

**Minutes of Executive Session Faculty Meeting  
December 2, 2019**

*The meeting was called to order at 10:35 a.m. by Dean Sergio Pareja, once a quorum was reached. The following members of the law school faculty and staff were present for at least some portion of the meeting:*

**Faculty: Maryam Ahranjani, George Bach, Reed Benson, Camille Carey, Barbara Creel, Elizabeth Elia, Scott England, Paul Figueroa, Sonia Gipson Rankin, Veronica Gonzales-Zamora, Marc-Tizoc González, Vinay Harpalani, Steven Homer** (present only for the vote on the SILC hire), **John Kang, April Land, John LaVelle, Jennifer Laws, Ernesto Longa, Nathalie Martin, Serge Martinez, Jennifer Moore, Aliza Organick, Gabe Pacyniak, Mary Leto Pareja, Sergio Pareja, Michelle Rigual, Leo Romero, Joseph Schremmer, Alex Siek, Sarah Steadman, David Stout, Carol Suzuki, Sherri Thomas, Cliff Villa, Jeanette Wolfley, Christine Zuni Cruz** (*20 needed for quorum; names that count toward quorum in bold*)

**Staff:** Beverly Akin

**ACTION ITEM # 1: Faculty hiring decision on Legal Writing / Elements of Legal Argumentation (ELA) hire(s) – Faculty Appointments Committee and Dean Sergio Pareja:**

Members of the Faculty Appointments Committee summarized the qualifications of the five candidates for the faculty position to primarily teach in the ELA program. Questions and conversation ensued. Upon conclusion of the exchange, the faculty proceeded to vote in the following manner:

1. For the first round of voting (40% acceptability round), by secret ballot, faculty members were asked to mark which of the three candidates they considered acceptable to primarily teach ELA. All five candidates received a number of votes that exceeded the 40% threshold for acceptability.
2. For the second round of voting (ranking round), also by secret ballot, each faculty member first was asked to select on the ballot only the name of the one candidate whom s/he preferred. The one with the most votes was ranked first. From the remaining four candidates, the faculty then was asked to select on the ballot the name of the one candidate whom s/he preferred. The one with the most votes was ranked second. From the remaining three candidates, the faculty then was asked to select on the ballot the name of the one candidate whom s/he preferred. The one with the most votes was ranked third. From the remaining two candidates, the faculty then was asked to select on the ballot the name of the one candidate whom s/he preferred. The one with the most votes was ranked fourth. The one with the least votes was ranked fifth.
3. The faculty had planned for a third round of voting (runoff round) if a candidate in the ranking round were to receive merely a plurality of the vote rather than a majority. That did not happen. Thus, a runoff round was unnecessary.

4. For the final round of voting (60% offer round), also by secret ballot, the faculty voted on the five ranked candidates to determine if each had the support of at least 60% of the faculty. Such 60% support is needed to extend an offer. The top four ranked candidates received 60% support but the fifth ranked candidate did not. When our initial hiring request was approved by the Provost, we received approval to two tenure-track hires if the first ranked candidate turned out to be one of our current lecturers, on the condition that that person's lecturer position would terminate. As it turns out, the first ranked candidate is currently a lecturer at the law school. As a result, it was decided that, subject to Provost approval, a tenure-track position would be offered to each of the top-two ranked candidates. If the second ranked candidate does not accept, that second position will be offered to the third ranked candidate. If that person does not accept, that second position will be offered to the fourth ranked candidate.

**ACTION ITEM #2: Vote on rank and tenure clock of first choice Legal Writing / ELA faculty candidate – Professor Carol Suzuki, Chair of Faculty Retention, Promotion & Tenure Committee:**

The first ranked candidate is currently a Principal Lecturer who has been teaching at the law school over fifteen years. This raised the question of the appropriate rank and years to tenure to offer the candidate. Dean Pareja reported on his conversation with the Provost regarding this issue. Professor Carol Suzuki then stated that the Dean had asked the Faculty Retention, Promotion & Tenure (FRPT) Committee to make a recommendation to the full faculty as to the rank of two of the candidates for the ELA hire. Those two candidates are the first choice candidate and the second of the two back-up candidates after the top two ranked candidates. It is assumed that the second top ranked candidate will receive an offer at the Assistant Professor level. According to Professor Suzuki, the committee met and did not arrive at a consensus recommendation on the top-ranked candidate.

Discussion ensued. By motion and second, the faculty approved making an offer to the top-ranked candidate at the Associate Professor level. The motion passed by unanimous vote. By a subsequent motion and second, the faculty approved giving the top-ranked candidate a three-year tenure clock that the candidate can later asked to be reduced to two years if he has at least two law review articles accepted for publication before the FRPT Committee begins considering candidates for promotion during that academic year. The motion passed with no nay votes and one abstention.

*The faculty broke for lunch at 12:15 p.m. and resumed the meeting at 1:30 p.m.*

**ACTION ITEM # 3: Faculty hiring decision on Southwest Indian Law Clinic (SILC) hire – Faculty Appointments Committee and Dean Sergio Pareja:**

Members of the Faculty Appointments Committee summarized the qualifications of the three candidates for the faculty position to primarily teach in the Southwest Indian Law

Clinic (SILC). Questions and conversation ensued. Upon conclusion of the exchange, the faculty proceeded to vote in the following manner:

1. For the first round of voting (40% acceptability round), by secret ballot, faculty members were asked to mark which of the three candidates they considered acceptable to primarily teach ELA. All three candidates received a number of votes that exceeded the 40% threshold for acceptability.
2. For the second round of voting (ranking round), also by secret ballot, each faculty member first was asked to select on the ballot only the name of the one candidate whom s/he preferred. Initially, there was a tie between two of the candidates. Further discussion ensued followed by a re-vote. The re-vote established a clear winner. The one with the most votes was ranked first. From the remaining two candidates, the faculty then was asked to select on the ballot the name of the one candidate whom s/he preferred. The one with the most votes was ranked second. The one with the least votes was ranked third.
3. The faculty had planned for a third round of voting (runoff round) if a candidate in the ranking round were to receive merely a plurality of the vote rather than a majority. That did not happen after the first tie vote. Thus, an additional runoff round was unnecessary.
4. For the final round of voting (60% offer round), also by secret ballot, the faculty voted on the three ranked candidates to determine if each had the support of at least 60% of the faculty. Such 60% support is needed to extend an offer. The top two ranked candidates received 60% support but the third ranked candidate did not. As a result, it was decided that, subject to Provost approval, a tenure-track position would be offered to the top-ranked candidate. If the top-ranked candidate does not accept, that position will be offered to the second ranked candidate.

*The meeting was adjourned at 3:35 p.m.*