m.

Attendance: Megan Argo, Reed Benson, Barbara Bergman, Barbara Blumenfeld, Sherri Burr, Camille Carey, Barbara Creel, Chris Fritz, Eileen Gauna, Erik Gerding, Laura Gómez, Ann Hemmens, Steven Homer, April Land, Nathalie Martin, José Martinez, Alfred Mathewson, Jenny Moore, Mike Norwood, Ted Occhialino, Daniel Ortega, Carol Parker, Leo Romero, Rob Schwartz, Carol Suzuki, Kevin Washburn, Peter Winograd

Students: Brian Close, Kate Gleeson, Lacey Daniels

Staff/Sr. Admin: Sandra Bauman, John Feldman, William Jackson, Peggy Lovato, Bonnie Stepleton

Guests: Matt Cherrin

- I. Presentation by Matthew Cherrin, Lobo Energy Representative
 - a. Mr. Cherrin introduced himself, and described Lobo Energy. He proceeded to describe ways the company has been accomplishing their charge to save energy, by increasing the energy efficiency of buildings and promoting culture change through energy education.
 - b. Mr. Cherrin fielded questions from the faculty and tried to get an idea of the Law School's energy and heating needs during winter break.

- II. Announcements
 - a. Professor Peter Winograd
 - i. Read the list of nominees to be officers of Order of the Coif. There being no comments, discussion or objections to any of the individuals holding offices, the entire list was approved by the faculty.
 - ii. Announced Professor Emeritus Fred Hart's upcoming 80th birthday, and Professor Emeritus Robert Desiderio receipt of the Charlie Driscoll Award from the Dismas House.
 - b. Dean Kevin Washburn:
 - i. Gave an overview of his recent activities and interactions both within the Law School and in the larger legal and alum community state- and nation-wide.
 - ii. Asked faculty to keep him informed about happenings at the Law School so he can continue to share these things as part of his outreach.
 - iii. Encouraged faculty to continue nominating each other for awards that come up throughout the year, as Professor Nathalie Martin did so successfully with

Professor Alfred Mathewson, recently named the NM State Bar's Business Lawyer of the Year.

- iv. Awarded UNM 5-year service recognition pins to Associate Dean Carol Parker and Professor Steven Homer.
- v. Introduced Ann Hemmens, Assistant Director of the Library, who recently joined the faculty and was attending her first faculty meeting. In addition, he announced the retirement of Professor Leo Romero, stating this would be Professor Romero's last meeting as a regular faculty member.
- vi. Asked faculty to participate in the "Giving Tree" sponsorship of a local needy family for the holidays being coordinated by the Staff Advisory Committee.
- c. Professor Laura Gómez reminded faculty about the upcoming NM Hispanic Bar Association fundraiser, and offered to put anyone interested in attending in touch with a student who was selling tickets.
- d. Associate Dean Barbara Bergman said the curriculum survey for the next two years had been distributed to the faculty, and asked that the surveys be completed and returned as quickly as possible.

III. Career Services Report – Assistant Dean John Feldman

- a. In addition to the printed report (see Appendix I) Assistant Dean Feldman handed out to the faculty, he presented details regarding:
 - i. Economic and employment statistics
 - ii. Plans for investigating future areas for jobs and utilizing externships more strategically.
 - iii. Programs for potential sole practitioners, state bar mentorships and bar prep loans, and 1L academic planning with a focus on what happens after graduation.
 - iv. On-campus and judicial clerkship interview information.
- b. A period of questions and discussion followed Assistant Dean Feldman's presentation.

IV. Approval of October 27, 2009 Faculty Minutes

- a. Dean Washburn noted the minutes would be corrected to note that the contact the DV/DWI grant is Associate Dean Mike Norwood.
- b. A motion was made and seconded to strike the word "unanimous" in regard to the outcome of the vote on offering visiting Professor Camille Carey's a tenure-track position. After a brief period of discussion and a vote, the motion failed.
- c. A motion was made and seconded to approve the minutes with the noted correction. The motion carried with one vote against.

V. Budget Update/Summer Research Grants – Dean Kevin Washburn

- a. Dean Washburn presented a brief overview of current budgetary developments, describing what is expected for both the remainder of this year and potential projections of next year's scenario.
- b. As summer research grants are typically paid out of the following year's budget, these may be affected by actions of the legislature and/or regents in regard to UNM's budget. He hopes to maintain current funding levels but is unable to offer assurance at this point. The allocation of grants has yet to be decided, but will likely be a "pay for project" basis.

- VI. Initial Report from Writing Program Assessment Committee – Associate Dean Barbara Bergman
- a. Dean Bergman gave the background on the institution of this committee and its charge.
 - b. She reported on the committee's ongoing activity, including sending a survey to faculty and convening four focus
 - c. The committee has no formal proposal at this point, but she presented some of its initial suggestions:
 - i. Require students to take a course that provides additional work on drafting. This need not be an additional course, rather a list of courses which currently (or eventually will be redesigned to) offer this aspect can be developed from which the students can choose.
 - ii. Do away with the current thesis requirement, but require each student to take a seminar that requires a major paper.
 - d. A period of questions, comments and discussion followed Dean Bergman's presentation.
- VII. Natural Resources Journal Reforms (Information Only) – Professor Reed Benson
- a. Professor Benson fleshed out the proposed changes to the Natural Resources Journal, previously distributed to faculty (see Appendix II).
 - b. A period of questions, comments and discussion followed Professor Benson's presentation.
- VIII. Status Update on Promotion and Tenure – Associate Dean Mike Norwood
- a. Dean Norwood reminded the faculty of the professors up for review: Sergio Pareja, Carol Parker, Barbara Creel (mid-probationary).
 - b. He listed the members of each subcommittee (see the Committee section of SOL's website: <http://lawschool.unm.edu/lobolaw/admin/committees/09-10.php>).
 - c. The report to the faculty will be made at the February 16, 2010, faculty meeting, and will be available for review by February 9, 2010. Dean Norwood invited anyone wishing to look at a dossier or make any comments to let him know.

The meeting was adjourned at 4:58 p.m.

Respectfully submitted,

Sandra Bauman
Administrative Assistant to the Dean

Appendix I

Career Services Report to the Faculty

December 1, 2009

Dean Washburn requested a report to the faculty addressing how UNM Law students and graduates are doing in the current legal job market. The period of 2008-2009 has been a challenge for young lawyers entering the job market and for those looking to change jobs in New Mexico and the nation as a whole. Even though young lawyers are having a hard time switching jobs, the statistics for the Class of 2008 were excellent, and the preliminary numbers for the Class of 2009 are very good. For the Class of 2008, 93.3% of UNM graduates were employed as of February, 2009. That exceeded the national average reported by the National Association for Law Placement. Employment statistics for the Class of 2009 are not due to NALP until February of 2010, but just over 85% of the Class of 2009 has already gained employment.

Young lawyers in New Mexico faced a historically unprecedented job market that did not fully absorb new-comers. Some December, 2008 graduates still search for full-time work in the legal field, competing with graduates from the class of 2009, and an influx of people coming to New Mexico from even more troubled state economies. The number of UNM graduates seeking federal clerkships was larger by one than the number of applicants from the Class of 2010.

The market for young lawyers in Arizona and Colorado was bleak. Several of the Colorado and Arizona firms that had been recruiting at UNM pulled back, and last summer a Colorado firm reduced the period of summer employment given one of our students they had recruited. Although this was not a full-blown retraction of the offer of employment, that firm has reduced substantially the number of associates in all offices. Another large Colorado firm with a national presence did not recruit at any school this year. The vast majority of New Mexico firms that have participated in On Campus Recruitment here in recent years returned in 2009, though very few interviewed third year students, and most reported that the number of summer clerks they would hire would be down.

New Mexico graduates tend to take state government jobs at a higher percentage than do graduates from most law schools. The hiring freeze in New Mexico State government has made it much more difficult for our graduates to gain entry-level jobs with state agencies. Despite this, the Career Services Office worked closely with the New Mexico Public Defender Department, and 10 UNM Law graduates have been hired from the Class of 2009—only one other entry level attorney was hired by the New Mexico Public Defender Department, a Texas Tech graduate in Clovis. A smaller than usual number of UNM graduates became District Attorneys, with most of them going to offices outside Bernalillo County. On the Judicial Clerkship front, the Class of 2008 produced 13 judicial law clerks, the Class of 2009 had 9 judicial law clerks, and so far the Class of 2010 will have 11 judicial law clerks, with the possibility remaining that some additional clerkships will be offered before the reporting period for the 2010 class is reached.

Appendix II

Memo

To: School of Law Faculty

From: Reed Benson

Re: Proposed changes to the *Natural Resources Journal*

Date: November 25, 2009

In my capacity as faculty editor of the *Natural Resources Journal*, I have been doing some strategic planning on the future of the *NRJ*. After talking with many people—faculty, staff, and students—I developed a set of proposals. Most of my proposals are solely internal to the *NRJ*, but some involve a change in the approach to the papers written by 2L students in the courses designated NRJ I & II. This memo, excerpted from a much longer one, summarizes these latter proposals.

The UNMSOL handbook currently states,

NRJ staff members must take NRJ I (Advanced Writing in Natural Resources), a writing seminar directed by the faculty editor that explores the art of multi-disciplinary writing in the natural resources area. Seminar students also select a topic for their own research and begin the process of writing a natural resources thesis of their own. Students receive three credits for the combined Journal and seminar work. In the spring semester of the second year, students continue to work ... on their seminar papers under the direction of the faculty editor in chief.

I recommend that we change this approach as follows:

Make writing for the NRJ optional for staff. Given the choice, perhaps half of the students who write on to the *NRJ* might prefer to fulfill their writing requirement on subjects other than natural resources. Allowing them to do so might reduce the number of student papers potentially available for publication in the *NRJ*; however, this effect could be offset by opening the *NRJ* to papers from students who are not editors or staff. I support ending the *NRJ* paper mandate for two main reasons. First, it is hard enough for a 2L student to write a substantial academic paper without forcing that student to write on a topic as to which s/he has little knowledge or interest. Second, and more importantly, the writing requirement paper provides a rare opportunity for a law student to develop in-depth knowledge on a particular topic; I feel strongly that each student should be able to develop that knowledge in a field that s/he is genuinely interested in pursuing. (This change would mean reducing the credits earned for NRJ I and II from 3 each to 2 each; these courses are currently listed officially as variable-credit offerings, for either 2 or 3 credits.)

Select and publish student papers that have been referred by faculty. Dropping the *NRJ* paper will mean that students wishing to write on natural resources would need to find another way to fulfill their writing requirement. If the *NRJ* requires less in the way of faculty resources, the law school may be able to offer more seminars—perhaps three every two years—on natural resource topics. Such seminars, plus a few independent studies, should produce several papers each year

that might be considered for publication in the *NRJ*. I recommend that the *NRJ* student editors select papers from those that have been referred by a faculty member. This approach would have the benefit of making the *NRJ* relevant to more people in the law school, because any faculty member could recommend a paper for consideration, and any student could be published.

Eliminate the faculty editor position in favor of a faculty advisor. Students have been the primary editors of *NRJ* outside articles for many years, and I recommend that we take the next step, reducing the faculty editor's role to that of advisor. As such, the faculty member would no longer be regularly involved in reviewing manuscripts, and students would have final authority to make editorial decisions. Nonetheless, an active faculty advisor could provide some benefits for the *NRJ*, *e.g.* by performing "triage" on unsolicited submissions, helping select topics for special issues, and contacting potential faculty authors.