

UNM School of Law
Faculty Meeting
Conference Room, 4:00 p.m.
November 6, 1978

MINUTES

Present: DuMars, Ellis, J., Ellis, W., Fink, Flickinger,
Goldberg, Gonzales, Hart, Kovnat, MacPherson,
Martinez, Minzner, Muir, Norwood, Occhialino,
Parnall, Romero, Schwartz, Simson, Stelzner,
Teitelbaum, Utton, Winograd; Student Representatives
Blackburn, Dumas, Moore; SBA President Olson

The meeting was called to order by Dean Hart; minutes of the meeting of October 23, 1978, were approved.

Dean Hart made announcements regarding deanship and faculty searches at other law schools, the details for which are in his office.

There was discussion regarding the Bakke case in relation to our admissions procedures. Flickinger and Winograd presented facts and figures of our admissions.

Dean Hart reviewed the procedure that had led to our present admission policy. At two prior faculty meetings the faculty discussed the policy. Although no formal motion was adopted at that time, the consensus of the faculty was that we should seek diversity in the class. Various types of diversity were desired, e.g., racial, sexual, degree granting colleges, college major, employment experience, geographical area of the state, college activities, etc. The policy is to be implemented by committee review and vote on all resident applicants and of a significant number of non-resident applicants. Decisions are made on the basis of committee votes.

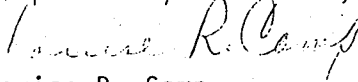
Dean Hart stated that the above policy and procedure would be continued unless the faculty indicated a desire to modify it.

Flickinger led the discussion of Rule 94. Clinical Education. Dean Hart stated that the requirement of "30 or more semester hours (or their equivalent)" in order to participate in the clinical program is interpreted to mean completion of the first-year curriculum. He also stated that he interpreted "in good standing" as meaning that the student was enrolled in the law school.

Winograd distributed the list of courses which are to be lotteried for Semester II, 1978-79.

The University is requesting nominations for the annual Research Lecturer. Also, the deanship search, as reported by Stelzner, is progressing; nine applications have been received. Meeting adjourned.

Respectfully submitted,


Louise R. Camp
Sec'y

(f) **Exhaustion Of Remedy By Motion.** An application for a writ of habeas corpus in behalf of a prisoner who is authorized to apply for relief by motion pursuant to this rule shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced him, or that such court has denied him relief, unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his detention, or that a habeas corpus proceeding is pending at the effective date hereof.

(g) **Inferior Courts.** This rule shall not apply to courts inferior to the district court. (This amendment effective February 1, 1969.)

(h) **Effective Date.** This rule shall be effective after December 31, 1965, and shall apply to all attacks made after that date directed to any judgment of conviction, irrespective of the date of such judgment.

(Rule 93 superseded by Rule 57 of the Rules of Criminal Procedure for the District Court, effective September 1, 1975.)

RULE 94. CLINICAL EDUCATION.

1. **Purpose.** To permit a clinical program for the University of New Mexico School of Law.

2. **Procedure.** Any law student admitted to the clinical program at the University of New Mexico School of Law shall be authorized under the control and direction of the Dean of the Law School to advise persons and to negotiate and to appear before the courts and administrative agencies of this State, in civil and criminal matters, under the active supervision of a member of the State Bar of New Mexico designated by the Dean of the Law School. Such supervision shall include assignment of all matters, review and examination of all documents, and signing of all pleadings prepared by the student. The supervising lawyer need not be present while a student is advising a client or negotiating, nor during court appearances, except in criminal cases in district court. Each student in the program may appear in a given court with the written approval of the presiding judge. The Board of Bar Commissioners shall maintain liaison with this program and shall report annually to the Supreme Court.

3. **Eligible Students.** Any student in good standing in the University of New Mexico School of Law who has received a passing grade in law school courses aggregating 30 or more semester hours (or their equivalent) shall be eligible to participate in a clinical program if he meets the academic and moral standards established by the dean of the school.

4. **Effective Date.** This rule shall be effective after May 15, 1970.

November 10, 1978

SPRING SEMESTER LOTTERIES

In order to facilitate the registration process and to enable students to plan in advance, all spring semester courses with limited enrollment will have early lotteries held at the law school. The results will be posted by Friday, December 1st.

The following courses will have limited enrollment:

12	517	Trial Practice
24	527	Business Planning
20	545	Estate Planning
12	583	Seminar: International Legal Problems
15	584	Indian Law
12	603	Law and Economics
12	618	Seminar: Current Issues in Property Law
30	635	Land Use Planning
13	655	First Amendment Rights
15	667	Seminar: Immigration Law
45*	671	Perspective in Tort Law*
12	697	Seminar: Criminal Law

*Preference: Upperclass over freshmen; prefer students enroll for 2 hours of Individual Research to do paper in conjunction with course.

If you plan to take any of these courses, you must sign up at the second floor secretarial area (where class materials are usually distributed). THE FINAL DAY FOR SIGNING UP WILL BE TUESDAY, NOVEMBER 21. After the lotteries are held, waiting lists will be established and posted so that additional students can be selected if others withdraw. Obviously, it will be important for students who are successful in the lotteries to inform Lou Camp promptly should they decide not to enroll in a lotteried course. The last day for regular registration is Friday, January 12, 1979. Any student who has been selected in a lottery but who does not appear on the official University course registration list as of Friday, January 12, 1979, will be dropped from that course by the law school and replaced by an alternate on the waiting list.

THIS MEANS THAT YOU MUST (1) SIGN UP BY NOVEMBER 21 FOR ANY LOTTERY IN WHICH YOU WISH TO PARTICIPATE, AND (2) COMPLETE REGISTRATION NO LATER THAN JANUARY 12. REMEMBER THAT SPRING SEMESTER TUITION MUST BE PAID BEFORE REGISTRATION CAN BE COMPLETED.

If you have any questions about this procedure, please see Lou Camp or me.

The procedure for selecting students in clinical courses (those numbered 700 and up) will be announced by Peggy Lovato.

Peter A. Winograd