

Chapman, Reva

From: Scarnecchia, Suellyn
Sent: Sunday, April 25, 2004 1:19 PM
To: Faculty
Cc: Chapman, Reva; Senior Admin Staff
Subject: Faculty Meeting Agenda

Reva, please forward to student representatives.

This Tuesday, April 27, will be the last faculty meeting of the year. We will meet at 4pm in Room 2405.

The Agenda:

1. The Advanced Legal Writing Requirement -- Curriculum Committee / Associate Dean Moore.
2. Budget, staffing and fundraising update -- Dean Scarnecchia.
3. Discussion concerning the future staffing of the DA Clinic -- Associate Dean Sedillo Lopez.

Suellyn Scarnecchia
Dean, University of New Mexico School of Law
1117 Stanford NE
Albuquerque, NM 87131
505-277-4700
scarnecchia@law.unm.edu

Faculty Meeting Minutes
April 27, 2004

Present: Scarnecchia, Baum, Winograd, Gonzales, Torracco, Gomez, Moore, Schwartz, Hall, Romero, Sedillo Lopez, Zuni-Cruz, Valencia-Weber, Martinez, Occhialino, Norwood, Bobroff, LaVelle, Daniels, Land, Suzuki

Students: Bradley, Carillo-Cruz

The meeting was called to order at 4:08 pm.

I. Announcements

- A. Dean Scarnecchia announced to the faculty that the Governor's office has confirmed that he will be this year's commencement speaker.
- B. Several faculty and staff are celebrating anniversaries of 15 or more years at UNM. They were congratulated with a round of applause.
- C. Word from the Provost's office has it that, although no formal decision has been made, the Associate Provost has recommended tenure for Hughes, Martin and Land.

II. Minutes

- A. It was moved by Romero and seconded to amend the minutes of February 3 to mention that the offer of the Library Director position was made to Carol Parker. The motion carried, and the minutes were approved as amended.
- B. The minutes of March 30 were approved, unamended.
- C. The minutes of April 13 were approved, unamended.

III. Curriculum Committee draft on the Advanced Writing Requirement.

- A. The discussion draft, attached, was distributed to the faculty, and Jenny Moore presented on it and introduced the committee (Moore, Martin, Martinez, Sedillo Lopez, Baum, Derek Weems, Kelly Waterfall, Beth Kotny).
- B. A suggestion was made by Hughes that a model like the Graduate School's be considered, including more bureaucratic involvement, i.e., involving a staff member in monitoring and coordination. He thought perhaps the Student Services Director could be involved.
- C. Bobroff suggested posting a list of ideas of topics on the web. Moore added to this idea by suggesting a link from a course to past and potential topic lists.
- D. Schwartz expressed concern regarding the faculty time commitment in advising on student papers. He asked that there be a way to spread the responsibilities around, i.e., a single faculty member shouldn't advise on more than four or five papers. He also asked why the writing requirement requires such a large paper. Sedillo Lopez stated that she feels that it demonstrates that students are able to do deep, intensive legal research.
- E. Norwood pointed out that requiring students to register by the end of second year doesn't allow for 3rd year instructors as advisors, and limits the potential topics. He also pointed out that some of the projects he and Land have assisted students in demonstrate the same intensive legal research as the writing requirement, but don't meet the criteria to satisfy that requirement. They are not academic papers, but guides.
- F. Valencia-Weber commented on how she requires her seminar papers to be structured and what the time limits are. She also stated that several of her students have found their writing requirement topics out of her seminars.
- G. Occhialino suggested that as an incentive to students and faculty advisors, each paper's title and faculty advisor should be published in the Bar Bulletin, and that any member of the Bar can request a copy of a paper. This was a course of action that was committed to previously, but had been abandoned.

- H. Hughes suggested moving the deadline for the writing requirement from the end of the third year to earlier in that year, i.e., February 15.
- I. Winograd noted that the honor students and their topics are published in the Bulletin. The problem with outside readers is that it can take a very long time to get the papers back.
- J. Bobroff asked if there had been any discussion of adopting a grading policy. Moore explained that the committee hadn't focused on a grading policy.
- K. Hall noted that the Journals play a big part in satisfying the writing requirement.
- L. Romero noted that the faculty needs to be committed to the development of standards. He also noted that a limit on the number of papers to be supervised by a faculty member needs to be set.
- M. Moore suggested that the faculty provide further feedback to her and other Committee members, not just on the discussion draft, but the larger discussion. The Committee will then meet to address the feedback.

IV. Budget Update

- A. Dean Scarnecchia set forth her goals regarding the budget: transparency, inform people on issues regarding hiring, and to ask for advice.
- B. She noted that the budget is not balanced because of a deficit, and the trend is to increase the deficit each year. She believes that this trend can be reversed.
- C. There is a large gap between the law school operational expenses and what the University gives us to operate (which hasn't changed much in 20 years). Other streams of income help offset expenses, but they are not significant enough to bring the law school out of the deficit.
- D. The library does not have a deficit only because they ceased acquisitions early in the year.
- E. Gonzales' retirement will fund the Library Director and Winograd's will fund the new tax position. There will be two open positions – Kelly and Canova – next year. Dean Scarnecchia would like to delay hiring for these positions.
- F. Dean Scarnecchia will be asking for help from the Provost's office. She also has goals to double the endowment over the next five years, increase annual fundraising, obtain grants to cover partial faculty and staff salaries, increase revenue through additional programs, control leaves and course releases to decrease need for temporary faculty, and to improve monitoring of the budget and control of expenses.
- G. Occhialino moved that the faculty, in the fall of 2005, engage in a search for and hire two persons for full-time, tenure-track positions, on the faculty. One of those persons will teach primarily business courses, including Business Associations. For that position, expertise and teaching interest in the related fields of Commercial Law and International Business Transactions is also desirable. The second person will teach primarily on exclusively Natural Resources and Environmental Law. The motion was seconded, and then Occhialino moved to table the motion until the first faculty meeting in the fall semester of 2004, and that was seconded. On voice vote, the motion passed and the motion was tabled.

V. DA Clinic

- A. Sedillo Lopez stated that they have been receiving many faxes, emails, letters, etc. from people outside of the law school in support of continuing the DA clinic, and that there are concerns that the DA clinic will not continue to be staffed.
- B. Lisa Torracco has been staffing the DA clinic as a visiting professor for two years, and as an adjunct professor for six years prior to that, and next year ends her eligibility to teach at the law school as a visiting professor.

- C. Dean Scarnecchia stated that, to the extent that she is able to control it, she has no intention of closing the DA clinic.
- D. A new three to five year plan is needed for the Clinic, as the law school is at the end of its current clinic plan. Faculty who are interested in teaching in the clinic need to meet over the summer to develop a plan for the whole Clinic, including the DA.

The meeting was adjourned at 5:52 pm.

Respectfully submitted,

Reva M. Chapman
Administrative Assistant to Dean Suellyn Scarnecchia

Attachment

Discussion Draft from Curriculum to Faculty on the Advanced Writing Requirement
April 2004

The Curriculum Committee was charged by the Dean to explore ways to improve the writing requirement at UNM SOL. The Committee has devoted three meetings to discussing the advanced writing program this semester, and we have also elicited input from second and third year students, in addition to benefiting from the regular input of our three student representatives. We started by asking ourselves two questions, which we'd like to propose to the faculty as a starting point for further discussion:

- a. What is the purpose of the advanced writing program?
- b. What are the appropriate ways to meet the requirement?

Below are some ideas that represent the consensus of the Curriculum Committee in beginning to address these questions. Please consider them as a way to help facilitate our discussion:

1. Standards for meeting the writing requirement need to be both rigorous and clearly articulated. The essence of the advanced requirement is a writing project that includes careful topic-formulation, in-depth research, creative thesis-development, rigorous analysis and presentation of relevant law and policy, thorough drafting, effective organization, and systematic revisions, in regular consultation with at least two faculty readers. The page length will vary depending on seminar or class requirements, or the terms of the independent study proposal. However, in most cases the writing requirement will entail submission of a paper of 30-50 pages.
2. The writing requirement can be met through a paper written for a seminar taught by a faculty member, a paper written for a "planning"/drafting course (which might entail the drafting of pleadings, motions, contracts, wills, etc.), a paper written (or completed) under the auspices of an independent study, or a Note/Case Comment written for one of the law journals. Students benefit from a range of options in satisfying the writing requirement. Therefore efforts should be made to increase the number of seminars, drafting courses, and other experiences that will potentially satisfy the writing requirement.
3. The advanced writing program will benefit from related changes in the curriculum, including increasing the number of courses that meet the writing requirement. In addition, the further development of course progressions (so-called "families" of courses, in which foundational courses lead to more advanced courses) is likely to increase the opportunities for advanced written work. The additional offering of courses which focus on the development of advanced writing skills will improve students' abilities to write scholarly papers and practice-oriented documents.
4. While written work submitted in the context of "planning"/drafting courses is valuable, particularly in preparing students for the practice of law, it is fundamental that such courses be carefully evaluated to ensure that they in fact provide students with the opportunity to develop creative topics, engage in legal research, and present thoughtful legal analysis in the context of a well-drafted and revised legal document. Therefore, in order to meet the writing requirement, in addition to preparing the appropriate legal documents (business plans, wills, contracts, etc.),

students enrolled in planning courses will be required to write companion memoranda in which they lay out the applicable legal standards that govern the documents they have prepared. (Total work product for planning courses should be from 30-50 pages, as with seminar papers and other writing submitted for the advanced writing requirement.) Further, like students who write seminar papers (independent study papers or Notes/Case Comments), students in planning courses will be required to have two readers to review and certify that their final product meets the writing requirement.

5. Students should be required to file with the Law School Registrar a plan for meeting the writing requirement by no later than the end of the second semester of their second year. This plan must include the topic for the written work, as well as the identification of the context in which the work will be completed. This would include a seminar, a planning/drafting course, an independent study, a journal Note, etc. The plan would also identify the two professors who will advise the work and serve as first and second readers, either under the auspices of a course, law review, or independent study. Each student's topic and faculty readers would be posted on the law school intranet. In this way, students would have an avenue to discover their mutual interests in specific legal areas, and, faculty members would be able to observe the distribution and variety of writing requirement topics.