

UNM School of Law
Faculty Meeting
April 30, 1974
4:00 p.m., Conference Room

MINUTES

Present: Dean Hart; Associate Dean Desiderio; Assistant Dean Geer; Professors Bingaman, Daniels, Ellis, Goldberg, MacPherson, Muir, Parnall, Romero, Simson, Teitelbaum, Utton, Walden, Walker; Acting Law Librarian Coleman

The meeting was called to order by Dean Hart and attention was given to the following:

1. Minutes of the meeting of April 22, 1974, were approved.
2. Dean Hart announced that Fred Ragsdale will be joining the faculty and the Indian Program next academic year; also, Judge Harry D. Robins will be the principal speaker at Commencement on May 19th.
3. Ms. Coleman reported on expenditures of library funds and explained new procedures, materials, etc. and received suggestions from the faculty.
4. The proposed curriculum was explained by Professor Muir and discussion by the faculty followed. A motion to approve the attached curriculum, subject to any necessary or desirable changes, carried.
5. Professor Muir circulated the attached statement regarding the recently-held Awards Banquet. A motion to approve the resolution was made by Professor Teitelbaum, seconded by Professor Goldberg. The faculty voted to table the motion until Monday, May 6.
6. Professor Walker distributed a report of the faculty committee, which was appointed by the Dean to work with MALSA. He reported that MALSA has a list of Chicano students already accepted to whom letters will be written in an effort to encourage them to enroll; MALSA would like to have the names of additional acceptances for the same purpose. He asked that the Dean consider appointing a replacement for him during the summer and next academic year because he will be on sabbatical.

The attached report--the outcome of the demands presented at an informal meeting with MALSA on April 25, attended by fourteen faculty members, and meetings of the Special Committee with MALSA--was discussed for two hours. The discussion centered upon the purposes of minority admissions, including Justice Douglas's dissenting opinion in DeFunis (attached), the meaning of "cultural bias," the needs both in the law school and in society for lawyers of minority backgrounds, and the role of the law school in these matters. The faculty also discussed the resources of the CLEO program and of the law school, and indicated that applicants who show need for CLEO and/or Programmed Studies should not be admitted unless given the opportunity to participate in those programs.

After this discussion Professor Desiderio moved that the number of acceptance letters to Chicano applicants be increased as follows: (1) a number sufficient to fill all the local CLEO audit positions as determined by Professor Romero; and (2) the number of applicants with a predicted first year average of 2.5 or higher and who in the opinion of the Admissions Committee are qualified applicants. If the committee decides not to accept such applicants, it is to report such to the faculty, bringing the files of those applicants to the faculty meeting. It was also moved that those Chicano applicants whose PFYA is 2.4 to 2.49 be reconsidered by the Admissions Committee.

The motion was seconded by Professor Goldberg and passed unanimously.

It was then moved by Professor Goldberg and seconded by Professor Romero that the Admissions Committee is to increase its projected size of the first year class to approximately 108 so as not to affect adversely those applicants in the stand-by category. The motion passed.

The meeting was adjourned.

Respectfully submitted,

Louise R. Camp
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Secretary

Next meeting: May 6, 1974, 4:00 p.m.

THE UNIVERSITY OF NEW MEXICO

DATE: April 30, 1974

TO: Law Faculty

FROM: Bob Walker, Cruz Reynoso, and Jerry Walden

SUBJECT: Report of the Faculty Committee Appointed by the Dean to Work with
MALSA

We believe it is the responsibility of this law school to increase the numbers of Chicano people who are trained as lawyers.

Included in the ways the school can discharge this responsibility are the following:

- increase available financial aid;
- increase our recruitment efforts;
- increase the number of students accepted;
- increase the special tutoring available to those who need it; and
- involve students and alumni in these efforts.

During the past years the school has made important progress in discharging this responsibility. This summer and early next year, the faculty should re-evaluate our practices in this area, particularly with a view to whatever can be learned from the Supreme Court's opinion in DeFunis.

Page 7 of this report, which is expressed in graph form on page 8, shows that there has been a steady increase in the percentage of Chicano students enrolled in the law school since 1969 (the notes at the bottom of pages 1-6 show the absolute numbers). An increase of 1/2 of 1% is presently expected for next year. However, the percentage of the class made up of Chicano students with predicted first year averages of 2.1 to 2.29, according to present expectations, will hold steady, the percentage made up of Chicano students with predicted first year averages of 2.3 and above will increase significantly, and the percentage made up of Chicano students with predicted first year averages below 2.1 will decrease to 0.

If we had reached a level of having as many Chicano students as we should have, this, of course, would be a desirable trend. Without deciding how many Chicano students we should have, your committee concludes that we certainly have not reached that figure--whatever it is.

Page 9, the right-hand vertical column, shows that even without considering applicants with predicted first year averages below 2.0, there is a pool of 21 Chicano applicants who presently are not expected to be admitted. A few years ago, we did not have such a pool of applicants in this range of predicted first year averages. Your committee concludes that we are not yet at a level of Chicano student enrollment which justifies rejection of so many applicants in this category.

If one measures whether our experience in admitting Chicano students with low and relatively low predicted first year averages has been good or bad according to whether they earn grade point averages of over 2.0, then, from the

information presented on pages 1 through 6, one can say, roughly, the following: for students with predictions below 2.0, the experience has been good in approximately 75% of the cases; for students in the prediction category of 2.0 to 2.09, the experience has been good in 60% of the cases; for students in the prediction category of 2.1 to 2.19, the experience has been good in 90% of the cases; for students in the prediction category of 2.2 and above, the experience has been good in 75% of the cases. Your committee concludes that this experience has been sufficiently good that we should still be admitting Chicano students from all of these prediction categories--even from the category of below 2.0. In arriving at this conclusion we are aware of the fact that recently grades earned and awarded at this law school have been going up; however, unless they are expected to go down in the near future, the predicted first year average computed by the new formula is the relevant one.

It is difficult to determine how many of the applicants should be accepted for next year. An argument can be made for admitting all those who the admissions committee concludes can succeed in law school. However, the admissions committee now has only 20 more admissions letters to send out in order to try to enroll a class of 100 students, and our experience over the past three years has been that we ultimately have a class of approximately 107 students even when we attempt to enroll only 100.

An additional problem is created because representations have been made to applicants not yet admitted whose predicted first year averages are between 2.5 and 2.79 to the effect that we will be admitting a few more persons from that category. For example, three weeks ago people in that category who inquired, were told that we would be sending admissions letters to fifteen more people in that category and that there were approximately 50 applicants in that category. At present, the admissions committee plans to send approximately 20 more letters to people in that category; however, the number of persons in that category has increased from approximately 50 to approximately 100. Therefore, as a compromise figure, your committee arrived, rather arbitrarily, at the figure of 13 as the number of additional acceptance letters that should be sent to Chicano applicants this year, and this is our recommendation. Your committee recommends that the faculty ask the admissions committee to send out 13 more letters of acceptance to the Chicano applicants of their choosing.

The admissions committee, of course, has presently arrived at a plan for next year which is wholly in keeping with the directions they have been given by the faculty, and we approach with chagrin the business of recommending that the faculty give a new direction this late in the year; however, we do believe it is justified by the importance of increasing the numbers of Chicano students enrolled.

Your committee further recommends that the faculty give some direction to the admissions committee concerning the size of next year's entering class. It is impossible to send out these 13 additional letters without either (1) increasing the size of the class expected to be enrolled next year by approximately 11, which probably would give us a class of 111 to 118, (2) renigging on the

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April 30, 1974
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representations we have made to people in the prediction range of 2.5 to 2.79 who have inquired (for example, by reducing the number of additional letters to be sent out from 15, the representation made at one point, to 5) or (3) some combination of increasing the size of the class and renigging on the representations. Your committee makes no recommendation concerning which of these directions should be given to the admissions committee; however, we do recommend that the faculty give some direction concerning this matter.

If your committee is to continue to function throughout the summer, perhaps a replacement should be made for Bob Walker.

TENTATIVE PROPOSED OFFERING SHEET

(Faculty teaching assignments omitted pending resolution of present uncertainties as to available faculty.)

SEMESTER I, 1974-1975

First Year - 15 hours

500 Historical Introduction to the Legal System	2
501 Constitutional Law I	3*
502 Contracts	4*
513 Introduction to Advocacy I	3
533 Family Law	3*
575 Programmed Studies I	2

*Sectioned

Second and Third Years (Maximum of 16 credit hours including other degree programs)

500 Historical Introduction to the Legal System (taped)	2
518 Administrative Law	3
520 Business Associations I	3
526 Constitutional Law II	3
529 Criminal Procedure	3
531 Injunctions	2
534 Federal Income Taxation	3
538 Law Journal and Review (2d Year)	1
547 Water Law	2
548 Legislation (Begins mid-semester)	2
551 Taxation of Corporations and Shareholders	3
552 Federal Jurisdiction	3
557 Wills and Trusts	1-3
563 National Moot Court Competition	2
564 Law and the Consumer	2
565 Natural Resources (Mining, Public Lands & Water)	3
568 Law Journal and Review (3rd Year)	1-2
580 Environmental Law	2
594 Individual Research	1-6
606 Survey of Civil Procedure	3
608 Property II	3
624 Commercial Transactions I	1-3
627 Future Interests	2
632 Evidence-Trial Practice	5
699 Wills Drafting	2

Seminars:

556 State and Local Government	2
576 Current Legal Problems	2
615 Corrections	2
640 Applied Problems in Current Litigation	2
645 Sex Roles in the Law	1
660 Juvenile Courts	2
691 Patent Law	2

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Other seminars or courses under consideration (2 hours each):

- Labor Law: Employment Discrimination
- Comparative Law: Legal System of One or More Countries of Latin America
- Land Use Planning

TENTATIVE PROPOSED OFFERING SHEET

(Faculty teaching assignments omitted pending resolution of present uncertainties as to available faculty.)

SEMESTER II, 1974-1975

First Year

Required Courses:

504 Criminal Law	3*
508 Property I	3*
510 Torts	4*
513 Introduction to Advocacy II	2

Electives:**

505 Law of International Relations	2
537 Labor Law	2-3
555 Jurisprudence	2
592 Legal Education (Seminar)	1
600 Role of the Lawyer in Society	2
664 Poverty Law	2-3

*Sectioned

**Choice of two to maximum of 16 hours

Second and Third Years (Maximum of 16 credit hours including other degree programs)

500 Historical Introduction to the Legal System (taped)	2
520 Business Associations I	3
521 Business Associations II	3
523 Commercial Transactions II	2
524 Community Property	2
525 Conflict of Laws	3
526 Constitutional Law II	3
530 Federal Estate and Gift Taxation	2
532 Evidence	3
534 Federal Income Taxation	3
537 Labor Law	3
538 Law Journal and Review (2d Year)	1
544 Oil & Gas	3
[548 Legislation - continued]	
555 Jurisprudence	2
557 Wills and Trusts	1-3
568 Law Journal and Review (3rd Year)	1
594 Individual Research	1-6
600 Role of the Lawyer in Society	2
603 Property II	3
629 Bankruptcy	1
631 Remedies	2
664 Poverty Law	3
698 Advanced Real Estate Transactions	3

Seminars:

527 Business Planning	3
545 Estate Planning	2
584 Indian Law	2
592 Legal Education	1
595 Tax Policy	2
645 Sex Roles in the Law	1
655 First Amendment Rights	2
690 Law and Medicine	2
697 Criminal Law (Mental Health Process)	2
---- (Natural Resources Area)	2

TENTATIVE PROPOSED OFFERING SHEET

CLINICAL LAW PROGRAM

Semester I

	<u>Credit Hrs.</u>	<u>Tentative # of Student Positions</u>
<u>Skills</u>		
710 Pre-Trial Practice (10 week course)	1	16
711 Accounting for Lawyers (10 week course)	1	20
714 Law Office Management (10 week course)*	1	
<u>Field Experience</u>		
700 Criminal Practice Clinic	3	4
719 Prison Legal Services	3	5
720 Law Office	3	20
721 Law Office Intern	3	12
722 Legal Aid	3	5
730 District Attorney	3	8
725 Field Experience	3	5
726 U.S. Public Defender (tentative)	3	3
728 Women's Legal Services	3	5
731 Centro Legal	3	12
<u>Other</u>		
701 Spanish for Lawyers (full semester)	2	
750 Professional Responsibility (Ethics) (8 weeks, from 3rd week to 11th week)		

* Subject to available faculty.

TENTATIVE PROPOSED OFFERING SHEET

CLINICAL LAW PROGRAM

Semester II

	<u>Credit Hrs.</u>	<u>Tentative # of Student Positions</u>
<u>Skills</u>		
713 Trial Practice (10 weeks)*	1	16
715 Interviewing and Counseling (10 weeks)**	1	12
716 Appellate Practice (10 weeks)	1	16
712 Human Behavior for Lawyers (10 weeks)	1	
 <u>Field Experience</u>		
700 Criminal Practice Clinic (with State Public Defender Office)	3	4
719 Prison Legal Services	3	5
720 Law Office	3	20
721 Law Office Intern	3	12
722 Legal Aid	3	5
725 Field Experience	3	5
726 U. S. Public Defender (tentative)	3	3
728 Women's Legal Services	3	5
730 District Attorney	3	8
731 Centro Legal	3	12
 <u>Other</u>		
751 Advanced Spanish for Lawyers	2	
735 Basic Skills (writing)	1	

* Proposal to increase Trial Practice to full semester for 3 hours' credit is under active consideration.

** Proposal to increase Interviewing and Counseling to full semester for 2 hours' credit is under active consideration.