

**Minutes for Faculty Meeting  
September 11, 2018**

*The meeting was called to order at 3:06 p.m. 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, Marsha Baum, Reed Benson, Kip Bobroff, Camille Carey, Barbara Creel, Scott England, Justin Goodman, Steven Homer, Lucrecia Jaramillo, April Land, John LaVelle, Jennifer Laws, Nathalie Martin, Serge Martinez, Daniel Ortega, Gabe Pacyniak, Mary Leto Pareja, Sergio Pareja, Sonia Gipson Rankin, Michelle Rigual, Alexandra Siek, Laura Spitz, Sarah Steadman, David Stout, Carol Suzuki, Cliff Villa, Jeanette Wolfley, Christine Zuni Cruz** (*17 needed for quorum; names that count toward quorum in bold*)

**Emeritus:** Leo Romero, Peter Winograd

**Staff:** Beverly Akin, Krista Allen, Chad Covey, Hannah Farrington, Heather Harrigan, David Pallozzi

**Students:** Erika Avila Stephanz, Jared Armijo

**ANNOUNCEMENTS**

Dean Pareja opened the meeting by welcoming the faculty back for the new academic year and by welcoming the law school's new faculty members, Sonia Rankin and Laura Spitz. Dean Pareja also introduced and welcomed our new visiting professor, Bruno Aguilera, and our returning visiting professors who were in attendance at this faculty meeting, Justin Goodman and Kip Bobroff.

Vice Dean & Associate Dean for Academic Affairs, Camille Carey, announced that the MSL Bulletin will be circulated to the faculty prior to the next faculty meeting so that the faculty will have time to review it. It is her hope that the faculty will be able to vote on it at the October faculty meeting. Vice Dean Carey explained that her goal is to get the MSL Bulletin adopted next month and noted that it is likely that amendments will be made later in the year.

**ACTION ITEM: Approval of Minutes from the May 8, 2018 faculty meeting – Dean Pareja:**

A motion was made to approve the minutes of the May 8, 2018 meeting. The motion was seconded, it was voted on, and it passed unanimously.

**ACTION ITEM: Appointment of primary and alternate representatives to the AALS House of Representatives – Dean Sergio Pareja:**

We need to select faculty members to represent us at the meeting. The annual AALS conference is being held in New Orleans in January. The representative needs to attend the First Meeting of the House at 3:30 p.m. on Thursday, January 3, and the Second Meeting of the House at 5:00 p.m. on Friday, January 4. Professor Carol Suzuki volunteered to be the primary representative, and Professor Mary Pareja volunteered to be the alternate representative. A motion was made to approve the two of them as our primary and alternate representatives. The motion was seconded, it was voted on, and it passed unanimously.

**Report on status of mental health support at the law school – Assistant Dean Heather**

**Harrigan:** There have been significant changes in the Student and Career Services office since Nancy Huffstetler’s retirement. An email was sent to faculty on August 29<sup>th</sup> with a list of resources that are available to students who are needing support with mental health issues. You should direct students in need to any of those resources or send them directly to Assistant Dean Harrigan. Teresa Law is no longer the SHAC Counselor, as she has also retired. SHAC provides quality health and counseling services to the law students. Assistant Dean Harrigan would like to thank Dean Pareja for his continuous support for the mental health of our students and for collaborating with SHAC to hire on a contract basis a full-time mental health person who will be here at the law school half time and at SHAC half time. Currently the School of Law is going through the search process for a counselor in hopes of the new hire being in place by November/December 2018, for a twelve month contract. In the meantime, Pam Moore, the JLAP Program Director at the New Mexico State Bar, has graciously offer to be here every Tuesday all day to do individual counseling for our students. As a reminder, if you have any questions regarding a student disclosing a disability and needing special accommodations, please either refer the student to ARC or send the student to Assistant Dean Harrigan.

**Report on the role of the Vice Dean – Dean Sergio Pareja:** As you know, Dean Pareja has expanded the traditional Associate Dean for Academic Affairs position to also include a role as the law school’s Vice Dean. The Vice Dean & Associate Dean for Academic Affairs is the law school’s primary academic officer and coordinates academic affairs and curricular matters while reporting directly to the Dean. The Vice Dean position as conceived was not intended to directly affect the faculty, in their role as faculty members, in a direct and material way. The primary goal when the position was conceived was to shift some high-level staff reporting from the Dean to the Vice Dean. Many of these positions are not traditional “academic” positions, thus creating the need for a broader title. Some of these include the Director of the Institute for Public Law, the Director of the Utton Center, the Director of Admissions, and the Director of IT. In general, all faculty, with the exception of Mary Pareja (who reports directly to the Vice Dean and the Provost), will continue to report to the Dean. That said, there can be indirect effects of the change on faculty. For example, if a faculty members has an issue with a member of the staff who formerly reported directly to the Dean but now reports directly to the Vice Dean, you will take the issue to Vice Dean Carey.

**ACTION ITEM: Vote on proposed change to externship compensation rule with respect to D.C. Program – Professor Sonia Gipson Rankin, Chair of D.C. Program Committee:**

Professor Rankin explained that the D.C. Program is proposing a change to the Externship Compensation rules with respect to the D.C. program, with language to be added to the current Externship Compensation section to state “for students participating in the D.C. Program, student compensation should not exceed the cost of living in the Washington, D.C. area, unless bound by agency rules.” See proposed revised rule attached as **Exhibit A**. After a lengthy discussion regarding issues with the externship language in general, a motion was made to table the vote on the committee’s proposal with the understanding that “students this year can receive compensation for doing externships in connection with the D.C. Program during the fall of 2018 with the approval of the instructor.” It also was noted that the instructor is Assistant Dean Harrigan. The motion to table was seconded, a vote was taken, and it passed with 21 people voting in favor and 3 abstentions. Dean Pareja noted that our rule regarding externship compensation is a provisional rule that expires on February 7. The faculty will need to reconsider the entire rule before its expiration in February.

**Report on 1L class – David Pallozzi, Director of Admissions:** Admissions Director Pallozzi first thanked David Stout for all his help this year and then reported on the Class of 2018 admission results. A draft report with all demographic data from the 1L class was distributed (attached as **Exhibit B**). Questions, comments, and discussion followed.

**Update on work of Faculty Appointments Committee – Associate Dean Nathalie Martin, Chair of Faculty Appointments Committee:** Associate Dean Martin briefly updated the faculty on where the Appointments Committee is in the hiring process. As you will recall, the Provost approved “up to six” new faculty hires. Dean Pareja has appointed a large committee, which includes Jeanette Wolfley, Michelle Rigual, Nathalie Martin, Mary Pareja, George Bach, Christine Zuni Cruz, Aliza Organick, Alfred Mathewson, Sarah Steadman, and one student. This is essentially a third of the faculty. The ad was approved in June. Despite the fact that there have been problems getting the links up, we now have 73 or 74 applications that have been reviewed. We also have reviewed over 300 FAR Applications. Associate Dean Martin pointed out a few things:

- The ad states that the best consideration date is October 10<sup>th</sup>, but in every place the ad has been placed we made sure that it was known that we would be doing searches before this time and possibly choosing finalists. Therefore, if you know of anyone who is going to apply, it should be done immediately. There will be some finalists chosen prior to October 10<sup>th</sup>, which will be prior to the AALS annual hiring conference.
- At the moment, it is looking like the Oil & Gas hire will probably be pushed back to the spring because it is not a position that is affected in the usual way by the national market.
- We do not know if other positions will be pushed back into the spring, but it certainly is possible.
- At this point, we are hoping that we will be hiring some laterals and visitors as part of the “up to six” new hires.
- The committee is focusing on people who demonstrate a direct interest in working at UNM.

**Announcement regarding annual reviews and introduction of proposal to amend tenure and promotion policy – Professor Carol Suzuki, Chair of the Faculty Retention, Promotion, and Tenure Committee:** Professor Suzuki announced that the P&T Committee will be hard at work this year with three promotions and eleven annual reviews. Professor Suzuki thanked Scott Hughes for his help with enlisting the aid of emeritus faculty members. The basic plan is that people will be working in teams of two. The committee will be reaching out to those of you who are eligible to do annual reviews. Professor Suzuki also announced that at the next faculty meeting the committee will be making a motion to modify the law school’s retention, promotion and tenure policy to bring it into conformity with university policy. Specifically, Section 5.8 of the law school’s Faculty Handbook conflicts with main campus policy. That section of the law school’s policy states as follows:

“When a recommendation and report is adopted, copies shall be given to the faculty member and the Dean, who will transmit it to the Provost. The Dean shall add his or her recommendation and evaluation with a statement of supporting reasons. A copy of the recommendation and evaluation and the statement of supporting reasons shall be provided to the chair of the subcommittee and the faculty member. A copy shall also be made

available to any other faculty member requesting it. Any meeting of the Committee, or recommendation from the Dean, will only occur at a time sufficient to provide the faculty member under review at least 10 working days to respond to a negative recommendation. The faculty member under review, or any member of the Committee, shall have the opportunity to present relevant evidence and arguments to the Dean in writing before the Dean makes a recommendation, and thereafter to present relevant evidence and arguments to the Provost.”

UNM’s Faculty Handbook notes that the Provost will accept from the law school (1) the committee report (*i.e.*, the report that the law school’s faculty adopts) and (2) the dean’s report. The law school policy conflicts with this because it looks as if there is an opportunity for an individual faculty member to directly contact the Provost, which is not authorized under UNM’s Faculty Handbook. As a result, the Provost will not consider any information outside of the committee report and the dean’s report. Therefore, the P&T Committee recommends that the language in the law school’s policy be changed to line up with the UNM Faculty Handbook. Professor Suzuki is introducing this today so that faculty members will have time to look at the law school’s faculty handbook and UNM’s faculty handbook prior to voting on this at the next faculty meeting.

#### **EXECUTIVE SESSION (voting faculty only):**

**ACTION ITEM: Vote on student request for change or exception to existing policy requiring Clinic and writing requirement to be completed at UNM – Dean Sergio Pareja:**

A student has requested an exception to our policy requiring the student to complete Clinic at UNM. The unique circumstances were explained to the faculty. A motion was made and seconded, and discussion followed. It was voted on and passed.

**ACTION ITEM: Vote on emeritus status for Profs. Jim Ellis and Scott Hughes –**

**Dean Sergio Pareja:** Two separate motions were made, seconded, and voted on to grant Emeritus status to Professor Jim Ellis and Professor Scott Hughes. Both motions passed unanimously with no abstentions.

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

**ACTION ITEM: Vote on Order of the Coif status of 2018 graduates – Dean Sergio**

**Pareja:** A motion was made to accept the eleven nominees as presented by Dean Pareja. The motion was seconded. There was no discussion. The motion passed unanimously.

*The meeting was adjourned at 5:18 pm.*

## Exhibit A

### **Proposed Change to Externship Compensation rule with respect to D.C. Program**

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The D.C. Program Committee recommends language be added to the current Externship Compensation section of the Student Handbook (page 11) to address specific concerns with the D.C. Program.

#### ***Externship Compensation***

A student may receive compensation for an externship for which they receive academic credit provided there is written approval from the externship instructor. A student may receive reimbursement of reasonable out-of-pocket expenses related to fieldwork. Generally, externships will only be approved for fieldwork with public sector employers. An externship with private sector employers will be approved on a limited basis, provided there is a written agreement between the student, employer, and school that the student will work exclusively on pro bono matters. ***For students participating in the D.C. Program, student compensation should not exceed the cost of living in the Washington, D.C. area, unless bound by agency rules.*** This policy is in compliance with the School of Law's learning outcome that students will understand the values of the profession, including the importance of community involvement and pro bono service, and the responsibility to promote justice.

Source: This policy was amended on a provisional basis on February 7, 2017 to permit students to receive compensation for doing externships. Absent a faculty vote to extend the amended policy or to make it permanent, these changes shall expire on February 7, 2019, and the policy that existed immediately prior to February 7, 2017 shall apply. For further details, see Faculty Meeting Minutes February 7, 2017.

**Exhibit B**

**DATA NOT FINAL. DRAFT ONLY**

Total number of applications (includes transfer and MSL)	611			
Total number of Transfer applications	17	6 Admits	5 matrics	
Total number of MSL applications	11	9 Admits	9 matrics	
Joint degree applications:				
JD/MA-Latin American Studies	3	2 Denied	1 Admit	1 Matric
JD/MBA	12	6 Denied	6 Admits	2 Matric's
JD/MPA	7	3 Denied	4 Admits	2 Matric's
JD/PhD	1	0 Denied	1 Admit	0
Matric				

MSL (9)

7 Female

2 Male

Age range: 28-61      Mean: 44      Median: 44

Ethnicities:

American Indian/Alaskan Native      2 (Navajo)

Caucasian      5

Hispanic      2

JD (106)

62 (58.49%) Female

44 (41.51%) Male

Age Range: 21-61      Mean: 28      Median: 25

Residents: 91 (85.85%)

Nonresidents: 15 (14.15%)

**LSAT**

75% 156

50% 153

25% 151

**GPA**

75% 3.64

50% 3.40

25% 3.09

**DEGREES:**

16 (14.81%) have a degree beyond a Bachelor's Degree

**ETHNICITIES: #**

American Native/Alaskan Native 11 (10.38%)

Asian 2 (1.89%)

Black/African American 3 (2.83%)

Caucasian 43 (40.57%)

Did not indicate 9 (8.49%)

Hispanic/Latino 38 (35.85%)\*

**TOTAL MINORITIES** 54 (50.94%)

\*4 Hispanic/Latino also list Native American/Alaskan Native. They list it as their secondary ethnicity and are included in the total number of Hispanics.

# The numbers are total numbers and include students that listed two or more. On the ABA report two or more are separated out.

**Number of states represented: 12**

New Mexico 86

Arizona 6

Florida 3

Texas/Washington 2

**Number of undergraduate institutions represented: 47**

University of New Mexico	47
Arizona State University	5
University of Arizona	4
New Mexico State	4
Penn State	2
Colorado State University	2
Ohio State	2

**Majors represented: 35**

Political Science	12
Psychology	11
English	9
History	7
Sociology	6

**TRANSFERS: 5**

Schools represented:

Oklahoma City	2
Cal Western	2
Vermont Law	1