

Law School Faculty Meeting
October 24, 1988
Dean's Conference Room, 4:00 PM

PRESENT: Bergman, Browde, Burr, Ellis, W., Flickinger, Fritz, Hall, Hart, Hermann, Kelly, Kovnat, Mathewson, Morse, Norwood, Occhialino, Parnall, Romero, Sanders, Scheible, Schwartz, Sedillo Lopez, Taylor, and Utton.
Student Representatives: Knight, Rasheed, and Scholl.
Others Present: Cohen, Hotsinpiller, Lester, and Price.

The minutes of the October 10, 1988 faculty meeting were approved.

Dean's Report:

The Dean announced that there would be a short meeting of the Promotion and Tenure Committee immediately following the faculty meeting.

A number of extremely positive reactions have been received by the Dean supporting the Law School's response to the UNM 2000 Report and Professor Rob Schwartz's statement in particular. The original Law School response was sent to President May, Vice President Garcia, and Faculty Senate President Flickinger. Dean Parnall shared responses from the Dean of Fine Arts and the Chairs of the English, Political Science, and Art Departments. The faculty joined the Dean in thanking Professor Schwartz for his time and effort in providing such an eloquent statement.

Announcements:

Professors Rob Schwartz announced the upcoming Professional Responsibility Day to be held in conjunction with the Medical School. This event is scheduled on Wednesday, November 16, 1988, from 3:00-8:00 PM. Professors Hart and Schwartz, working with members of the Medical faculty, have made arrangements for first-year Law and Medical students to hear speakers discussing professional responsibility as it relates to client confidentiality and patient autonomy. Small group discussions will follow each speaker and any interested members of the law faculty were invited to participate as facilitators. Dinner will be provided. Discussion ensued and Professor Schwartz circulated a signup sheet.

Dean Parnall thanked members of the faculty for recent professional activities. Professor Sherri Burr participated in the State NAACP Conference in Alamogordo recently, speaking on international law issues and the Third World. Professor Antoinette Sedillo Lopez gave a paper at the Far West Conference on Women and the Law at the University of Arizona. She also recently presented a paper on reproductive options to the Catholics for Free Choice here in Albuquerque. Professor Suedeen Kelly recently gave a paper on the legal origins of regulation at a conference on ratemaking sponsored by New Mexico State University. In addition, she has been asked to serve on the Advisory Committee for the National Regulatory Research Institute at Ohio State University. Professors Fred Hart and Leo Romero were the convenors at the recent Access 2000 Conference. Finally, Sam DeLoria delivered several lectures at the University of Tulsa Law School in connection with the American Indian Pre-Law Program.

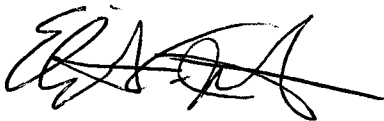
Fractionated Grading Report:

Professor Ruth Kovnat circulated the Ad Hoc Committee's proposals to the faculty and discussed activities since the last faculty meeting. Professor Kovnat and Student Representative Steven Scholl reported the results of an opinion survey to second and third year students administered by the Student Bar Association on fractionated grading implementation options. Extensive discussion ensued. A motion was made to adopt the Committee's proposal of a one-time, binding opt-out option for second and third year students whereby each individual student could choose not to have fractionated grading applied to his/her remaining Law School grades. After a proper second, the question was called. The motion failed. It was then moved and seconded that the faculty adopt the original proposal of the Committee (see attached), made at the October 10, 1988 faculty meeting. After further discussion about the issues of academic freedom and implementation, the question was called. The motion carried.

Law Library Report:

Professor Anita Morse circulated the report (attached) and thanked last year's Library Committee and Dean Parnall for their support. An overview of the report was presented and the Law Library's budget history and current status, and comparative ABA statistics, were discussed. Eileen Cohen discussed collection development efforts and Jami Hotsinpiller explained the new system of selectors being implemented. Professor Morse then described current reorganization and retraining efforts being pursued with the assistance of the UNM Management Development Center. The establishment of the Friends of the Law Library to assist in fundraising efforts was also discussed. After initial discussion of these topics, Dean Parnall thanked Professor Morse for a very complete report, as well as for her valuable work during the past year, and asked that the report be tabled for further discussion at the next faculty meeting.

The meeting adjourned at 5:30 PM into a meeting of the Promotion and Tenure Committee.



E.A. Jenkins-Smith
Faculty Secretary

It is proposed

- 1) that the law faculty institute fractionated grading for students who have entered or re-entered the School of Law as first-year students in the Fall of 1988 and for all students who enter later; and that the law faculty retain its current system of computing grades for students who are in their second and third years of law study in the Fall of 1988.
- 2) that the law faculty retain its current requirement for graduation: A student must achieve a cumulative grade point average of 2.0.

To: Law School Faculty
From: Anita Morse, Law Library Director *Am*

LAW LIBRARY DIRECTOR'S REPORT TO THE FACULTY, OCTOBER 24, 1988

1987-1988 BUDGET

The Law Library's last budget year was one of both working towards a balanced budget and of maintaining the service tradition of the School of Law. We worked during the entire year with a library selection committee, the Law Library Committee, and with faculty members to deselect a number of duplicate materials in the collection. We also studied each subject area contained on the reference floor to determine what materials were covered in a number of sources and could be deselected. We put a number of items on a one to three year sort for purchase of supplements in order to cut down expenditures. This effort took us a long way towards achieving a sounder library collection development policy and in reducing the large deficits that were eroding the financial credibility of the Law Library with its vendors and with the University. [See, Attachment I, UNM Law Library Historical Budget Analysis.]

1988-89 BUDGET

Budget planning for the coming year still emphasizes conservative fiscal planning, but it also reflects an increased ability to provide much needed research and teaching materials for the faculty. It also permits us to continue our service tradition to the law school and the legal community. A detailed comparison of 1987-88 expenditures and 1988-89 projected expenditures is appended as Attachment II.

NEW LIBRARIANS AND NEW INITIATIVES

Eileen Cohen, our new Associate Law Librarian for Bibliographic Control will be formulating a Collection Development Policy for law faculty and library review. She plans to have an initial draft ready for the Law Library Committee in late November. This policy will give guidelines to the faculty and the library selectors concerning types of materials the library will select, subject areas of concentration, collection development needs of the library, special collection policies, and deselection policies.

Jami Hotsinpiller is our new Associate Law Librarian for Reader Services, with responsibility for Acquisitions and Faculty Bibliographic Services. She has divided the collection into selected subject areas and has assigned those subject areas to the various library selectors: Eileen Cohen, Jami Hotsinpiller, Lorraine Lester, Susan Magee, Anita Morse, and Mary Woodward. Each selector has several faculty members to work with to help satisfy each faculty member's collection development needs, course needs, and research needs. You will be hearing from each

of us very quickly.

REORGANIZATION AND RETRAINING

Another important initiative of the Law Library is our reorganization and retraining efforts. Lorraine Lester, our Deputy Librarian for Administration, is a great help to me in putting together job descriptions, assisting with budget preparations, and teaching me about University protocol. Now Eileen, Jami, Lorraine and I have started a management reorganization and training program for the entire library. We instituted a program of time management for the entire library staff with the help of Tom Currell and Milt Garrett from Management Development and Training on main campus. We are all attending managerial training program on main campus as time and space permits.

The reorganization of the Law Library into three units: Reader Services, Bibliographic Control, and Administration is creating a much better system of organizational control and interaction among departments. Moreover, our new Associate Law Librarians are redesigning positions, reorganizing workflow, and, in general, streamlining their areas of operation. In Administration, we are automating the billing processes, placing the budget online, and studying the workflow of the department to determine what needs we still must fulfill for the faculty, students and public.

All of our efforts are to provide you better service and to produce a stronger collection. With a balanced budget we will be able to assure you an up-to-date collection. With a sound collection development policy, we will be able to work with each of you on what the law school needs to fulfill its teaching, research, and service goals. With active bibliographic services, we will be able to serve your research and teaching materials needs and to provide students with bibliographic instruction.

THE PAST, THE PRESENT AND THE FUTURE

I want to thank you for the support you have given to the Law Library in the past year. I want to thank each of our library staff for their support in a very tough year. I want to give special thanks to Lorraine Lester for her help in setting up our first Friends of the Law Library organization. I want to give special thanks to Bill MacPherson and the Law Library Committee for their help and support to the last year. I want to give thanks to Jami Hotsinpiller for stepping in as Acting Bibliographic Control Librarian last spring. I want to give thanks to our volunteer, temporary worker, and now new Reference Assistant, Mary Woodward, who worked long hours and helped us through some very tough times. Finally, I want to thank Dean Ted Parnall for his constant support. This Law Library is a very exciting place to be, and we want it to be a total part of the School of Law's efforts in service, teaching and research. I

Look forward to next year.

Attachment I. UNM Law Library Historical Budget Analysis
Attachment II. Explanation of Budget Expenditures 1987-88 and
Projections for 1988-89
Attachment III. 1987 ABA Comparative Statistics for Western Law
Schools.

BUDGET-----	FY88	FY87	FY86	FY85	FY84	FY83	FY82	FY81	FY80	FY79	FY78
Collection & OCLC	230079	230079	230079	219123	205748	205748	187044	171600	143000	130000	110000
Bindery	9007	9007	9007	8578	8170	8170	7781	7410	6926	6926	6534
Training/Travel	1544	1544	1544	1470	1402	1402	1335	1271	1188	1188	950
Supply & Expense	25648	25648	25648	24427	23266	23266	26585	25303	23670	23654	21454
Equipment	0	0	0	0	0	0	0	0	0	3500	3240
Student/Wages	21050	21050	18848	18379	17766	17784	16936	15976	15003	14022	12642
Salaries	464887	467745	396623	416753	376948	392655	358009	311432	263356	255610	228653
University Propert	0	20000	13812	0	0	1100	0	0	0	0	0
Income	59940	114791	92152	75787	76607	70795	54991	48989	48854	33583	24653
Contributions	0	10000	0	11350	3000	30000	0	0	0	0	0
Law School	14992	13333	13840	21308	0	0	0	0	0	0	0
Bond	7655	53099	64474	0	0	0	0	0	0	0	0
TOTAL	834802	966296	866027	797175	712907	750920	652681	598976	519532	495568	434758
EXPENDITURES-----											
Books	4710	29461	28336	21245	19783	38050	36311	27232	32419	26362	18958
Serials	268895	293511	230857	195854	215368	230000	187038	161199	135168	121900	109705
Microforms	3205	3663	63800	4177	4297	16002	9000	38017	14107	27000	26844
(1)Processing	30026	75984	18600	18975	9908	9921	9762	8261	7866	5616	0
(2)Tot. Coll. & Pr	306836	351210	341593	240251	249356	293973	242111	234709	189560	180878	155507
Bindery	6605	6656	7800	8303	8934	9620	8286	8024	7120	6971	4950
Research Databases	27232	25273	21400	28868	6806	0	0	0	0	0	0
Library Equipment	8379	0	22350	17900	11614	9215	1962	1409	900	7466	3437
(3) Other Expenses	38343	109085	88667	94122	60000	65686	68926	55190	42980	33026	27940
Student Wages	28248	52250	59840	35387	22691	19828	20047	22971	22378	22274	16476
Salaries	412891	400314	430748	399164	365437	399827	353158	312200	269217	246359	229127
TOTAL-----	828534	1064230	972398	823995	724838	798149	694490	634503	532065	496974	437437
SURPLUS or DEFICIT---	+6268	-97934	-106371	-26820	-11931	-47229	-41809	-35527	-12833	-1406	-2679
(4)Federal W/S Money											
Work/Study Hours	56336	53500	40540	47466	52945	28854	13020	15008	30881	51968	35000
COLLECTION-----	21500	24165	24625	25700	16507	14155	14800	15329	17166	18645	14561
Books Held	190515	188960	183509	181141	177401	172500	166844	160450	154713	152021	149455
Micro Held	595843	591405	573557	466483	452835	427835	409278	392592	352671	0	0
(5)Books Added	1555	5451	5405	3740	6850	5656	6394	6948	6638	8836	8137
Micro Added	4438	17848	107074	145479	24169	18557	16686	39921	19058	0	0
Serials Subs	4000	4000	4300	4300	3222	3382	3309	3936	3807	3643	3939

- (1) Prepay of \$11,811 on AMIGOS.
- (2) Total of Books, Serials, Microforms, and Processing.
- (3) In 1988 income is net. Prior years reported as gross. Includes Training/Travel, supplies, Seminars.
- (4) Contributions added by university, Not in budget.
- (5) Net figure reduced by substantial weeding of collection.

EXPLANATION OF BUDGET EXPENDITURES FOR 1987-88 AND PROJECTIONS FOR 1988-89

The following report is a comparison of 1987-88 budget and expenditures and 1988-89 budget and projected expenditures. In the past year, we began a major restructuring of the library staffing and materials expenditures in order to stabilize the budget and still provide the law school community with quality law library services. We are still working to complete this effort, and we are optimistic about the results to date and about the future.

It is important to point out that the distribution of the expenditures on materials reflects an overwhelming commitment of our resources to maintaining our serial collections. Our expenditures on books (i.e., scholarly, one-volume treatises) in 1988 was only \$4,710. The expenditure on paper and microform serials was \$272,100. Processing costs were \$30,026, although \$11,811 of that figure reflected a pay-ahead of an 1989 bill. The figures for the past years may well have reflected labelling the first purchase of a serial as a book and then moving that item over to the serials category when the updates came in.

The result of overcommitment to serials is both not maintaining the treatise collection because of overcommitment to serials and moving to a deficit budget because of the rising costs of serial maintenance. We have worked hard in the last year to reduce that problem and to stabilize the budget within our projected resources.

The future will depend on the faculty cooperating with the law library in maintaining a firm collection development policy that does not rely on continuing addition of serials unless there is an ongoing source of funds to maintain those serials. In addition, the faculty will need to weigh the need for new serials against the need for maintaining the scholarly treatise collection in areas such as legal education, legal ethics, legal jurisprudence, constitutional law, and developing areas of law and litigation in torts, contracts, property, criminal law, administrative law, and law and technology. Using existing or new money for serials will mean once again substantially decreasing our ability to purchase any new treatises.

As a part of our collection development project, we are looking at each area of the collection to determine both gaps and duplication. We are going to fill in all of the missing American academic law journals. We are looking at the gaps in the transnational, comparative, and international legal materials that support some of our courses, our journals, and our research efforts. We are consulting with faculty on new teaching, research, and clinical initiatives that are now undersupported. We want to do this on a planned and fair basis that considers all of the faculty needs and, at the same time, maintains the stability of our budget.

LAW LIBRARY BUDGET COMPARISON 1988 AND 1989

	1988	1989
<u>Univ. Budget</u>		
Collection	\$230,079	\$238,067
Binding	9,007	9,007
Training/Travel	1,544	1,544
Supplies/Services	25,648	25,648
Equipment	0	0
Wages	21,050	22,195
Salaries	464,887	499,426
Total	\$752,215	\$795,887
<u>Library Income</u>	<u>82,587</u>	<u>104,828*</u>
<u>Grand Total</u>	<u>\$834,802</u>	<u>\$900,715</u>
 <u>Library expenses</u>		
Collection	\$306,836	\$287,478**
Binding	6,605	9,007
Training/Travel	7,862	5,500
Supplies/Services	57,713	67,400
Equipment	8,379	5,000
Wages	28,248	22,195
Salaries	412,891	499,426
Total	\$828,534	\$896,006
 <u>End of the Year</u>		
<u>Surplus</u>	<u>\$6,268</u>	<u>\$4,709</u>

*Based on projection of \$70,000 from Library Revenue Center, \$6,500 from Library Bond, \$22,060 contribution from Law School for Lexis, and \$6268 rollover from prior year.

** Pay ahead in 87-88 of Amigos Bill of \$11,811.

One analysis that still needs to be done is of the service dollar attributable to the photocopy center gross revenue. This service is reflected in free copies to faculty, student organizations, law library, etc. We will be able to do this when we install the copycard system which will audit each user of the photocopy machines. Another part of this analysis will be the cost overhead involved in terms of staff time for billing, copying, maintenance, cash register operations, etc. for the revenue center.

We will work with Dean Parnall to convince the University, the State, and the Bar that more resources are necessary in order to support the research, teaching, and practice initiatives of University of New Mexico Law School Library and its community of legal users. We will explore increasing our revenue center activities to help fund the library expenditures. And, most of all, we will try to give the faculty and students the best service that we are able to.

October 20, 1988

1987 Stats - ABA
(Rank by total volumes held)

Institution	Total			Total			Spent Books	Spent Serial	Spent Fiche	Total Stdnts	Book \$/ Student
	Volumes Held	Books Added	Books Held	Fiche Added	Vol Added	Serial Subs					
1 Univ. of Texas	710463	13922	591916	22007	19819	12798	\$65,679	\$552,583	\$15,042	432	\$849
2 Univ. of Arizona	535326	3447	179464	14290	7206	3340	\$25,802	\$323,215	\$7,958	432	\$849
3 Southern Methodist Univ.	390011	4322	314076	12570	6552	5170	\$52,059	\$401,450	\$15,000	468	\$918
4 Brigham Young Univ.	311722	7671	238611	26744	12398	2825	\$39,993	\$363,481	\$16,668	468	\$918
5 **Univ. of New Mexico**	304739	5451	188960	17848	8425	4000	\$29,461	\$293,511	\$3,663	325	\$1,025
6 Univ. of Houston	273548	6507	194106	24455	10647	3606	\$64,837	\$279,606	\$26,606	1200	\$346
7 Univ. of Utah	273513	6951	205147	13470	9311	2134	\$35,335	\$287,021	\$5,804	400	\$859
8 Arizona State Univ.	263109	5015	199880	23797	9621	4316	\$50,345	\$405,359	\$16,449	465	\$1,038
9 Univ. of South Texas	230892	3725	133512	24279	8056	1170	\$19,715	\$309,359	\$15,376	1237	\$351
10 Univ. of Colo.	227535	4312	182069	16380	7042	1750	\$29,700	\$245,000	\$17,000	460	\$651
11 Univ. of Okla.	221490	4166	160135	19584	7490	3014	\$39,742	\$247,637	\$5,107	676	\$442
12 St. Mary's	217579	7514	123714	74700	20139	3891	\$176,500	\$286,500	\$101,475	625	\$947
13 Univ. of Tulsa	215089	3272	119415	27415	7841	3368	\$11,682	\$263,971	\$25,747	616	\$560
14 Univ. of Denver	205483	5141	148082	58762	15124	2788	\$27,188	\$289,742	\$29,559	993	\$405
15 Texas Tech. Univ.	196769	10929	179889	5305	11958	3140	\$35,188	\$222,834	\$3,299	550	\$490
16 Univ. of North Dakota	194588	2785	138152	17841	5758	4023	\$12,511	\$181,123		200	\$987
17 Texas Southern Univ.	186368	4098	114664	359715	64050	1803	\$6,452	\$196,099	\$27,348	380	\$610
18 Okla. City Univ.	166505	5066	94221	17445	7983	2250	\$21,398	\$222,465	\$7,190	515	\$588
19 Baylor Univ.	154409	4151	113681	1790	4449	3902	\$42,285	\$204,209	\$35,679	406	\$706
20 Univ. of Wyoming	142447	3657	102430	2730	4112	2896	\$30,573	\$259,288	\$4,935	199	\$1,536
21 Univ. of Idaho	113569	3351	96515	15254	5893	2194	\$22,067	\$194,966	\$1,026	240	\$924
22 Univ. of Montana	113562	1886	108165	1597	2152	771	\$7,328	\$111,224	\$1,710	222	\$554
23 Univ. of S. Dakota	104300	3502	91257	4582	4265	1498	\$7,911	\$176,465	\$2,531	200	\$950
Mean Values	250131	5254	174698	34894	11316	3332	\$37,120	\$274,657	\$17,508	200	\$749

Data on 23 Western law schools drawn from ranking of 176 ABA approved law schools.