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School of Law Annual Report 1995-1996

School of Law Dean

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UNIVERSITY OF NEW MEXICO SCHOOL OF LAW

ANNUAL REPORT - FISCAL YEAR 1995-1996

LEO M. ROMERO, DEAN

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Introduction

During the past fiscal year, two programs at the UNM School of Law received national recognition. *US News & World Report* ranked the clinical law program fourth best in the nation, up one spot from last year. Additionally, the American Bar Association named the law school's Volunteer Income Tax Assistance Program (VITA) the top new VITA program in the nation and intends to use the program as a nationwide model.

Peter Arenella, professor of law at the University of California, Los Angeles, and network television commentator on the O.J. Simpson trial, delivered the 16th John Field Simms Memorial Lecture. Arenella spoke about and provided insights into the Simpson trial.

The School of Law hosted a number of conferences and workshops. With the help of a grant, the Law School presented a series of health care decision-making workshops across the state, co-sponsored with the UNM Health Sciences Ethics Program, with the goal of developing non-judicial mechanisms and processes to help people involved in health care decisions resolve conflicts openly and out of court. The Law School hosted the first national conference on the teaching of Indian Law in the classroom and in clinical programs. Two continuing legal education courses, one on wills, trusts, probate and charitable giving, and the other on the Internet and its numerous possibilities to lawyers were presented. The Law School also hosted a seminar, co-sponsored with the U.S.-Mexico Conflict Resolution Center, entitled "International ADR Under the NAFTA", where speakers discussed the arbitration and mediation processes and how they apply to international transactions under NAFTA.

A number of grants were received by the Law School. The Hatton W. Sumners Foundation awarded \$45,000 to fund a symposia series on water law, regional tribal taxation and children's advocacy. Along with two other universities, the Law School also received a \$110,000 grant to support a student exchange program with Mexico and Canada.

The student mock trial and moot court teams performed well this past year. The UNM Criminal Defense Mock Trial team took third place at an invitational competition in Las Vegas, Nevada. One of two UNM Health Law Moot Court teams reached the quarterfinal rounds of the 1995 National Competition in Illinois. At the ABA Western Regionals of the ABA Appellate Advocacy Competition in San Francisco, UNM students captured first and second places in the brief writing competition. At the Pace National Environmental Law Moot Court Competition, UNM's team was one of the top nine teams out of 75 teams in competition. UNM students placed third in the National Moot Court competition sponsored by the Native American Law Students Association. At the Southwest Regional Jessup International Moot Court competition in Colorado, the UNM team made it to the semifinal round. In addition, UNM sent two teams to Denver to participate in the National Mock Trial Regionals.

Faculty members published the following materials:

Barbara Blumenfeld, "A Photographer's Guide to Legal Writing", *Perspectives*, Winter 1996

Sherri Burr, "Artistic Parody: A Theoretical Construct", *Cardozo Arts & Entertainment Law Journal*, 1996

James W. Ellis, "Brief of Amici Curiae, American Association of Mental Retardation, et al. in *Penry v. Lynaugh*", *Controversies in Constitutional Law, Capital Punishment Volume 3, Litigating Capital Cases*, 1996

Richard Gonzales, 1996 Supplement to *Examination of Witnesses*

Alfred Mathewson, "Black Women, Gender Equity and the Function at the Junction", *Marquette Sports Law Journal*, Spring 1996

Margaret Montoya, "Border Crossings in an Age of Border Patrols: Cruzando Fronteras Metaforicas", *New Mexico Law Review*, Winter 1996

Elizabeth Rapaport, Excerpt from "The Death Penalty and Gender Discrimination", *Controversies in Constitutional Law, Capital Punishment Volume 3, Litigating Capital Cases*, 1996.

APPOINTMENTS AND SEPARATIONS TO STAFF

Visitors

Ignacio Gomez-Palacio visited the Law School during the fall semester. A professor at UNAM in Mexico City, he taught Comparative Law and Joint Ventures in Mexico/Latin America. Jennifer Moore, Associate Legal Officer with the United Nations High Commissioner for Refugees, was a visiting assistant professor for the full year. She taught International Law, Human Rights, Refugee and Asylum Law and taught in the first year Advocacy Program. Christine Zuni continued as a visitor, directing the Southwest Indian Law Clinic. Both Professor Moore and Professor Zuni accepted tenure-track positions with the Law School to begin in August of 1996. Barbara Blumenfeld, formerly a legal writing instructor with Wayne State University Law School, directed the Law School's first year legal writing program as a visiting assistant professor of law.

Andrea Seielstad, Nancy Simmons and Barbara Creel, all Visiting Lecturer III's assisted in the supervision and training of students enrolled in the Clinic's Semester In Practice program.

Adjuncts

The Law School continued to strengthen its ties with the legal community. The following adjunct professors taught during the year: Joanna Aguilar, Clyde DeMersseman, Kevin Fitzwater and Peter Ross, all of the District Attorney's Office; Linda Andre-Wells, Esq.; Julia Ashbey, former judge with the New Jersey Superior Court; Dennis Armijo, Armijo, Baca & Torres; Donald Becker, Esq.; Mark Bennett, Santa Fe mediation consultant; James Branch, Esq.; Sam Deloria and Toby Grossman, American Indian Law Center; Jonathan Gerson, Assistant U.S. Attorney; Franklin Gill, Director, U.S.-Mexico Law Institute; Bruce Hall, Andrew Schultz and Debra Thal, Rodey, Dickason, Sloan, Akin & Robb; Karen Kennedy, Simmons, Cuddy & Friedman; Pam Lambert, Institute of Public Law; James Lyle, Butt, Thornton & Baehr; Karen Meyers, Executive Director, Legal Aid Society of Albuquerque; Anita Miller, Miller, Lucero & Associates; Nan Nash, Director, Court Alternatives, Second Judicial District; Bruce Rogoff, State of New Mexico Public Defender Department; Benjamin Roybal, Jacobvitz, Roybal & Thuma; Merri Rudd, Esq.; Steven Scholl, Sharp & Jamie; Stuart Sherman, S.C. Sherman, Co.; Jacob Vigil, Esq.; and David Walther, Walther Associates.

THE LAW SCHOOL CLINICAL PROGRAMS

As in the previous year, a very significant event for the Law Clinic during the 1995/96 academic year was the national recognition it once again received from *U.S. News and World Report*. In an article titled "America's Best Graduate Schools", experts from each of the nation's 177 accredited law schools were asked to rank the reputation of specialty programs at various universities. The UNM Law Clinic was ranked 4th, up from its 5th ranking last year, behind

such prominent schools as Georgetown, NYU, and American University. This second year of national recognition bolstered the national and local standing of the Clinical Law Programs. The Southwest Indian Law Clinic received continued funding from the New Mexico Legislature in the amount of \$87,500. The Southwest Indian Law Clinic continued to expand its educational program and service to Native Americans in New Mexico and also hosted the first annual "Unique Issues in Teaching Indian Law and Developing Indian Law Clinics" symposium in November, 1995, which was very successful. As a result of the success of this symposium, it has become an annual event which will be hosted this next year by the University of Tulsa. The Law Clinic also continued the Semester in Practice Clinic under continued funding from the United States Department of Education. The Semester in Practice Clinic continued its innovative focus on low income and community group representation with an expansion into multicultural, interdisciplinary problem solving. The Clinical Law Programs were also informed that the Semester in Practice program would be funded for a third year through the 1996-97 academic year. The 1995-96 academic year also saw continued innovation in the clinical curriculum by the addition of a new Criminal Defense Clinic which will begin operation in the Fall, 1996 semester. The Law Practice Clinic and the District Attorney Clinic enjoyed continued popularity as did the Law Office Extern and Judicial Extern programs.

INDIAN LAW CERTIFICATE PROGRAM

Graduates Earning the Certificate

The Faculty approved the Indian Law Certificate (ILC) Program in Spring, 1994. Since the formal initiation of the ILC program, two cohorts of students have met the specific twenty-one hour requirements for the certificate. The May 1995 graduates had to comply through some retro-fit measures and the May 1996 graduates are the first who had opportunity to participate in the program as structured and adopted by the Law School faculty.

The two graduating classes can be profiled as follows:

May 1995 Graduates: Seven

Three American Indian/Native Hawaiian; three non-Indian; one Hispanic

May 1996 Graduates: Seven definite; one other potential (need to check with Ted Occhialino).

Of the definite seven: four American Indian; three non-Indian; the potential is American Indian.

A relatively successful productivity is evident by looking at the May 1996 certificate earners (seven or eight) out of the twelve students who initiated the process to earn the ILC.

Other Productivity: ILC Brochure

In Spring 1996 the Indian Law Certificate Brochure was completed. Developing the brochure involved the Indian law students in the Native American Law Students Association and the

American Indian Law Center along with the leadership work of Susan Mitchell and Gloria Valencia-Weber. The result is a four-color brochure, using photographs and short statements by Indian students on their experiences at the law school, and native-motif art. The brochure's attractiveness has made it effective for student recruitment. After a mailing to all law schools deans and others, the law school world knows more about the uniqueness of the ILC program at UNM.

NEW MEXICO LAW REVIEW

Publications

For 1995-96, the Law Review published three regular issues. The first issue is a symposium on U.S.-Mexico border issues. The second issue is an Indian Law symposium, based in part on the Indian Clinical Law Conference held here last fall. The conference was titled "Unique Issues in Teaching Indian Law and Developing Indian Law Clinics" with speakers from Indian law clinics across North America. The third issue is our combined lead articles and survey issue. This year 11 student notes were published.

Write-On Competitions

The Law Review holds two write-on competitions annually. The first of these took place over the winter break period, December 1995-January 1996. The Law Review received 19 papers and made offers of acceptance to 10 students and 9 accepted; six were second-year students, eligible for credit in the Spring semester, and three first-year students will be on the staff beginning Fall 1996.

NATURAL RESOURCES JOURNAL (NRJ)

Natural Resources Journal Celebrates 35th Anniversary

On February 16, 1996, the University of New Mexico School of Law honored past and present members of the *New Mexico Law Review* and *Natural Resources Journal* at a celebration dinner which marked the 35th Anniversary of the *Natural Resources Journal*.

The *NRJ* baton was passed from Professor Al Utton to Professor Suedeem Kelly at the beginning of this year. Professor Utton had served as advisor and Editor-in Chief since its inception. He remains Editor Emeritus for the journal and Director of the International Transboundary Resources Center.

The 1995-1996 *NRJ* staff developed a new manual for use by students and staff. It outlines student publication policies, staff responsibilities, processing criteria and standards, and administrative procedures. The manual also outlined the requirements for the UNM Natural Resources Certificate Program. The program is a concentration in the area of natural resources.

Requirements include 12 hours of natural resources-related courses plus four units of NRJ credits. Six credit hours may be taken outside the law school in approved resource-oriented courses. The program is not mandatory for the NRJ staff.

Publication Year

The publication year of the *Natural Resources Journal* included Volume 35, No. 3 - Summer 1995, Volume 35, No. 4 - Fall 1995, and Volume 36, No. 1 - Winter 1996.

GUANAJUATO SUMMER PROGRAM

The summer law program in Guanajuato is sponsored by a consortium which includes law schools from UNM, Texas Tech, Southwestern University, and the Universidad de Guanajuato. The 1996 Summer Program received 103 applications and accepted 89 students. Of the students who attended the program this summer, 14 were from UNM, 23 from Southwestern, 9 from Texas Tech, and 6 from the Universidad de Guanajuato. Representatives from the Consortium will be meeting here at the Law School on Monday, October 7, to close the books on the finances for this year and to plan for next year.

U.S.-MEXICO LAW INSTITUTE

The U.S.-Mexico Law Institute held its Fourth Annual Conference on U.S. and Mexican Competition and Trade Law in Santa Fe, from September 28-30, 1995. The speakers included: Professor Eleanor M. Fox of New York University School of Law, Chair of the American Bar Association Task Force on the Competition Dimension of NAFTA; Lic. Gabriel Castañeda Gallardo, former member of the Mexican Comisión Federal de Competencia; Terence P. Stewart, partner of Stewart and Stewart and author of The GATT Uruguay Round: A Negotiating History, 1986-1992; and Harvey M. Applebaum, member of Covington & Burling and former chair of the American Bar Association Section on Antitrust Law. Lic. Miguel Jaúregui Rojas of Mexico City spoke on the 1995 amendments of Mexican laws regulating the oil and gas sectors of the Mexican economy.

Professor Michael W. Gordon of the University of Florida acted as moderator for panels which considered hypothetical questions relating to the establishment of agency and distributorship agreements in Mexico, regulations of horizontal and vertical restraints of trade in the U.S. and Mexico, government action in response to foreign subsidies and dumping of merchandise, and issues of product liability under U.S. and Mexico law. Participants in the discussion included Professor Ignacio Gomez-Palacio of Mexico City, John Gero, Director, Trade Remedies Division, Canada Department of Foreign Affairs; and Keith Harvey, partner of Davis & Harvey, Dallas, Texas.

CURRICULUM COMMITTEE

During 1995-96, the Curriculum Committee developed the curriculum for the 1996-97 academic year. In addition to developing that core curriculum, the Committee evaluated the clinical course offerings as well as the current writing program. In a series of meetings with clinical faculty as well as individual meetings with all faculty members, the Committee evaluated what clinical courses could be offered given the faculty members available to teach in that area. As a result of those meetings and discussions, the Committee recommended to the full faculty that a new criminal defender's clinic be added to the curriculum. The faculty approved that recommendation, a visiting faculty member was hired to set up that clinic and it is being offered beginning this fall. The final clinical configuration for this upcoming year consists of the following six credit-hour clinical sections:

- Community Lawyering Clinic
- Law Practice Clinic
- District Attorney Clinic
- Public Defender Clinic
- Southwest Indian Law Clinic

The Curriculum Committee also submitted to the faculty recommended changes to the first-year writing program, including the use of writing instructors to teach the first year LRRW and Advocacy classes. The faculty discussed that proposal and decided to wait until the coming year to take action on the recommendation.

The goals of the Curriculum Committee for the upcoming year are:

To develop a three-year long term plan for the entire curriculum, identifying the core courses that need to be taught every year, those which should be offered every other year and those which should be offered less often. Students need to know what courses will be offered in what logical progression and in which semester of their law school career they can plan on taking those courses.

To continue the evaluation of the entire law school writing program, particularly the first year program and the current thesis requirement.

To assess how both Civil Procedure and Criminal Procedure are being offered now and to consider requiring two semesters of Civil Procedure with a reorganization of topics covered in each. We also need to consider offering two semesters of basic Criminal Procedure rather than just the one semester offered now.

To reevaluate how the various moot court and mock trial competitions are handled and how much, if any, academic credit should be permitted for them.

UNM LAW LIBRARY

The Law Library continued to provide a high level of service to the UNM Law School faculty and students, the University and legal communities, and public patrons. The Library's collection development efforts were enhanced with the support of an effective development drive which, with matching funds from the UNM Regents, provided an additional \$94,000 for library materials. The Friends of the UNM Law Library worked with the Law Library faculty and outside consultants to hold a highly successful Continuing Legal Education session on using the Internet for Legal Research. The Law Library is a Federal depository, and successfully passed an examination of its depository operation in seven areas in February 1996. A new reference librarian, Mary Custy, joined the library faculty in January. Two newly designed faculty positions are currently posted. With the addition of these new professionals and with the implementation of a CD-Rom network and additional technological developments within the Law School computer network, 1996-97 should bring new innovative approaches to the services provided by the Law School Library.

Organizational Changes

Mary Custy, who holds both J.D. and M.L.S. degrees, joined the Law Library in January as a Reference Librarian. The addition of a third dual degreed librarian enables the Library to provide a higher standard of faculty research support for the Law School. Gordon Russell, Associate Director/ Head of Public Services left the library in May to take over the Directorship at Southern New England Law Library. The position of Deputy Director has been converted to the position of Associate Librarian for Bibliographic Control.

Library Development

The Friends of the UNM Law Library met actively throughout the year. This organization worked with the Law Library faculty and outside consultants to provide a highly effective Continuing Legal Education Program: "Surfin the Net: A Lawyer's Hands-on Introduction and Guide to the Internet." More than 90 registrants attended the all-day program in March, which was held at the Science and Engineering Computer Pod on the UNM campus. All profits were donated to the Library. Positive feedback has been strong and suggests that a repeat of this CLE would be welcome next year. The Law School development program along with matching funds from the UNM Regents was able to raise \$94,000 to supplement the current library materials budget which realized a severe reduction due to the non-continuance of one-time legislative appropriations

Technological Developments

The Law Library worked closely with the Law School's Computer Support section (CATS) to expand the networking capabilities of the Law School and Law Library. Library staff and faculty computers were upgraded and connected to the Law School network and now have access to electronic mail communications, the Internet, and a package of software support tools. The University Libraries Public Access Catalog, INNOPAC, was upgraded with a new release which

enables more sophisticated searching options for patrons and other conveniences in the technical services workflow.

Federal Depository Inspection

The Law Library is a federal depository and its depository collection must prepare a self study and pass an inspection every seven years in the areas of collection development, bibliographic control, maintenance, human resources, physical facilities, public service, and cooperative efforts. The Library's inspection was held February 8, 1996. The following is an excerpt from the summary of the Inspection Report:

"The School of Law Library of the University of New Mexico is an excellent public service oriented library. Among its strengths are staff expertise and public service commitment, the tape load and the selective housing agreement...."

Curriculum Support

The Law Library contributed to the Law School's curriculum by providing support for the first year legal research and writing program. Judith Anspach taught one section of Legal Reasoning, Research and Writing. Gordon Russell provided lectures and tours throughout the class which coordinated with the students' research assignments. LEXIS and WESTLAW training for first year students was expanded so that each student received two hours training on each system instead of just one hour per system. CD-Rom instruction was added to the standard usual computer-assisted legal research program; all first year students were required to attend training sessions on New Mexico Law on Disc and Infotrac and to use complete problems utilizing these databases. During the Spring Semester Gordon Russell taught Advanced Legal Research.

Mary Custy and Gordon Russell presented the first Internet training session for faculty and students offering sessions on legal research on the World Wide Web. They also gave lectures and prepared legal research materials for several courses. The Library pool of student research assistants was reorganized to provide better research support to the faculty and training was intensified to increase their legal expertise. A legal research refresher course geared for law students in summer clerkships was also presented. The Law Library also provided office space, a computer and staff assistance to the Law School's VITA program which offers assistance in filing state and federal tax returns to those with low incomes.

Personnel Changes

Marie Chavez - hired in Circulation Dept. as .5 FTE CS IV
Aug. 21, 1995

Janet Faulhaber - transferred to General Library and vacated LTA position in Serials Dept.
Dec. 4, 1995

Mary Custy - joined the Library Faculty as Lecturer III, Reference Librarian

Jan. 1, 1996

Evan Hocker - replaced Janet Faulhaber in Serials Dept. as LTA III

April 1, 1996

- vacated position

May 6, 1996

Gordon Russell - vacated Associate Director/ Head of Public Services

May 31, 1996

Mary Custy - became Acting Associate Director/Head of Public Services

June 1, 1996

INSTITUTE OF PUBLIC LAW

In 1995-96, the Institute of Public Law continued its federal, state and local government activities. It operated on a budget of approximately \$2,000,000, raised on contracts and grants from government and foundation sources.

Specifically significant this year was:

Completion of the *Federal Wildlife Laws Handbook*, a 750-page volume with extensive footnotes and annotations, to be published by the federal government.

Dramatic expansion of efforts in judicial education in New Mexico - especially in areas of domestic violence and hate crimes. The Judicial Education Center is also sponsoring a teleconference on *pro se* representation - especially important in times of constricting legal services resources. The center also produced a documentary on courts of limited jurisdiction to air on public television in New Mexico.

The creation of a Center on Arts in Society which received a significant grant from the National Endowment for the Humanities to conduct conversations on "music as a symbol of American pluralism and identity."

The expanded exploration of efforts in the growing field of space and telecommunications law.

Conducted 17 statewide town meetings for the Highway Department to determine citizen concerns and ideas regarding highway construction funding.

Continued work with the City of Albuquerque and Bernalillo county regarding water quality and other environmental issues.

Expanded involvement with the Traffic Safety Bureau regarding DWI - especially in the youth area and on state-tribal jurisdictional issues.

Worked with the Health Policy Commission on issues of confidentiality and other policy questions.

Staffed a significant project on data standards as these issues relate to the DWI system in New Mexico.

Drafted various regulations for the State Corporation Commission.

Prepared Environmental Impact Study regarding reintroduction of the Mexican wolf for the U.S. Fish and Wildlife Department.

Many of these projects are ongoing and we expect to continue and expand this work in the future.

ADMISSION & FINANCIAL AID

Admission

The University of New Mexico School of Law received 1136 applications for the class that entered Fall 1995. Of that group 209 were admitted. The median LSAT for those admitted was 157 (based on the 120 to 180 scale) and the median UGPA was 3.32. The matriculated class of 107 had a 155 LSAT median and a 3.24 median UGPA. The LSAT range was 176 to 140. The UGPA range was 3.87 to 2.22. The average age on entry was 28. The class had 55 percent women and 45 percent minority students. There were 97 residents and 10 nonresidents.

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 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 prelaw society, meetings with appropriate classes, and participation in the University's career day. In addition to on-campus visits, the law school had two open houses for all applicants and held Accepted Applicant's Day.

We developed two new publications in 1995; a brochure on the Indian Law program at UNM and a brochure for accepted applicants, "Selecting a Law School."

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 1995-96, the school made grant awards to 58 students. Grants ranged from \$250 to \$5,000. The total amount awarded was \$138,085. Law school grant decisions were made in June and November by the law school financial aid committee.

Law school tuition has increased at a rate of approximately ten percent each year and was \$2,984 for residents and \$10,012 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 1995-96, 207 law students borrowed a total of \$2,304,531 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 educations.

COMPUTER AND TECHNOLOGY SERVICES

The following list summarizes the activities and accomplishments of the Law School Computer and Technology Services group during 1995-96.

A series of lessons in using the services and applications available to law students on the Law School LAN were prepared. These lessons were made available to all first year students.

Planning for a new Law School Technology Center was completed, and initial implementation was begun.

Computer and Technology Services (CaTS) offices and equipment were moved to a new location in the Library.

A new PC-based database to support Clinic operations was developed and the critical data from the old database was converted to the new one.

Seventeen new PCs for Law faculty and staff were acquired and installed on the network. In addition, these faculty and staff received training on the use of the PC for research and access to the Internet.

The ongoing needs of system maintenance, management, and support were met.

CAREER COUNSELING AND PLACEMENT

[Note: Although this report covers July 1, 1995 to July 1, 1996, actual time in the position was 7 months because of half-time and then 80% status.]

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

New position of Director established May 1, 1995. Kathy Potter hired as Director.

Director has met with students, alums, faculty, and staff almost every working day for career issues. Since week of June 3, 1996, I have started keeping track of all contacts (also being done in the Career Resources office). This function is my primary use of time.

Panels and workshops were presented throughout the academic year included the following:

Presentations on Career Services at Fall 1995 First-Year Orientation and Transfer Students Orientation in Aug. 1995 and for Accepted Applicant's Day.

Summer Opportunities presentation to 1Ls in Jan. 1996.

Workshops on Resume Writing and Cover Letters.

Three workshops on Job Readiness and the Marketplace: Myth versus Reality.

Three workshops on Job Interviewing.

Three workshops on Networking and Information Interviewing.

Panel on Judicial Clerkships with judges and intern as panelists.

Three panels on Obtaining Summer Jobs in various types of legal organizations with 2nd- and 3rd-year law students as panelists.

Panel on Working for the DA with a District Attorney and Human Resource Manager as panelists.

Coordinated student participation in DA Conference in Albuquerque.

Developed booklets on Resumes, Cover Letters, and Interviewing Skills. Currently being revised.

Increased the Career Resources library by approximately 20 new books, journals, and newsletters.

Created an Alum Hotline for up-to-date phone messages of job opportunities for alums.

Developed an ad for placement of current students and alums; placed in Bar Bulletin two times. Received three calls in response to ad.

Attended National Association for Legal Placement (NALP) annual conference and signed up for Alternative Careers committee and Counseling Concerns committee. Currently working on booklet of biographies of alums who chose alternative careers, to be distributed to all NALP members.

Developed various questionnaires:

To all attorneys throughout state outside of the Albuquerque-Santa Fe corridor to assess their needs; received approximately 35 responses and have called those who indicated interest in some involvement with law school.

For new students to assess their career needs.

For graduating students to assess their job status and need for part-time work.

For alums to offer help and determine how they can help the career resources function; received approximately 10 responses.

For students who volunteered to respond to a NALP survey on the “very best practices” of law firms; to be included in NALP book.

Coordinated the Career Fair, working with Career Resources staff, who did most of the logistical work.

Coordinated the law school portion of the Mock Interview Program.

Publicized the Myers Briggs Type Indicator (MBTI) as a career development tool and administered and provided feedback to over 30 students and staff.

Regularly published bi-weekly Student Update.

Coordinated resumes and other material for Sunbelt Minority Programs and other events available to students.

Compiled information on various LLM and summer programs.

Took Windows training through UNM Continuing Education; now used on my newly acquired office PC.

Began exploring ways, with Jan Hosea , Ted Occhialino, and Peter Winograd, to obtain financial funding for unpaid or low paying public service legal summer positions.

Met with representatives of the Pro Bono Students America (PBSA) Southwest to learn how to establish chapter here at law school.

JUDICIAL SELECTION

During the 1995-1996 fiscal year, eight judicial vacancies were filled through the judicial selection process. The Judicial Selection Office at the UNM School of Law convened seven Judicial Nominating Commissions to recommend nominees to the Governor to fill the eight vacancies. Three of the Commissions were reconvened at the request of the Governor, who asked for additional nominees. The chart below shows the dates of the Commission meetings and the persons appointed to fill the eight vacancies:

9/8/95	Fifth	Jay W. Forbes
1/19/95	Eleventh	Reconvened
1/22/96	Second	Reconvened
1/24/96	Seventh	Neil P. Mertz
1/25/96	Third	Reconvened
2/6/96	Reconvened Second	Angela J. Jewell
2/16/96	Court of Appeals	M. Christina Armijo
2/19/96	Reconvened Eleventh	Grant L. Foutz (Div. V)
		Larry T. Thrower (Div. VI)
2/27/96	Reconvened Third	E. H. Williams
6/4/96	Supreme Court	Dan A. McKinnon III

Rules Governing Judicial Nominating Commissions, written by Leo M. Romero, Dean of the UNM School of Law and Chair of the Judicial Nominating Commissions, were adopted and published during the fiscal year. The rules, along with the Applicant Questionnaire, were published in the New Mexico Statutes Annotated, Volume 1, New Mexico Constitution, Article VI, Pamphlet 2, 1996 Cumulative Supplement.

The Dean of the Law School, as Chairman of the Judicial Nominating Commissions, performed the following duties in carrying out the Constitutional responsibilities charged to the Chair:

- 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.

THE DISTINGUISHED ACHIEVEMENT AWARD DINNER

The Distinguished Achievement Award Dinner attracted 380+ guests and was held at the Holiday Inn Pyramid. There were four honorees, two accepted personally, the other two were posthumous awards accepted by family or friends. There were fewer sponsorships for this dinner, but attendance was up so the net proceeds (\$10,000) were the same. Committees are in place for the 1996 event.

LIBRARY CAMPAIGN

As mentioned in the Annual Campaign section, the Library Campaign was an integral part of the annual campaign plan. The Library Campaign had a goal of \$50,000 and exceeded that goal by approximately 25%. The university regents matched funds raised on a 1:2 ratio so the new money added to library acquisitions exceeded \$90,000. The Campaign was chaired by a non-alumni attorney who made a \$10,000 contribution. The success of the campaign can be attributed to another non-alumni donor who made a \$25,000 contribution.

ALUMNI/AE AFFAIRS

UNM School of Law Alumni/ae Board held regular meetings with adequate attendance. The Nominating Committee cultivated and recruited three new people who are active members of the board. The Board sponsored a Third Year reception in April. It was well attended and deemed a success by the Board.

The Board elected officers through a process not yet documented in the by-laws. There is still some reservation about how and when business can be conducted, so until a more firm grasp is established the by-laws will not be revised.

The Dean traveled to various parts of the state for Judicial Selection duties. A reception was held with Alumni/ae in Las Cruces and was well attended. Two small dinners were held in Las Cruces and in Farmington with Alumni/ae Board members and Foundation Board Members. These dinners provided the opportunity for the Dean to discuss happenings at the law school with this valued constituency.

UNM Law is the Alumni/ae news letter which has a circulation of approximately 3,500 and is produced three times per year. The new format, which was developed last year, is well established and liked by readers. The publication has expanded and developed a consistent look which is familiar readers.

ACTIVITIES REPORT
OF THE
INTERNATIONAL TRANSBOUNDARY RESOURCES CENTER
(Centro Internacional de Recursos Transfronterizos - CIRT)

The University of New Mexico
School of Law

1994-96

International Transboundary Resources Center
(Centro Internacional de Recursos Transfronterizos-CIRT)

Activities Report

August 1994 through June 1996

The highlights have been as follows:

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

In collaboration with the Law School of the University of Granada, we organized two conferences—one in Spain held in January 1995, and the second held in Albuquerque in April 1995. These are the third and fourth of a series of conferences entitled *De Santa Fe A Santa Fe* between our two institutions.

The theme for the Granada conference was titled *Current Legal Issues*. Topics included:

·Teaching of Criminal Law in the United States

Speaker: Dean Leo M. Romero

Moderators:

Dr. Jose Miguel Zugaldia Espinar

Professor Concepcion Carrnona Salgado

Professor Guillermo Portilla

·Current Conflicts Between Land Grants of the Spanish Kings and the Federal Law of Public Domain

Speaker: Professor G. Emlen Hall

Moderators:

Dr. Eduardo Roca Roca

Dr. Antonio Orti Vallejo

Dr. Francisco Ramos 80ssini

·The International Practice of Law and the Necessity for a Total Lawyer

Speaker: Professor William T. MacPherson

Moderators:

Dr. Bernardo Moreno Quesada

Dr. Javier Sanchez Calero

Dr. Juan Miguel Ossorio Serrano
Dr. Julia Ruiz-Rico Ruiz-Moron

- Legal Practice from the Point of View of a Latin Feminist

Speaker: Professor Margaret Montoya

Moderators:

Dr. Jose Luis Perez-Serrabona
Dr. Andres Jimenez Rodriguez

- The International Rivers of Spain and Portugal: International Legal Issues

Speaker: Prof. Albert E. Utton

Moderators:

Dr. Diego J. Linan Noguerras
Dr. Augusto Piqueras
Dr. Jose Luis Serrano Moreno
Dr. Esperanza Alcain

The Albuquerque conference dealt with the theme *The European Union and Spain:*

Twentieth Century Impacts on the Law of Spain. The program topics were as follows:

- The European Union Past and Present: An Overview

Speaker: Professor Margaret Montoya

- Commercial Law in the European Union

Speaker: Professor Jose Luis Perez-Serrabona
Commentator: Professor William MacPherson

- Dispute Resolution in the European Union & NAFTA Some Comparisons

Speaker: Professor Antoinette Sedillo Lopez
Commentator: Molly McIntosh, Esquire

- The European Union and Spanish Fiscal Law: **A Comparative Analysis**

Presider: Professor Albert Utton

Speaker: Professor Ernesto Eserverri

Commentators: Professors Charles DuMars and Scott Taylor

- The Unions in Europe and the European Union

Speaker: Dr. Francisco Ramos Bossini

Commentator: Professor Fred Harris

The U.S.-Mexico Region Under Stress (Bisbee, Arizona)

In cooperation with the Udall Center at the University of Arizona and with the financial assistance of the Ford Foundation, we organized the second of a series of conferences entitled *U.S.-Mexico Border: An International Region Under Stress*. This second conference was located at Bisbee, Arizona in February 1995. The goal of the conferences is to bring together all the Ford Foundation grantees working on U.S.-Mexico projects in order to share research results and issues. This Stress II Conference focused on the theme "Potential New Stresses to the Border Environment - Electoral Politics in the U.S. and Economic Instability in Mexico" and the speakers were as follows:

Welcome and Goals of Symposium - Helen Ingram

Panels

Advent of BECC, NADBank, &c NACEC
and the Emergence of New Stresses
Albert E. Utton, Chair

- Part I. Review of the Status and Prospects of the Post-NAFTA
Environmental Institutions
(Mayo Aguilar, Roger Frauenfelder, Alfredo Phillips Olmedo, Bob
Hardaker, John Wirth; Al Utton - Discussant)
- Part II. Identification of New Stresses and Assessment of Their Likely
Impact on Environmental Policy and on
BECC/NADBank/NACEC
(Luis Raul Dominguez Terrazas, Mary Kelly, Victor Miramontes, Jose
Luis Samaniego Leyva, Scott Whiteford; Steve Mumme - Dot)

Democratizing Decisionmaking Through Public Participation
Helen Ingram, Chair

What are some key objectives, and what are likely community strategies for assuring public participation, submitting viable proposals, and developing funding plans? (Rosa Caudillo, Rose Diaz, Miguel Angel Gonzalez, Dick Kamp, Wendy Laird, Francisco Lara, Samuel Schmidt; Paul Ganster - Discussant)

Research, Information, and Influence: New Ways to Shape Border Environmental Policy
Catalina Denman and Robert Varady, Chairs

Faced with the constraints of the new stresses, what should be the role of science and information in sharing decisionmaking? (Salvador Contreras, Ty Fain, Raul Hinojosa, Jose Luis Moreno, Jose Rivera, Tom Singer, Diana Liverman - Discussant)

Creative Responses to Economic and Political Stress

Luis Suarez-Villa and Nancy Laney, Chairs

What are some potentially successful economic and scientific approaches for assuring the success of the BECC/NADBank/NACEC? What will be the tools for accomplishing this? How can we maximize exchange of information and knowledge between the new institutions and the research community? (Peter Emerson, Eugene Grisby, Raul Hinojosa, Rachel Hopp, Alfonso Morales, Chris Nunn, Chad Day-Discussant)

Roundtable Discussion on Environmental-sustainability and Public Participation Criteria
for BECC/NAD Bank

Helen Ingram and A1 Utton, Facilitators

U.S.-Mexico Border: Region Under Stress (Guaymas, Mexico).

On March 1-3,1996, with the Udall Center we engaged the third of the series: *The U.S.-Mexico Border: An International Region Under Stress*. The theme of the Conference was "Toward Sustainability - The State of Research, Institutions, and Information on the U.S.Mexico Border Environment". The various session topics were as follows:

Welcome and Goals of Symposium - A1 Utton and Helen Ingram

1. Snapshots of the Post-NAFTA Border
Moderator: Helen Ingram
2. Understanding the Border Environment
Moderator: A1 Utton
3. Socio-Institutional Sustainability Along the Border
Part A. Nongovernmental Organizations
Moderator: Robert Varady

4. Socio-Institutional Sustainability Along the Border:
Part B. Quasi-governmental Institutions

5. Information Needs for Sustainability

Concluding Remarks
Al Utton

Transboundary Resources (Singapore)

In cooperation with the International Boundaries Research Unit of the University of Durham and the National University of Singapore, we participated in an international conference on transboundary resources. The program included a wide variety of topics including conservation, hydrocarbons, river basins, fisheries and mining. The Director moderated the panel on River Basins, and gave a keynote speech to the plenary session entitled *International Water Law: A Century of Achievement*. Among the Associates of the ITRC participating were Dr. Stephen Mumme of Colorado State University. The conference was held at the National University of Singapore on June 14-18, 1995.

North American Ecological Treaty

A working group has continued its work in drafting a framework on the North American Ecological Treaty. This group is composed of small teams from each of the three North American countries. The heads of the three teams are Ambassador Alan Beesley of Canada, Ambassador Alberto Szekely from Mexico and Albert E. Utton from the United States. The goal is to provide a tri-lateral legal model for cooperation in the management of those migratory resources which can be addressed best on a regional basis, such as migratory species and atmospheric resources. The project is in its fourth year. The working group has been assisted by the Goldsmith Foundation and met in Zavikon Island, Ontario, Canada. The Treaty will be called the *Cuixmala Draft Treaty for the Protection of the North American Ecological Zone*. This will be a broad-based framework treaty with a broader scope than the recently drafted side agreements to the North American Free Trade Agreement (NAFTA).

International Law Association

The Water Resources Committee of the ILA met in Jerusalem and Tel Aviv, May 10th, with representatives from 14 countries in attendance. The Israeli Ministry of Foreign Affairs hosted the meetings. The Center and its Director served as the Secretariat and the Secretary, respectively, for the Water Resources Committee of the International Law Association. The Committee completed draft articles on remedies for transboundary damage and Cross-media Pollution.

The North American Institute/North American Forum

The ITRC was represented in The Conference on North American Federalism held at Stanford, California, in March of 1996. The Conference examined current challenges to the three North American Federal Systems.

Borderland Scholars

The ITRC was represented at the Association of Borderlands Scholars' 36th Annual Conference in Las Vegas, Nevada, by Dr. Stephen Mumme. The conference was held in conjunction with the Western Social Science Association.

Texas State Land Commission

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

Water Issues

The Director spoke at various conferences on: (1) Interstate Compacts at the New Mexico Water Conference in Albuquerque, New Mexico, (2) U.S.-Mexico Water Issues Conference (including 40 Mexican Mayors) in Albuquerque, December 1994, (3) Rio Grande and Rio Colorado before the Interstate Water Council in Santa Fe - January 1995, (4) Spanish-Portuguese Water Issues in Granada, Spain - January 1995, (5) Water Management in Arid Areas, New Mexico Tech, Socorro, New Mexico - March 1995, and (5) Iberian Transboundary Rivers, UNM 21 Club - April 1995, Water Challenges to the Southwest, Whitehouse Fellows - June 1996.

Mexican Foreign Ministry

The ITRC completed the seventh year of the Graduate Program in American Legal Studies for lawyers from the Secretaria de Relaciones Exteriores of Mexico. This program consists of classes at the Law School, externships with the federal and state courts, clerking in a law firm and a paper on a topic of current interest to consular officers such as immigration or trade law. Thus far, six foreign service lawyers have completed the program - Adriana Felix Gonzalez, Rodrigo Labardini, Rodolfo Quilantan Arenas, Ricardo Camara Sanchez, Francisco Javier Rosado and Jose Aguilar Salazar. Mr. Aguilar wrote his thesis on *Proposition 187 and other Measures to Deny Services to Foreign Nationals*.

Peruvian Water Law Reform

The Center through its Director has been advising the Peruvian government regarding the reform of its water law code.

International Law Commission

Our Director of Research, Ambassador Alberto Szekely, participated in the deliberation of the ILC in Geneva in May and June 1995, and May and June 1996.

Publications

We continue to add to the literature of Transboundary resources and have published articles on a variety of topics.

We are now publishing Volume 9 of the *Transboundary Resources Report* and some selected articles include:

- Transboundary Resource Management Models: Applicability to the El Paso~Ciudad Juarez Region for Groundwater Management
- Building a Legal Regime for the Jordan - Yarmouk River System - Lessons from Other International Rivers

·Cooperation and Conflict in Lower Mekong River Basin Development

In cooperation with the Natural Resources Journal, we have now published a special issue devoted to the *International Law of Ecological Restoration*. This is a truly pioneering effort to help develop a body of literature in this emerging field. Among its articles were the following:

·The Movement in the United States to Restoration and Creation of Wetlands by Robert E. Beck

·The International Law of Forests by Ann Hooker

·Fragile Ecosystem Preclusive Restoration In the Antarctic by Christopher C Joyner

·Restoring River and Lake Basin Ecosystems by Ludwik A. and Eileen Teclaff

In sum, the 1994-96 years have been active and varied..

The International Transboundary Resources Center

The Center is supported by grant funds. At the moment, it has grants from the Hewlett, Ford and Rockefeller Foundations, and is dedicated to furthering understanding of how to deal with migratory transboundary resources such as air, water and living resources. The mobile nature of those resources make them particularly challenging, due to the fact that actions on one side of an international boundary can have substantial adverse effects on the other side of the boundary. Good examples are the international rivers and groundwater shared by the U.S. and Mexico.

Activities for this year include:

Santa Fe Conference

- Organizing a conference on New Mexico Water Law in Santa Fe (including international and interstate dimensions).

San Diego

- Participating in cataloging and Analyzing Agencies Responsible for Environmental Administration in the U.S.-Mexico border region with the San Diego State University.

Texas

- Participating with the Texas Land Office in inventorying water and land resources in the U.S.-Mexico border region.

Cuernavaca, México

- Organizing a symposium with the University of Arizona - Udall Center entitled *Coping with Scarcity in the Río Grande/Río Bravo Drainage Basin: Lessons to be Learned from the Droughts of 1995-1996.*

Bellagio, Italy

•Hosting a conference in Italy which is bringing international river basin commissioners from various places around the world to discuss the theme *Managing International River Basins Under Stress: Strengthening Treaty and Institutional Arrangements*.

Foreign Ministry

•Administering the graduate program whereby each year a lawyer with the Mexican Foreign Ministry spends one year studying here at the University of New Mexico School of Law in order to obtain a diploma in American Legal Studies. The program includes regular law school classes, internship with the courts, internship with a law firm, and, finally, a research paper.

Granada Exchange Series

•Arranging a symposium with the University of Granada in Spain whereby a group of faculty members will come here to address recent developments in selected areas in Spanish law and a group of our faculty members will participate in a symposium in Spain to report on recent developments in selected areas of U.S. law. This year the topics will include judicial selection, the use of juries, defending the mentally handicapped, and class action suits.

Also see attached Activities Report of the Center for last year.