

M E M O R A N D U M

TO: Law Faculty
FROM: Al Utton
DATE: February 11, 1991

FACULTY MEETING
February 11, 1991
Dean's Conference Room
4:00 p.m

1. Approval of minutes of meeting of January 28th
2. Dean's Report
3. Discussion of Scholarships for co-curricular activities
4. Other Reports

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

PRESENT: Bergman, Browde, Burr, Cook, Desiderio, Ellis, W., Flickinger, Gill, Hall, Jenkins-Smith, Kovnat, Morse, Occhialino, Romero, Sanders, Scales, Schwartz, Utton, West, and Winograd.
Student Representatives: Cantwell, Goble, and Singdahlsen.

The meeting was called to order by Interim Dean Utton.

The minutes of the January 28, 1991 meeting were discussed. A motion was made and seconded to amend the minutes regarding the discussion of changes to the academic calendar as follows (amendment is underlined):

"The motion was discussed and an amendment was offered that the option of extending the Spring Semester calendar into Intersession not be included in initial discussions with the University."

After discussion, the minutes of the January 28, 1991 faculty meeting were approved as amended.

Dean's Report:

- Dean Utton received notice from the University Secretary's office that the term of School of Law Faculty Senator, Sherri Burr, expires at the end of the 1990-91 academic year and a new senator must be elected. After discussion, a motion was made and seconded to elect Professor Scott Taylor to this position. The motion passed unanimously.
- The University of Arizona School of Law has been approved as this year's site for the Regional CLEO Summer Institute. This program will be held in Tucson from June 17 to July 26, 1991. UNM will provide a professor and teaching assistant for

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the program. Members of the faculty interested in teaching for this program should notify Associate Dean Romero or Dean Utton.

- Donald Zillman, a former candidate for the UNM School of Law deanship, has accepted the deanship at the University of Maine School of Law.

Other Announcements:

- Professor Ruth Kovnat requested that faculty members interested in participating in the upcoming Summer Instituto, to be held during the month of June, let her know.

- Professor Garrett Flickinger announced that The Rutgers University School of Law has applied for a chapter of the Order of the Coif. Their application materials are available for review in the Dean's Office.

- Associate Dean Winograd confirmed that the New Mexico Board of Bar Examiners will meet with the faculty and students on Monday, February 18, 1991. The students' meeting is at 3:00 PM and the faculty meeting is scheduled for 4:15 PM in the Dean's Conference Room. A reception with members of the faculty will follow at 5:15 PM. Faculty attendance and participation are strongly encouraged.

- Notice to students about summer assistantship opportunities in the CLEO and Instituto programs will be distributed soon.

- First-year student representative, Robin Goble, announced plans for the First-Year Auction and Skit Party. Faculty who are interested in contributing to the auction were asked to contact Ms. Goble by February 20, 1991.

- Associate Dean Romero reported that the Mock Trial teams performed well at the recent regional competition held at the University of Puget Sound Law School in Tacoma, Washington. The faculty joined in offering congratulations to the student participants and thanked faculty members who helped prepare the teams for the competition.

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Report from the Ad Hoc Committee on Co-Curricular Activities:

Associate Dean Romero distributed and reviewed the Ad Hoc Committee's proposed policy on scholarship grants (see attached). The following individuals were members of this Committee: Interim Dean Utton; Associate Deans Romero and Winograd; Professors Browde, Flickinger, Mathewson, Sanders, Scales, Schwartz, and West; and student representative Violet Otero. The following students, representing the law reviews and the moot court and mock trial teams, also participated in the discussions of the Committee: Alison Orchant, Julie Mauer, Jamie McAlister, Joe Strelitz, and Molly McIntosh. Extensive discussion ensued regarding the proposed policy, including consideration of concerns regarding the current financial aid budget status and allocation process, financial aid received by CLEO students, possible non-financial aid assistance for the law reviews, and capping the number of credit hours for which students can earn the grade of 'Credit'. It was moved and seconded to sever Proposals One and Two from Proposal Three in order to allow the Curriculum Committee to explore the issue of capping the number of credit hours earned for 'Credit' and to report back to the faculty at the next regular meeting (February 25, 1991). The motion carried. It was further moved and seconded that the faculty adopt Proposals One and Two. The motion carried.

Proposal One: Scholarship Grants

The Law School shall award scholarship grants only on the basis of need.

Proposal Two: Calculation of Need for Financial Aid

Students participating in co-curricular activities such as the Natural Resources Journal, the New Mexico Law Review, and the Moot Court and Mock Trial teams, and students serving as President of the Student Bar Association who believe their earnings will be substantially reduced because of these law school activities may apply to the Financial Aid Committee to be treated as if they would not earn any income during the semester of participation.

Professor Kovnat, Chair of the Curriculum Committee, reiterated that the Curriculum Committee will not revisit the issue of the number of credit hours

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designated per course, as presented in Proposal Three, but will look at the impact of capping the total number of courses taken by individual students for the grade of 'Credit'.

A further motion was offered that the Financial Aid Committee review the following issues:

- (1) Financial assistance to CLEO and Native American law students,
- (2) The use of parental information in determining financial need,
- (3) The concept of setting priorities in award decisions based on individual student contributions to the Law School,
- (4) The use of loans as a sole source of financial assistance,
- (5) The use of past income to reflect the current year's financial need.

After being seconded, the motion passed.

Other Business:

Associate Dean Romero reported that the School of Law has jointly developed a concept paper with the courts of New Mexico for a permanent Judicial College to be located at the School of Law. This concept paper has been presented to the State Justice Institute to determine if it will entertain a funding proposal for seed money to develop such a program. Any seed money would be in addition to the Administrative Office of the Court's current training budget, which would be committed to this program. The Judicial College concept was extensively discussed, including such issues as the history of the School's commitment, the funding proposal process, personnel and space requirements, faculty public service opportunities, and compatibility with the primary teaching mission of the Law School.

Associate Dean Romero also provided an update on the U.S.-Mexico Trade Law Institute which has been proposed to be located at the School of Law. This institute would be modeled after the Canadian-U.S. Trade Law Institute located at Case Western Reserve Law School. The School of Law and the ABA International Law Section's Mexican Law Subcommittee would jointly sponsor the institute,

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which would conduct an annual conference and publish the conference papers in a special issue of the Law Review. Faculty discussion included the issues of funding and faculty commitment to such a center. The faculty were asked to direct any comments or suggestions to Dean Utton or Associate Dean Romero,

The meeting was adjourned at 5:40 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

To: Law School Faculty
From: Ad Hoc Committee on Scholarships
Subject: Proposed Policy on Scholarship Grants
Date: November 21, 1990

PROPOSED POLICY

1. SCHOLARSHIP GRANTS

The Law School shall award scholarship grants only on the basis of need.

2. CALCULATION OF NEED FOR FINANCIAL AID

Students participating in co-curricular activities such as the Natural Resources Journal, the New Mexico Law Review, and the Moot Court and Mock Trial teams, and students serving as President of the Student Bar Association who believe their earnings will be substantially reduced because of these law school activities may apply to the Financial Aid Committee to be treated as if they would not earn any income during the semester of participation.

3. ACADEMIC CREDIT FOR STUDENT PARTICIPATION IN CO-CURRICULAR ACTIVITIES

A. Natural Resources Journal and New Mexico Law Review

(1) Student staff members of the two publications shall receive two hours of academic credit per semester. These two hours include any seminar requirements of the publications.

(2) Student members of the editorial boards of the two publications shall receive three hours of academic credit per semester.

B. Moot Court and Mock Trial Competitions

Student members of any teams representing the Law School in competitions shall receive two or three hours of academic credit but only if the competition is included in the curriculum approved by the Faculty. Only team members who organize and supervise the intramural competitions for the selection of the next year's team, and who also provide tutorial assistance to the students competing for selection, shall receive the third hour of academic credit.

COMMENTARY

1. Scholarship Grants

This proposal bans the award of non-need based scholarship grants for student editors of the Natural Resources Journal and the New Mexico Law Review, student members of the moot court and the mock trial teams, and the SBA President. The proposal reflects the view that students should not receive law school grant money solely for participating in an educational activity for which credit is given or for serving as the SBA President. Such students, however, may qualify for financial aid based on financial need. This proposal does not prohibit the payment of students for work; it only addresses the use of scholarship money.

The Ad Hoc Committee felt that the limited amount of money available for scholarship grants should be reserved for need-based grants. Currently, approximately 22% of the scholarship budget is going to non-need based scholarship grants. By eliminating non-need based grants, almost \$35,000 will be added to the pool of money available for grants on the basis of need. In addition, the Committee did not see any principled basis for distinguishing among students participating in the competitions, those serving on the two publications, and those serving the SBA as President.

2. Calculation of Need

The proposal establishes, for the determination of need, a presumption that students who serve on the publications, serve the SBA, and compete on an approved team will not work for pay during the semester of participation. This proposal recognizes that students should not be penalized economically for participating in the enumerated activities. Some students who would like to participate may need financial assistance. Since need is normally computed according to a formula which assumes that all students will work during the semester, the proposal permits students in such activities to apply to the Financial aid Committee to be treated as if they would not work during the semester of participation. Students with need will qualify for financial aid, and the determination of need will reflect the fact that students who participate in the listed activities will lose employment income.

3. Academic Credit

The proposal recommends increased credit for work on the two publications and for participation on the competition teams. The Ad Hoc Committee views this proposal as an award of credit commensurate with the academic work required for participation in these co-curricular activities and not as a substitute for scholarship grants. The Committee heard from both faculty supervisors and students who participated in these activities about

the educational value and the work required. The Committee concluded that the writing required of staff members on the two publications merits two hours of credit each semester, and the editing and writing required of the student editors merits three hours of credit each semester. For the competitions, the Committee recommends that two hours of credit be awarded for participation in the competition and an additional hour of credit for organizing and supervising the intramural competition, but only if the latter activity involves educational aspects such as providing tutorials for competitors or grading briefs. Simply organizing a competition for selection of a successor team will not warrant the award of academic credit. The three hours may be awarded in the semester of participation even though the organizing and supervising of the intramural competition will not occur until the following semester.