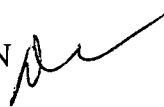




The University of New Mexico

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**MEMORANDUM**

**TO:** LAW FACULTY  
**FROM:** ROBERT J. DESIDERIO, DEAN   
**DATE:** APRIL 29, 2002  
**SUBJECT:** FACULTY MEETING

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**Faculty Meeting Agenda**  
**Tuesday, April 30, 2002**  
**Room 2405**  
**4:00 p.m.**

1. Approval of Minutes of April 9, 2002 Faculty Meeting
2. Dean's Report
3. Report on Library Financial Concerns – Professor Marsha Baum
4. Report of Curriculum Committee – Professors Nathalie Martin and Jennifer Moore
5. Additional Morning Break in Class Schedule – Professor Rob Schwartz
6. New Business

RJD:mb

April 30, 2002

Faculty Meeting Minutes  
UNM School of Law  
Room 2405, 4:00 p.m.

PRESENT: Marsha Baum, Natalie Martin, Scott Hughes, Barbara Blumenfeld, Marilyn O'Leary, April Land, Peter Winograd, Frank Gill, Rob Schwartz, Cheryl Wells, Gloria Valencia-Weber, Ted Occhialino, Barbara Bergman, Kip Bobroff, Michael Browde, Emlen Hall, Sherri Burr, Norman Bay, Leo Romero, Tim Canova, Alfred Mathewson, .

ABSENT: Elizabeth Rapaport, Denise Fort, Chris Fritz, Richard Gonzales, Scott Taylor, Jim Ellis, Antoinette Lopez, Margaret Montoya, Christine Zuni Cruz, Bill MacPherson.

At 4:10 Dean Desiderio called the meeting to order. The first order of business was to adopt the minutes of the April 9, 2002 faculty meeting. Professor Rob Schwartz made a motion to approve the minutes as distributed. It was seconded by Peter Winograd and when voted on, the motion carried.

#### Dean's Report

Dean Desiderio reminded the faculty of the requirement that all grades be submitted to the registrar within 30 days after the final examination. He also informed the faculty that moving into the Frederick M. Hart addition would begin on May 15th. He then congratulated Professors Jenny Moore and Christine Zuni Cruz, for being recommended by the Deputy Provost for tenure and promotion to professor, and Professor Scott Hughes, who was recommended by the Deputy Provost to be promoted to Associate Professor. The Dean also informed the faculty that Professor Jenny Moore had been awarded a Fulbright Scholarship to ~~Dar Shalom~~ for the next academic year.

*Tanzania*

#### Morning Break

Professor Rob Schwartz presented a proposal to add an additional 10 minutes of break time for a total of 20 minutes after each class that ends at 11:10 each day. This break would allow faculty and students to meet and talk with each other. Coffee, tea and other refreshments would be available during this time. Professor Schwartz moved that the proposal be adopted and Professor Gloria Valencia-Weber seconded the motion. The motion carried.

### Library Finances

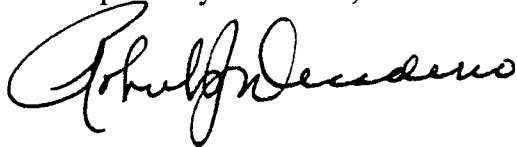
Professor Marsh Baum presented data concerning the state of the Library finances. Those data are attached to these minutes. She indicated that over the past few years, the library has been operating at approximately \$150,000 more than its state appropriation and that that money has mainly come from private donations. She further indicated that the reserve that had been accumulated from private foundations is almost depleted. Finally, she indicated that during the fall of next academic year, she would present a more complete picture of the Library finances.

### Curriculum

Professors Natalie Martin and Jennifer Moore, Chairs of the Curriculum Committee, reported to the faculty on the status of the Curriculum Reform Project. They indicated that they had presented a proposal to the faculty and that this proposal had been discussed at three open meetings. That proposal is attached to these minutes. They indicated that the Curriculum Committee would meet before the end of this academic year and report in writing to the faculty. They asked the faculty to review and discuss the report during the summer. They further asked that the Dean schedule a faculty meeting in September for discussion of the curriculum proposal.

The meeting adjourned at 5:00 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Philip J. DeCandia". The signature is written in a cursive style with a large initial "P".



## MEMORANDUM

TO: Law School Faculty  
FROM: Marsha Baum  
DATE: April 30, 2002  
RE: Library Book Budget

We have been very fortunate over the past few years not to have to cancel materials to maintain the collection. Next year, we may not be so fortunate.

For the past several years, we have relied upon accumulated donations and funds from vacant library positions to maintain the existing collection and to allow us to purchase new treatises. In the coming year, we will not have the cushion of the accumulated donations and will have filled all library vacancies.

In addition to the challenges of reliance on soft money to maintain the collection, the Law Library is struggling with the challenges of electronic versus print. These challenges include the rising costs of all materials, the need for suitable equipment to provide access to non-print resources, and the space demands of the print collection. As publishers remove their materials from LEXIS and Westlaw, the Law Library must decide how best to provide continued access to the information for faculty and students. With the move to electronic versions of publications that we have traditionally purchased in print, we have to be aware of the needs of our non-Law School patrons for access to information.

The information attached is only a preliminary report on the Library budget. We plan a detailed report on the Law Library's funding and expenditures for a faculty meeting early in the Fall 2002 semester. Rest assured that, while we may be talking to you about access to information and alternative sources, we do not plan to cancel materials immediately.

I thought it important to alert you to the status of the Law Library's budget and the potential impact on the collection and on faculty requests for materials. We will provide more information at a Fall 2002 faculty meeting and will be talking with you about the funding issues and challenges facing the Law Library.

Comparative Expenditure Data – Peer Institutions

1995/96

Serials

Iowa	\$900,210	14
Washington	649,087	48
Colorado	577,116	72
Utah	523,628	98
Nebraska	514,779	103
ASU	497,417	110
Houston	482,839	118
<b>UNM</b>	<b>421,145</b>	<b>133</b>
Kansas	397,115	140
Texas Tech	393,137	141

Books/Other

Iowa	\$310,500	10
Colorado	190,656	27
Texas Tech	110,581	69
Utah	74,892	111
Washington	68,697	121
Kansas	56,887	132
ASU	48,496	143
<b>UNM</b>	<b>32,174</b>	<b>159</b>
Nebraska	27,944	161
Houston	21,315	168

Total Expenditures for Materials

Iowa	\$1,306,920	7
Colorado	838,937	55
Washington	810,892	66
Utah	652,194	107
Nebraska	597,385	124
Texas Tech	556,161	135
Houston	552,456	136
ASU	552,002	137
Kansas	518,731	145
<b>UNM</b>	<b>501,898</b>	<b>147</b>

\*\*\* NO DATA SUPPLIED BY UNIVERSITY OF ARIZONA FOR 1995/96\*\*\*

1996/97

Serials		
Iowa	\$892,817	14
Washington	695,192	47
Colorado	620,926	70
ASU	577,216	82
Utah	565,488	87
Arizona	542,529	97
Nebraska	509,426	109
Kansas	432,356	135
Texas Tech	432,463	137
<b>UNM</b>	<b>406,890</b>	<b>145</b>
Houston	221,865	175

Books/Other		
Iowa	\$435,926	4
Houston	292,924	11
Colorado	159,729	35
Washington	143,373	43
Kansas	103,854	80
Utah	62,797	121
Texas Tech	51,226	137
ASU	45,300	145
<b>UNM</b>	<b>30,242</b>	<b>161</b>
Arizona	29,410	163
Nebraska	28,473	164

Total Expenditures for Materials		
Iowa	\$1,428,852	8
Washington	937,166	37
Colorado	847,918	61
ASU	725,994	91
Utah	683,447	101
Arizona	630,715	118
Kansas	605,923	126
Nebraska	595,569	131
Houston	594,381	132
Texas Tech	536,050	143
<b>UNM</b>	<b>483,134</b>	<b>160</b>

1997/98

Serials

Iowa	\$1,004,144	9
Colorado	717,365	48
Washington	637,116	69
Utah	609,195	80
Nebraska	558,986	98
ASU	554,172	99
Arizona	553,415	107
Houston	511,975	116
<b>UNM</b>	<b>473,965</b>	<b>126</b>
Kansas	460,649	131
Texas Tech	210,969	174

Books/Other

Iowa	\$498,418	6
Texas Tech	271,380	15
Colorado	118,995	64
Kansas	96,299	86
Washington	70,746	109
Utah	62,619	124
Arizona	58,858	128
ASU	56,146	131
Nebraska	40,548	150
<b>UNM</b>	<b>36,617</b>	<b>153</b>
Houston	30,292	166

Total Expenditures for Materials

Iowa	\$1,605,180	4
Colorado	903,781	58
Washington	796,575	80
Utah	746,745	94
ASU	680,277	113
Arizona	653,552	120
Nebraska	652,156	122
Houston	642,355	128
Kansas	625,183	133
<b>UNM</b>	<b>564,039</b>	<b>144</b>
Texas Tech	540,627	153



1998/99

Serials

Iowa	\$1,202,518	4
Washington	789,155	40
Colorado	682,684	68
Utah	618,224	89
ASU	616,180	90
Nebraska	579,116	102
Arizona	568,506	105
Houston	544,170	111
<b>UNM</b>	<b>530,093</b>	<b>118</b>
Kansas	473,192	135
Texas Tech	185,096	175

Books/Other

Iowa	\$383,413	8
Texas Tech	258,879	19
Colorado	145,573	48
Washington	141,269	55
Arizona	94,764	92
Utah	77,375	113
<b>UNM</b>	<b>75,907</b>	<b>114</b>
ASU	66,607	121
Kansas	48,769	145
Nebraska	45,946	150
Houston	28,986	168

Total Expenditures for Materials

Iowa	\$1,691,752	5
Washington	1,022,542	41
Colorado	892,566	71
Utah	754,374	101
ASU	740,802	105
Arizona	739,082	107
Houston	708,192	112
Nebraska	674,260	123
<b>UNM</b>	<b>661,266</b>	<b>128</b>
Kansas	596,240	143
Texas Tech	508,858	166

1999/2000

Serials

Iowa	\$1,219,818	8
Washington	768,351	59
Colorado	763,871	61
Houston	741,668	65
Utah	650,310	94
Nebraska	637,208	98
ASU	636,101	99
Arizona	620,621	104
<b>UNM</b>	<b>514,343</b>	<b>142</b>
Kansas	521,529	137
Texas Tech	491,269	153

Books/Other

Iowa	\$385,793	9
Houston	164,553	34
Arizona	97,223	84
<b>UNM</b>	<b>88,966</b>	<b>96</b>
Texas Tech	77,775	109
Utah	72,338	114
Washington	70,157	119
Colorado	51,314	140
ASU	43,553	150
Kansas	42,555	151
Nebraska	25,111	173

Total Expenditures for Materials

Iowa	\$1,786,251	5
Houston	1,056,621	46
Washington	917,663	71
Colorado	881,675	82
Arizona	795,221	102
Utah	782,787	106
ASU	742,072	124
Nebraska	717,219	131
<b>UNM</b>	<b>679,473</b>	<b>141</b>
Texas Tech	647,488	148
Kansas	640,068	149

2000/2001

Serials

Iowa	\$1,345,940	6
Washington	863,024	44
Colorado	824,351	53
Utah	720,267	75
Nebraska	691,100	89
ASU	691,612	88
Arizona	630,712	108
Houston	630,142	109
<b>UNM</b>	<b>558,740</b>	<b>129</b>
Kansas	551,119	131
Texas Tech	407,375	171

Books/Other

Iowa	\$460,137	7
Arizona	174,210	36
Houston	132,506	58
<b>UNM</b>	<b>100,559</b>	<b>86</b>
Texas Tech	98,003	88
Washington	95,920	91
Utah	83,634	108
Kansas	77,921	114
ASU	36,661	156
Nebraska	31,093	165
Colorado	5,237	181

Total Expenditures for Materials

Iowa	\$1,921,470	5
Washington	1,036,954	58
Colorado	896,996	88
Arizona	878,792	91
Houston	868,239	92
Utah	842,782	100
ASU	786,880	112
Nebraska	769,890	118
<b>UNM</b>	<b>727,327</b>	<b>130</b>
Kansas	702,263	136
Texas Tech	587,487	163

# Memorandum

**To:** ?

**From:** Curriculum Committee

**Date:** 4/30/02

**Re:** Revised Discussion Draft: Proposal for Revised First Year/First Semester Curriculum  
(This draft was created after the Curriculum Committee meeting on February 12, 2002, and reflects the consensus of the committee members present at that meeting).

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**OVERVIEW:** The new first semester curriculum that we are envisioning would divide the first year class into three sections of roughly 36 students each. Each section will have its own team of five instructors, including two writing/LRRW teachers and three doctrinal teachers, most probably Property, Contracts and Torts, given the potential for integration across these areas. Each of the three sections will divide into three practicum groups (for a total of nine practicum groups). Thus each first year student will belong to a 36-student section for the purposes of the three doctrinal courses, an 18-student writing class, and a 12-student practicum. One additional comparative course placing law in a social context will meet in plenary session during the first semester as well. Each of the three doctrinal courses will be four-credit courses, the Law and Society or Perspective course will be a two hour course and LWRW will be a three-hour course. No extra credits will be given for the practicum, but the work in that class will be required in order to pass the other courses.

**COLLABORATION:** The three doctrinal instructors of a given section will work in consultation with one another during the previous semester to prepare their individual course materials, as well as hypothetical exercises designed to apply legal concepts to practical situations. During the semester, separate classes will be held two or three times a week for each subject (whether legal writing or the three doctrinal areas), plus joint lectures three or four times a semester. The joint lectures will revolve around themes drawn from all three doctrinal areas, with a writing component as appropriate. (Examples: comparative approaches to remedies; warranties in contract and property as compared to strict liability in tort; warranty-drafting exercise, etc.) The writing teachers will integrate with the assigned team as desired, under the direction of Barbara Blumenfeld.

**TUTORIALS:** Each of the three doctrinal teachers will hold weekly practicum sessions with their 12-student practicum group. During these practicums, students will discuss practical applications of the concepts explored in class. The hypotheticals might include an ethical question, a drafting aspect, and/or an analytical component requiring the application of legal precedent and concepts to specific factual circumstances. Students will work individually to prepare responses to exercises and then come together to present, discuss, draft and strategize in the group setting, facilitated by their individual instructor. The same 12 students will meet regularly with the same teacher, encouraging the establishment of continuity and group solidarity over the course of the semester.

**EVALUATION:** Each doctrinal teacher will be encouraged to evaluate their students based on the criteria other than the current one-exam method. Particular evaluation criteria will be determined by each team. It is anticipated that grades will remain consistent with the existing informal grading curve. Some suggested additional grading components might include: a midterm exam; weekly student journal entries (pass/fail basis); a skills-based grade component; and/or written exercises, ideally building on practicum hypotheticals.

**LAW & SOCIETY:** A fifth class will be taught in a plenary section (the entire first year class), that would be a perspectives class, that may touch on Law and Society, Family Law, International Law, or another appropriate subject area, or perhaps a combination of several areas. This course will have two lecture-discussion meetings per week, with the option of monthly breakout sessions facilitated by the tutorial leaders. The existing legal history class would be moved to the spring semester.

**EXPANDED SEMESTER FOR THE FIRST YEAR:** The first semester would be one week longer for first-year students than it currently is. First-year students would initially take a two to three-week introduction to the law course, which would introduce legal history, civil procedure, and legal ethics. The regular first semester would start thereafter.

**REFLECTION PAPER BETWEEN THE FIRST AND SECOND YEAR:** Prior to beginning the second year of law school, the students will turn in a paper in which they consider their experiences during the first year and how they have affected their view of the law and lawyer's role in society.

FACULTY MEMBER	11/20/01	2/5/02	2/26	3/19	4/9	
BAUM	✓	✓	✓	✓		
BERGMAN	✓	✓	✓	✓		
BLUMENFELD		✓	✓			
BOBROFF	✓		✓	✓		
BROWDE	✓	✓	✓	✓	✓	
BURR	✓	✓		✓		
CANOVA	✓	✓	✓			
CRUZ	✓	✓	✓	✓	✓	
DESIDERIO	✓	✓	✓	✓	✓	
ELLIS	✓		✓			
FRITZ						
FORT	✓		✓	✓		
GILL	✓	✓	✓			
GONZALES			✓			
HALL	✓	✓	✓	✓	✓	
HART						
HUGHES	✓	✓	✓	✓	✓	
KELLY			✓			
KOVNAT			✓			
LAND	✓	✓	✓	✓	✓	
LOPEZ	✓	✓	✓	✓		
MACPHERSON	✓	✓	✓			
MARTIN	✓	✓	✓	✓	✓	
MARTINEZ	✓		✓			
MATHEWSON	-	✓		✓	✓	
MONTOYA	✓		✓		✓	
MONTOYA-LEWIS		✓	✓			
MOORE	✓	✓	✓		✓	
NORWOOD	✓	✓	✓			
OCCHIALINO	✓	✓	✓	✓	✓	
RAPAPORT	✓	✓	✓	✓		
ROMERO	✓	✓	✓	✓	✓	
SCHWARTZ	✓	✓	✓	✓	✓	
TAYLOR	✓	✓	✓	✓	✓	
VALENCIA-WEBER	✓	✓	✓	✓	✓	
WINOGRAD	-	✓	✓	✓	✓	
WOLF	-		✓			
Isaacson						
Adams				✓		
Willow	✓					

O'Leary  
Bay  
Nathanson  
Deloria  
Pilar Gonzales

✓ ✓ ✓ ✓ ✓  
✓ ✓ ✓ ✓ ✓  
✓ ✓ ✓ ✓ ✓  
✓ ✓ ✓ ✓ ✓  
✓ ✓ ✓ ✓ ✓

*File for next  
semester 8/27*

# Memorandum

**To:** Faculty

**From:** Curriculum Committee

**Date:** 5/7/2002

**Re:** Revised Discussion Draft: Proposal for a New First Year/First Semester Curriculum (This draft is the product of numerous discussions of the Curriculum Committee, two open meetings of the faculty and further dialogue with individual faculty members.)

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**INTRODUCTION:** Below is a proposed model for a new first year/first semester Law School curriculum. The proposal is being distributed to the full faculty for your consideration during the summer, in preparation for the recruitment of faculty to implement the program during the 2003-04 academic year. It is anticipated that during the 2002-03 academic year, faculty recruited for the new curriculum will work together to prepare materials and plan for the upcoming academic year.

**OVERVIEW:** The new first semester curriculum that we are envisioning would divide the first year class into three sections of roughly 36 students each. Each section will have its own team of five instructors, including two writing/LRRW teachers and three doctrinal teachers, most probably Property, Contracts and Torts, given the potential for integration across these areas. The second semester courses are likely to be Criminal Law, Civil Procedure and LAP. Each of the three sections will divide into three practicum groups (for a total of nine practicum groups). Thus each first year student will belong to a 36-student section for the purposes of the three doctrinal courses, an 18-student writing class, and a 12-student practicum. One additional comparative course placing law in a social context will meet in plenary session during the first semester as well. Each of the three doctrinal courses will be a four-credit course, the Law and Society or Perspective course will be a one-hour course and LWWR will be a three-hour course. No extra credits will be given for the practicum, but the work in that class will contribute to the grades received in the other courses.

**COLLABORATION:** The three doctrinal instructors of a given section will work in consultation with one another during the previous semester to prepare their individual course materials, as well as hypothetical exercises designed to apply legal concepts to practical situations. The instructors in a given section will determine among themselves how they wish to collaborate. During the semester, separate classes will be held two or three times a week for each subject (whether legal writing or the three doctrinal areas). In addition, instructors in a given section are encouraged to plan and present joint lectures three or four times a semester. The joint lectures will revolve around themes drawn from all three doctrinal areas, with a writing component as appropriate. (Examples: comparative approaches to remedies; warranties in contract and property as compared to strict liability in tort; warranty-drafting exercise, etc.) The writing teachers may integrate with the assigned team, under the direction of Barbara Blumenfeld.

**PRACTICUMS:** Each of the three doctrinal teachers will hold weekly practicum sessions with their 12-student practicum group. During these meetings, students will discuss practical applications of the concepts explored in class. These applications might involve ethical questions, drafting exercises, and/or analytical components requiring the application of legal precedent and concepts to specific factual circumstances.

May 7, 2002

Students will work individually to prepare responses to the exercises and then come together to present, discuss, draft and strategize in the group setting, facilitated by their individual instructor. The same 12 students will meet regularly with the same teacher, encouraging the establishment of continuity and group solidarity over the course of the semester.

**EVALUATION:** Each doctrinal teacher will be encouraged to evaluate their students based on criteria other than the current one-exam method. Particular evaluation criteria will be determined by each team. It is anticipated that grades will remain consistent with the existing informal grading curve. Some suggested additional grading components might include: a midterm exam; weekly student journal entries (pass/fail basis); a skills-based grade component; and/or written exercises, ideally building on practicum hypotheticals.

**LAW & SOCIETY:** A fifth “perspectives” class will be taught in a plenary section (the entire first year class), that may touch on Law and Society, Family Law, International Law, or another appropriate subject area, or perhaps a combination of several areas. This course will have one lecture-discussion meeting per week, with the option of monthly breakout sessions facilitated by the practicum leaders. It is anticipated that the existing legal history class would be moved to the spring semester.

**EXPANDED ORIENTATION:** One week will be added to the first semester for first -year students, to allow for an expanded orientation program, which will introduce critical skills and fundamental legal concepts. The regular first semester would start thereafter.

**ASSESSMENT:** A mechanism will be established for student assessment of the first semester curriculum.