

**Minutes of Faculty Meeting
October 15, 2019**

The meeting was called to order at 3:06 p.m. by Dean Sergio Pareja, once a quorum was reached. The following members of the law school faculty, staff, and students were present for at least some portion of the meeting:

Faculty: Maryam Ahranjani, George Bach, Reed Benson, Camille Carey, Elizabeth Elia, Scott England, Sonia Gipson Rankin, Veronica Gonzales-Zamora, Marc-Tizoc González, Justin Goodman, Vinay Harpalani, John Kang, Joshua Kastenberg, April Land, John LaVelle, Jennifer Laws, Ernesto Longa, Nathalie Martin, Serge Martinez, Jennifer Moore, Adrian Oglesby, Gabe Pacyniak, Helen Padilla, Mary Leto Pareja, Sergio Pareja, Leo Romero, Joseph Schremmer, Laura Spitz, Sarah Steadman, David Stout, Carol Suzuki, Sherri Thomas, Gloria Valencia-Weber, Cliff Villa, Samuel Winder, Peter Winograd, and Christine Zuni Cruz (20 needed for quorum; names that count toward quorum in bold)

Staff: Beverly Akin, Krista Allen, Chad Covey, Hannah Farrington, Stephanie Grant, and David Pallozzi

Students: Jessica Arreola (3L) and Victor Hall (2L)

ANNOUNCEMENTS:

Dean Pareja announced that the Distinguished Achievement Awards Dinner (DAAD) will be held this Friday, October 18, at the UNM Student Union Ballroom (SUB). The 2019 Honorees are: Hon. M. Christina Armijo, Senior United States District Judge, Justice Charles W. Daniels (posthumously), Regent & Professor Emeritus Robert Schwartz, and Kelly Stout Sanchez (Alumni Promise Award). If you have not purchased tickets yet and would like to attend, please contact Melissa Lobato. There are very few available seats left.

Dean Pareja also noted that we are having a kickball event here at the law school, followed by trick or treating to faculty offices, on October 30 at 1:00. Elementary school students from UNM's Children's Campus will be playing kickball with law students.

Dean Pareja also announced that UNM School of Law faculty have taken the lead on presenting a university-wide talk commemorating the 75th anniversary of the *Korematsu v. U.S.* decision, entitled "*Korematsu at 75: Understanding the Legacy of Japanese-American Internment*," tomorrow, October 16, from 5:00 to 7:00 p.m. at the Kiva building on main campus. The presentation will feature Professors Carol Suzuki (moderator), George Bach, and John Kang, all from the School of Law, as well as Professor Peter Kierst from UNM's Political Science Department, as well as attorneys Rebecca Kitson (also an adjunct professor at the law school), and Maria Martinez Sanchez. In addition, there will be a faculty colloquium this Friday, October 18, on "The Continued Relevance of *Korematsu v. United States*" (presented by Professor Lorraine Bannai from Seattle University School of Law and Co-Director of the Korematsu Center) as well as "Know Your Rights" presentations at local

schools. Dean Emeritus Alfred Mathewson took the lead in organizing these *Korematsu* events.

Finally, Dean Pareja reminded the faculty to vote on faculty unionization, regardless of how you intend to vote, either tomorrow or Thursday, October 16 or 17.

Professor Spitz noted that the next two faculty colloquia won't happen on Wednesdays (one is this Friday, and the other is Monday, November 11). They had to be moved to a Friday and Monday to accommodate the speakers' availability to travel.

Director of Student & Career Services, Bonnie Stepleton, reminded people about a faculty meet-and-greet with Court of Appeal Judges that's happening on October 22 as well as a presentation by Eric Knapp on "The Conversation: Careers in Large National Law Firms and How to Position Yourself for this Path" that's happening this Thursday, October 17, in Room 2406 from noon to 1:00.

Vice Dean Camille Carey thanked the faculty who are opening their classes to M.S.L. students and reminded faculty that M.S.L. students are graded on the graduate school grading scale rather than the law school's grading scale. In general, it means they are bumped up one full grade. If you have any question please contact the Registrar's office. The Registrar, Ernest Tafoya, and Vice Dean Carey are working on the schedule. Everyone should know what they are teaching in the spring. If you are unsure of what you are teaching, contact Vice Dean Carey. A preliminary schedule will be out shortly.

Professor John LaVelle noted that the Curriculum Committee is planning to have an open forum for students to provide input to the committee regarding what classes might be offered in the future. The Curriculum Committee would like to start a conversation with the faculty about being flexible about course coverage so that the law school can offer classes responsive to student interests and needs.

Dean Pareja explained the reason for the distribution of iClickers at the start of today's meeting. It is an experiment that he may continue to do at future faculty meetings. His primary concern is that he regularly needs to make difficult decisions, and it would be helpful to have a sense of the whole faculty's view to inform his decisions. His concern is that a small number of faculty members are often the only people who speak on certain topics at faculty meeting. He also receives in-person feedback from people who stop him in the halls. He wants to get a broader sense of the entire faculty's view, and clickers seem like a potential solution. The goal is simply to gauge the temperature of the faculty, providing instant feedback, with all results displayed in a graph for the faculty to view in real time. Tony Anderson took a few minutes to explain how the clickers work.

ACTION ITEM: Approval of Minutes from September 17, 2019 faculty meeting – Dean Sergio Pareja: A motion was made and seconded to approve the minutes. There was no discussion. The minutes were approved with no nay votes and no abstentions.

Report on and discussion regarding admissions – Dean Sergio Pareja:

Dean Sergio Pareja gave the faculty an overview on how the admission process works. The great bulk of the meeting was spent on this topic. Dean Pareja first summarized how admissions decisions are handled at the law school. In brief, there is an Admissions Committee consisting of three faculty members, our Director of Admissions, and two student representatives who decide which applicants to admit, put on the waitlist, or deny admission to. Dean Pareja generally tells the committee to try to achieve our historic norm of having a class that reflects the diversity of this state with a median GPA of around 3.45 to 3.5 as well as a median LSAT of 155. He also tells the committee to be mindful of potential character and fitness issues. The admissions committee admits people, typically beginning in January, without knowing who will enroll if admitted. First deposits are due April 15, and second deposits are due on June 15, but potential students drop out until orientation in August as they are recruited with scholarship offers from other law schools. We typically also receive some last-minute applications in July from people who take the June LSAT. In July and early August, if there is space in the class, Dean Pareja begins to admit people off the waitlist. He does this while being mindful of the impact those admissions will have on median scores, diversity, and character and fitness issues. Dean Pareja re-distributed the charts containing our application and enrollment numbers of our classes, including demographics, since 2001. The charts are attached as **Exhibit A**.

Dean Pareja noted that this year it was his sense, from a discussion about U.S. News rank at a prior faculty meeting, that the faculty wanted him to pay attention to our overall rank, which had dropped to 91 last year. That is our lowest rank since we dropped to 99 in 2005. This past year was a particularly difficult year because we also had the lowest number of applications on record. Dean Pareja spent a significant amount of time explaining the U.S. News methodology. In short, four factors go into rank: (1) faculty resources (15%), (2) job placement success of our graduates (20%), (3) quality assessment (40%), and (4) selectivity (25%). Faculty resources (a.k.a. money) have declined due to budget cuts. The primary measure of job placement success for last year's ranking was the employment-level of the Class of 2018 by March 15, 2019. Given the very limited staffing in our Student & Career Services Office for most of last year, we were not surprised to learn that that number had gone down compared to the prior year. Quality assessment is measured by a survey that is sent to four people at each law school in the country (25%) and to lawyers and judges (15%). Those numbers move very little in a short time period. Given the decline in job placement success, it was virtually guaranteed that our rank would drop further if we didn't pay attention to the fourth category (selectivity). Given the information that we have, there is no guarantee that we won't drop further even if we pay attention to selectivity, but we could minimize the drop by affirmatively focusing on selectivity. Selectivity is primarily measured by the median undergraduate GPA and LSAT score of the 1L class. Dean Pareja distributed charts containing our historic quality assessment and selectivity numbers along with the numbers of our regional peer institutions. The charts are attached as **Exhibit B**. For readability, they have been annotated to include who was Dean at the time. Note that the printed years are U.S. News edition years, which are two years later than the actual dates

when the surveys are completed and the entering class is measured. It is worth mentioning that our median LSAT score has been at 153 for the past few years, which is lower than our historic average of over 155. Also, our regional peer with the lowest median LSAT currently is Texas Tech with a median of 155.

By mid-July this past year, it appeared feasible to have a diverse class of 90 or 91 students with a median LSAT score of 155 and a median GPA of just under 3.5. We then started losing some students, often because they were admitted to higher ranked schools and/or they received high scholarship offers from other schools. Dean Pareja considered the above information on U.S. News as he considered whether to admit students off the waitlist. He also considered the financial feasibility of not admitting many people off the waitlist so as to maintain our historic LSAT and GPA medians. In the end, he decided to do that, which resulted in a final class size of 82 students. This class maintained our historic diversity levels, was mindful of character and fitness issues, and it had a median LSAT of 155 and GPA of 3.47.

Dean Pareja noted that he is, of course, trying to attain a larger class size next year (ideally around 105 students). That said, he utilized the clickers to seek input from the faculty and the student representatives regarding whether they would support him taking a similar approach next year should applications be down again. Specifically, he asked if the faculty generally supported a smaller class size to attempt to maintain or improve our rank as long as we can afford the smaller class size. There was a lot of discussion about how much rank should factor into our admissions decisions. Associate Dean Thomas noted that rank affects our alumni's perception of our school and their willingness to donate money in support of the school. From input received through the use of clickers, Dean Pareja determined that a strong majority of the faculty and student representatives (over 60%) support the approach that he proposed going forward, which is the same as last year's approach.

Report on M.S.L. program – Dean Sergio Pareja: Dean Pareja reported on the history of the M.S.L. program. It began in late 2013 with a faculty vote to move it to the Provost for consideration. Ultimately, there were two overwhelming votes (only one or two votes against) at faculty meetings along with full support of the Provost, a unanimous vote of the Board of Regents, and support of the State Board of Finance. The first M.S.L. class began in August of 2017, and we began charging full law school tuition to M.S.L. students last year (in August of 2018). Because M.S.L. students pay full law school tuition, they are entitled to the same services as J.D. students at the law school (student and career services, mental health counseling, SBA participation, etc.). Raises that were directly tied to providing support for our M.S.L. students were secured for our staff last summer. A question was raised about resources dedicated to the program, and Dean Pareja noted that it currently brings in about \$72,000 a year in revenue and that the total cost of our expenditures is less than that.

Appointments update – Professor George Bach, Chair of Faculty Appointments Committee: Professor Bach noted that we have four candidates coming in to interview for an Economic Justice Clinic faculty position through November 7. We are likely to have a special faculty meeting (closed

session) to vote on them on November 12. We also are scheduling interviews for the legal writing faculty position. We probably will vote on those candidates at the November 19 faculty meeting (note: this has changed, and it will now happen at a special meeting at 10:00 a.m. on Monday, December 2). Candidates for a faculty position in the Southwest Indian Law Clinic will be brought in for call-back interviews after that.

Report on Innocence & Justice Project (IJP) – Dean Sergio Pareja: Dean Pareja noted that we are trying to see if we can move our wrongful convictions and overly-incarcerated work to a scaled back and modified model under the leadership of Professor Creel. We will discuss this more fully at the November faculty meeting when Professor Creel is in town (she is currently out of state at an Innocence Network conference). One idea that was proposed by faculty members at prior meetings is that we could give up an upcoming faculty hire to instead hire a tenure-track faculty member who would be dedicated full-time to this work. Utilizing clickers, Dean Pareja asked the faculty if there was support for the idea of giving up one of the three hires that we are currently working on or the anticipated hire resulting from Professor Jeanette Wolfley’s planned retirement. The result was that there was almost no support for this idea (only two people clicked that they would support it). Further discussion about IJP was tabled until the November faculty meeting.

Remarks regarding implicit bias in hiring decisions – Associate Dean Sherri Thomas:

Associate Dean Thomas spoke about the risk of implicit bias factoring into hiring decisions. She said that we should all be aware that every single one of us has some sort of bias in play at all times. In order to give candidates evaluations with as little bias as possible, we, as individual faculty members, can and should use the following strategies and tools to help us mediate the biases we all have: (1) awareness (she mentioned a test that you can take: <https://implicit.harvard.edu/implicit/>); (2) “feel” the bias (i.e., if it feels biased it probably is), (3) employ well thought-out behaviors and decisions (tip: compare your top choices to those you automatically discounted), and (4) reflect with your colleagues (it can start with one trusted colleague and then move to a larger group discussion).

The meeting was adjourned by unanimous consent at 5:05 p.m.

2019 Incoming 1L Class		Median GPA: 3.47		Median LSAT: 155						
Ethnicity	Applicants	Ethnicity % of Total Applicants	Denied	Denied % of Total Applicants	Admitted	Admitted % of Total Applicants	Ethnicity % of Total Admitted	Withdraw Before Decision	Matriculated	Ethnicity % of Total Matriculated
American Native/Alaskan Native	39	7.37	19	3.59	17	3.21	6.97	3	8	9.76
Asian	18	3.40	6	1.13	12	2.26	4.92	0	2	2.44
Black/African American	16	3.02	11	2.08	5	0.95	2.05	0	2	2.44
Caucasian/White	256	48.39	119	22.50	130	24.57	53.28	7	36	49.90
Hispanic	175	33.08	106	20.04	67	12.67	27.46	2	29	35.37
Native Hawaiian	2	0.38	0	0.00	2	0.38	0.82	0	0	0.00
Did Not Indicate	23	4.35	12	2.27	11	2.08	4.51	0	5	6.10
Totals	529		273		244			12	82	
2018 Incoming 1L Class		Median GPA: 3.40		Median LSAT: 153						
Ethnicity	Applicants	Ethnicity % of Total Applicants	Denied	Denied % of Total Applicants	Admitted	Admitted % of Total Applicants	Ethnicity % of Total Admitted	Withdraw Before Decision	Matriculated	Ethnicity % of Total Matriculated
American Native/Alaskan Native	45	7.87	24	4.20	21	3.67	7.50	0	11	10.38
Asian	27	4.72	13	2.27	12	2.10	4.29	2	2	1.89
Black/African American	17	2.97	8	1.40	9	1.57	3.21	0	3	2.83
Caucasian/White	280	48.95	119	20.80	149	26.05	53.21	12	43	40.57
Hispanic	166	29.02	96	16.78	68	11.89	24.29	2	38	35.85
Native Hawaiian	0	0.00	0	0.00	0	0.00	0.00	0	0	0.00
Did Not Indicate	37	6.47	15	2.62	21	3.67	7.50	1	9	8.49
Totals	572		275		280			17	106	
2017 Incoming 1L Class		Median GPA: 3.46		Median LSAT: 153						
Ethnicity	Applicants	Ethnicity % of Total Applicants	Denied	Denied % of Total Applicants	Admitted	Admitted % of Total Applicants	Ethnicity % of Total Admitted	Withdraw Before Decision	Matriculated	Ethnicity % of Total Matriculated
American Native/Alaskan Native	45	6.53	19	2.76	22	3.19	6.77	4	9	7.50
Asian	32	4.64	22	3.19	10	1.45	3.08	0	4	3.33
Black/African American	27	3.92	14	2.03	12	1.74	3.69	1	5	4.17
Caucasian/White	330	47.90	154	22.35	172	24.96	52.92	4	54	45.00
Hispanic	208	30.19	123	17.85	82	11.90	25.23	3	36	30.00
Native Hawaiian	3	0.44	2	0.29	1	0.15	0.31	0	1	0.83
Did Not Indicate	44	6.39	18	2.61	26	3.77	8.00	0	11	9.17
Totals	689		352		325			12	120	

2016 Incoming 1L Class		Median GPA: 3.47		Median LSAT: 153									
Ethnicity	Applicants	Ethnicity % of Total Applicants	Denied	Denied % of Total Applicants	Admitted	Admitted % of Total Applicants	Ethnicity % of Total Admitted	Withdraw before Decision	Matriculated	Ethnicity % of Total Matriculated			
American Native/Alaskan Native	36	5.76	14	2.24	20	3.20	7.12	2	7	6.25			
Asian	38	5.28	18	2.88	14	2.24	4.98	1	7	6.25			
Black/African American	15	2.40	11	1.76	3	0.48	1.07	1	1	0.89			
Caucasian/White	299	47.84	156	24.96	149	22.24	49.47	4	48	42.86			
Hispanic	214	34.24	118	18.88	93	14.88	33.10	3	46	41.07			
Native Hawaiian	2	0.32	0	0	2	0.32	0.71	0	0	0.00			
Did Not Indicate	26	4.16	15	2.4	10	1.60	3.56	1	3	2.68			
Totals	625		332		284			12	112				
2015 Incoming 1L Class		Median GPA: 3.47		Median LSAT: 154									
Ethnicity	Applicants	Ethnicity % of Total Applicants	Denied	Denied % of Total Applicants	Admitted	Admitted % of Total Applicants	Ethnicity % of Total Admitted	Withdraw before Decision	Matriculated	Ethnicity % of Total Matriculated			
American Native/Alaskan Native	41	5.70	24	3.34	16	2.23	5.33	1	7	6.31			
Asian	48	6.26	31	4.31	18	1.81	4.38	1	4	3.60			
Black/African American	37	5.15	27	3.76	9	1.25	3.00	1	3	2.70			
Caucasian/White	345	47.98	177	24.62	166	23.05	55.33	2	50	45.05			
Hispanic	213	29.62	141	19.61	72	10.01	24.00	0	36	32.43			
Native Hawaiian	0	0.00	0	0.00	0	0.00	0.00	0	0	0.00			
Did Not Indicate	38	5.29	13	1.81	24	3.34	8.00	1	11	9.91			
Totals	719		413		300			6	134				
2014 Incoming 1L Class		Median GPA: 3.43		Median LSAT: 153									
Ethnicity	Applicants	Ethnicity % of Total Applicants	Denied	Denied % of Total Applicants	Admitted	Admitted % of Total Applicants	Ethnicity % of Total Admitted	Withdraw before Decision	Matriculated	Ethnicity % of Total Matriculated			
American Native/Alaskan Native	44	6.83	23	3.57	21	3.26	7.29	0	8	7.21			
Asian	39	4.50	15	2.33	13	2.02	4.51	1	5	4.50			
Black/African American	27	4.19	23	3.57	4	0.62	1.39	0	3	2.70			
Caucasian/White	307	47.67	153	23.76	152	23.60	52.78	2	46	41.44			
Hispanic	194	30.12	117	300.00	77	11.96	26.74	0	43	38.74			
Native Hawaiian	4	0.62	2	0.31	2	0.31	0.69	0	0	0.00			
Did Not Indicate	39	6.06	20	3.11	19	2.95	6.60	0	6	5.41			
Totals	694		353		288			3	111				

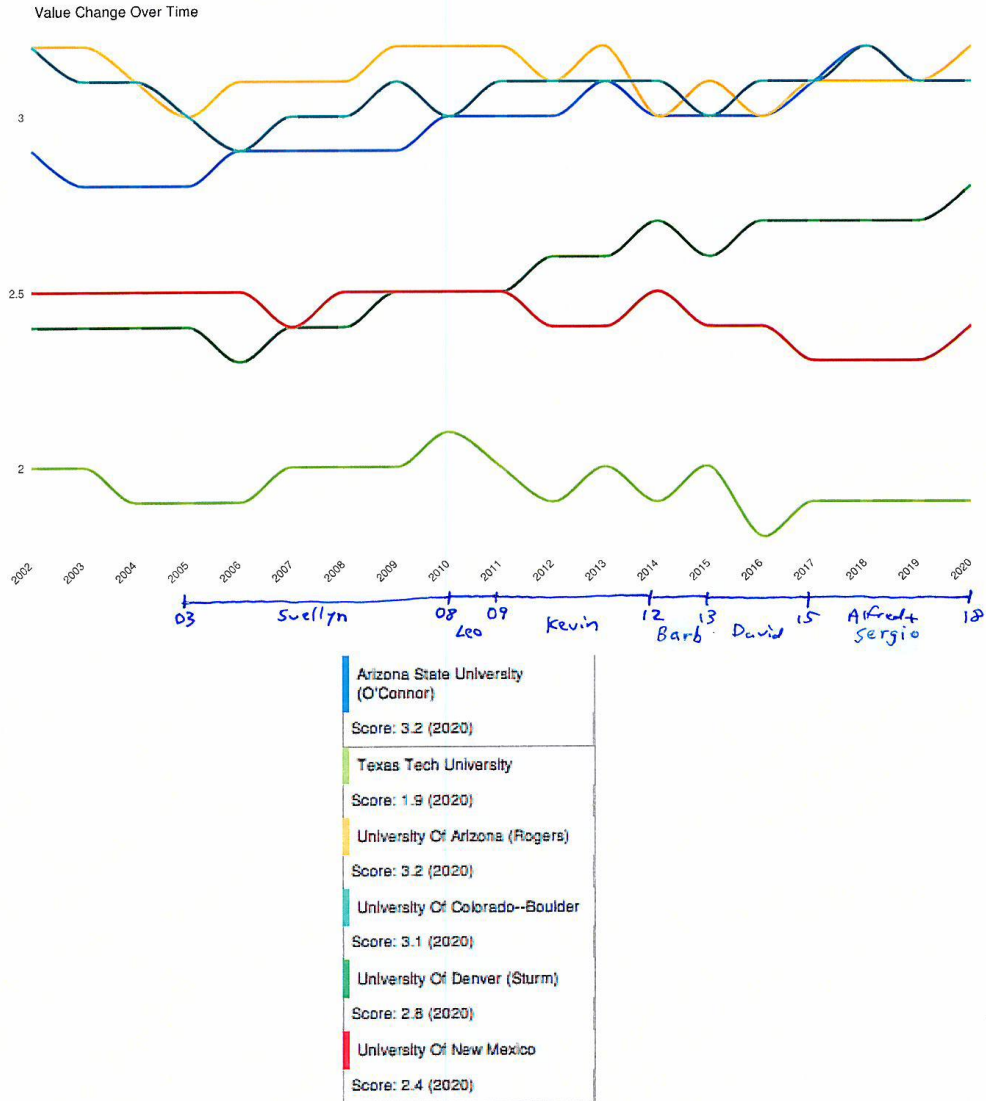
2013 Incoming 1L Class		Median GPA: 3.42		Median LSAT: 154							
Ethnicity	Applicants	Ethnicity % of Total Applicants	Denied	Denied % of Total Applicants	Admitted	Admitted % of Total Applicants	Ethnicity % of Total Admitted	Withdraw before Decision	Matriculated	Ethnicity % of Total Matriculated	
American Native/Alaskan Native	53	8.24	30	4.67	22	3.42	8.49	1	12	10.08	
Asian	39	6.07	25	3.89	14	2.18	5.41	0	6	5.04	
Black/African American	18	2.80	13	2.02	5	0.78	1.93	0	2	1.68	
Caucasian/White	311	48.87	185	28.77	119	18.51	45.95	7	48	40.34	
Hispanic	187	29.08	106	16.49	80	12.44	30.89	1	45	37.82	
Native Hawaiian	2	0.31	1	0.16	1	0.16	0.39	0	0	0.00	
Did Not Indicate	33	5.13	15	2.33	18	2.80	6.95	0	6	5.04	
Totals	643		375		259			9	119		
2012 Incoming 1L Class		Median GPA: 3.39		Median LSAT: 156							
Ethnicity	Applicants	Ethnicity % of Total Applicants	Denied	Denied % of Total Applicants	Admitted	Admitted % of Total Applicants	Ethnicity % of Total Admitted	Withdraw before Decision	Matriculated	Ethnicity % of Total Matriculated	
American Native/Alaskan Native	53	7.22	29	3.95	21	2.86	8.97	3	11	9.65	
Asian	33	4.50	23	3.43	7	0.95	2.99	3	2	1.75	
Black/African American	22	3.00	14	1.91	6	0.82	2.56	2	3	2.63	
Caucasian/White	386	51.77	237	32.29	122	16.62	52.14	21	52	45.61	
Hispanic	199	27.11	126	17.17	62	8.45	26.50	11	36	31.58	
Native Hawaiian	3	0.41	1	0.14	1	0.14	0.43	1	0	0.00	
Did Not Indicate	44	5.99	26	3.54	15	2.04	6.41	3	10	8.77	
Totals	734		456		234			44	104		
2011 Incoming 1L Class		Median GPA: 3.33		Median LSAT: 157							
Ethnicity	Applicants	Ethnicity % of Total Applicants	Denied	Denied % of Total Applicants	Admitted	Admitted % of Total Applicants	Ethnicity % of Total Admitted	Withdraw before Decision	Matriculated	Ethnicity % of Total Matriculated	
American Native/Alaskan Native	59	6.41	34	3.69	22	2.39	9.28	3	10	8.85	
Asian	46	4.99	33	3.58	12	1.30	5.06	1	4	3.54	
Black/African American	27	2.93	20	2.17	6	0.65	2.53	1	2	1.77	
Caucasian/White	492	53.42	361	39.20	118	12.81	49.79	18	55	48.67	
Hispanic	232	25.19	161	17.48	61	6.62	25.74	10	34	30.09	
Native Hawaiian	11	1.19	9	0.98	2	0.22	0.84	0	1	0.88	
Did Not Indicate	54	5.86	38	4.13	16	1.74	6.75	0	7	6.19	
Totals	921		656		237			28	113		

EXHIBIT
B



Metric Trend - Trended Metric Report

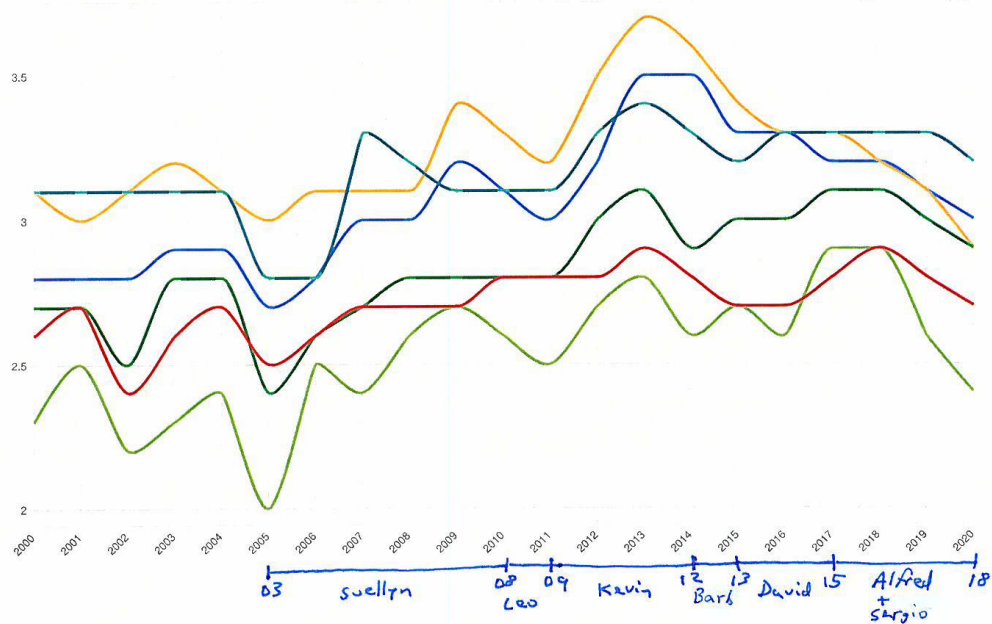
For University Of New Mexico to AZ, CO, And TX by Peer Assessment Score during 2002 - 2020



Metric Trend - Trended Metric Report

For University Of New Mexico to AZ, CO, And TX by **Lawyer And Judge Assessment Score** during 2000 - 2020

Value Change Over Time

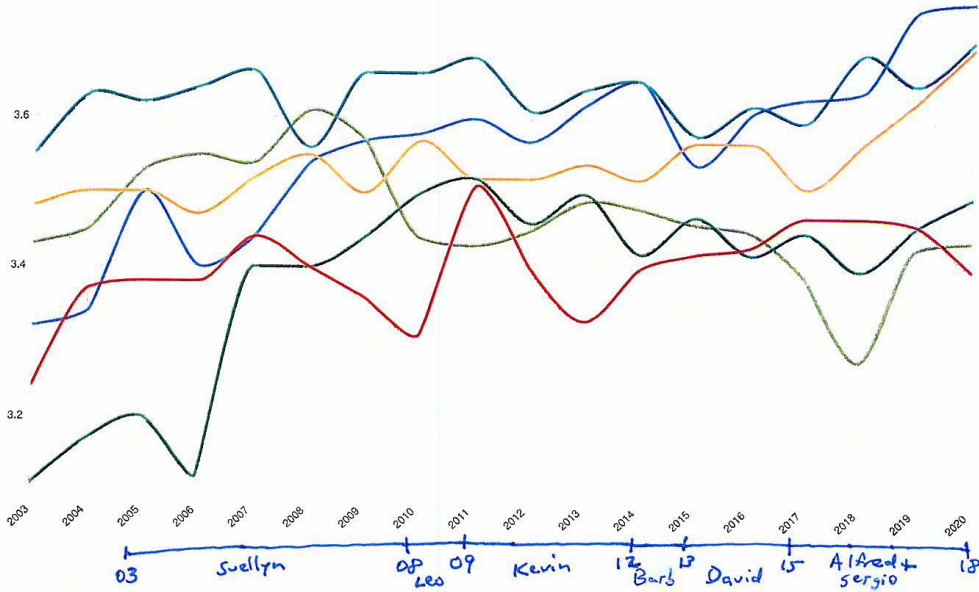


Arizona State University (O'Connor)
Score: 3 (2020)
Texas Tech University
Score: 2.4 (2020)
University Of Arizona (Rogers)
Score: 2.9 (2020)
University Of Colorado--Boulder
Score: 3.2 (2020)
University Of Denver (Sturm)
Score: 2.9 (2020)
University Of New Mexico
Score: 2.7 (2020)

Metric Trend - Trended Metric Report

For University Of New Mexico to AZ, CO, And TX by Median Undergraduate GPA (Full-Time) during 2003 - 2020

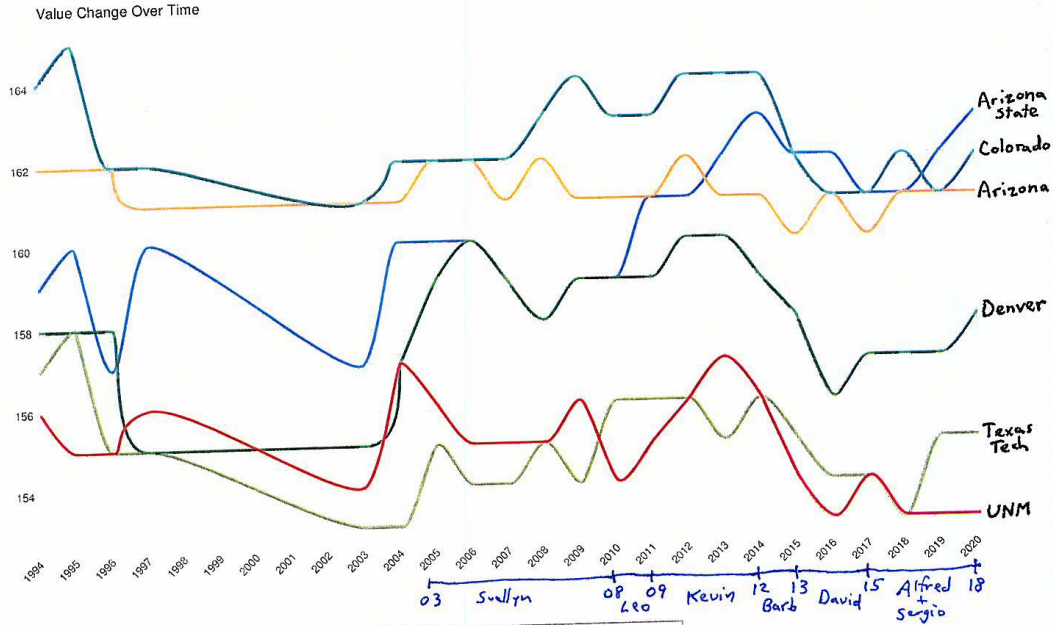
Value Change Over Time



Arizona State University (O'Connor)	Score: 3.76 (2020)
Texas Tech University	Score: 3.44 (2020)
University Of Arizona (Rogers)	Score: 3.7 (2020)
University Of Colorado--Boulder	Score: 3.71 (2020)
University Of Denver (Sturm)	Score: 3.5 (2020)
University Of New Mexico	Score: 3.4 (2020)

Metric Trend - Trended Metric Report

For University Of New Mexico to AZ, CO, And TX by Median LSAT (Full-Time) during 1994 - 2020



Arizona State University (O'Connor)	Score: 163 (2020)
Texas Tech University	Score: 155 (2020)
University Of Arizona (Rogers)	Score: 161 (2020)
University Of Colorado--Boulder	Score: 162 (2020)
University Of Denver (Sturm)	Score: 158 (2020)
University Of New Mexico	Score: 153 (2020)