

April 24, 1989

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Faculty Meeting Minutes
School of Law
Dean's Conference Room, 4:00 PM

PRESENT: Bergman, Browde, Burr, Desiderio, Ellis, J., Ellis, W., Fritz, Gill, Gonzales, Hall, Hart, Hermann, Kelly, Kovnat, MacPherson, Morse, Nathanson, Norwood, Parnall, Romero, Sanders, Scheible, Schwartz, and Winograd.
Student Representatives: Knight, Rasheed, and Scholl.
Others Present: Lester.

Dean's Announcements:

Dean Parnall gave an update on the status of the Law School and University budget process given the recent student protests over the proposed tuition increase. Although there is no budget yet, salary increases in the range of five percent are anticipated. The Dean gave special thanks to Research Professor Paul Nathanson for his extensive involvement in mediating the dispute between the students and University administration.

Further budget news was received by the Dean regarding funding for the Judicial Selection process. The Law School will be receiving a \$50,000 budget for the next fiscal year and has just received \$75,000 for Judicial Commission activities during the current fiscal year.

Professors Utton and DuMars are currently in Mexico with Justice Baca and Judge Apodaca. Professor MacPherson will join them shortly to discuss the possibilities of a new summer institute at Guanajuato proposed to begin in 1990. The Dean congratulated them all for their efforts.

Professor MacPherson also has a grant proposal pending to develop a program for South American participants in Spanish this summer. If the proposal is accepted, it would be an important step in increasing the School of Law's international activities.

Professor Anita Morse has just published an article in the Wisconsin Women's Law Journal on "Pandora's Box: An Essay Review of American Law and Literature on Prostitution." In her article, she acknowledges Chris Fritz for his assistance and suggestions.

Professor Scott Taylor recently spoke at the Rocky Mountain Mineral Institute on tribal taxation. His presentation will be part of the conference papers.

Professor Suede Kelly recently spoke on the "Future of New Mexico Natural Gas" at the Second Annual Gas Conference sponsored by the New Mexico Oil Conservation Division.

Lisa Enfield, a School of Law alumna, published a article on patient dumping in the American Journal of Law and Medicine. As a law student, she won the Alumni Writing Competition Award for this paper.

The Dean reported that according to NASULGC the Law School is still near the bottom of law schools when faculty salaries are compared to peer institutions, both nationally and regionally. The School of Law is now -16.93% of the national average and only UNM Dental Programs (-19.22%) is in a worse position. Regionally, the Law School is at -6.24% of the average salary level and only Nursing is worse off regionally at -6.52%.

Other Business:

After proper motion and second, the minutes of the March 27, 1989 faculty meeting were approved.

Professor Bergman presented a petition from second-year student, Tracy Ahr, to extend the deadline for removing her grade of "Incomplete" from Fall Semester 1988 until the end of Summer 1989 (8/18/89). After proper motion and second, the petition was granted.

Associate Dean Winograd announced that the Fall and Spring Semester schedules for the next academic year have been completed and are available for faculty review in his office.

Professor Norwood announced that the Microvax will not be available between the hours of 7:00-9:00 pm on 4/24/89 and 9:00 am-1:00 pm on 4/25/89 due to repairs.

Report of the Curriculum Committee:

Professor Kovnat distributed the proposed Advanced Writing Requirement policy (see attached). The proposal was discussed as well as comments received from faculty on prior proposals. Issues in the current proposal generating further comment included the timing for meeting the requirement, the effective date of the proposed requirement's implementation, and the definition of seminar courses. A motion was made to table the Committee's proposal until the next faculty meeting so that additional discussion and input may be encouraged. After proper second, the motion carried.

At this time, the student representatives were asked to leave the meeting.

Report of the Honors and Awards Committee:

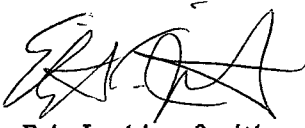
Associate Dean Winograd distributed the recommendations of the Honors and Awards Committee for 1989 Third Year Student Awards. After an review and explanation of the Committee's recommendations, the faculty voted to approve the Third Year Student Awards recommended by the Committee with modifications.

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Dean Parnall requested that suggestions for the Dean's Awards be given to his office.

The meeting adjourned at 5:30 PM.

A handwritten signature in black ink, appearing to read 'E.A. Jenkins-Smith', written in a cursive style.

E.A. Jenkins-Smith
Faculty Secretary

Proposed Advanced Writing Requirement

(Draft, April 12, 1989)

Statement of Purpose:

The advanced writing requirement reflects faculty recognition that writing is an essential feature of a legal career. For that reason, writing should be an integral part of a law student's education and should also function as a culmination or synthesis of that education. The goal of the writing requirement is to permit each student to produce a written product demonstrating significant legal analysis. This written product should either build on comprehensive legal research or be a synthesis of information across subject matter lines.

Requirement:

1. Prior to graduation, every JD degree candidate must produce and submit a substantial written work. To satisfy the writing requirement, the work must be approved by the member of the full-time law faculty who supervises the work as meeting the Law School's requirement for advanced writing, after review by another full-time member of the faculty.

2. Means of compliance with the writing requirement:

a. The writing requirement may be undertaken in conjunction with any seminar or planning course offered by a full-time member of the law faculty and may be used to satisfy both the requirements of the seminar or planning course and the separate writing requirement.

Seminars are courses that meet the following criteria:

- (1) Limited enrollment (no more than 15 students).
- (2) Generally involves a concentration on issues or topics that assumes an understanding of basic principles of the area. Thus, seminars usually will have one or more prerequisites.
- (3) Each student ~~must write~~^{must} a paper that entails in-depth research and significant legal analysis.

Planning Courses are courses that meet the following criteria:

- (1) Limited enrollment (no more than 20 students)
- (2) Involve a subject matter that is not limited to one area of the law.
- (3) Each student must write memoranda that define the plan proposed, analyze the issues related to that plan, and synthesize the analysis in resolving the issues.

GUIDELINES

Research Papers:

1. Appropriate Topic

The research paper must have a legal theme broad enough to encompass a significant legal issue and narrow enough to allow comprehensive treatment of that issue. The topic must deal with a subject that has a substantial existing literature of primary and secondary sources, which can provide the point of departure for the student's work. Empirical studies and interdisciplinary work which otherwise satisfy the writing requirements are encouraged.

2. In-Depth Research

The research paper must demonstrate that the student has a full grasp of the relevant existing primary and secondary authorities. At a minimum, the paper will comprehensively canvas and organize the existing authorities to provide a point of departure for the author's argument or point of view. In addition, the paper must demonstrate a mastery of the use of authority to construct and support the arguments presented.

3. Faculty Supervision

One purpose of the advanced writing requirement is to encourage professional interaction between the student and the supervising faculty member during the preparation of the paper. The student and faculty member shall meet periodically to discuss and agree upon a topic, to discuss and review the results of preliminary research, and to discuss and review an outline and one or more drafts of the paper prior to submission of the final draft.

4. Significant Analysis

The paper must be more than a narrative assemblage of the available authorities or other research data. The paper must organize the research data into a coherent structure informed by the author's consistent arguments or point of view. The author must demonstrate a marked capacity to use legal authority and other data to develop and support the author's argument or point of view.

5. Form, Length and Timing

The paper must be free from grammatical errors or misspellings. The writing must exceed minimum standards of effective, accurate expository prose. Footnotes must comply with Blue Book form.