

August 21, 1989

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

PRESENT: Bergman, Browde, Burr, Desiderio, DuMars, Ellis, W., Flickinger, Fritz, Gonzales, Grubb, Hart, Hermann, Kelly, MacPherson, Norwood, Occhialino, Parnall, Romero, Sanders, Scales, Scheible, Schwartz, Sedillo Lopez, Taylor, Ursua-Cocke, Utton, West, and Winograd.
Student Representatives: Knight and Rasheed.
Others Present: Cohen, Estes, Hotsinpiller, and Price.

Dean's Report:

Dean Parnall welcomed the faculty for the new academic year and introduced visiting faculty members, Andrew Grubb (from Cambridge University in England) and Eugenio Ursua-Cocke (from the University of Guanajuato in Mexico). Professor Ann Scales was welcomed back from leave from Boston College. Members of the faculty that are on leave this academic year are Professors Jim Ellis, Em Hall, and Anita Morse.

Dean Parnall extended his congratulations to Rob Schwartz for being selected as the first Henry Weihofen Professor of Law. Professor Schwartz was selected for this two-year position by a committee of faculty members because of his excellence in legal scholarship and research. The terms of this professorship are such that he will receive a salary supplement as well as research and travel funds similar to the Keleher and McLeod Professor.

The Dean was also pleased to announce that the School of Law's summer program for Peruvian prosecutors was a success. This program, which was taught in Spanish, involved Professors Bill MacPherson, Antoinette Sedillo Lopez, Leo Romero, Chuck DuMars, Jose Martinez, and Anita Morse. In addition the District Attorney's Office and the Latin American Institute were instrumental in the program's success.

The School of Law has won the Emil Gumpert Award from the American College of Trial Lawyers. This national award is for excellence in the teaching of trial advocacy and carries a \$25,000 prize for each winner. (Two law schools were chosen for this award this year. Temple University Law School was also honored along with the UNM School of Law.)

Several UNM law students were honored over the summer. The Reginald Lewis Prize was awarded to recent graduates, Robert Cates and Martin Esquivel. They will share the \$5000 award. Also, third-year student, Laurence Leshin, won a \$2500 national insurance law prize, which includes a \$3000 award for the Law School.

It was reported that the summer American Indian Pre-Law program went very well. It is anticipated that the federal government continue the program here next year.

Dean Parnall announced that \$156,000 was raised last year from alumni and other private source giving. This was the largest amount raised in the last three years. On other financial matters, the Dean reported that the Law School met its overall university budget and had no deficit for fiscal year 1988-89. However, the Instructional account was overspent by the same proportion as in past years.

The Dean was very pleased to announce that U.S. Supreme Court Justice Anthony Kennedy will be this year's John Field Simms Lecturer. He will be at the Law School during the week of January 20, 1990 and will be talking to law classes, faculty and students. The Simms Memorial Lecture is scheduled for January 23, 1990 at 7:00 PM in the Continuing Education auditorium.

Professor Scott Taylor has initiated a public lecture program this year which will begin on September 28, 1989. On that evening, visiting professors Grubb and Ursua-Cocke will be speaking on British and Mexican abortion laws. This speaker's program will be held in the Bondurant Lecture Room (Room 2401) and is open to the public.

It was announced that Professor Mike Norwood has received a new federal grant for \$82,000 from the U.S. Department of Education. This will be used for visiting and adjunct faculty salaries and to renovate the Clinic. Dean Parnall also announced that the School of Law has had \$85,000 earmarked from the recent \$1.2 million bond issued to be used for classroom renovations. Room 3211 has recently been completed and Room 2403 will have work begin on it within the coming academic year. In addition, it is hoped that a twenty-station student computer lab will be installed in the Law Library by the end of the academic year.

Other Business:

Professor Rob Schwartz announced that medical and law students will be asked to participate in the second Professional Responsibility Day held in conjunction with the Medical School. This event is scheduled for Wednesday, October 18, 1989 from 10:00 am to 8:00 pm. Justice Richard Ransom will be speaking on what it means to be a good lawyer and Dr. Sterling Edwards will be speaking on what it means to be a good doctor. The faculty were asked to participate by being small group leaders. Those interested should contact Rob Schwartz.

After proper motion and second, the minutes of the May 8, 1989 faculty meeting were approved.

Dean Parnall reminded the faculty that summer grades should be turned in to Liz Jenkins-Smith as soon as possible.

Report on Faculty Activities:

Associate Dean Romero reported that the members of the faculty were quite productive over the course of the summer.

• Michael Browde published "Substantial Evidence Reconsidered: The Post-Duke City Difficulties and Some Suggestions for their Resolution" in the New Mexico Law Review in addition to a book review.

• Robert Desiderio published a chapter "Not-For-Profit Activities" in Bender's Federal Tax Service and a supplement with Scott Taylor, "Planning Tax-Exempt Organizations". In addition he is presenting a CLE on August 25, 1989 on Equity and Restitution: Current Issues in Remedies. He will also participate in the first conference sponsored by the Program on Philanthropy and the Law at New York University School of Law in November.

• Christian Fritz spoke on "Comparative Dimensions on Law and Legal History" at the Albuquerque Bar Association's Law Day Seminar in May. He also delivered "More Than 'Shreds and Patches': California's 1849 Declaration of Rights" at the California Constitution in Transition, sponsored by the University of California Hastings School of Law in March.

• Suedeen Kelly spoke on the "Future of New Mexico Natural Gas" at the Second Annual Gas Conference sponsored by the New Mexico Oil Conservation Division. She has also coauthored a chapter with Hank Jenkins-Smith on "Law and Politics of Regulation in New Mexico," for New Mexico Government edited by F. Chris Garcia and Paul Hain. In addition she presented a lecture on Economic Regulation in New Mexico for a workshop sponsored by the Better Business Bureau Education Foundation in June.

• James Ellis has been very visible recently regarding the Johnny Paul Penry case recently decided by the U.S. Supreme Court. Also, he is the President of the American Association on Mental Retardation this year. Professor Ellis is spending the 1989-90 academic year as a visitor at American University's Washington College of Law in Washington DC.

• Antoinette Sedillo Lopez presented "Gender Difference in Legal Education and Legal Careers" in June with Lee Teitelbaum and third-year UNM law student Jeff Jenkins at the Law and Society Conference held at the University of Wisconsin in Madison. She also reviewed Land Use by A.S. Mather in the recent Natural Resources Journal.

• Anita Morse published an article in the Wisconsin Women's Law Journal on "Pandora's Box: An Essay Review of American Law and Literature on

Prostitution." She is on leave this year to do advanced research at the University of Michigan.

• Ted Occhialino recently published two articles in the New Mexico Law Review: "The Impact of Non-Mutual Collateral Estoppel on Tort Litigation Involving Several Liability" and with Andrew Schultz, "Statutory Adaption of Several Liability in New Mexico: A Commentary and Quasi-Legislative History."

• Ann Scales has a new article, "Militarism, Male Dominance and Law: Feminist Jurisprudence as Oxymoron?" in the Harvard Women's Law Journal. She was the keynote speaker at the Annual Symposium on Women and Law at Vermont Law School in April. In addition, she has recently spoken on feminist jurisprudence at symposiums held at Cornell and Harvard University Law Schools.

• Rob Schwartz has co-organized the National Conference of the State Judiciary on Bioethical Issues to be held in Reno, Nevada from September 7 - 10, 1989.

• Scott Taylor spoke at the Rocky Mountain Mineral Institute on tribal taxation. He will also be a speaker at New York University School of Law as part of the Program on Philanthropy and the Law in November.

• Al Utton spent one month in Bellagio, Italy as part of a Rockefeller Foundation program for senior scholars. He also worked with Professor Robert Hayton of City University of New York on treaty practices governing international groundwaters. He has a chapter on U.S./Mexican water relations in Southwestern Water Issues, currently in press with UNM Press and another chapter on international streams and lakes in Water and Water Rights being published by the Michie Company. In addition, he is beginning work on the legal aspects of groundwater problems in Baja California.

• Peter Winograd has been busy as President of LSAC and Vice-Chair of the American Bar Association's Task Force on Law Schools and the Profession: Narrowing the Gap. He has also served as the Chair of the Government Relations and Student Financial Aid Committee, the ABA Section on Legal Education and Admissions to the Bar and was a member of the accreditation team for Georgia State University College of Law.

• Dick Gonzales has contributed two trial files to a book, Materials on Trial Advocacy by Professor Edward J. Imwinkelried.

• Paul Nathanson published an article, "Political Imperative for Intergenerational Programs," in Journal of Children in Contemporary Society (Hayworth Press, 1989).

• Leo Romero has published an article in the New Mexico Law Review on "First- and Second-Degree Murder" and a book review.

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Associate Dean Romero reminded the faculty of the need for receiving updated resumes in order to keep each other informed.

Report of the Admissions Committee:

Professor Maureen Sanders reported that the entering class consists of 108 students

51 women	47%		
57 men	53%		
33 Hispanics	31%		
6 Native Americans	6%		
1 Black	1%		
2 Asians	2%	Total Minorities	39%
1 Deaf student			
1 Quadriplegic student			

88 earned an undergraduate degree before 1989

The median LSAT score was 35 and the top LSAT score was 45. Twenty-four students had LSATs greater than 39. The median undergraduate GPA was 3.12 and the top undergraduate GPA was 3.90. There are approximately eleven nonresidents in the class and the average age is approximately 29. There was further discussion about application trends, nonresident applicants, admissions from pre-law programs, and admissions due to academic bankruptcy decisions.

Report of the Committee on Student Suspension, Retention, and Readmission:

Professor Sheryl Scheible reported on Committee actions during the past summer.

- Four first-year students petitioned for relief from suspension. Two petitions were denied. Two petitions were granted and the students were continued on academic probation.

- One second-year student petitioned for relief from suspension. The petition was granted and the student was continued on academic probation.
- One third-year student was suspended and did not appeal.
- Two former students petitioned for readmission to the School of Law. Both petitions were denied.

In earlier meetings, two petitions for readmission were granted on the condition of academic bankruptcy for each student. The two students were to have been part of the incoming first-year class, but were unable to come. It has been agreed to allow them to defer returning to the School of Law until next year.

Professor Scheible also reported two instances of leaks of confidential information from Committee meetings into the public realm. This problem was discussed and policies regarding confidentiality were reviewed. The need for strict confidentiality was strongly reconfirmed.

Report of the Computer Committee:

Professor Mike Norwood discussed positive steps taken over the summer to improve computer services at the Law School.

- The background of system differences and incompatibilities were discussed, particularly with regard to word processing.
- A training schedule (see attached) has been established for those Monday afternoons with no scheduled faculty meetings. Faculty were urged to utilize these sessions.
- Equipment is being purchased to enhance the current VAX system such that up to 64 concurrent users will be able to access the system at any given time.
- The Law School is now running WordPerfect word processing software on the VAX and this is the only word processing software the Law School will support. Faculty were reminded that the Law School does not support copying of WordPerfect to run on other non-VAX systems since the license agreement purchased is only for the VAX version.

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- All DEC Rainbows can communicate with the VAX if their locations are connected to the network.
- Two new terminals will be located in the Faculty Library.
- Two concurrent connections to LEXIS are available at this time.
- The Law School is in the process of hiring a full-time systems manager for the upcoming academic year.

Further discussion involved student access to computing equipment and the proposed computer lab to be located in the Law Library. Dean Parnall reminded those present that the five Macintoshes and printers obtained by the Graduate Student Association late last year are expected shortly. These machines must be available for open student use and will be located in the Law Library. Finally, the Dean requested faculty patience with the word processing staff while the transition to WordPerfect on the VAX system is occurring.

Certification of Graduation Honors:

The faculty, upon proper motion and second, formally awarded the following honors to members of the past year's graduating classes for cumulative academic achievement through the end of Summer 1989:

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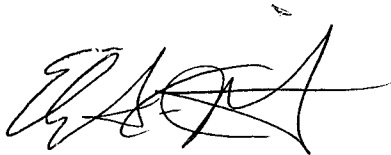
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SUMMA CUM LAUDE: Katherine Basham, Ann Claassen, and Pattie Swift.

MAGNA CUM LAUDE: Susan Benbow, Kimberly Franklin, Karen Janes, and N. Lynn Peris

CUM LAUDE: Nancy Ackermann, Suann Hendren, Linda Lonsdale, and Andrea Noble.

The meeting adjourned at 5:00 PM.

A handwritten signature in black ink, appearing to read 'E.A. Jenkins-Smith', with a long horizontal flourish extending to the right.

**E.A. Jenkins-Smith
Faculty Secretary**

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ORDER OF THE COIF

The faculty, having dissolved into a meeting of the UNM School of Law Chapter of the Order of the Coif, voted to extend membership to the following students who are to be honored as the top ten percent of 105 UNM School of Law graduates for the period of June 1, 1988 through May 31, 1989:

Ann Claassen, Pattie Swift, Katherine Basham, Susan Benbow, N. Lynn Perls, Karen Janes, Kimberly Franklin, Susan Ruebush, Nancy Ackermann, Andrea Noble, and Linda Lonsdale.

In addition, the faculty voted to extend membership to visiting professors Grubb and Ursua-Cocke.