



The University of New Mexico

School of Law
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M E M O R A N D U M

TO: LAW FACULTY
FROM: LEO M. ROMERO, DEAN *LMR*
DATE: January 22, 1993
SUBJECT: **FACULTY MEETING AGENDA**

**Faculty Meeting
January 25, 1993
Dean's Conference Room
4:00 p.m.**

- ✓ 1. Approval of Minutes of November 23, 1992
- ✓ 2. Dean's Report
- ✓ 3. Report on Symposium on the Recruitment and Retention of Native American Law Students in New Mexico
- ✓ 4. Tasmania - UNM Law Student Exchange
- ✓ 5. Law School Involvement in Judicial Training in El Salvador through IPL - MacPherson, Nathanson
3. Self-Study
 - Admissions
 - Students
 - Evaluation of Output

1. Report S.C. LL Dir CAND.

2. STRATEGIC PLAN & LALCO Sch Budget Request

3.

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

PRESENT: Browde, Cook, Desiderio, Ellis, J., Flickinger, Fritz, Gill, Gonzales, Hall, Hart, Jenkins-Smith, Kovnat, MacPherson, Martinez, Nathanson, Norwood, Occhialino, Parnall, Price, Romero, Sanders, Scheible, Schultz, Taylor, Utton, Valencia-Weber, and Winograd.

Student Representatives: Benavidez, Kingen and Leavengood.

The meeting was called to order by Dean Leo Romero.

After proper motion and second, the minutes of the November 23, 1992 faculty meeting were approved.

Dean's Report:

- Dean Romero introduced and welcomed Spring Semester visiting faculty member Andrew Schultz. Also welcomed in absentia was visiting adjunct professor James Liebman from Columbia University School of Law.
- Various visiting faculty positions and deanships are currently available around the country. The folder with announcements, the AALS Placement Bulletin and other information is available from Trish Bianchi.
- The New Mexico Bar Examiners are adding the Multistate Essay Exam (MEE) to the state bar examination beginning with the July 1993 exam administration. Additional information may be found in an article on page 16 of *The Bar Examiner*, available from Trish Bianchi.
- Dean Romero reminded members of the faculty that Fall Semester 1992 grades were due to Liz Jenkins-Smith on January 11, 1993. Those faculty who have not yet turned in their grades were requested to do so as soon as possible. Associate Dean Winograd reported that the first-year students will need grades for the upcoming summer placement program sponsored by the NM State Bar.
- It appears that the ABA will approve the amendment to Standard 308. This amendment would limit the total number of transferable credit hours for students admitted with advanced standing for law studies outside the United States to no more than one-third of the total credits required for the first professional degree. Dean Romero did communicate the School's opposition to this proposal but it is expected that the standard will indeed be amended.
- Because the demand for tickets far exceeded availability, the location of the Simms Lecture featuring U.S. Supreme Court Justice Sandra Day O'Connor has been changed. Justice O'Connor will be speaking at 7:00 PM, Thursday, February 4, 1993 in the Kiva Auditorium at the Albuquerque Convention Center. There will be a reception at 5:15 PM in Ballroom C for invited guests. Dean Romero invited all faculty to this reception and encouraged them to actively participate in other events scheduled during her visit. Associate Dean Kovnat reported that the remainder of Justice O'Connor's itinerary remains

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as previously scheduled including an open meeting for all law students at 10:30 AM, Friday, February 25, 1993 in Room 2401. There was discussion of scheduling an overflow room at this time so that her presentation on the workings of the Supreme Court would be accessible via video transmission to all interested students. Associate Dean Kovnat agreed to investigate some sort of lottery to determine which students would be seated in Room 2401 versus the overflow space.

- Dean Romero was pleased to announce that third-year student, Sally Hernandez, has won the prestigious Skadden Arps Fellowship. Ms. Hernandez will work here in Albuquerque focusing on the services gap for urban Native American children suffering from Fetal Alcohol Syndrome. The faculty joined Dean Romero in offering their congratulations to Ms. Hernandez.

- Professors Jim Ellis and Maureen Sanders, with the assistance of several law students, recently submitted an amicus brief to the U.S. Supreme Court. Oral arguments on *Heller v. Doe* will be heard in early March.

- Dean Romero announced the resignation of Susan Cote as Director of Law School Development effective February 15, 1993. A search process is being initiated to identify her replacement and the Dean requested that faculty suggestions or nominations be directed to his office.

- Dean Romero discussed the current New Mexico legislative session and prospects for the UNM 1993-94 budget. It appears that it will be a tight year, fiscally, once again. Preliminary budget requests are due to the Provost by February 1st. This year a strategic plan is required from each academic unit as part of the budget proposal. Dean Romero has obtained a delay for the School of Law to February 3rd and asked that faculty members provide him with input on budget priorities. In addition, he will be meeting with Professor Fred Hart, Chairman of the Self-Study Committee, to incorporate the findings of that process into the strategic plan. A draft plan will be presented to the faculty for further discussion at the scheduled February 1, 1993 meeting.

Law School Involvement in Judicial Training in El Salvador:

Research Professor Paul Nathanson and Professor Bill MacPherson made a presentation to the faculty regarding a proposal from Checchi & Company Consulting, Inc. to subcontract with the School of Law to provide judicial training for El Salvador. The faculty were asked to consider this proposal in light of the School of Law's involvement in judicial and court administration education. The current proposition involves a request for proposals for an overall contract of \$22 million of which the Law School subcontract could be \$5 to \$6 million over a three-year period. A generous overhead figure is included in the proposal and the School would 1) hire the education coordinator and 2) provide training in both El Salvador and Albuquerque. Funding sources are the World Bank and the U.S. Agency for International Development. The faculty were asked for their input and particularly for an indication of their level of interest in such an endeavor.

Faculty discussion included the following topics: the current political stability of El Salvador, the fit with UNM's educational mission, law student opportunities, the necessity of teaching in Spanish, and the desirability of hiring individuals as UNM/IPL employees to coordinate and serve as on-site administrators. Dean Romero said that he planned to approve a proposal to Checchi through IPL, with the involvement of Professor MacPherson, as a pilot project. There was no dissent from the faculty.

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Report on the Symposium on the Recruitment and Retention of Native American Law Students in New Mexico:

Professor Gloria Valencia-Weber reported on the symposium held at the State Bar of New Mexico on December 4, 1992 to address recruitment and retention issues for New Mexico Native Americans. The symposium focused on issues of under-representation of Native Americans in the membership of the State Bar. Participants represented the legislative and governmental sector, the educational sector, the tribal government sector, the Native American legal and judicial sector, and the UNM School of Law. Attendees from the Law School were Dean Leo Romero, Associate Dean Peter Winograd, Professor Gloria Valencia-Weber, Admissions Director Susan Mitchell, and Development Director Susan Cote. In addition, law students Estelle Bowman and David Gomez, and the AILC's Director, Sam Deloria, were in attendance. The discussions were candid and useful and the proceedings will be published. Copies of the written report, with recommendations, will be made available to members of the faculty.

Tasmania - UNM Law Student Exchange:

Dean Romero distributed a preliminary proposal (attached) received from Professor Rob Schwartz regarding the establishment of a student exchange program between the law schools of Tasmania and UNM. This proposal has been reviewed by the School's International Programs Committee and is supported by them and Dean Romero. Such an exchange program would be permissible under ABA rules. The faculty then discussed this proposal, particularly the need to check each course taken by our students for appropriateness and graduate level credit. A request was made for Tasmanian course descriptions and further details. The general sense of the faculty was to proceed with planning for an exchange program. Final approval will await submission of a specific proposal with detailed course information.

Self-Study Report:

Professor Fred Hart reported that several draft sections of the Self-Study Report are being distributed for faculty review. The faculty were asked peruse these sections and provide comments to the Committee. The Committee specifically asked for assistance in identifying areas of concern or interest that should be examined prospectively. Those members of the faculty who have not yet completed and returned their questionnaires were asked to turn these in as soon as possible. Dean Romero announced that the inspection team is scheduled to be at the School of Law between April 14th and 17th. The chairman of this team will be E. Thomas Sullivan (Dean, University of Arizona College of Law), the clinician will be Karen L. Tokarz (Washington University School of Law), and the AALS representative will be Carrie J. Menkel-Meadow (University of California at Los Angeles School of Law). Additional members will be announced at a later time. Additional discussion of the Self-Study was postponed to the February 1st faculty meeting.

Other Business:

- Professor Garrett Flickinger requested clarification regarding the scheduling of training sessions for faculty advisors under the new policy. Dean Romero agreed to report back on this question.

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- After proper motion and second, the faculty voted to extend their condolences to the family of Reginald Lewis whose recent death means the loss of a friend to the School. Dean Romero agreed to convey the Law School's sympathies to his family.
- A brief report on the status of the Law Library Director Search was provided by Professors Chris Fritz and Al Utton. The third candidate, Joyce Saltalamachia, is currently visiting and the faculty were encouraged to attend a reception at the home of Dean Romero between 6:30 - 8:30 PM this evening. In addition, she will be making a presentation to the faculty on Tuesday, January 26, 1993 between 12:30 - 2:00 PM in the faculty lounge. The luncheon presentations of all candidates have been videotaped and are available for faculty review.

The meeting was adjourned at 5:20 PM.



E.A. Jenkins-Smith
Faculty Secretary

MEMORANDUM

To:
Dean Leo Romero, University of New Mexico School of Law
Associate Dean Peter Winograd, University of New Mexico School of Law
Associate Dean Ruth Kovnat, University of New Mexico School of Law
Professor Don Chalmers, Head of Department, University of Tasmania
School of Law
Associate Professor Cate Warner, Dean, University of Tasmania
School of Law

From: Rob Schwartz

Re: Preliminary Proposal for a Tasmania -- New Mexico Student Exchange

Date: 7 December 1992

I propose that we open a student exchange between the University of New and the University of Tasmania for the 1993 and succeeding years. Under this plan, up to three students currently enrolled as second or third year students in the University of New Mexico School of Law would be permitted to take course for one semester at the University of Tasmania, and up to three students who have successfully completed Torts and Contracts at the University of Tasmania would be permitted to take courses for one semester in the University of New Mexico School of Law. The students would receive full credit for a semester of legal work at their home institutions if they successfully complete the courses at the institution they are visiting, and they would formally remain full time students at (and pay all tuition and student fees to) their home institution during their visiting semester. Students would select courses and projects in consultation with the faculty of their home and visiting institutions, and a determination of whether the final marks or grades would be considered in granting honors (or honours, as the case may be) will be made by the home institutions. While this proposal is not technically a proposal for an "exchange," as students could go in one direction without regard for whether any are going in the other, it would be convenient for students to exchange accommodations and other amenities if that is otherwise appropriate.

As you will note, this proposal suggests a very informal exchange. Very little bureaucracy would be required, there would be few formalities, and, quite frankly, the Hobart -- Albuquerque air fare makes me confident that we will not have to worry about exceeding our limit of three students going in each direction. In addition, each faculty should be able to deal with three overseas students without feeling any burden. Finally, my connection with Tasmania, and Gene's connection with New Mexico, would help smooth out any problems that would arise.

Students from New Mexico would gain a great deal from a semester in Tasmania, just as students from Tasmania would learn a great deal from a semester in New Mexico. Each law school offers a variety of courses that would be acceptable for visiting students, and the visitors would enrich the classes they attend, just as their own legal education would be enriched by the experience. The law schools are remarkably similar, and students would be able to quickly adjust to the different cultures of Australia and America in a way that would allow them to get the most out of their student colleagues and the faculty of the school they are visiting. I realize that there are other considerations related to student credit hours, accreditation, and the like that may make the exchange more difficult than it may first appear. That is why I am sending this on to you as a preliminary proposal. Please do let me know if there is anything else that I can do to help bring this all about.