

M E M O R A N D U M

TO: The Faculty

FROM: Leo Romero, Dean *LAR*

DATE: April 5, 1993

RE: Faculty Meeting

Monday, April 5, 1993
Dean's Conference Room
Agenda

- ✓ 1. Approval of minutes
- ✓ 2. Dean's Report
- ✓ 3. Law Library Director Search
- ✓ 4. CLEO
- 5. Smoking Policy
- ✓ 6. Attendance Policy

MEMORANDUM

Date: April 4, 1993

To: Dean Romero
From: Ted Occhialino
Re: Motion for Next Faculty Meeting

Please place the following motion on the agenda for the next faculty meeting.

Please attach to the motion the accompanying ABA Standard #305.

MOTION: The Faculty reaffirms that it is the policy of the University of New Mexico School of Law that students must be in "regular and punctual class attendance" in courses in which the students are registered, ^{including clinic office hours.} Each faculty member is authorized to enforce this rule in any manner [including but not limited to: assigning a failing grade in the course, assigning a lower grade for the course, or requiring a student to withdraw from the course with a grade of w/p or w/f] that the faculty member deems appropriate, so long as the attendance requirements, the manner of taking attendance, and the penalties for excessive absences are clearly stated by the faculty member during the first week of class.

Standard 305

(a) The law school shall require, as a condition for graduation, successful completion of a course of study in residence of not fewer than 1,120 class hours, including external study meeting the requirements of Standard 306, extending over not fewer than three academic years for a full-time student or four academic years for a part-time student.

(b) An academic year must consist of no fewer than 140 days on which classes are regularly scheduled in the law school, extending over no fewer than 8 calendar months. Time for reading periods, examinations or other activities may not be counted for this purpose.

(c) A full-time student, to satisfy residence study requirements, shall devote substantially all working hours to the study of law and shall not engage in remunerative employment for more than 20 hours per week, whether outside or inside the law school. Regular and punctual class attendance is necessary to satisfy residence and class hours requirements. The law school has the burden to show it has adopted and enforces policies relating to class attendance.

(d) To receive residence study credit for an academic period, a full-time student must be enrolled in a schedule requiring at least ten class hours a week and must receive credit for at least nine class hours, and a part-time student must be enrolled in a schedule requiring at least eight class hours a week and must receive credit for at least eight class hours. If a student is not enrolled in or fails to receive credit for the required number of hours specified in this subsection, the student may receive residence study credit only in the ratio that the hours enrolled in or in which credit was received, as the case may be, bear to the minimum specified.

(e) Prorata credit for residence study may be awarded for study during summer sessions on a basis that fairly apportions a student's effort to the normal residence period.

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

PRESENT: Bergman, Burr, Cohen, Desiderio, Dorman, Ellis, J., Flickinger, Fritz, Gill, Hall, Hart, Jenkins-Smith, Lester, Montoya, Nathanson, Norwood, Occhialino, Parnall, Romero, Russell, Sanders, Scheible, Sedillo Lopez, Taylor, Utton, and Valencia-Weber.

Student Representatives:

Other Students Present: Brown, Vanzi, and Wilcox.

The meeting was called to order by Dean Leo Romero.

After proper motion and second, the minutes of the March 29, 1993 faculty meeting were approved.

Dean's Report:

- The faculty were reminded that this is Advisement Week and that faculty advisors should contact their student advisees to set up meeting times. All faculty and students were encouraged to participate fully in this week's activities.
- The Dean shared a letter of commendation from Art Jaramillo and Alan Torgerson thanking the School for its participation in and support of the State Bar of New Mexico's Summer Special Clerkship Program. Associate Dean Peter Winograd received special thanks for his efforts in establishing this new program. The selection committee was impressed with those first-year law students who participated in the selection process and regretted that only six clerkship positions were available given the quality of the candidates interviewed.
- Various faculty employment opportunities, including the deanship at Northeastern University School of Law, were announced. The folder with additional information about these and other faculty positions and deanships is available from Trish Bianchi.
- Third-year law student, Nan Burke, won second place in the competition for the Elaine Osborne Jacobson Award for women working in health care law. The faculty joined Dean Romero in congratulating Ms. Burke.
- Dean Romero was delighted to announce that copies of the Self Study and the ABA Questionnaire have been mailed to members of the site evaluation team. Additional copies have been mailed to the ABA and AALS. The Dean congratulated and thanked Fred Hart and Peggy Lovato for their outstanding efforts in completing these reports. Also thanked were Liz Jenkins-Smith, Susan Mitchell, Torild Kristiansen, Norma Schmider, Janet Roupas, and Claire Conrad for their assistance in the preparation of these documents. Professor Hart distributed copies of the Self Study and faculty questionnaire responses and reported on the status of student and staff questionnaire responses. A motion was made to adopt the Self Study report as written. After proper second, the motion carried. Dean Romero reminded the faculty that the site inspection team will be at the School from April 14 - 17 and will distribute their schedule shortly.

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- Professor Garrett Flickinger reminded members of the faculty to review and comment on proposed changes to the University's Academic Freedom and Tenure policy. Copies are now being circulated and additional copies are available from Peggy Lovato. Meetings to discuss any comments received have been scheduled in the Kiva for April 7th, 12th, and 14th.
- A proposal has been made to build a new law school building adjacent to the new federal building and a proposed New Mexico State Bar building. Dean Romero has heard that several of the UNM Regents support this idea of a centralized legal center, which would be located on the NW corner of Interstate 25 and Lomas Boulevard. Although the Dean has not yet been asked to comment on this proposal, he expects such a request soon. Thus the faculty were asked to share their comments about any advantages and disadvantages with Dean Romero in anticipation of further discussions.

CLEO 1993:

Dean Romero presented a brief background of the current status of CLEO and the negative effects of U.S. Department of Education regulations and restrictions on the program. Two immediate changes are 1) student stipends have been increased so that fewer positions are available and 2) what were formerly seven regions have been recombined into five regions. Although the law schools in the states of Oklahoma and Texas have been added to the Rocky Mountain region, our region will receive funding for the same number of students as in prior years. In addition to these difficulties, organizational information for Summer 1993 programs was sent out late and no law school in our region has agreed to host the regional summer program. Because of this situation, the Dean has received numerous requests for the UNM School of Law to host the regional CLEO program. Dean Romero has agreed to host the program, only as a last resort, and asked for additional faculty input regarding this situation. If it becomes necessary to undertake this program, it would be combined with our Instituto (directed by Professor Maureen Sanders) and become a six-week program beginning about June 7th. The Dean said that he hoped that other schools in the region would contribute sufficient funds to offset any costs incurred by UNM in exchange for our administration of the program.

Attendance Policy:

The Dean distributed proposed attendance policy language prepared by the Ad Hoc Committee appointed at the last faculty meeting. Professor Ted Occhialino described this policy as reflecting the desire of the faculty to delegate to individual members the responsibility and authority to implement this policy as each member sees fit. A motion was made to adopt the language provided as the School of Law's attendance policy. The motion was duly seconded. An amendment was offered, and accepted, to insert language which explicitly includes clinical field experience hours under this policy. The motion carried as amended. The approved policy is as follows:

SCHOOL OF LAW CLASS ATTENDANCE POLICY

The Faculty reaffirms that it is the policy of the University of New Mexico School of Law that students must be in "regular and punctual class attendance" in courses in which the students are registered, including Clinic office hours. Each faculty member is authorized to enforce this rule in any manner (including but not limited to: assigning a failing grade in the

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course, assigning a lower grade for the course, or requiring a student to withdraw from the course with a grade of W/P or W/F) that the faculty member deems appropriate, so long as the attendance requirements, the manner of taking attendance, and the penalties for excessive absences are clearly stated by the faculty member during the first week of class.

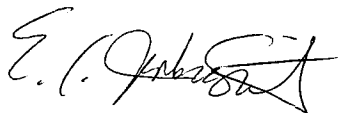
Smoking Policy:

At this time Dean Romero decided to defer the discussion of the smoking policy to the next scheduled faculty meeting (April 19, 1993) in order to encourage a full discussion of the status of the Law Library Director Search. Dean Romero apologized to the students attending this faculty meeting for the purpose of discussing smoking and asked them to leave at this time.

Law Library Director Search:

Professor Al Utton, Chair of the Search Committee, reported on the recent interviews of Judith Anspach and Camille Riley and subsequent Committee deliberations which resulted in a recommendation that Dean Romero make an offer for the Law Library Director position to Judith Anspach. Professor Utton also introduced the members of the Committee: Professors Chris Fritz and Sherri Burr; David Baldwin (ex officio) of Zimmerman Library; Eileen Cohen and Dana Dorman of the Law Library; Judge Pamela Minzner of the NM Court of Appeals; and third-year student, Julie Vargas. Faculty discussion indicated strong support for Ms. Anspach, but several faculty members asked if additional candidates should be contacted. After further discussion regarding these two candidates and the status of those remaining in the certified pool of applicants, a motion was made to contact David Cowan of Baylor University School of Law to ask if he remains interested in interviewing for this position. If he indicates that he is, an interview will be scheduled as soon as possible. If Mr. Cowan is not interested, the Dean will extend an offer for the Law Library Director position to Judith Anspach. This motion was duly seconded, the question was called and the motion carried.

The meeting was adjourned at 5:45 PM.



E.A. Jenkins-Smith
Faculty Secretary