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School of Law Annual Report 1997-1998

School of Law Dean

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STAFF APPOINTMENTS AND SEPARATIONS

Visitors:

Professor Jay Dratler taught at the Law School during the spring semester as an exchange visitor from William S. Richardson School of Law, University of Hawaii at Manoa. Professor Dratler taught Antitrust Law and Intellectual Property. Edward Godfrey, former dean at the University of Maine Law School and former Maine supreme judicial court justice, taught Conflicts of Law in the spring. Barbara Blumenfeld completed her third year as a Visiting Assistant Professor of Law, directing the Law School’s first year writing program. Barbara Creel, Visiting Lecturer III, assisted in the supervision and training of students enrolled in the Community Lawyering Clinic. Lisa Waggoner, also a Visiting Lecturer III, supervised students enrolled in the D.A. Clinic.

Permanent Faculty:

April Land began a tenure-track appointment as an assistant professor of law. She taught Clinical Law courses both semesters. Kip Bobroff also began an appointment as an assistant professor. He taught Property I, Advocacy, and Law and Economic Development in Indian Country.

Adjuncts:

The Law School continued to strengthen its ties with the legal community. The following adjunct professors taught during the year: Mark Bennett, Santa Fe mediation consultant; Stuart Butzier, Modrall Law Firm; Sam Deloria and Toby Grossman, American Indian Law Center; Dr. William Foote, Albuquerque clinical and forensic psychologist; Franklin Gill, Director, U.S.-Mexico Law Institute; Evan Hobbs, Keleher & McLeod; Daniel Pick, Laflin, Lieuwen, Tucker & Pick; Courtenay Keller and Sylvia Martinez, District Attorney's Office; Marte Lightstone, Miller, Stratvert, Torgerson & Schlenker; Leslie Mansfield and Aliza Organick, Miners Legal Resource Center; Anita Miller, Miller, Lucero & Associates; Nan Nash, Director, Court Alternatives, Second Judicial District; Edward Pearson, City Attorney's Office; Benjamin Roybal and Deborah Thal, Rodey Law Firm; Maureen Sanders, Sanders & Westbrook; Steven Scholl, Sharp, Jarmie & Scholl; Judith Schrandt, Swaim & Schrandt; Alison Schuler, Schuler, Messersmith & MacNeill; and Rebecca Sitterly, Espinosa, Sitterly & Associates.

Staff:

Jan Hosea resigned as the Law School's Development Officer at the end of December. That position remained unfilled until recently.

ADMISSIONS & FINANCIAL AID

Entering Students

The University of New Mexico School of Law received 734 applications for the class that entered Fall 1997. Of that group, 251 were admitted. For the entering class, the 25 percentile LSAT and UGPA was 151 and 2.80; the 75 percentile was a 160 and 3.52. The LSAT range was 175 to 140. The UGPA range was 4.07 to 2.24. The average age on entry was 29. The class of 102 residents and 16 nonresidents had 57 percent women and 39 percent minority students. Twenty entering students had advanced degrees.

The law school also enrolled 11 transfer students and 3 visiting students.

Recruitment

The law school recruited students at Eastern New Mexico University, New Mexico Highlands University, St. John's College in Santa Fe, the College of Santa Fe, New Mexico Institute of Mining and Technology, New Mexico State University, The University of New Mexico, and Western New Mexico University. A recruitment team visited each of the institutions. Visits included either a general meeting on campus or a meeting with the pre-law society, meetings with appropriate classes, and participation in the University's career day. Students were also recruited by the director of admissions at special law days held at The University of Arizona and Arizona State University.
addition to on-campus visits, the law school held an evening pre-law night program and an open house for all prospective applicants. The Open House Program consists of a question and answer period conducted by the director of admissions and student organization representatives, student-led law school tours, and a visit to a first-year class. Accepted Applicant's Day was held in April. The law school also participated in UNM's early outreach programs, including the general high school visitation day, the African American Student program for high school juniors, and American Indian Student Day for high school juniors and seniors.

In addition, the law school participated in LSAC’s National Minority Recruitment Month initiative. The University of New Mexico School of Law held a morning program for high school juniors and seniors to learn about law school and the legal profession on February 25, from 8 a.m. to 11:30 a.m. Sixty students from four Albuquerque high schools met with local lawyers, faculty and law students over breakfast at the law school. The attorneys shared their experiences, which ranged from heading up the civil division at the U.S. Attorney’s Office to maintaining a solo practice. The director of the law school’s clinical program and the director of Career Counseling and Placement also made brief presentations on legal careers.

The students and their sponsors traveled by bus from Albuquerque High School, Highland High School, Rio Grande High School, and Valley High School. Following the breakfast, the students received a brief introduction to torts from Prof. James Ellis and Prof. Ann Scales before sitting in on their classes.

We continued to improve law school publications and to develop brochures about our special programs. A brochure about our U.S.-Mexico Law programs was produced and also a redesign of the law school catalog was completed.

Financial Aid

With few exceptions, law school grant assistance is need-based. Because grant funds are very limited, the school has been able to provide only modest grant assistance.

In 1997-98, the school made grant awards to 54 students or 15.8 percent of the student body. Grants ranged from $500 to $5,000. The median grant was $3,612. The total amount awarded was $169,450. Law school grant decisions are made by the law school financial aid committee, based on information provided on the Access diskette. All law students under the age of 40 must include parental information as a part of the need analysis.

Law school tuition was $3,612 for residents and $12,116 for nonresidents. In addition, students were charged $135 for computer and duplicating fees.

As the law school's limited funds do not meet the realistic needs of our students, many students must depend heavily on loans. In 1997-98, 144 law students borrowed a total of $2,023,295 from outside sources, (Federal Perkins, Federal Direct Subsidized and
Unsubsidized, Loan programs, Law Access and Law Loans private loan programs) to finance their law school education.

During the 1997-98 year, the law school had for the first time, a UNM central office financial aid counselor assigned to and housed in Bratton Hall. The counselor served all law students and nursing and pharmacy students. This situation was highly preferable to the old arrangement. Unfortunately, the counselor resigned in mid-January because of a spouse employment transfer. While the financial aid office replaced the counselor, the director did not place that individual in the law school. We will continue to work to have a counselor reassigned to and housed in the law school to better meet the financial aid needs of our students.

CURRICULUM COMMITTEE

The Curriculum Committee accomplished the following in the 1997-98 academic year:

1. The Committee reviewed the mandatory grading curve policy and recommended that it be abolished. The faculty approved the recommendation.

2. Students presented the Committee with petitions for more offerings in the area of, and for a certificate program in, Children’s Law. The Committee responded by adding course offerings in the area. These included Children’s Health Policy & Practice I and Children’s Law in the spring semester. Indian Child Welfare is a regular course offering in the subject area. The Committee also bifurcated Family Law into Family Law II (Children’s issues) and Family Law (Marriage and Divorce). The former was offered this fall. In addition, a series of colloquiums entitled “Conversations About Children, Parents and the Law” is being offered by Professor Jim Ellis and Lee Teitelbaum, Professor and former Dean at the University of Utah and former professor here.

3. The Committee recommended a major change in the First Year Curriculum. For a number of years, the First Year fall curriculum divided all but two courses into two sections. One exception was Legal Reasoning, Research and Writing, which was divided into six sections. The other was one of the three substantive courses (the specific one varied from year to year) which offered a third section for targeted students. The Committee recommended that Property I be divided into four sections and that no section be designated for targeted students. The Committee also recommended that the professors assigned collaborate in teaching the course and that the course provide opportunities for students to develop oral communication skills and contain a writing component. It also recommended enhancing the tutorial program in both fall and spring semesters and the implementation of a course during the summer after the First Year for those students in academic difficulty.

4. The Committee also added a seminar entitled “Professionalism: Ethics and Management.” The class will be open to first year students.
The Committee is considering the following matters this academic year:

(a) The implementation or revision of the Legal Writing Program revision approved by the faculty should be implemented in the 1999-2000 academic year;

(b) The design of the second Summer Program;

(c) Giving students the option to take 1 to 2 classes on credit/D/F basis as a matter of course;

(d) Increasing the number of credit hours;

(e) Awarding credit for undergraduate Navajo language courses as a part of Indian Law Certificate Program or similar courses;

(f) The realignment of first year courses such that Civil Procedure I would be offered in the fall semester;

(g) Review of Property I small section arrangement;

(h) The Summer 1999 Clinic lineup;

(i) Addition of certification programs or development of subject area concentrations;

(j) Building an ethics component into the First Year curriculum;

(k) Incorporation of courses on professionalism into the curriculum;

(l) Reducing the number of courses offered in order to grant release time for faculty scholarship, teaching preparation or other projects; and

(m) Allowing students to take more than one externship.

The list may expand or contract at the year proceeds. It expects to handle some of these items expeditiously, particularly those which must be resolved in order to make course assignments for next year. The Committee still intends to try again to produce a two-year rotating curriculum.

INDIAN LAW CERTIFICATE PROGRAM

During the 1997-98 academic year, the Indian Law Certificate (ILC) Program developed some new instructional experiences. The students enrolled in the Certificate program or in the Indian law courses had enhanced opportunities.
A new course, Law and Economic Development in Indian Country was offered by a new faculty member, Assistant Professor Kenneth (Kip) Bobroff. The course was offered in conjunction with Professor Ted Jojola, School of Architecture and Land Use, so the law students were engaged with architecture and land use planning students on issues involved in the urban development in the Albuquerque area. The development issues affecting the city and the adjacent pueblos and tribes allowed the law students to apply their knowledge to practical situations.

Professor Charles DuMars’ course, Indian Water Law, became a regularly offered course. With the ever increasing importance of water as a resource, this course has attracted enrollments from the students in Natural Resources as well as those with Indian law interests.

In the Southwest Indian Law Clinic (SILC) in the Spring semester, a field trip to Laguna Pueblo introduced all the students in the clinic (not just the SILC students) to the Laguna Pueblo. The students spent the day there and were introduced to the legislative, executive, and judicial functions of the Pueblo government. A similar experience, with Isleta Pueblo Tribal Court, occurred in July 1998 during the Summer SILC.

In other SILC activities, the Director, Professor Christine Zuni Cruz and Adjunct Professor Barbara Creel were invited to present papers on community lawyering at the UCLA International Clinical Law Conference in October 1997. Their papers are scheduled for publication in the Clinical Law Review Journal.

The Fourth Annual Academic Convocation and Gathering of Communities was held on October 9, 1997. The event focused on the Thirtieth Year since the the Law School and the American Indian Law Center began the Pre-Law Summer Institute (PLSI). There were 25 or fewer Indian attorneys in the U.S. in 1967, so preparing Indian students for law schools across the country was pioneer work begun under the leadership of the Dean Thomas Christopher and Fred Hart. Thomas Christopher. PLSI has been a major force in nurturing the Indian attorneys who now number some 2000. The decisions made thirty years ago also seeded the development of Indian law as a significant part of the UNM law curriculum.

The Convocation resulted in a number of stories in newspapers, especially since on the day of the Convocation President Clinton announced the appointment of Kevin Gover to Assistant Secretary of the Interior, Bureau of Indian Affairs. Gover is both a PLSI and UNM Law school alumni.

Fall 1997 began with a total of 30 American Indian and Chamorro students from the Marianas. UNM's students achieved almost a complete sweep of the National Native American Law Students Moot Court. Six students represented UNM. Two students, Bidtah Becker and Paul Spruhan, were the top team at the competition; with a top rated brief, and Spruhan received an award for best oral advocate.
In May 1998 the Law School graduated a significant number of Indian students, thirteen in total. Of these students, seven completed the requirements of the Certificate. Since May 1995 when the ILC was first awarded, twenty-seven students have earned the Certificate and twenty of them are indigenous.

The knowledge and expertise of our Indian law faculty results in invitations to our professors for presentations. Besides the SILC papers (above), Professor Zuni Cruz presented papers in the Tribal Governance Conference at the University of Kansas in October 1997 and the Oklahoma Sovereignty Symposium in June 1998. Professor Bobroff presented a review of recent federal court decisions for the Navajo Bar Conference in June, 1998. Professor Valencia-Weber presented two talks at a conference for Connecticut law schools and tribal governments in October, 1998; was the graduation speaker at Oklahoma Panhandle State University in May, 1998; and made a presentation at the National Tribal Court Judges Meeting in June, 1998. This is a representative listing, not complete, of the forums in which the quality of UNM's Indian law faculty was recognized in the 1997-98 academic year.

CLINICAL PROGRAMS

During the 1997-98 academic year, the Clinical Law Program again received national recognition in the U.S. News & World Report survey of America's best graduate programs. The UNM Law Clinic received a 6th place ranking in the United States behind several prestigious and much larger schools.

The New Mexico Legislature once again funded the Southwest Indian Law Clinic in the amount of $85,900 which allowed this program to continue its unique and excellent service to Native Americans and the various tribes and pueblos in New Mexico.

Although the federal funding for the Semester In Practice Program has expired after three years, the Clinical Law Program has continued to offer clinical programs focused on Community Lawyering. These clinics allow students the opportunity to render legal services at already established community programs that assist low income residents of Bernalillo County.

The other clinical courses in the curriculum were the Law Practice Clinic, the District Attorney Clinic, and the Law Office Extern and Judicial Extern programs. As part of the Law Office Extern Program, the Clinical Law Program continued its support of the internship program for diplomatic officers of the Mexican Foreign Service as part of the Law School's overall expansion of United States/Mexico legal programs.

During the coming year, it is anticipated that the Clinical Law Program will either be renovated and expanded or moved to a totally new space during the Law School's planned renovation and expansion. The Clinical Law Program has been very much
involved in the planning phase for the new law school addition which should be constructed in the coming year.

GUANAJUATO SUMMER PROGRAM

The Summer Law Institute in Guanajuato is sponsored by a consortium, which includes law schools from UNM, Texas Tech University, Southwestern University, and the Universidad de Guanajuato in cooperation with the Latin American and Iberian Institute. The 1998 program enrolled 49 students. Of the students who attended the program this summer, 24 were from UNM, 11 from Texas Tech, and two were from Southwestern. Representatives from the Consortium met here at the Law School on Monday, September 28th, to review this year’s program and to plan for next year.

LAW LIBRARY

During 1997/98, the Law Library continued to support the curricular and research functions of the Law School community. Library staff provided training on legal research for various law schools classes and outside groups, provided reference and research support for the various constituencies which rely on the Law Library, and maintained and modestly expanded the materials available to legal researchers.

Library Staff

The Law Library filled two vacancies in 1997/98. In November 1997, Marsha Baum joined the Law School as Associate Professor of Law and Director of the Law Library. In August 1997, the Law Library filled an LIS III position in the public services area by hiring Robert Mead, a graduate of the U.N.M. Law School. Four positions remained vacant: reference librarian, access services librarian, and two staff positions.

The Law Library’s organizational structure was modified in 1997/98. Administrative responsibilities were rearranged to increase staff availability for direct service to patrons.

The Law Library staff participated widely in training and professional/career development activities. All staff members attended a customer service workshop to reinforce the Law Library goal of demonstrating strong service orientation. A majority of the staff were able to participate in site visits to other law libraries in the region. The visits offered the opportunity to observe alternative means of handling law library operations and to gain a broader perspective on law librarianship. In addition, staff members attended various workshops and conferences including a workshop on computer
networking, a Windows NT training program, the annual SWALL and AALL meetings, and the annual CALI meeting.

University Activities

The Law Library continued to collaborate with the UNM General Library and other libraries in the INNOPAC consortium. As a result of the membership in this consortium, the Law Library shares a sophisticated automated library system and has access to the holdings information for the other libraries in the consortium.

Law Library staff members participated on various University and Law School committees. The Law Library director attended meetings of the Faculty Senate Library Committee as an observer to help facilitate communication among libraries. Lorraine Lester served the University as a member of the Faculty/Staff Benefits Committee. Bill Jacoby and Tom Huesemann served on career development committees for UNMPact. Mary Custy attended meetings of the Law School Curriculum Committee. Tom Huesemann participated on the Law School Library Committee.

Services and Training Activities

The Law Library increased visibility of reference service and level of coverage by professional staff. In 1997/98, the Law Library instituted a schedule of reference hours utilizing the expertise of all librarians and staff in both Information Services and Access Services departments. The Law Library reduced reliance on student workers at service points and now schedules a staff member in the library all hours the library is open.

The Law Library staff offered a range of training opportunities for Law School faculty and staff and for other groups. Staff provided training tours and informal classes for paralegal students from TVI and for graduate students from other programs at the University. Training demonstrations on various products were arranged for faculty and staff. Direct offerings for law students included: hands-on training on both LEXIS and Westlaw for all first year students, training on bill tracking for the Legislative and Administrative Process course, training on Indian Law research, and an expanded electronic legal research training program. In addition, Eileen Cohen taught the Law School’s Advanced Legal Research course during the Spring 1998 semester.

Collection

The Law Library book budget benefited from the addition of $74,000 to the base budget. As a result of this increase, the Law Library was able to maintain the current collection and to add monographic titles during 1997/98. The Law Library also added CD-ROM titles such as Matthew Bender libraries and Shepard’s citators to be used on the Library’s CD-ROM tower. The Law Library collection also benefited from a number of gifts including materials from the State Justice Institute offered by Judge Tommy Jewell.
Technology and Electronic Resources

The Law Library continued to make progress in increasing access to electronic information. New PCs were purchased for all staff members to allow them to use the new resources and to make effective use of the Law School network. The Law Library purchased PCs to allow researchers to access the Internet and the Law Library CD-ROM server.

The Law Library assisted various Law School groups in developing web pages and installing the pages on the University server. Bill Jacoby helped to create web pages for the Natural Resources Journal, the U.S.-Mexico program, the Guanajuato program, and the clinics.

Future Plans

The Law Library is developing new training and support services. The Law Library is working with the New Mexico Bar on CLE offerings. A pilot project to provide research support for New Mexico District Court judges is in progress. As vacant librarian and staff positions are filled, reference hours and other services will be expanded.

The Law Library will continue to explore applications of technology to research and library services. In 1998/99, the CD-ROM server and 8-10 research PCs will be made available to library patrons. As resources move onto the Internet, the Library will provide access and links from the Law Library web page.

COMPUTER AND TECHNICAL SUPPORT (CaTS)

In fall of 1997, as Susie Marbury was going to half time, CaTS expanded its support staff by hiring Toni Hart. Susie's role became primarily management while David Anstine and Toni Hart shared responsibility for all aspects of technical support. Janet Roupas continued with user support, assisted in administrative tasks, and later took responsibility for much of the law school web development.

The remodel of the Technology Center was completed in September, and 24 new PCs were installed. Staffing was provided to monitor the lab, allowing it to be open 77 hours per week.

Substantial effort was spent in stabilizing and maintaining a vastly expanded network of PCs with various services for all faculty, staff and students. It was the first year of supporting over 180 PCs, up from approximately 60.

During the spring CaTS purchased, configured and installed a new server to meet the increased demands. This also entailed reorganizing the existing servers to balance loads and services. CaTS currently has a primary file server, a Clinic file server, a web server and an e-mail server.
A major thrust throughout the year, and particularly for the summer of 1998 was to convert all PCs to Windows NT operating system. Many of the networking problems that the law school encountered revolved around Windows 95 so this migration was an attempt to provide a more stable environment. Windows NT also allows more flexibility so that work can continue even if a network problem occurs.

Along with the operating system upgrade, application software was purchased or upgraded and installed on all 180 PCs. The software includes:

- MS Office 97
- Front Page
- CALI
- Westlaw
- Lexis
- Internet Explorer
- Miscellaneous other

To benefit from the introduction of the new tools faculty were offered training in PowerPoint, and AltaVista. And, as a part of the implementation of the new Technology Center, all first year students were trained on the basic network environment.

A significant accomplishment this year was the creation of the law school internet/intranet. By consolidating work that was done prior to 97-98 and expanding on it, the new web pages offer the law school community a greater level of information sharing.

NEW MEXICO LAW REVIEW

Publications

For 1997-98, the New Mexico Law Review published three regular issues. The first issue is the Lead Articles issue. This issue contains the following articles: Transforming The Powerless To The Powerful: The Public Responsibilities Of Law Schools by Gregory H. Williams, Dean, from his Order of the Coif speech given at UNM on April 25, 1997 (Ohio State Univ. College of Law); Full Faith and Credit in Tribal Courts: An Essay on Tribal Sovereignty, Cross-Boundary Reciprocity and the Unlikely Case of Eberhard v. Eberhard by Robert Laurence (Univ. of Arkansas, Fayetteville, AR); Constitutional Rights of Bystanders in the War on Crime by Roger W. Kirst (Univ. of Nebraska). The balance of the issue contains four student-written casenotes.

The second issue is based on papers presented at the NMLR’s State Constitutional Law Symposium. This issue contains the following articles: FOREWORD: Western State Constitutions in the American Constitutional Tradition by G. Alan Tarr and Robert F. Williams (Rutgers Univ.); State Constitutional Interpretation and Methodology by Rachel A. Van Cleave (Texas Tech Univ.); The Citizen Initiative Petition to Amend State
Constitutions: A Concept Whose Time Has Passed, or a Vigorous Component of Participatory Democracy at the State Level? by John F. Cooper (Stetson Univ.); State Constitutional Theory and Its Prospects by Daniel B. Rodriguez (Univ. of Calif., Berkeley, Boalt Hall); State Investment Attraction Subsidy Wars Resulting from a Prisoner’s Dilemma: The Inadequacy of State Constitutional Solutions and the Appropriateness of a Federal Legislative Response by Matthew Schaefer (Univ. of Nebraska); A Comment on the Evolution of Direct Democracy in Western State Constitutions by Patrick Baude (Indiana Univ.-Bloomington); New Mexico State Constitutional Law Comes of Age by Robert F. Williams (Rutgers Univ.-Camden); State v. Gomez and the Continuing Conversation over New Mexico’s State Constitutional Rights Jurisprudence by Michael B. Browde (UNM School of Law). This issue also features a student-written note, CONSTITUTIONAL LAW—The Effect of State Constitutional Interpretation on New Mexico’s Civil and Criminal Procedure—State v. Gomez by Jennifer Cutcliffe Juste.

The third issue contains one lead article along with the student-written comments and casenotes. The lead article in this issue is: Exploring a Substantive Approach to Equal Justice Under Law by Rebecca E. Zietlow (Univ. of Toledo, OH). The balance of the issue is the annual survey of significant New Mexico cases. This year 14 student-written pieces will be published.

The actual publication of these issues was behind with the first issue published in April 1998, and the second issue just published in September 1998. The third issue should be published in November or December 1998. Because we publish on a “calendar” year, we are technically still on schedule. Each year’s Editorial Board is responsible for their issues until published. Those involved with these issues have been working throughout the summer while studying for the Bar exam and now while working full time.

Activities

The New Mexico Law Review hosted the State Constitutional Law Symposium on November 7 & 8, 1997, at the La Posada de Albuquerque hotel. The event was setup entirely by the student board members. There were 6 speakers from all over the country, including our own Dean, Robert J. Desiderio. Most of the papers presented were published in the NMLR Volume 28, #2, symposium issue. We had a total attendance of 63 people for the two-day event. They included many judges, lawyers and other interested people; of those, 3 were from outside of New Mexico. Attendees were eligible to receive up to 7 CLE credit hours. The feedback on the symposium was that it was very well done, interesting, and very successful.

In January 1998, the NMLR web page went live online and has received “rave” reviews from the law school community. We also have an intranet site with basically the same pages plus an added section for NMLR members only. The “Members Only” section includes the Bylaws, Staff Manual, Meeting Schedule and Publication Schedule. The site is still under construction but in the future it will also include samples of NMLR forms used and copies of all the handouts for the year. It is hoped that the students will use this
site as a reference and as a bulletin board for NMLR notices to further enhance communications for members.

**Write-On Competitions**

The Law Review holds two write-on competitions annually. The first of these took place over the winter break period, December 1997-January 1998. The Law Review received 10 papers and made offers of acceptance to 4 students. Three students accepted; one second-year student, eligible for credit in the Spring semester, and two first-year students who will be on the staff beginning Fall 1998.

The second competition is held over the summer break period with packet pickup for three weeks only, from May 4-22. There were 11 papers returned and offers of acceptance were made to 7 students. One declined and 6 accepted; two third-year and four second-year students.

**The Law Review Board**

Appointments to the 1998-99 Editorial Board were made in March 1998 and a total of 12 positions were filled. The positions are Editor-in-Chief, Managing Editor, four Lead Articles editors, a Student Articles editor, and five Notes & Comments editors.

**NATURAL RESOURCES JOURNAL (NRJ)**

**Issues Published in the 1997-1998 Year**

By the end of this fiscal year the Natural Resources Journal will have published six issues:

- **Winter 1997, Vol. 37, No. 1** – Electric Industry Restructuring;
- **Spring 1997, Vol. 37, No. 2, Part 1** – From the Wellhead to the Courtroom: Exploring the Future of Oil and Gas Law;
- **Summer 1997, Vol. 37, No. 3, Part 2** – From the Wellhead to the Courtroom: Exploring the Future of Oil and Gas Law;
- **Fall 1997, Vol. 37, No. 4** – Fish and Wildlife; International Law; Property Rights; & Water and Watercourses;
- **Winter 1998, Vol. 38, No. 1** – Environmental Control; Forestry; Legislation; & Water and Watercourses; and

In these issues, we have published notes or comments from the following editors: Jocelyn Drennan (1996-97), Joel Carson (1996-97), Kurt van Deren (1997-98). We are publishing the notes and comments of the remaining editors in subsequent issues. In
addition, all of the staff members will complete the writing of their notes or comments thanks to the efforts of the Notes & Comments Editors: Jon Boller, Joanna Nelllos, Brett Olsen, and Jason Rael.

The Natural Resources Journal Sponsored One Symposium

Last fall, through the leadership of the esteemed Professor Albert Utton, the Journal sponsored a symposium titled “Coping with Scarcity in the Rio Grande / Rio Bravo Drainage Basin: Lessons to be Learned from the Droughts of 1993-1996. This issue will be published in January, 1999 and will be dedicated to the legacy of Professor Utton.

Other Important Events That Occurred This Year

On March 24, 1998, the Natural Resources Journal sponsored its second annual NRJ Breakfast. Invitations were sent to all past and presents editors of the journal. The breakfast was a big success and will be held annually on the last Thursday in March.

The Journal recruited new staff members – Greg Mehojah, George Simion, Marc Lowry, Brian Smith, Kurt Gilbert, and Michael Robinson.

NRJ 1997-1998 Staff

Editor-in-Chief
Professor Suedeen G. Kelly
University of New Mexico

Editor Emeritus
Professor Albert E. Utton
University of New Mexico

Lead Articles Editors
Kurt van Deren, Benjamin Iseman, Marie Ward

Processing Editor
J. Reid Mowrer, Kathy Blackett

Notes and Comments
Jon Boller, Joanna Nelllos, Brett Olsen, Jason Rael

Administrative and Special Issue Editor
Thomas Smidt

Staff
Jeffrie Minier, Germaine Chappelle, George Simion, Greg Mehojah, Brian Smith, Kurt Gilbert, Michael Robinson, Marc Lowry
NRJ Certificate Program

Eight students in the graduating class of 1998 earned their Natural Resources Certificate. They completed 12 hours of natural resources-related courses plus four credits of NRJ. The program is not mandatory for the NRJ staff.

INTERNATIONAL TRANSBOUNDARY RESOURCES CENTER
(Centro Internacional de Recursos Transfronterizos – CIRT)

Highlights for the year 1997-1998 are as follows:

Universidad de Granada – Facultad de Derecho (Granada, Spain)

In collaboration with the Law School of the University of Granada two conferences were organized – one was held in Albuquerque, NM in September 1997, and a second in Granada, Spain in May 1998. The theme for both conferences was *Current Issues in the United States and Spain.*

Transboundary Resources (Durham, England)

In cooperation with the International Boundaries Research Unit (IBRU) of the University of Durham, the Director and Ambassador Alberto Székely have been preparing a paper on a proposed draft treaty for the cooperative development of oil and gas resources of the Gulf of Mexico. The paper is part of a book to be published by Cambridge University Press.

Bellagio, Italy – June 1-6, 1997

In collaboration with the University of California at Irvine and the Udall Center at the University of Arizona, assisted by the Ford and Rockefeller Foundations, a conference on *International River Basins Under Stress* was held in Bellagio. Participants included representatives from Europe, Asia, Central and South America, the Middle East and North America.
Cuernavaca, Morelos, Mexico – November 10-12, 1997

A conference continuing the dialogue on *Coping with Scarcity in the Rio Grande/Rio Bravo Drainage Basin: Lessons to be Learned from the Droughts of 1993-1996* was held in November 1997. A special issue of the *Natural Resources Journal*, devoted to managing drought on the Rio Grande/Río Bravo, will include all of the papers presented at this meeting. This meeting and the planned publication have been assisted by the Ford Foundation.

**International Law Association**

The Water Resources Committee of the ILA met in Rome, Italy, June 1997 and in Rotterdam, March 1998 with representatives from 20 countries present. CIRT and its Director served as the Secretariat and the Secretary, respectively, at these meetings. At the Rotterdam meeting the Committee completed draft articles on minimum streamflows and made progress on the revision of the Helsinki Rules.

**Texas State Land Commission**

CIRT, through its Director, and in cooperation with the Texas State Land Commissioner, continues to advise on the establishment of an inventory of U.S.-Mexico border resources. This effort is involving State and Federal officials, particularly from the State Land Office.

**Water Issues**

The Director spoke at various conferences as follows (1) *International Groundwater Issues*, at the University of Dundee in Scotland; (2) *Recent Developments in International Water Law at a UN Workshop for the Nile River countries*, in South Africa; and (3) *Management of International Rivers - a briefing of government officials from the Central Asia Republics*, in Santa Fe.

**Mexican Foreign Ministry**

CIRT completed the ninth year of the Graduate Program in American Legal studies for lawyers from the Secretaria de Relaciones Exteriores of México. This program consists of classes at the Law School, externships with the federal and state courts, clerking in a law firm, and writing a paper on a topic of current interest to consular officers, such as immigration or trade law. Thus far, eight foreign service lawyers have completed the program.

**Director Honored**

The Government of Mexico honored the Director with the highest honor it can give a non-Mexican. The Orden de la Aguila Azteca (Order of the Aztec Eagle) was bestowed on Al Utton for his work on U.S.-Mexico issues for the past 25 years. The award was given in the Foreign Ministry office in Mexico City on November 14, 1997.
U.S.-MEXICO LAW INSTITUTE

The U.S.-Mexico Law Institute held its Sixth Annual Conference, September 25-27, 1997, in Santa Fe, New Mexico, on the 1995 reform of the Mexican judiciary involving significant amendments to the Mexican Constitution including the procedures for the selection and qualification of members of the judiciary and amendments of the amparo process, procedures designed to protect basic civil and constitutional rights of Mexican citizens. Dr. Mario Melgar Adalid, a current member of the Consejo de la Judicatura Federal; Dr. Lucio Cabrera Acevedo, the historian of the Supreme Court of Mexico; Professor Hector Fix-Fierro of the research institute of the National Autonomous University of Mexico; Lic. Antonio Franck Cabrera of the Franck, Galicia, Duclaud y Robles law firm in Mexico City; and Mike Lubrano, Senior Legal Counsel of the World Bank in Washington, D.C. Former Dean Theodore Parnall of the UNM School of Law presided over our extensive review of foreign investment in the financial sector of Mexico.

Professor Michael W. Gordon of the University of Florida was the moderator of a panel considering agricultural disputes between Mexican and U.S. producers, a subject which has generated considerable controversy in the tomato, apple, and corn products industries. The panel included Stephen J. Powell, Chief Counsel of the U.S. Department of Commerce and Lic. David Hurtado Badiola of the Jáuregui, Navarette law firm of Mexico City. The presentations at the Conference were compiled and edited by students of the University of New Mexico School of Law, all of whom attended the Conference. The articles were published in the United States-Mexico Law Journal which was published in the Spring of 1998.

CAREER COUNSELING AND PLACEMENT

The following report briefly enumerates the activities and accomplishments of the Office of Career Resources and the Director of Career Counseling and Placement.

Current Activities and Accomplishments

Director has met with students, alumni, faculty, and staff and assisted with resumes, cover letters, MBTI feedback, and other job search material and career issues almost every working day. This function still remains her primary use of time. (In addition, the director is receiving more requests for information on finding legal positions from lawyers moving into the state.) The director presented several panels and workshops, including the following:
- Presentations on Career Services at Fall 1997 First-Year Orientation and Transfer Students Orientation and for Accepted Applicants' Day.
- Presentation on summer job opportunities for first-year students.
- Workshops on Resume Writing and Cover Letters. One session for first-year students presented in Legal Research and Writing class.
- Workshops on Job Interviewing. Networking, and Information Interviewing.
Panels on Judicial Clerkships with judges and clerks as panelists.
Panel on obtaining legal jobs as an older applicant.

Made presentations and participated in activities outside the law school:
Chairled the Student and Associate Counseling Committee for the National
Association for Law Placement and was primary writer and editor for pamphlet
on "Counseling Basics for the Non-Counselor" (on-going). Nominated for
position of NALP Regional Coordinator; defeated in election. Selected by
conference committee to present 1-1/2 hour workshop at national conference in
April 1999.
Presented report on Career Services functions and activities to Board of Visitors.
Presented information on legal careers to high school students interested in
attending law school as part of Director of Admissions' special program.
Created and made presentations on career issues for UNM Speaker's Bureau.

Coordinated several special programs:
Started the first UNM School of Law chapter of the National Association for
Public Interest Law (NAPIL) and attended the NAPIL fall conference and job
fair to obtain information for our chapter.
Arranged for faculty to participate in one of two workshops by Courtroom
Performance, Inc., on developing effective techniques in the courtroom; the
director attended one of the workshops and made the information available
at the law school, but no faculty were able to attend.
Created, facilitated, and presented a Spouse/Partner event, to assist spouses and
partners of law students in learning more about what goes on in law school and
how to cope as a couple.
Coordinated the annual Career Fair, working with Career Resources staff, who did
most of the logistical work; obtained the panel of speakers on criminal law.
Coordinated the school’s and students’ participation in the Sunbelt Minority
Program and Loyola Patent Law Interview Program.
Coordinated the law school portion of the Mock Interview Program.

Managed activities of the Career Resources Office:
- Continued to develop, maintain, and provide statistics on placement rates, types
  of jobs obtained, and similar information.
Revised booklets on Resumes, Cover Letters, and Interviewing Skills.
Researched and compiled information on Internet legal job search resources.
Increased the Career Resources library by approximately 10 new books, journals,
and newsletters.
Created rough draft of School of Law Career Resources web-site information.
Managed the Alumni Hotline for up-to-date phone messages of job opportunities
for alumni.
Managed the publication of the bi-weekly Student Update.
Continued the on-going and frustrating task of hiring new student staff whenever
needed (which is, often, each semester and summer).
Marketed law school placement services in several ways:
Created an ad to be published three times in 1998-99 in the Bar Bulletin and spoke to Albuquerque Bar members at luncheons to advertise school’s placement and current students' research capabilities.
Called legal organizations previously active at the school who have not committed to participating in fall, on-campus recruitment program.

Future Activities

Continue exploring ways to obtain financial funding for students interested in unpaid or low paying public service legal summer positions.

Increase outreach and contact with legal professionals state-wide and in neighboring states.

Create a booklet that has alumni biographies for use by current students needing contacts and networking options.

Develop a brochure on career services.

Develop or purchase a computer system to track students’ job search activities; maintain lists of recruiters, on-campus interviewing information; and keep track of, and have quick access to, the many types of data used in the office.

Increase involvement, through receptions and/or panels, etc., of students’ spouses and partners and alumni/ae.

Continue to create reminders and other printed material to be mailed to legal professionals (as a way of telling them about the school’s career activities and ‘advertising’ our students).

Acquire more Career Resource library materials on areas of law not sufficiently represented.

INSTITUTE OF PUBLIC LAW

During the 1997-98 academic year, the Institute of Public Law staff has participated in a number of projects. Some of the Institute’s accomplishments of the past few months include:

Created the Children’s Law Center to train lawyers, prosecutors, investigators and social workers about issues of abuse and neglect.
Created the Project Change Fair Lending Center to provide research, information, referral and training aimed at increasing credit and capital in communities of color and promoting fair lending practices in undercapitalized communities.

Conducted five town hall meetings in five New Mexico cities to obtain information about the Teen Court system. Also conducted national research and proposed model legislation regarding Teen Courts.

Center for Wildlife Law

Published the 650-page *Federal Wildlife and Related Laws Handbook* with Government Institutes, Inc.

Published the *Wildlife News Quarterly* and obtained additional partial funding for 18 months from the U.S. Fish and Wildlife Service Federal Aid Division.

Received a $50,000 grant from the Geraldine R. Dodge Foundation to expand a clearinghouse that provides state activist organizations that seek to protect plants and animals with analysis of wildlife laws, policies and programs.

Is designing a short course on legal basics for the National Conservation Training Center, U.S. Fish and Wildlife Service.

Is developing a report on the current status of laws affecting biodiversity in New Mexico.

Is developing the Southwest Region Internet Road Map, which contains indexes and hyperlinks to multiple web sites of interest to natural resource managers and researchers. This project is being done in cooperation with the Southwest Region U.S. Fish and Wildlife Service Division of Federal Aid.

Will establish a national Geospatial Data Clearinghouse of state biodiversity laws and policies and the systematics, ecology and life history of mammals of the southwest. Project collaborators will adapt the existing data collections of the Center for Wildlife Law and the Museum of Southwestern Biology to the NBII standards for biological data and provide on-line search and retrieval of metadata and datasets of these collections. This will enable users to access, for the first time, the biological information of a species of interest within a specific location and the laws and policies that impact that species.

Judicial Education Center

Received two awards: the Limited Jurisdiction Courts Education Award from the Judicial Division of the American Bar Association and the Education Award from the New Mexico Chapter of the Anti-Defamation League for a teleconference on hate crimes.

Conducted “Bruises and Roses” domestic violence seminars for police officers, court personnel and social workers in Ruidoso and for the Eight Northern Pueblos. A day-long
“Bruises and Roses” mock trial was conducted in Albuquerque in May. These seminars are funded by the McCune Foundation.

Organized and held a regional teleconference on hate crimes.

Initiated a judicial studies course that allows court staff to attain a certificate in judicial studies either in Albuquerque or through distance education.

Initiated the JEC web site and installed the first interactive judicial training on issuance of search warrants and judicial ethics.

Received a grant from the State Justice Institute for a multimedia orientation packet for new judges at all levels.

Obtained Violence Against Women Act funding from the Crime Victims Reparation Commission to conduct four regional domestic violence seminars.

Conducted the second Law and Literature seminar.

Conducted annual conferences for judges, court staff and supervisors, domestic violence commissioners and mediators.

Provided trainers for tribal court training sessions.

**Traffic Safety**

Provided a variety of services to the New Mexico State Highway and Transportation Department, including materials development and distribution; a monthly newsletter; a statewide conference on the DWI arrest and adjudication process; workshops on media literacy and traffic safety for police officers; and training for driver’s education instructors.

Developed an innovative youth program targeting underage drinking in selected sites around the state. Youth participated in town meetings, community newsletters and created art, music and writing focused on the dangers of drinking and driving.

**Student/Faculty Involvement**

Third-year law student Kyle Harwood, under the supervision of IPL Director Paul Nathanson and working closely with attorney Judy Flynn-O’Brien, is researching and drafting training materials on Indian law for fish and wildlife biologists.

Work-study law student Susan Bisong is researching laws affecting biodiversity in New Mexico and current developments in wildlife law throughout the U.S. with Center for Wildlife Law Director Ruth Musgrave and attorney Judy Flynn-O’Brien.
Third-year law student Alicia Montoya provided extensive assistance to Paul Nathanson regarding the Teen Court project.

Miscellaneous

Judy Flynn O'Brien is assisting the state Environment Department in updating its underground storage tank regulations and in publishing the quarterly newsletter Tank Notes.

Judy Flynn O'Brien is assisting the Bernalillo County Environmental Health Department with ordinance development and legal research. She has been providing assistance with food ordinances and the liquid waste ordinance.

IPL Director Paul Nathanson is involved with the School of Medicine on a Kellogg grant to teach medical and nursing students about lobbying and community organizing.

**JUDICIAL SELECTION**
**July 1, 1997 – June 30, 1998**

During the 1997-98 fiscal year, four judicial vacancies were filled through the judicial selection process. The Judicial Selection Office at the UNM School of Law convened four Judicial Nominating Commissions to recommend nominees to the Governor to fill the four vacancies. The chart below shows the dates of the Commission meetings and the persons appointed to fill the four vacancies:

<table>
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<th>Date</th>
<th>Court</th>
<th>Applicants</th>
<th>Nominees</th>
<th>Appointed</th>
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<td>2</td>
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<td>15</td>
<td>5</td>
<td>Cecelia Niemczyk</td>
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<td>2</td>
<td>Wendy York</td>
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<tr>
<td>1/16/98</td>
<td>Second</td>
<td>9</td>
<td>5</td>
<td>Paul Barber</td>
</tr>
</tbody>
</table>

The Dean of the School of Law, as Chairman of the Judicial Nominating Commissions, performed the following duties in carrying out the Constitutional responsibilities charged to the chair:
- Advertise the vacancies;
- Solicit applications;
- Duplicate applications for Commissioners;
- Communicate with Disciplinary Counsel to see if applicants have been disciplined;
- Coordinated the appointment of the Commissioners;
- Convened the Commission meetings; and
- Carried out the decisions of the various Commissions in recommending nominees to the Governor.