

Law School Faculty Meeting  
September 19, 1988  
Room 2403, 4:00 PM

PRESENT: Bergman, Burr, Ellis, J., Ellis, W., Flickinger, Fritz, Hall, Hermann, Kelly, Kovnat, Mathewson, Morse, Nathanson, Norwood, Occhialino, Parnall, Romero, Sanders, Scheible, Schwartz, Sedillo Lopez, and Taylor.

Others Present: Hotsinpiller, Lovato, and Price.

After proper motion and second, the minutes of the August 29, 1988 meeting were approved.

Dean's Announcements:

Professors James Ellis and Ruth Luckasson have filed an Amicus brief with the United States Supreme Court dealing with the application of the death penalty to mentally retarded defendants. Professor Barbara Bergman is 'Of Counsel' on this brief. In addition, several UNM law students assisted in the brief's preparation. The faculty joined the Dean in congratulating Professors Bergman and Ellis.

Dean Parnall thanked Professor MacPherson for presenting a legal ethics seminar in Los Alamos recently.

Professors Romero, Sedillo Lopez, and Mathewson led panels at the National Hispanic Bar Association Convention last week. The Dean also noted that both Supreme Court Associate Justice Anthony Kennedy and American Bar Association President Robert Raven visited the Law School in conjunction with their visits to the convention. In addition, third-year student, Monica Baca, was elected Treasurer of the National Hispanic Law Students Association and second-year student, Luis Robles, was elected Regional President of the Association. The Dean thanked all involved for making the convention a success.

The Law School's Career Fair went extremely well last Saturday. Approximately 175 students and 25 prospective employers participated in the Forum. The Dean expressed his appreciation to Associate Dean Winograd and the law students who organized this event.

Dean Parnall thanked Professors Romero, MacPherson, Bergman, Martinez, and Sedillo Lopez in advance for participating in the upcoming magistrates training program.

Report on Old Exams:

Dean Parnall sent out a memo on September 6, 1988 requesting that all students and student organizations turn in all copies of past UNM Law School exams which are in their possession, custody, or control for compilation purposes. Only one student response to the memo was received. In response to this situation, Professor Occhialino presented the following three motions (see attached Exhibit A) and moved that they be immediately tabled for faculty consideration. The motion to table was approved and action will be taken at the next faculty meeting.

Other Business:

Ms. Peggy Lovato, Assistant to the Dean, announced that the United Way fund drive is underway and will continue until October 21, 1988. Members of the faculty were urged to participate. Additional information or contribution designation forms may be obtained from Peggy Lovato.

Liz Jenkins-Smith reminded the faculty that the deadline for students to turn in work to remove Spring Semester 1988 grades of 'Incomplete' is October 15, 1988.

Professor Schwartz presented a petition from third-year student, John Feldman, to extend his Spring Semester 1988 Incomplete deadline to February 15, 1989. Mr. Feldman plans to use this work to fulfill his Writing Requirement. After proper motion and second, the petition was granted.

Professor Sedillo Lopez requested that an extension to the Incomplete deadline be granted for third-year students, Leroy Gonzales and Jamye Ward. Both Mr. Gonzales and Ms. Ward are working on their Writing Requirements. A new deadline of December 17, 1988 was requested. After proper motion and second the requests were approved.

Professor Schwartz announced that the Faculty Appointments Committee will be meeting Monday, September 26, 1988 at 4:00 PM.

The re-released UNM 2000 Report was discussed at length. Areas of concern expressed to the Dean included the relative weighting of teaching versus research versus community service; the funding of the libraries; the wording of goals for the admission of professional students; enrollment and retention of minority students; the relationship of the University to the business community; and the choices and consequences of designating "Areas of Emphasis". It was the unanimous sentiment of the faculty that a statement by Professor Rob Schwartz be put into appropriate form for transmittal to the UNM 2000 Committee. Professor Flickinger reminded the faculty of the University 'Town Meeting' in the Student Union Building on Thursday, September 22, 1988, where comment on the UNM 2000 Report is requested. Professor Flickinger offered to put any written comments from the faculty into the record of this meeting if such comments are provided to him prior to Thursday.

The meeting adjourned at 5:30 pm.



E.A. Jenkins-Smith, Faculty Secretary

## EXHIBIT A

Motion One "No faculty member shall reuse any examination question (whether essay, multiple choice or short answer) which has been used previously by the faculty member in any examination at this or another law school."

In the event Motion One fails, Motion Two is proposed.

Motion Two

- "1)The Law School faculty urges all faculty members to use new examination questions each year, and to decline to use previously-used examination questions of any type (essay, multiple choice, or short answer);
- 2)any faculty member who chooses to ignore the faculty's request to draft all new exam questions for an exam shall inform the Dean at least one week before the scheduled date of the examination that the faculty member is going to use previously-used examination questions for all or part of the current examination and shall inform the Dean whether the previously-used examination question has been released to the student body;
- 3)when the Dean receives notice from a faculty member that an unreleased, previously-used exam question will be on the current exam, the Dean shall send notices to each student enrolled in the course that a previously-used unreleased exam question will be on the final exam. The Dean shall accompany each notice with a copy of the Law School Honor Code, and shall call the student's attention to the fact that it is a violation of the Honor Code to have possession of, or access to previously-used unreleased examinations. In addition, the notice shall inform the student that the faculty construes the Honor Code as requiring the student to inform the Dean after the examination is given that any student had access to an examination question designated as an unreleased, previously-used exam if such turns out to be the case;"

In addition,

Motion Three

- "1)The Dean shall compile all previously-used, publicly released examination questions known by the Dean to have been given at this Law School into a file, which file shall be available to all law students in a manner to be determined by the Dean;
- 2)The Dean shall keep the file up-to-date;
- 3)It shall be an Honor Code violation for a student to have possession of or access to any previously-used examination question not contained in the file compiled by the Dean pursuant to Sections 1) and 2)."