

Faculty Meeting Minutes November 8, 2016

The meeting was called to Order by Deans Alfred Mathewson and Sergio Pareja at 3:00 pm

- Faculty:** Grace Allison, Maryam Ahranjani, Marsha Baum, Reed Benson, Kip Bobroff, Camille Carey, Scott England, Marquita Harnett, Steven K. Homer, Scott Hughes, Lucrecia Jaramillo, Joshua Kastenber, April Land, Jennifer Laws, Nathalie Martin, Serge Martinez, Alfred Mathewson, Jennifer Moore, Aliza Organick, Daniel Ortega, Mary Pareja, Sergio Pareja, Michelle Rigual, Alex Ritchie, Leo M. Romero, Alexandra Siek, David Stout, Carol Suzuki, Sherri Thomas, John LaVelle, John Whitlow, Peter Winograd, Christine Zuni Cruz
- Staff:** Beverly Akin, Krista Allen, Heather Harrigan, Cyndi Johnson, David Pallozzi, Kyran Worrell
- Students:** Alan Heinz, Keri Rezac
- Visitors:** Ruth Pregenzer, Stormy Ralstin

1. **Announcements**

- Dean Pareja: We have been informed by the Provost's office that the SOL will be keeping the base tuition for the MSL program.
- Kyran Worrell: I need the faculty textbook orders ASAP. If you have not contacted me regarding your textbooks, please do so. If you are not ordering textbook, please email me and let me know this as well.
- David Pallozzi: There is a onetime \$15,000 scholarship opportunity for a "rising" female 3L student - if you can recommend a student, please send me her name as soon as possible as the deadline is fast approaching.

Dean Mathewson: Events this week:

- Wednesday, November 9th - Tribal Council - No Dakota Access Pipeline: America's Continued Threat to American Indian Sovereignty, Councilman Robert Taken Alive, Standing Rock Sioux Tribe.
- Thursday, November 10th - NM Innocence & Justice Fall Speaker Series – Anthony Ray Hinton.
- Friday, November 11th - BOR Special Meeting on Presidential Search, Student Union Building (SUB), Ballroom C.

2. **Action Items:** After motion made, minutes were approved with four (4) abstentions for the October 11, 2016 meeting, with correction to include clarification of points of order raised at that meeting.

3. **Presentation regarding Entrepreneurs in Community Lawyering** – Ruth Pregoner and Stormy Ralstin made a brief presentation on the new legal incubator for lawyers. It has emerged as a model that enables newly-admitted lawyers to acquire the range of skills necessary to launch successful practices that expand access to legal services for those of low and moderate incomes. The incubator provides detailed information on resources and training, client and community services, financing, and how to manage and operate their law practice.
4. **Update regarding re-keying at the Law School** – Deans Mathewson and Pareja and Assistant Dean Krista Allen: We met with the lock shop regarding the re-keying of the law school. The cost to rekey all doors at the SOL building would be around \$24,000. As a department we are trying to avoid giving everyone “universal keys,” which open everything. Therefore the new key #C67 will work to enter the main front door of the law school and well as the clinic entrance. It was noted that the key should also work for AILC. Should you need additional keys for specific external doors, please contact Krista or talk to us afterward.
5. **Faculty Appointments Committee Report** – Professor Martin:

First we would like to thank those of you who have participated in the process. We encourage faculty to meet with the candidates. Law students have been active in meeting the candidates, and the faculty has been underrepresented in meeting the candidates. We would like to move the meeting to discuss the Natural Resources candidates to late November.

The cost to do a search is anywhere between \$10,000 to \$15,000 per search, and it can be incredibly expensive. The committee reviewed candidates in the AALS database as well as candidates who applied directly to the law school. The committee searched for people meeting the criteria for the positions including experience working with and appreciating diverse communities. It made a concerted effort to look for candidates from underrepresented communities. The committee sent the position announcement to various organizations and listserves provided by the University. It acknowledged that it inadvertently had not posted the position announcement to the Clinic listserv; it was posted, however, to the Hispanic law faculty listserv. The committee followed University policy to take a second look at every person of color in the applicant pool - we had some two searches and we had some very good semifinalists of color and one finalist for the business search, which has now been canceled. However, despite the efforts of the committee, all the finalists for the environmental and natural resources clinic and child and family justice clinic are white. We have one female candidate who is diverse with respect to sexual orientation, but we have no finalists of color.

Discussion ensued regarding the lack of people of color within the applicant pool being brought to the law school. There also was a discussion which listserves were used and not used. Due to this failure to list the positions on the clinic listserv, the faculty discussed whether to delay the hiring process, with the risk of losing the applicants or possibly losing the hires altogether from UNM. The committee and the faculty decided to move forward with the plan to hire, but the faculty asked to committee to take into consideration the faculty discussion and to decide quickly whether to list the child and family justice position on the clinic list serve. It was decided that the environmental and natural resources clinic hiring meeting will be on November 22. The child and family justice clinic hiring decision is likely to occur on December 6.

6. **Curriculum and Course Coverage Report** – Dean Pareja: Based on input we received from students, we have made changes to the spring schedule that was circulated early last week. However, please be aware that because of our reduced faculty in terms of size it is hard to cover the core courses. For example, historically, we have had three sections of most core 1L courses to help the weaker students along, but this semester we only had two sections of Contracts, and one was taught by an emeritus faculty member. Next semester we will only have two sections of Con Law, and one is being taught by an adjunct faculty member. Therefore we need people to step up and teach some of these core courses.
7. **Discussion regarding Lecturer Promotion Policy** – Professor Homer: Asking to give feedback and ask questions on the policy which is proposed and which we will vote on in December. So if there are specific changes or questions to please let me know prior to the December Faculty meeting.

As the meeting moved into executive session, some of the library faculty stood to leave. A point of order was raised by a faculty member stating that it violated the UNM Faculty Constitution for the assembly to request that any members of the voting faculty, including the law library faculty, leave the room before the assembly proceeded in executive session to vote on the action items on the meeting's agenda. The point of order was ruled out of order by the Chair, and Dean Pareja stated that legal writing and law library faculty were not being requested to leave and that they had the choice of staying or leaving. The faculty member appealed the Chair's ruling to the assembly but the appeal did not obtain a second.

EXECUTIVE SESSION: The legal writing faculty remained for the Executive Session with tenure-stream faculty.

- First action item: A motion for legal writing faculty to participate in the vote on unification of law and library faculty and for legal writing faculty to participate in the vote on whether library lecturers will participate in the voting summit.

Upon each of the three motions in the executive session to adopt Action Items #1, #2, and #3, respectively, a recurring point of order was raised by a faculty member stating that it violated the UNM Faculty Constitution for the assembly to proceed to vote on the motion after excluding some members of the voting faculty, namely, the law library faculty, from the opportunity to vote on the motion. In all three instances the point of order was ruled out of order by the Chair. In all three instances the faculty member appealed the Chair's ruling to the assembly but in each instance the appeal did not obtain a second.

In addition a subsidiary motion was made to amend, for clarification purposes, the motion to adopt Action Item #1 to state that the motion was in reference to the faculty's "Determination if lecturers on the law faculty, excluding lecturers in the law library, will vote on Item #2 and Item #3." The subsidiary motion to amend did not obtain a second.

Motion regarding allowing legal writing faculty to participate in votes passed.

- Second action item: A motion for law and law library faculty to unify for voting purposes.

After broad discussion, motion withdrawn, and no action was taken.

- Third action item: A motion for law library lecturers to participate in and vote at the “December Voting Summit.”

Motion tabled.

Meeting was then adjourned at meet at 5:10