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

**PRESENT:** Bergman, Burr, Desiderio, Ellis, W., Fritz, Gill, Gonzales, Hall, Hart, Hermann, Kelly, Kovnat, Norwood, Parnall, Romero, Scheible, Schwartz, Sedillo Lopez, Taylor, and Winograd.  
Student Representatives: Rasheed.  
Others Present: Hotsinpillar.

**Dean's Announcements:**

The Law School received a postcard from Ted Occhialino, who is currently visiting law schools in New Zealand. Professor Occhialino is expected back in Albuquerque later this month.

Dean Parnall extended his congratulations to Chuck DuMars and Michelle Minnis for being selected to participate in the Fall 1989 Faculty Scholars Program. This award is for interdisciplinary studies on water issues. Professor DuMars and Ms Minnis will be working with Professors Jim Gosz (Biology), Chris Nunn (Economics), Steve Thompson (Geography), and Bruce Thomson (Civil Engineering).

The Dean was also pleased to announce that the School of Law has been awarded a federal contract to offer a summer program in law for Peruvian participants. This program is to be taught Spanish and will be held here at the School. Those involved in the program will include Professors Antoinette Sedillo Lopez (who with Bill MacPherson will coordinate the summer program), Leo Romero, Chuck DuMars, and Jose Martinez. In addition Chief Justice Dan Sosa, Judges Tibo Chavez and Rozier Sanchez, and District Attorney Sammy Pacheco, as well as other members of the District Attorney's Office will be instrumental in supporting this program.

The faculty were reminded to submit \$20.00 contributions to Peggy Lovato for the Faculty Awards to be presented at the Honors and Awards Banquet on May 11, 1989.

There will be a Wilderness Forum sponsored in part by the Natural Resources Center held on Tuesday, May 23, 1989 in the Anthropology Building. Senator Domenici will be giving opening remarks and Professors Utton and DuMars will be participants.

The Dean announced that the State Legislature has created a Uniform Laws Commission and has included the Dean of the Law School as a member (see H.B. 384).

Law School Deanships are currently open at the University of California at Davis, Rutgers University, and Valparaiso University, as well as at several other schools.

Dean Parnall announced that the budget for FY89-90 has been received and is leaner than anticipated. Because of the delay in the budget process this year, faculty contracts will be later than in prior years. In addition, budget actions due to promotion and tenure decisions are being deferred on Main Campus due to the backlog produced by this delay.

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Graduation Events:

•Professor Hart reminded the faculty that this year Commencement will be held on Saturday, May 13th, not Sunday. Main Campus graduation begins at 9:00 am and the Law School ceremony will start at 4:00 pm. Faculty should arrive at the Law School at 3:00 pm to prepare.

•The Hispanic Bar Association will be holding a reception honoring graduating students Wednesday afternoon, May 10th, at the Sheraton Old Town.

•On Thursday evening, May 11th, the Honors and Awards Banquet is scheduled at the Holiday Pyramid Inn. Faculty presenting awards may pick up their envelopes from Peter Winograd at 6:30 pm.

**Other Business:**

After proper motion and second, the minutes of the April 24, 1989 faculty meeting were approved.

Dean Parnall discussed academic credit and grading options for cocurricular courses. After discussion, it was agreed that more information is needed on existing policies and practices with regard to these courses.

Professor Kelly reminded the faculty that the deadline for nominating a student thesis for honors is Saturday, May 13, 1989. There is a \$200 prize for the student winning this award.

**Report of the Curriculum Committee:**

Discussion continued from the April 24th faculty meeting on the proposed Advanced Writing Requirement policy. Changes to the proposal were suggested to the sections on seminar criteria and to the guidelines with regard to timing. Other issues discussed included outstanding student papers as a result of the clinical extern programs and the second reader's role in approval of the final document. After further discussion, the proposed Advanced Writing Requirement was unanimously approved with changes (see attached policy).

The meeting adjourned at 4:00 PM.



E.A. Jenkins-Smith  
Faculty Secretary

## **ADVANCED WRITING REQUIREMENT**

### **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 Juris Doctor 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) Student papers must entail 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.
- (4) Each student must draft sophisticated legal documents that fulfill the plan defined in the legal memoranda.

b. Alternatively, when no seminar or planning course is offered which meets the student's research interest, the student may satisfy the advanced writing requirement by enrolling in independent research if the student submits a written work which independently satisfies the requirements of the research program and the guidelines applicable for meeting the advanced writing requirement.

c. Publishable articles or comments prepared for the New Mexico Law Review or the Natural Resources Journal may satisfy both the requirements for receiving academic credit for law review service and the advanced writing requirement.

d. In every case, to satisfy the advanced writing requirement, the written work must be certified by the supervising member of the faculty as meeting the advanced writing requirement, after it has been reviewed by another member of the faculty.

### 3. Non-Complying Writing

Since the advanced writing requirement is intended to function as a culmination or synthesis of a law student's education, neither initial casenotes nor briefs prepared in connection with moot court competitions satisfy the advanced writing requirement. Written work which satisfies general course requirements does not meet the advanced writing requirement unless the course is a seminar or planning course as defined in Section 2(a) of this policy.

## **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.

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### **5. Form and Length**

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.

The paper must be of sufficient length to address adequately the issues presented. Only in rare cases will a paper of fewer than 20 pages be adequate to comply with the advanced writing requirement.

### **PLANNING DOCUMENTS**

1. Collectively the planning documents must implement the plan proposed by the student. They must be consistent with the plan. Individually, the documents should be models for practice in the area; they should be written in clear language, free of legal jargon.
2. The memoranda must reflect an understanding of the subjects, and the ability to analyze and synthesize the issues.
3. To the extent applicable, paragraphs (3) - (5) of Guidelines for Research Papers apply.