

The University of New Mexico

School of Law
Office of the Dean
1117 Stanford NE
Albuquerque, NM 87131-1431
Telephone (505) 277-4700
FAX (505) 277-1597

MEMORANDUM

TO: Law Faculty

FROM: Robert J. Desiderio, Dean *RJD*

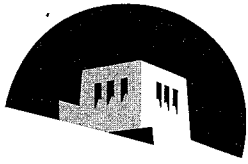
DATE: February 16, 2000

SUBJECT: February 21 Faculty Meeting Postponed

The faculty meeting scheduled for February 21 is postponed until February 28, same time, same place.

Please remember that the Committee on Promotion and Tenure will meet after the faculty meeting.

RJD:mb



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MEMORANDUM

TO: LAW FACULTY
FROM: ROBERT J. DESIDERIO, DEAN
DATE: FEBRUARY 23, 2000
SUBJECT: FACULTY MEETING

**Faculty Meeting Agenda
Monday, February 28, 2000
Dean's Conference Room
4:00 p.m.**

1. Approval of Minutes of January 24, 2000 and February 7, 2000 Faculty Meetings
2. Dean's Report
3. Curriculum Committee Report - Professor Leo Romero
4. Aaron Viets - Student Petition for Honors (see attached)
5. New Business

THE COMMITTEE ON TENURE AND PROMOTION WILL MEET IMMEDIATELY
AFTER THE FACULTY MEETING.

RJD:mb
Attachment

February 28, 2000

Faculty Meeting Minutes

School of Law

Dean's Conference Room, 4:00 p.m.

PRESENT: Baum, Bergman, Blumenfeld, Bobroff, Browde, Canova, Desiderio, Fritz, Fort, Gill, Gonzales, Hart, Hughes, Land, Lopez, Martin, Martinez, Mathewson, Montoya, Moore, Norwood, Romero, Schwartz, Taylor, Wolf, Zuni Cruz

Student Representative: Chris Berkheimer

Others: Peter Phipps

ABSENT: Burr, DuMars, Ellis, MacPherson, Occhialino, Winograd

Dean Robert Desiderio called the meeting to order at 4:14 p.m.

After proper motion and second, the minutes of the previous two faculty meetings, January 24, 2000 and February 7, 2000, were approved as distributed.

Peter Phipps, 1L, announced the Race Judicata Conference to be held in Albuquerque, March 6-9, 2000 and asked the faculty to promote this event in their classes.

Dean's Report:

Dean Desiderio announced there will be a faculty retreat the weekend of September 15-17, 2000, at the Sagebrush Inn in Taos.

The Law School Board of Visitors will be meeting Wednesday, March 22, at the law school, and Dean Desiderio invited the faculty to have lunch on that day with the Board. He also invited the faculty to a reception for the Board members at his home in the evening.

Dean Desiderio asked the faculty for their suggestions and recommendations for an adjunct to teach Ethics this summer. Anyone with a suggestion or recommendation should contact Associate Dean Alfred Mathewson.

Dean Desiderio announced that the faculty will meet next Monday, March 6, for their regularly scheduled faculty meeting to discuss the Tribal Law Journal.

Professor Antoinette Sedillo Lopez distributed a report on the Academic Success Workshop held the week before the start of Fall 1999 classes. She reported that the students who attended and had LSAT scores in the lower ranges were doing as well as students who had not attended but had higher LSAT scores. All students who attended were able to get off Academic Probation. The cumulative results as shown by the report

were inconclusive, but Professor Sedillo Lopez will disaggregate the semesters and provide more information to the faculty at a later date.

Curriculum Committee Report:

Professor Leo Romero, Chair of the Curriculum Committee, distributed the 2000-2001 proposed curriculum and the two year (2000-2001 and 2001-2002) proposed curriculum with the following three recommendations:

1. Continuation of the second externship policy subject to the amendment requiring at least three meetings between the student and faculty supervisor.
2. Approval of the 2000-2001 proposed curriculum.
3. Approval of the two-year curriculum for 2000-2001 and 2001-2002.

Dean Desiderio announced that the Clinic is now listed as a three-semester block, fall, spring and summer, and that those faculty who wish to teach in the clinic may teach two of the three semesters and have one semester release time.

After discussion, Professor Rob Schwartz suggested that the faculty take a week to consider the curriculum and bring it up for a vote at the next regularly scheduled faculty meeting on March 6.

Professor Margaret Montoya stated her disappointment in the lack of ethnic diversity in the first-year curriculum faculty assignments.

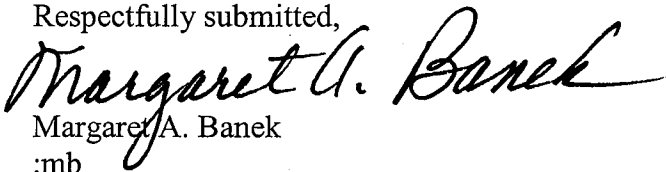
Professor Jose Martinez asked that the clinic courses be considered "set in stone" so they can go forward with the lottery next week. He also requested that the faculty turn in their course descriptions as soon as possible.

Professor Romero asked the faculty to allow the curriculum (without faculty names) to be forwarded to the students for their comments. It was the consensus of the faculty to release the curriculum (without faculty names) to the students and to defer formal approval until the March 6 faculty meeting.

Chris Berkheimer reminded the faculty of the First Congressional District Candidate Forum scheduled for Thursday, March 2, 2000, at 6:30 p.m.

The meeting adjourned at 5:05 p.m.

Respectfully submitted,


Margaret A. Banek
:mb

HONORS, AWARDS AND PRIZES

Course Awards. A law professor has the option of noting the student who earned the top grade in each of his or her courses. Such notations are marked on the student's record. In addition, the student earning the top grade in courses is honored by receiving a CALI certificate.

Semester Honors. Any law student in good standing will be eligible for:

- Dean's List - grade point average of 3.50 or higher during a semester in which twelve (12) or more credit hours are earned, of which at least nine (9) are graded;
- Honor Roll - grade point average of 3.00 or higher during a semester in which twelve (12) or more credit hours are earned, of which at least nine (9) are graded.

As voted by the faculty, a student will 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.

Students enrolled in a formal joint-degree program shall be eligible for the School of Law's Dean's List and Honor Roll if they are enrolled in at least twelve graded credit hours from either school. Of these, at least nine credit hours must be at the School of Law and six of the nine credit hours must be graded. Only grades earned at the School of Law shall be included in the grade point calculation for such honors.

Graduation Honors. The J.D. degree may, in the discretion of the faculty, be awarded with the honors indicated to graduating students who have successfully completed the requirements prescribed by the faculty and who have achieved the following overall grade point averages in their law school work:

- | | |
|-------------------|------|
| • cum laude | 3.40 |
| • magna cum laude | 3.60 |
| • summa cum laude | 3.80 |

Students will not be eligible for election to the Order of the Coif or for any other academic honors based upon rank or cumulative grade point average unless they complete a minimum of 60 graded course hours at UNM School of Law, including no fewer than 20 graded first-year course hours at the UNM School of Law.

In the discretion of the faculty, a student who is ineligible for recognition under the above policy may receive special recognition for outstanding academic performance at the UNM School of Law.

Order of the Coif. A chapter of the Order of the Coif was established at the School in 1971. This prestigious national organization honors the top ten percent of each year's graduating class.

Thesis Honors. The faculty annually may award one or more special certificates of honor to students who produce a thesis of exceptional quality. Supervising faculty may nominate a student's thesis for honors. All nominated papers will be read by a committee annually appointed by the Dean. If the Committee agrees that the student's thesis is of exceptional quality, a certificate of honor shall be awarded to the student.



February 28, 2000

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School of Law

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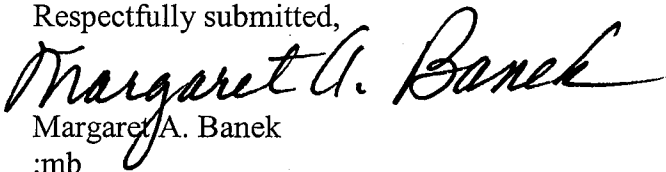
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Respectfully submitted,


Margaret A. Banek
:mb

Aaron Viets
1400 Vassar NE, Apt. A
Albuquerque, NM 87106
(h) 262-4262; (w) 348-2223
aviets@stanfordalumni.org

Dean Robert Desiderio
University of New Mexico School of Law
1117 Stanford NE
Albuquerque, NM 87131

RECEIVED FEB 18 2000

February 17, 2000

Dear Dean Desiderio:

I am writing to you and the rest of the UNM law school faculty to ask that you award me my J.D. diploma *cum laude* under the discretion given to you on page 29 of the current UNM Bulletin and Handbook of Policies.

I graduated from the law school in the spring of 1999. As you are aware, I completed my third year at the University of San Diego School of Law so that I could be with my wife, Vanessa. Vanessa is a UNM graduate student, in the Department of Psychology. One of the requirements towards her Ph.D. in Clinical Psychology is to complete a year-long internship. In contrast with, for example, a law school clinical requirement, the internship program for clinical psychologists in training is independent of each school's Psychology Department. Demand for space in psychology internship programs exceeds supply and competition is fierce. There are only two (at most) internship slots available each year in New Mexico for which several more eligible UNM students compete, along with hundreds of their peers across the country. Consequently, several students in UNM's Clinical Psychology program are forced to relocate each year for one calendar year to complete their degree requirements. My wife was among those during my third year of law school. She was not accepted for the only slot for which she was eligible in Albuquerque. Instead, the directors of an especially competitive consortium internship at the University of California, San Diego and the V.A. hospital in San Diego offered Vanessa a position to start in the summer of 1998, which she accepted.

Fortunately, the University of San Diego (USD) accepted me as a visiting student for the 1998-1999 school year. While there I earned high grades, as the attached letter from Assistant Dean Carrie Wilson notes. Grades at USD are "curved" and, for the classes in which I enrolled, that curve was pegged at a "C." A rule on page 24 of UNM Bulletin and Handbook of Policies states that for UNM students who visit elsewhere, "only passing grades (C or better) are transferable" and only for credit. Lower grades are calculated into one's GPA but no credit is received. Naturally, I was concerned that even

a slight dip below average at USD could end up costing me a timely degree. However, I excelled in many courses and graduated on time in May 1999.

In June, I communicated with the UNM School of Law Registrar over the phone to confirm that my credits transferred. She told me then that I had graduated with honors. My final transcript, which I have attached, indicates my cumulative grade point average of 3.411 (high enough for honors) and reflects that *cum laude* designation.

In July 1999, I passed the New Mexico bar exam with a very high score. In August, Vanessa and I moved back to Albuquerque and in September I began the judicial clerkship that the UNM Career Services office helped me locate before Vanessa and I left New Mexico the year before.

In November 1999, when at last it was available for pick-up, I received my law school diploma. That document, however, did not have the *cum laude* designation that was noted on my transcript. When I questioned Dr. Trainor about this, she first blamed "main campus" for making a mistake and promised to have my diploma reissued with a notation of honors. Upon second thought, however, she felt that I should not have been awarded honors after all. I believe that the transcript currently on file with the law school has the *cum laude* notation "whited out."

Apparently Dr. Trainor's new position was that, while I did have strong enough grades to qualify for a *cum laude* degree (3.4 or above), I fell four graded credit hours short of the sixty hour minimum described on page 29 of the Bulletin and Handbook of Policies. Although I did earn sixty hours of credit in my two years at UNM, four of those credits were for UNM law review and were thus non-graded. Under the Registrar's reasoning, I therefore did not deserve honors. She explained the *cum laude* notation on my transcript as "a mistake."

I am therefore appealing to you to award me the honors that I feel I have earned. You will note from my transcripts the steady improvement in my cumulative grade point average at UNM and at USD. You will also note the high marks I earned at both schools. USD grades on a 93 point scale. 93 to 86 is an "A" or "excellent," 85 to 81 is a "B" or "very good," and 75 to 80 is a "C" or "good." USD, unlike UMM, employs a curve which is pegged at 80--a high "C"--toward which grades tend to regress. Further unlike UNM, USD does not use a "minus" or "plus" system.

H on the USD transcript is for "Honors." Professor Martinez required that I take a USD clinical course for two semesters (in contrast with one at UNM) so that I could graduate from UNM. He further ordered that I supplement the clinical course with Interviewing and Counseling. Immigration Clinic and Interviewing and Counseling are only graded on a "P" (Pass), "LP" (Low Pass) or "F" (Fail) basis. But instead of just passing, I earned "Honors." I urge you to reward all of my other high grades with a similar notation of overall honors--*cum laude*.

As you consider my petition for honors, you can review my record in one of two ways. Under one view, you can extrapolate on what my grades would have been if circumstances had allowed me to remain at one institution for all three years. The upward trend of my grades during my first and second years at UNM, combined with the abolition of the grading curve must lead you to conclude that I would have maintained a grade point average above 3.4--the minimum for honors. (Indeed, by that approach, I would have earned my degree *magna cum laude*.) You can reach the same conclusion by extending my USD record over the course of three years. As Dean Wilson notes, I would have earned a *cum laude* degree, if not higher, at that institution.

The other option is to examine my academic record as a whole and the reasons why I left to recognize me with the honors reflected on the attached UNM transcript and which I believe I deserve. First, you have before you my UNM record, with grades strong enough to earn honors but for, essentially, four hours of high graded coursework in place of law review. (I know many of you came from law reviews at which you earned no course credit at all and I urge you not to let that bias you. Law review is offered for credit here and it is still an honor that should be rewarded, not punished.) The UNM Bulletin and Handbook of Policies, with its 3.4 or over and at least sixty graded-hour requirement, plainly contemplates that a student complete two years of challenging coursework at UNM with high grades. If I do not fall within the letter of the regulation, awarding me honors would still be within its spirit.

You also have my USD record, consisting of a transcript and a letter from the Assistant Dean. That record is a strong one, compiled at a school in many respects similar to or even slightly more distinguished than UNM. For example, US News and World Report currently ranks both institutions as "second tier," with USD students tending to have somewhat higher LSAT scores. Consequently, I earned my grades at USD in classes with students who were quantitatively stronger than my UNM peers. After much thought and debate (hence the delay in presenting this petition to you), the USD administration has indicated that I would have earned honors there had I maintained for three years the grades I earned during one. USD awards a *cum laude* diploma to graduating students in the top fifteen percent, as I was for one year and very likely would have been over the course of three.

Finally, you have the circumstances surrounding my departure. The UNM School of Law rightly prides itself on its relatively large non-traditional law student population. This group, I think, includes those like me who have been out of college a few years and have started a family. In recognizing my strong academic record with an award of honors, you have an opportunity to make good on a UNM School of Law mission by supporting a student who put family first in facilitating his wife's academic goals. To penalize me for going to San Diego with Vanessa would also needlessly undermine a fellow UNM institution--the Department of Psychology. While my support for Vanessa is, of course, not by itself an act worthy of a *cum laude* degree, supporting her should not cost me one.

I ask then that you look at my overall number of graded credit hours, my consistently

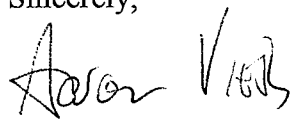
strong academic record at two institutions, and the reasons why my law school career took the turns it did, and award me a diploma *cum laude*.

If you would like to discuss any of this further, I will do so gladly.

Please accept this letter as my formal request that the faculty consider awarding me a *cum laude* diploma. I have indicated to the rest of the faculty my understanding that you will place this request on an upcoming faculty meeting agenda. I would like to address the faculty briefly at that time, but I will defer to your decision on that matter.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Aaron Viets". The signature is written in a cursive style with a large, stylized initial 'A'.

Aaron Viets

attachments



University of San Diego

School of Law

Office of the Dean

February 2, 2000

Peter Winograd, Associate Dean
University of New Mexico School of Law
1117 Stanford NE
Albuquerque, N. M. 87131

Re: **AARON VIETS**
SS# 511-84-9630

Dear Dean Winograd,

Aaron was a visiting student here from the University of New Mexico School of Law for the 1998/1999 Academic year. He did very well academically, and we were exceedingly pleased to have him with us. It is my understanding that the University of New Mexico has a provision in their academic rules allowing the faculty to recommend a student for honors when he/she might not otherwise qualify. I have been further informed that although Aaron has the requisite grade point average to qualify for honors, he does not have the minimum number of graded units because of his visiting year here.

I would be happy to do what I could to support a faculty recommendation on his behalf. At the end of the Fall 1998 semester, Aaron received a cumulative average of 83.90. Had he been ranked (which he was not as a visiting student) his rank would have been 14.5%. At the end of the 1999 Spring semester, his semester g.p.a. had risen to 85.38, for a cumulative grade point average of 84.56. Again, had he been ranked, this would have put him at 12.4% for our graduating class. Had he been our student, he would have graduated *cum laude*. In addition, in each of the three non-graded classes he took, he received a grade of "H", or Honors. While we do attach numerical grades to "F" (65) and "LP" (72) as a disincentive, our faculty, despite continued debate on the subject, has never been able to determine which single numerical grade might attach to "H" to properly quantify it. The "H" grade is given penuriously, and Aaron is exceptional in having received three.

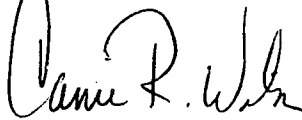
It is true that our graduates have attained their cumulative grade point averages over a minimum of 55 academic units (our academic rules allow students to transfer up to 30 academic credits of grades of "C" or better from other ABA accredited law schools; we require 85 units to graduate). Therefore, we would normally have at least two full years of grades to assess in

VIETS letter, cont'd
page 2

determining honors. However, based on Aaron's record from the University of New Mexico and his grades here, I have little doubt that his performance would have earned him at least *cum laude*, if not higher honors, had he been our student for the entire time.

If you have any questions or need additional information, please do not hesitate to contact me at (619) 260-6851.

Very truly yours,



Carrie R. Wilson
Assistant Dean

cc: A. Viets ✓

Student: Viets, Aaron

Id Number: 511-84-9630

Residency Points: 6

Transcript Notes:

Visited: University of San Diego
Juris Doctor: May 15, 1999

Year: 9697 Term: Fall

Course	Course Title	Instructor	Credits Let	Grade		Points
				Let	Num	
500	HIST INTRO TO LAW	Fritz	2.0	B	3.00	
502	CONTRACTS I	Desiderio	4.0	C+	2.33	
504	CRIMINAL LAW	Romero	3.0	B	3.00	
506	LEGAL RES AND WRIT	Occhialino	3.0	B+	3.33	
508	PROPERTY I	Kovnat	4.0	C	2.00	
			GPA			
			Total	Graded		
Semester:			2.644	16.0	16.0	42.31
Cumulative:			2.644	16.0	16.0	42.31

Year: 9798 Term: Spring

Course	Course Title	Instructor	Credits Let	Grade		Points
				Let	Num	
533	FAMILY LAW I	Wolf	3.0	B+	3.33	
552	FEDERAL JURISDICTION	Kovnat	3.0	A	4.00	
593	PRO CONT JURIS PRU	Scales	2.0	A	4.00	
608	PROPERTY II	Fritz	3.0	A-	3.67	
631	REMEDIES	Desiderio	3.0	B	3.00	
639	N M LAW REVIEW II	Fritz	2.0	CR		
			GPA			
			Total	Graded		
Semester:			3.571	16.0	14.0	50.00
Cumulative:			3.411	60.0	56.0	191.00

Dean's List

Year: 9697 Term: Spring

Course	Course Title	Instructor	Credits Let	Grade		Points
				Let	Num	
510	TORTS	Scales	4.0	A	4.00	
512	CIVIL PROCEDURE I	Sedillo-Lopez	3.0	A	4.00	
513	ADVOCACY	Fort	4.0	A-	3.67	
519	LEGIS & ADM PROCESS	Moore	3.0	A-	3.67	
			GPA			
			Total	Graded		
Semester:			3.835	14.0	14.0	53.69
Cumulative:			3.200	30.0	30.0	96.00

Dean's List

Year: 9899 Term: Fall

Course	Course Title	Instructor	Credits Let	Grade		Points
				Let	Num	
998	Evidence	San Diego	4.0	CR		
998	Prof Responsibility	San Diego	3.0	CR		
998	Int'l Business Tran	San Diego	3.0	CR		
998	Immigratn Lw Clinic	San Diego	4.0	CR		
			GPA			
			Total	Graded		
Semester:			0.000	14.0	0	0.00
Cumulative:			3.411	74.0	56.0	191.00

Year: 9899 Term: Spring

Course	Course Title	Instructor	Credits Let	Grade		Points
				Let	Num	
998	Criminal Pro I	San Diego	3.0	CR		
998	Ad Legal Research	San Diego	2.0	CR		
998	Conflict of Laws	San Diego	3.0	CR		
998	Interview & Counsel	San Diego	3.0	CR		
998	Immigratn Clinic II	San Diego	5.0	CR		
			GPA			
			Total	Graded		
Semester:			0.000	16.0	0	0.00
Cumulative:			3.411	90.0	56.0	191.00

Cum Laude

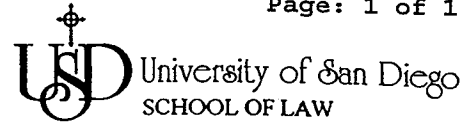
UNOFFICIAL ADVISEMENT RECORD

This record is released with the understanding that the recipient will not permit any other party to have access without the prior written consent of the student, in accordance with the Family Educational Rights & Privacy Act of 1974.

PERMANENT RECORD

Date: 12/10/99
Page: 1 of 1

NAME: Viets, Aaron C.
ID#: 3980862 PLACE OF BIRTH: KANSAS CITY, MO
REF#: 511-84-9630
VISITING STUDENT



FALL 1998		UNITS	GRADE
LAW 070	EVIDENCE	4.00	83
LAW 080	PROF RESPONSIBILITY	3.00	89
LAW 450	INT'L BUSINESS TRANS	3.00	80
LAW 822	IMMIGRATN LW CLINIC	4.00	H

	ATTEMPTED	EARNED	GRADED	POINTS	GPA
SEM.	14	14	10	839	83.90
CUM.	14	14	10	839	83.90

CLASS RANK: None

SPRING 1999		UNITS	GRADE
LAW 060	CRIMINAL PROCEDURE I	3.00	87
LAW 138	ADV LEGAL RESEARCH	2.00	85
LAW 248	CONFLICT OF LAWS	3.00	84
LAW 490	INTERVIEW & COUNSEL	3.00	H
LAW 823	IMMIGRTN LW CLINC II	5.00	H

	ATTEMPTED	EARNED	GRADED	POINTS	GPA
SEM.	16	16	8	683	85.38
CUM.	30	30	18	1522	84.56

CLASS RANK: None

*** NO FURTHER ENTRIES IN THIS COLUMN ***
*** END OF PERMANENT RECORD ***

February 6, 2000

Dear Dean Tesiderio,

I am writing on behalf of my husband, Aaron Vietz, in support of his graduating with honors from UNM Law School. Aaron worked hard to achieve good grades while in law school. I know his hard work and intelligence helped him attain a competitive clerkship and pass the New Mexico State Bar.

Aaron is not only a wonderful student (now clerk), he is also a wonderful husband. He has supported me wholeheartedly in my pursuit of a Ph.D. in clinical psychology. As part of a requirement for my degree, I must complete a one-year clinical internship at a site that has been approved by the American Psychological Association. The state of New Mexico has two such sites - the Southwest Internship Consortium at the VA Hospital & the Children's Psychiatric Hospital - both sites are located here in Albuquerque. Naturally, because Aaron still needed to complete one year in school, I applied for an internship in town. Because I have specialized in treating adults, I could only apply to the VA internship and not the child one. Applying for an internship here in Albuquerque and around the country is a very competitive process. On average, there are 3-9 positions at each internship site and 150-300 applicants ^{at each site} from around the country. Although I made my interests to stay and work here very clear to the Albuquerque VA, I was not accepted. Instead, I was accepted to the UCSD Internship Consortium in San Diego.

Because Aaron and I work as a husband and wife team, and our first team approach (for me to intern here) did not work out, we pursued our second team option. Our goals were to continue our respective educations and to stay geographically together, because we have a very close relationship. Hence, our second option was to move to San Diego where I could intern and Aaron could attend school as a visiting student. At the end of our year in San Diego, I completed my clinical internship for my degree, and Aaron fulfilled both UNM and USD visiting student requirements while achieving good grades.

I hope you will recognize Aaron with honors, because he is very worthy of this achievement. He is an individual with a strong work ethic and solid family values. In sum, he is a well-balanced individual; he has a good mind and a good heart.

I recall attending a family orientation meeting when Aaron began UNM law school. I remember being pleasantly surprised to hear how the school supported "non-traditional" students (e.g., people from different ethnic groups, people with families, older people, etc). Coming from a Mexican background with strong family values, I was impressed with the law school's emphasis on this issue. There aren't many men like Aaron who would support their wives' educational goals to the extent he has. Please recognize him with honors, a title he deserves for being a wonderful student while at the same time being a

wonderful husbands).

Thank you for your consideration.

Cordially,

Vanessa López Vicks

Aaron Viets
1400 Vassar NE, Apt. A
Albuquerque, NM 87106
(h) 262-4262; (w) 348-2223
aviets@stanfordalumni.org

Professor Jim Ellis
University of New Mexico School of Law
1117 Stanford NE
Albuquerque, NM 87131

February 17, 2000

Dear Professor Ellis:

I am writing to you and the rest of the UNM law school faculty to ask that you award me my J.D. diploma *cum laude* under the discretion given to you on page 29 of the current UNM Bulletin and Handbook of Policies.

I graduated from the law school in the spring of 1999. As some faculty members are aware, I completed my third year at the University of San Diego School of Law so that I could be with my wife, Vanessa. Vanessa is a UNM graduate student, in the Department of Psychology. One of the requirements towards her Ph.D. in Clinical Psychology is to complete a year-long internship. In contrast with, for example, a law school clinical requirement, the internship program for clinical psychologists in training is independent of each school's Psychology Department. Demand for space in psychology internship programs exceeds supply and competition is fierce. There are only two (at most) internship slots available each year in New Mexico for which several more eligible UNM students compete, along with hundreds of their peers across the country. Consequently, several students in UNM's Clinical Psychology program are forced to relocate each year for one calendar year to complete their degree requirements. My wife was among those during my third year of law school. She was not accepted for the only slot for which she was eligible in Albuquerque. Instead, the directors of an especially competitive consortium internship at the University of California, San Diego and the V.A. hospital in San Diego offered Vanessa a position to start in the summer of 1998, which she accepted.

Fortunately, the University of San Diego (USD) accepted me as a visiting student for the 1998-1999 school year. While there I earned high grades, as the attached letter from Assistant Dean Carrie Wilson notes. Grades at USD are "curved" and, for the classes in which I enrolled, that curve was pegged at a "C." A rule on page 24 of UNM Bulletin and Handbook of Policies states that for UNM students who visit elsewhere, "only passing grades (C or better) are transferable" and only for credit. Lower grades are

My vote is to give it to him
Jim Ellis

To: Denise Fort <fortde@law.unm.edu>, desi@law.unm.edu
From: "Peter A. Winograd" <winograd@law.unm.edu>
Subject: Re: Viets Petition
Cc: Mathewson@law.unm.edu
Bcc:
Attached:

Denise,

The Viets petition will be on the faculty agenda.

Please note that the law school's policies/procedures state that, "In the discretion of the faculty, a student who is ineligible for recognition under the above policy (minimum of 60 graded course hours) may receive special recognition for outstanding academic performance at the UNM School of Law."

I interpret this to mean the faculty can grant "special recognition...." to such a person, NOT that the person would graduate cum/magna/summa. If we allow the latter, the 60 graded credit hour minimum becomes meaningless and should be eliminated (and I believe that would be a mistake that would create many inequities, as people without the first-year here or with many hours of ungraded credit would become eligible for honors on the same basis as those with fully graded three-year course programs).

Incidentally, I assume the "special recognition" would be entered on Aaron's transcript. Also, I should note that there is another member of last year's class who did very well but did not qualify for cum laude honors because she, too, fell short of the 60 graded hour minimum. That case should also be considered for "special recognition."

Peter

At 01:32 PM 2/21/00 -0700, Denise Fort wrote:

>I am in strong support of Aaron's petition to graduate cum laude. I wanted
>to ask whether any one knew of any reason why it shouldn't be granted, and,
>if not, whether it is on the agenda for the next faculty meeting. Thanks,
>Denise

>

>I had Aaron in Advocacy many years ago and then used him as a tutor. He was
>an outstanding law student in every respect.

>

>

>

>

>Denise D. Fort
>Professor of Law
>University of New Mexico School of Law
>1117 Stanford, N.E.
>Albuquerque, NM 87131
>Telephone 505-277-1094

Date: Sun, 27 Feb 2000 13:23:06 -0800
From: "james m. klein" <fac3242@uoft01.utoledo.edu>
Subject: petition of aaron viets
X-Sender: fac3242@uoft01.utoledo.edu
To: desiderio@law.unm.edu
Cc: winograd@law.unm.edu
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.6 (32)

Dear Desi:

Aaron Viets, a 1999 UNM graduate and former student of mine when I visited at the University of San Diego Law School in Spring 1999, has asked me to support his request for cum laude status re his J.D. degree. In Spring 1999, Aaron was enrolled in Interviewing and Counselling, a course I co-taught with Allen Snyder. He received a High Pass in this three hour course. Aaron performed extremely well throughout the semester. He never missed class, prepared well and consistently for the simulation excercises we did each class, and overall, he was a solid contributor to the class. I also observed Aaron in "live-client" interviews at various sites throughout the San Diego area. Again, he was prepared and did a first-rate job. In sum, Aaron was one the top students in the class of approximately 25-30 students.

As I am sure you know, Aaron is a personable, bright young man. His positive attitude, discipline, and work ethic will no doubt lead to a successful career.

While I am not familiar with UNM's standard for granting an exception to the rule requiring 60 graded credits at the law school (he tells me he is four short because his four hours of law review were ungraded) to obtain cum laude status, I can attest to Aaron's ability and competence as a law student. I support his request.

If you have further questions, do not hesitate to contact me.

Sincerely,

Jim
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2/28/00