


The University of New Mexico

School of Law
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MEMORANDUM

TO: LAW FACULTY
FROM: LEO M. ROMERO, DEAN 
DATE: October 31, 1996
SUBJECT: FACULTY MEETING

**Faculty Meeting Agenda
Monday, November 4, 1996
Dean's Conference Room
4:00 p.m.**

1. Approval of Minutes of October 21, 1996, Faculty Meeting
2. Dean's Report
3. Student Curriculum Design Awards (Attachment) - Associate Dean Peter A. Winograd
4. Honors Eligibility (Attachment) - Associate Dean Peter A. Winograd
5. Board of Visitors Report - Dean Leo M. Romero
6. Status of Law School Grading Policy Under the Faculty Handbook
7. Annual Reviews of Faculty - Discussion Item
8. Army JAG Request to Interview at the Law School (Attachment) - Associate Dean
Peter A. Winograd
9. New Business

LMR:mb

Attachments

November 4, 1996

Faculty Meeting Minutes
School of Law
Dean's Conference Room, 4:00 p.m.

PRESENT: Anspach, Blumenfeld, Browde, Burr, Desiderio, DuMars, Fort, Fritz, Gill, Gonzales, Hermann, Kelly, Kovnat, Lowe, Montoya, Moore, Occhialino, Parnall, Rapaport, Romero, Taylor, Utton, Valencia-Weber, Winograd

Student Representatives: Dylan O'Reilly, Arianne Mesco, Nikayla Nail

Others: Jeff Albright, Nelsonja Bastian, Keith Borden, Sam Inohara, Antonio Maestas, Vicki Plevin, Tom See, Karen Solomon

ABSENT: Bergman, Creel, Ellis, Hart, MacPherson, Martinez, Mathewson, Norwood, Subin, Zuni

The meeting was called to order by Dean Leo Romero.

After proper motion and second, the minutes of the October 21, 1996, faculty meeting were approved as distributed.

Dean's Report:

Dean Romero expressed his thanks to Rachelle Green and Sue Callaway for their organization of the Halloween Trick or Treat event for the children here at the Law School.

The symposium "From the Wellhead to the Courtroom: Exploring the Future of Oil and Gas Law," organized by Professors Suede Kelly and John Lowe on October 31 - November 1, 1996, at the Albuquerque Hilton was well attended and very well received.

Professors Jim Ellis and Liz Rapaport were both presenters at the Journal of Gender, Race and Justice-sponsored symposium entitled "Penalties, Prohibitions & Punishment: Who Can Get Justice in the United States?" October 18-19, 1996, at the University of Iowa College of Law. Professor Ellis' topic was "Mental Retardation and the Death Penalty: The Need for a Legislative Solution," and Professor Rapaport spoke on "Hot Blood, Cold Blood."

The Berkeley Journal of International Law has accepted an article written by Professor Jenny Moore entitled "Restoring the Humanitarian Character of U.S. Refugee Law: Lessons from the International Community," for publication in the Spring 1996 issue.

Professor Margaret Montoya participated as a panelist in the Southwest Regional Conference of the National Employment Lawyers Association. She was a member of a panel entitled, "Making Litigation Larger Than Life."

Dean Romero reported that the Fourth Annual Distinguished Achievement Award dinner held on November 2, honoring Felix Briones and Professor Al Utton, was a big success, with attendance exceeding 400. The Dean and the faculty commended Jan Hosea for organizing this year's dinner and for all her work on the dinners the last four years.

Student Curriculum Design Awards:

Student Bar Association President Jeff Albright presented the plaque awarded to the SBA by the New Mexico Bar Foundation to Dean Romero for the School of Law. The SBA also received a cash award, which they have chosen to award as scholarships for student curriculum design proposals relating to hate speech, harassment and prejudice. Students Sam Inohara and Jeff Albright described the proposal to the faculty and asked for faculty support. According to the student proposal, a student wishing to submit a proposal will work with a law faculty professor to integrate the issue into at least one class session. Although faculty participation is optional, the students hoped that most faculty would participate. A motion was made by Professor Scott Taylor and seconded by Professor Michele Hermann to support the initiative and commend the students for bringing it forward in this way. When voted on, the motion carried unanimously.

Honors Eligibility:

Associate Dean Peter A. Winograd reported that he had received a memo from Patrick McDaniel asking the faculty to vote to modify the requirement that students earn nine hours of graded credit and a total of twelve hours of credit in a semester to qualify for honors (honor roll or dean's list). In order to accommodate participation in moot courts and law school journals, Mr. McDaniel proposed that a student receive honors if he or she (1) takes twelve credit hours in a semester, (2) at least seven of those credits are graded, and (3) the remaining five credits are received in moot court or journals. If the student receives a grade of "credit" for other reasons, the threshold would remain at the current nine graded credits. Professor Chuck DuMars moved that the faculty accept the proposal put before them by Mr. McDaniel. The motion was seconded by Professor Jenny Moore, and when voted on, the motion carried.

Board of Visitors Report:

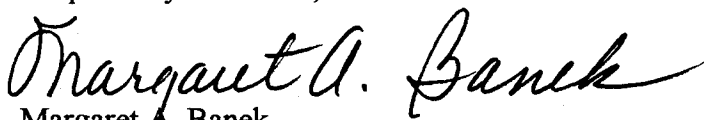
Dean Leo Romero announced that the Board of Visitors will be meeting here at the Law School on Friday, November 15, 1996. They will be discussing legal writing in the morning session and legal ethics in the afternoon session. The law faculty members listed on the agenda for the meeting helped organize the two sessions and put together the background materials, but all faculty are invited and urged to participate. At this meeting the Board has scheduled a class visit, and there will be a luncheon with students and a reception with all faculty (including adjuncts) at the Dean's home.

Status of Law School Grading Policy Under the Faculty Handbook:

Dean Leo Romero reported on Professor Scott Taylor's attached memo to the faculty dated September 27 regarding the mandatory grading curve adopted by a vote of the faculty and its relationship to the policy as stated in the Faculty Handbook. After discussion, it was the consensus of the faculty to take no action with regard to the current policy.

The meeting was adjourned at 5:40 p.m.

Respectfully submitted,



Margaret A. Banek
Attachment

M E M O R A N D U M

TO: Faculty and Student Representatives to Faculty
FROM: Scott Taylor
DATE: September 27, 1996
RE: UNM Law School's Grading Policy

RECEIVED SEP 30 1996

As your faculty senator, I thought I should inform you that the law school has not correctly adopted its grading policy. The faculty handbook states:

The relative value a faculty member assigns to any given evidence of class learning such as an examination, quiz, paper, etc., is a matter of the faculty member's choice. The selection of standards, whether relative to class performance on a distribution curve or to some absolute based on the subject matter itself, is also a matter of individual faculty determination. The only requirement is that whatever the relative weights or however the standards are set, results should be given in letter grades expressing the level of quality described in the General Catalog.

Faculty Handbook, University of New Mexico F-8 (1990 ed.). Each faculty contract that we sign incorporates the faculty handbook into the contract. Accordingly, grade determinations, so long as they are based on a curve or absolute standard, are up to individual faculty members.

If the law school wants to restrict a faculty member's rights under the faculty handbook, approval of the faculty senate and the board of regents is necessary. Of course, an individual faculty member is free to follow the mandatory curve if he or she chooses.

The faculty may want to consider going through the process of getting the necessary approval of our grading policy.

STUDENT CURRICULUM DESIGN AWARDS:
THE IMPACT OF THE LAW ON RACE, CULTURE, SEXUAL ORIENTATION, AND IDEOLOGY
*sponsored by the SBA through an award from the
New Mexico Bar Foundation*

PURPOSE: The purpose of this program is to enhance and to supplement the curriculum of particular classes by drawing and exposing the law's impact on race, culture, sexual orientation, and ideology. This program seeks to promote professional respect and appreciation for diverse groups and opinions at the law school by addressing issues such as hate speech, harassment, and prejudice. The goal is to integrate these issues into the curriculum as essential and not merely trivial. In coordination with faculty, students will design lesson plans for participating classes.

IMPLEMENTATION:

Proposals: *Lesson plan proposals should be 3-6 pages in length, encompassing a minimum of one class period.
*A proposed lesson plan may span several classes in a block or be a recurrent topic throughout a semester.
*Each proposal should have prior faculty approval and sponsorship.
*Format of proposals may vary from outline form to textual explanation.
*All methodologies are acceptable from role-playing to lecturing.
*Proposals may be individual or group, for Spring or Fall '97.

Workshop: A workshop meeting will aim to promote the scholarship, to provide advice and recommendations for drafting proposals, and to answer general questions.

Judging: A seven-member panel composed of one member from the NM Bar Foundation and six law school members, students and faculty, will evaluate proposals and allot awards. Criteria will be on a proposal's demonstration of meeting the substance in the purpose statement.

FUNDING: Five awards at \$200. \$500 for a reception and debriefing.

CATEGORIES: No more than two awards per category. A proposal may be implemented even if unawarded.

Litigation and Adversary Law

Torts	Advance Tort Litigation
Evidence	Evidence and Clinic
Federal Jurisdiction	Civil Procedure I & II
Equity	Remedies
Conflict of Laws	

Business and Commercial Law

Agency	Business Associations
Business Entities (partnerships, corporations, etc.)	
Uniform Commercial Code	Commercial Transactions
Contracts	

Legal Ethics and Public Law

Ethics	Ethics and the Role of the lawyer
Con. Law	Con. Rights
Criminal Law	Criminal Procedure
Administrative Practice	Administrative Law
International Law	Comparative Human Rights

Personal and Private Law

Property I & II	Community Property
Domestic Relations	Family Law
Wills, Estates, and Trusts	

Other Electives

All other classes offered but not listed above.

- SCHEDULE:**
1. Competition announced first week of November.
 2. Workshop held within second week of November.
 3. Proposals due [January 29 /or February 14].
 4. Results announced [February 12 /or March 3].
 5. Implementation of proposals by April 1 for spring, and November 1 for fall semester. (Note: implementation need not wait for announcement of awards)

August 28, 1996

TO: Dean Winograd
FROM: Patrick McDaniel
RE: Remedy for Current Inequity Re Honors Eligibility

I respectfully request a review of an inequity in current eligibility requirements for law school honors. I will also suggest how this inequity should be remedied.

The present requirement is that a student must earn nine hours of graded credit and a total of twelve hours of credit in a semester in order to qualify for honors. I suggest that the faculty make a minor adjustment to the policy in order to accommodate participation in moot courts and law school journals. Specifically, I propose that the minimum number of graded hours for honors eligibility be reduced to either seven or eight whenever a student has earned four or more credits in law review or moot court in one semester.

The policy would be as follows. In order to qualify for honors, a student must take twelve hours of credit in a semester. At least seven of those must be graded if the student has received the other five credits in moot court or journals. If the student receives a grade of "credit" for other reasons, the threshold would remain at the current nine credits.

This modification would be beneficial in terms of policy and equity. Changing the current policy would encourage or at least recognize participation in moot courts and journals. It would acknowledge that earning a "credit" grade in a journal or moot court is not the same as receiving a "credit" grade in a class due to inability to take an exam, for example. In addition, while it may make sense for instructional reasons to dispense with grades in these programs, it does not follow that a student should be penalized in terms of honors eligibility for undertaking a heavy workload in these special non-graded courses.

As I understand it, the ostensible purpose behind the nine hour minimum requirement is to avoid "honors inflation" by not qualifying students with part-time graded workloads. The policy revision I have proposed is consistent with this goal.