

**March 5, 1990**

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

PRESENT: Bergman, Browde, Desiderio, Ellis, W., Fritz, Gill, Godfrey, Gonzales, Kelly, Kovnat, Mathewson, Nathanson, Norwood, Occhialino, Parnall, Romero, Sanders, Scales, Scheible, Schwartz, Taylor, Utton, and Winograd.  
Student Representatives: Cantwell, Rasheed, and Singdahlsen.  
Others Present: Grossman and Lester.

Upon proper motion and second the minutes of the January 29, 1990 faculty meeting were approved.

**Dean's Report:**

- Dean Parnall congratulated the Bioethics Moot Court team which recently returned from the national competition, held in Washington, DC. Team members Peter Gould, Victoria Jones, Kurt Lash, Kim Lowman, Brendan Mahoney, and Jamie McAlister placed approximately fifth out of 27 entrants.
- Members of the Law School community have been very active recently in obtaining contracts and grants to conduct research on various issues. Dean Parnall anticipates over \$1 Million in outside funding will come into the School of Law next year. The faculty joined the Dean in congratulating the following:

The American Indian Law Center has been awarded a \$1.2 Million grant from the U.S. Department of Justice to study the juvenile justice system. Toby Grossman reported that information about the project is available in the AILC and that any faculty interested in assisting with this study would be welcomed.

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Rob Schwartz, Joan Gibson, and Paul Nathanson have been awarded a \$105,000 grant for the Center for Health Law and Ethics. This funding is for the first year of a two-year grant on the Values History Project. This award is in addition to the \$200,000 grant awarded from the State Justice Institute for judicial training in bioethics.

Chris Fritz has recently received a \$10,000 grant from the U.S. Bicentennial Commission.

Chuck DuMars and Ruth Kovnat have received a \$75,000 grant to work on a project in connection with the WIPP proposal.

Mary Beth West has been awarded a \$75,000 grant to study the impact of alternative methods of dispute resolution on people from minority groups in Metro Court.

- Dean Parnall congratulated Ted Occhialino, Rob Schwartz, and Joan Gibson for their recent participation in a special presentation on Channel 5 on bioethical issues.
- The University's new long distance telephone logging policy was described by Dean Parnall. The School of Law will implement its own policy, approved by the UNM Comptroller's Office, whereby long distance call listings will be circulated for signature by the faculty and staff placing the calls. If there are any unauthorized charges on the listing, or charges to non-pro bono clients, these should be noted.
- Dean Parnall reported on recent state legislative actions which affect UNM and the School of Law. The University has received a 7.7% budget increase, excluding salary increases. This includes a \$1,692,000 peer adjustment allowance to

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address inequities in faculty salaries. A special session of the State Legislature may be called by Governor Carruthers to take up issues including salary adjustments for state and university employees. Other legislative actions included the approval of \$50,000 for the Judicial Selection 1990-91 budget and \$140,000 for capital improvements in the Law Library.

- The New Mexico Court of Appeals has been approved to move into the first floor of the Bar Building. Three judges will be permanently housed in the space vacated by the New Mexico State Bar.
- The School of Law's budget was recently presented by Dean Parnall for the 1990-91 fiscal year. Increases have been requested primarily in the following areas: salaries, staff support, and library support.
- Dean Parnall reported that Dick Gonzales has accepted a visiting professorship at Stanford University Law School for the 1990-91 academic year. In addition, Sheryl Scheible will be a visiting professor at the University of North Carolina School of Law during 1990-91. The Recruitment Committee has been asked to identify a visiting faculty candidate for next year.
- Reginald Lewis has agreed to be the speaker at this year's Commencement ceremony.
- The Dean announced that he is leaving Friday, March 9, 1990 for Cairo and will be gone on annual leave for ten days.

**Honors and Awards Committee:**

Associate Dean Winograd informed the faculty that unless there was an objection, the Honors and Award Committee wished to split the Medical/Legal Torts Scholar Award into two awards effective with this academic year: a Health Law Award and a Tort Law Award. The history of the award's funding and terms and the new proposal were discussed. No objection was voiced to this change.

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**Financial Aid Committee:**

Michael Browde presented a proposal from the Committee designed to address perceived inequities in the allocation of tuition grant funds to members of the co-curricular competitive trial teams. An extended discussion ensued about the history of the current practices, the proposed plan, need versus no-need financial assistance, and co-curricular activity policies in general. Dean Parnall agreed to appoint an ad hoc committee to make a comprehensive study of co-curricular activity issues including 1) financial support (both tuition grants and travel funds), 2) academic credit, 3) faculty teaching credit, and 4) grading policies. Associate Dean Leo Romero was asked to chair the Committee consisting of Professors Browde, Sanders, and Utton and third-year students Rasheed and Castillo. The Committee was asked to report back to the faculty by April 16, 1990.

A motion to approve the Financial Aid Committee's proposal to reallocate tuition grant funds for a period of one year only and to have the ad hoc committee's recommendations take effect in the subsequent 1991-92 academic year was made and duly seconded. After discussion, it was moved and seconded to table this motion until the April 16th faculty meeting. The motion to table passed.

**Report of the Ad Hoc Committee on NRJ/Law Review Comments  
Receiving Subsequent Academic Credit:**

Al Utton reviewed the issues considered by the Committee and distributed suggested language intended to address those concerns. After discussion of implementation and responsibility issues, a motion was made and seconded to accept the Committee's proposed language as amended. This policy is effective beginning with the Summer of 1990. The following statement will be incorporated into the Important Information for Students, 1990-91:

"Use of NRJ/Law Review Case Notes and Comments

No student may fulfill a seminar, individual research, or class paper requirement by submitting materials substantially similar to materials prepared for the Natural Resources Journal or Law Review."

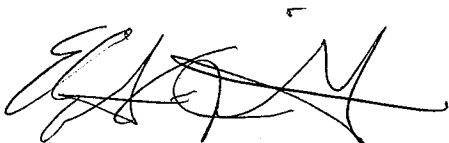
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**Grade Appeal of Jessup Team:**

Dean Parnall distributed the report of the Grade Appeal Committee and discussed the procedural history of the student grade appeal. The following students joined the meeting to address the faculty: Gail Evans, Elyana Sutin, and W. Jay Friedman. Lisa Dawgert, newly elected President of the International Law Students Association, also joined the meeting at the request of the student petitioners. Copies of the student protest were distributed to all present and the students presented their appeal and answered questions from the faculty. Upon conclusion of their presentation, the student petitioners and Ms. Dawgert left the meeting. After discussion, a motion was made and duly seconded to deny the student appeal and affirm the Committee's decision. After further discussion, a motion to table the issue for a future faculty meeting to be held no later than April 16, 1990 was made and seconded. The motion to table passed. Further discussion ensued and a motion was made and duly seconded to reconsider the previous motion to table. This motion passed and the original motion was represented for consideration. Following a series of straw votes, the faculty voted to accept and affirm the Committee Report.

Student Representatives Rasheed and Singdahlsen requested that their concerns about lack of proper notice of School of Law course grading practices be formally entered into these minutes.

The meeting was adjourned at 7:15 pm.



E.A. Jenkins-Smith  
Faculty Secretary

To: First Year Law Students  
From: Jerry Cantwell

Subj: Report From Faculty Committee Representative

FACULTY MEETING REPORT: Meetings of January 29 and March 5, 1990

I. Dean's Report:

A. The Dean congratulated the Bioethics Moot Court team on participation in the national competition. Team members Peter Gould, Victoria Jones, Kurt Lash, Kim Lowman, Brendan Mahoney, and Jamie McAlister placed approximately fifth out of 27 entrants.

B. Members of the Law School community have received several contracts and grants to conduct research on various issues. Dean Parnall anticipates over \$1 million in outside funding will come into the School of Law next year. Awards and grants include the following:

1. The American Indian Law Center has been awarded a \$1.2 million grant from the U.S. Department of Justice to study the juvenile justice system.

2. Rob Schwartz, Joan Gibson, and Paul Nathanson have been awarded a \$105,000 grant for the Center for Health Law and Ethics for the first year of a two-year grant on the Values History Project. The award is in addition to the \$200,000 grant awarded from the State Justice Institute for judicial training in bioethics.

3. Chris Fritz has recently received a \$10,000 grant from the U.S. Bicentennial Commission.

4. Chuck DuMars and Ruth Kovnat have received a \$75,000 grant to work on a project in connection with the WIPP proposal.

5. Mary Beth West has been awarded a \$75,000 grant to study the impact of alternative methods of dispute resolution on people from minority groups in Metro Court.

C. The Dean reported on recent state legislative actions which affect UNM and the School of Law. The University has received a 7.7% budget increase, excluding salary increases. This includes \$4,692,000 peer adjustment allowance to address inequities in faculty salaries. A special session of the State Legislature may be (has been) called by the Governor to take up issues including salary adjustments for state and university employees. Other legislative actions included:

1. Approval of \$50,000 for the Judicial Selection budget and \$140,000 for capital improvements to the Law Library.

2. The New Mexico Court of Appeals has been approved to move into the first floor of the Bar Building. Three judges will be permanently housed in the space vacated by the New Mexico State Bar.

D. Professors Dick Gonzales and Sheryl Scheible will be visiting professors during the 1990-91 academic year; Gonzales at Stanford Law School and Scheible at the University of North Carolina.

II. Honors and Awards Committee:

Associate Dean Winograd informed the faculty that unless there was an objection, the Honors and Awards Committee wished to split the Medical/Legal Torts Scholar Award into two awards effective with this academic year; a Health Law Award and a Tort Law Award. There was no objection and the change will occur.

III. Financial Aid Committee:

Michael Browde presented a proposal from the Committee designed to address perceived inequities in the allocation of tuition grant funds to members of the co-curricular competitive trial teams. An extended discussion ensued about the history of the current practices, the proposed plan, need versus no-need financial assistance and co-curricular activity policies in general. Dean Parnall agreed to appoint an ad hoc committee to make a comprehensive study of co-curricular activity issues including; (1) financial support (both tuition grants and travel funds), (2) academic credit, (3) faculty teaching credit, and (4) grading policies. Associate Dean Leo Romero was asked to chair the Committee consisting of Professors Browde, Sanders, and Utton and third-year students Rasheed and Castillo. The Committee was asked to report back to the faculty by April 16, 1990.

A motion to approve the Financial Aid Committee's proposal to reallocate tuition grant funds for a period of one year only and to have the ad hoc committee's recommendation take effect in the subsequent 1991-92 academic year was made and seconded. After discussion, the motion was tabled until the April 16th faculty meeting.

IV. Report of the Ad Hoc Committee on NRJ/Law Review Comments Receiving Subsequent Academic Credit:

Al Utton reviewed the issues considered by the Committee. After discussion of implementation and responsibility issues, the Faculty accepted the Committee's proposed language as amended. This policy is effective beginning with the summer of 1990. The following statement will be incorporated into the Important Information for students, 1990-91: "Use of NRJ/Law Review Case Notes and Comments - No student may fulfill a seminar, individual research, or class paper requirement by submitting materials substantially similar to materials prepared for the Natural Resources Journal or Law Review."

V. Grade Appeal of Jessup Team:

This was in issue relating to a grade appeal from students on last year's International Moot Court Team. After considerable discussion the Faculty voted to deny the student appeal and to affirm the report of the Grade Appeal Committee.

Student Representatives Rasheed and Singdahlsen requested that their concerns about lack of proper notice of School of Law