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School of Law Annual Report 1993-1994

School of Law Dean

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ANNUAL REPORT

OF THE

SCHOOL OF LAW

July 1, 1993 - June 30, 1994

Leo M. Romero, Dean
### TABLE OF CONTENTS

- Significant Developments During the Academic Year .................. 1
- The Law School Faculty ......................................................... 2
- The Law School Clinical Programs ........................................... 3
- The Natural Resources Journal ............................................... 4
- New Mexico Law Review ....................................................... 6
- International Transboundary Resources Center ......................... 9
- Institute of Public Law ......................................................... 12
- United States-Mexico Law Institute ......................................... 14
- Admissions ............................................................................. 15
- Financial Aid .......................................................................... 15
- Computer and Technology Services ......................................... 15
- Alumni/ae Relations ............................................................... 16
- Development ............................................................................ 17
- Law Library .............................................................................. 18
SIGNIFICANT ADVANCEMENTS DURING THE ACADEMIC YEAR

Under the direction of Dean Leo M. Romero, the University of New Mexico School of Law continued to grow and prosper. With the establishments of new programs and recognition of law school faculty and students for their legal scholarship, along with continued growth in a number of existing programs, the law school has seen important developments and accomplishments. The following is a summary of the important developments and accomplishments at the School of Law in 1993-94.

Jacobson Award

In August 1993, Professor Barbara Bergman received the 10th Richard S. Jacobson Award for Excellence in Teaching Trial Advocacy. The Award was presented by the Association of Trial Lawyers of America and included a $5,000 stipend. Bergman, who has been at the law school since 1987 and teaches a six-credit hour course in Evidence and Trial Practice, was the first woman to win the Award.

New Clinical Program

Beginning in the spring of 1994, Second and Third year law students were given an opportunity to fulfill their clinical hours requirement through the newly established Southwest Indian Law Clinic. Headed by Christine Zuni, the clinic provides legal services to New Mexico’s Native Americans and has established a good working relationship with many of New Mexico’s 22 tribes.

Publications

Professor of Law Sheryl Scheible Wolf published a new book, Understanding Family Law. The book, which came out in July, is the first family law volume in Matthew Bender’s Legal Text Series. The book covers every major concept of family law and was coauthored by John DeWitt Gregory and Peter N. Swisher.

Mock Trial Team

In March 1994, two teams represented the UNM School of Law at the Regional Mock Trial Competition in Provo, Utah. Coached by Dean Romero and adjuncts Steven Scholl and Sharon Marinuzzi, the teams of Deborah Mann, Liza Moore and Rozan Salazar, and Virginia Dugan, Gary Meade, and Peggy Whitmore competed against 19 other teams representing 16 schools. Both teams advanced to the semi-final
rounds.

Moot Court

In February 1994, two first year students took second place at the National Native American Law Student Association's Moot Court Competition in Salt Lake City, Utah. Coached by law professor Gloria Vlencia-Weber and third-year law student Levon Henry, John Hart and Kyle Nayback argued during the final round of the competition against the American University’s Washington College of Law. A total of 19 teams competed in the competition, including the UNM law school teams of Susan Allen and RoseMary Maestas, and Terry Padilla and Luralene Tapahe.

THE LAW SCHOOL FACULTY

Appointments and Separations to Staff

Visitors. Several visiting faculty brought their expertise to the law school in 1993-94. Nancy Cook continued as a Visiting Professor, assisting with the Institute for Access to Justice. Cook previously taught at the American University Law School in Washington, D.C. where her specialties were appellate advocacy and clinical training and supervision. Margaret Montoya, formerly Associate University Counsel at UNM, continued as a Visiting Assistant Professor. Montoya taught in the Institute for Access to Justice and taught Advocacy. Angela Martinez, a director in the Albuquerque law firm of Rodey, Dickason, Sloan, Akin & Robb, P.A., taught in the D.A. Clinic during the fall semester. Henry Holzer, an exchange visitor from Brooklyn Law School, taught Role of the Lawyer and an Appellate Advocacy Seminar in the fall. Francisco Bossini, visited UNM the first half of the fall semester. Bossini, a well-known scholar from the University of Granada, Granada, Spain, taught European Legal Systems. Jacqueline Hand visited UNM in the spring from the University of Detroit. Hand taught Property and Wills and Trusts. Edward Godfrey, former dean at the University of Maine and former Supreme Court Justice in Maine, taught Conflicts of Law in the spring. Jennifer Davis Hall, an attorney with Advocacy, Inc., also visited in the spring and taught Advocacy and Juvenile Law.

Adjuncts. The law school continued to strengthen its ties with the legal community. The following adjunct professors taught during the year: Joanna Aguilar, Garry Breeswine and Peter Ross of the District Attorney's Office; Donald Becker, Esq.; Mark Bennett, Santa Fe mediation consultant; William Dixon, Rodey, Dickason, Sloan, Akin & Robb; Cheryl Fairbanks, Office of Indian Affairs; Joan Gibson, Director, Center for Health Law and Ethics, Institute of Public Law; Franklin Gill, Director, U.S.—Mexico Law Institute; Joseph Goldberg, Freedman, Boyd, Daniels, Peifer, Hollander, Guttman & Goldberg; The Honorable Gregory Griego, Workers'
Permanent Faculty. The law school began 1993-94 with a total of 30 permanent faculty including 2 African Americans and 3 Hispanics. Of the 30, 11 were women. The school had three deans, one of whom was Hispanic and one a woman.

Professor Garrett Flickinger retired at the end of December after twenty-one years of service with UNM.

Honors and Awards. Professor J. Michael Norwood was appointed as the University of New Mexico Regent's Professor of Law and Professor Sherri Burr as the Regent's Lecturer in Law. Professor Emlen Hall was named the Keleher & McLeod Professor and Professor Ann Scales, the Henry Weihofen Professor.

Two law school professors were granted tenure and promoted. Barbara Bergman and Christian Fritz became full professors effective 1993-94. Barbara Bergman joined the law school faculty in the fall of 1987. She received her B.A. from Bradley University and the J.D. from Stanford University. Professor Bergman's teaching and research interests include criminal law and juvenile law. Chris Fritz also joined the law faculty in the fall of 1987. He received the B.A. and his Ph.D. from the University of California, Berkeley, and J.D. from the University of California, Hastings College of Law. His teaching and research interests include constitutional law and legal history.

Leaves of Absence. On full-year sabbaticals during 1993-94 were Professors Charles DuMars, Christian Fritz, and Antoinette Sedillo Lopez.

Two law school professors were on leave without pay. Michele Hermann taught at Ohio State School of Law during the fall semester as the Drinko, Baker & Hostetler Distinguished Visiting Professor; and Theodore Parnall began a three-year leave to serve as Law Development Advisor for the Indonesia Economic Law and Improved Procurement Systems Project in Jakarta.

THE LAW SCHOOL CLINICAL PROGRAMS

The Law School Clinic received a second appropriation of $80,000.00 from the 1994 New Mexico Legislature in order to continue the work of the Southwest Indian Law Clinic (SILC) during the 1994-95 academic year. The Southwest Indian Law Clinic became fully operational in the Spring, 1994 semester, and will continue to offer legal services to Native Americans in New Mexico. The
Southwest Indian Law Clinic is supervised by Professor Christine P. Zuni, who was responsible for the basic planning and implementaion of the SILC. In another area of the Law Clinic, the Summer 1994 clinical session will mark the completion of the third and final operating year for the Institute for Access to Justice Clinical Program (IAJ), which was funded under a series of grants from the United States Department of Education. The IAJ Clinical Program was warmly received in Albuquerque’s low income communities and it is anticipated that its focus on low income community and group representation will continue in the regular case work of the Law Practice Clinic. The Law School also applied for a federal grant to fund a New Semester In Practice Program (SIP) which will begin in the Spring 1995 semester. The SIP program will allow students to receive a more focused and concentrated clinical learning experience by allowing them to devote all of their efforts for one semester to clinical education. The Law School has submitted a grant proposal to the Department of Education to provide three years’ funding for this important new pilot program. It is anticipated that the SIP program, building on the focus and experience of the IAJ program, will become a basic part of the Law School’s Clinical education program and a new national model for clinical education in the United States. This new effort in creating a clinical semester continues the Law School’s long term emphasis on clinical education as a key component of the Law School’s curriculum.

**THE NATURAL RESOURCES JOURNAL**

The Natural Resources Journal had an active and full publication year. The student Editorial Board was as follows:

**Administrative Special Issue Editor** - Gabrielle Valdez  
**Lead Articles Editors** - Christina Bruff  
- Tom Kinney  
- Rich Weiner  
**Notes and Comments Editors** - Estelle Bowman  
- Catherine Cameron  
- Alexia Constantares  
- Lorraine Hollingsworth  
- Alberta Lux  
- Barbara Reddy  
**Coordinating-Processing Editors** - Claudia Gayheart  
- Terry Padilla  
**Natural Resources Reporter** - Suzanne Beaudette

The publication year of the Natural Resources was highlighted by the following:
Harnessing International Law to Determine Israeli-Palestinian Water Rights: The Mountain Aquifer  
-Eyal Benvenisti and Haim Gvirtman

The Institutional Imperative: Resolving Transboundary Water Conflict in Arid Agricultural Regions of the United States and the Commonwealth of Independent States  
-Susan Buck, Gregory Gleason and Mitchel Jofuku

Legal Aspects of Transboundary River Basins in the Middle East: The Al Asi (Orontes), The Jordan and the Nile  
-Dante A. Caponera

The GATT-Tuna Dolphin Dispute: An Update  
-Judge R. Kenton Musgrave

Impact of Land Use on Biodiversity Preservation in Nigerian Natural Ecosystems: A Review  
-Gbadebo J. Osemeobo

The Endangered Species Act at Twenty: An Analytical Survey of Federal Endangered Species Protection  
-Andrew Smith, Margaret Moote and Cecil Schwalbe

CVM Spells Responses to Hypothetical Questions  
-Peter Bohm

Was the Ohio Court Well Informed in Its Assessment of the Accuracy of the Contingent Valuation Method?  
-Ronald G. Cummings and Glenn W. Harrison

Is the Glass Half Empty, Is the Glass Half Full? Compensable Damages and the Contingent Valuation Method  
-David S. Brookshire and Michael McKee

Why the Ohio Case Shouldn't Matter  
-Robert J. McManus, Esq.

PDS Constraints on Utility Planning: A Review of Recent Visibility Litigation  
-Alan P. Loeb, Esq. and Tiffany J. Elliottt
State School Lands and Sustainable Resources Management: The Quest for Guiding Principles
-Jon A. Souder, Sally K. Fairfax and Larry Ruth

The Cleanup of Releases of Radioactive Materials from Commercial Low-Level Radioactive Waste Disposals Sites: Whose Jurisdiction?
-Clare Hartnett

The Natural Resources Journal is planning a Special Issue on the "International Law of Environmental Restoration" scheduled for the Fall of 1994. This is a pioneer field of international law and this issue will contribute to its development.

The Natural Resources Journal is also in the process of selecting articles for Volume 35, 1995 - the 35th Anniversary Year.

NEW MEXICO LAW REVIEW


The Law Review's first issue contained lead articles covering various topics of interest. Some of the featured authors were Dean Rosemary C. Salomone of St. John's University School of Law, on public forum doctrine; Professor J. Thomas Sullivan of the University of Arkansas at Little Rock, with a response to a previous article on the New Mexico Court of Appeals' summary calendar; and Professor Henry M. Holzer, a visiting professor here at the Law School, wrote about the much publicized case of the Desert Storm woman soldier who was attacked by her First Sergeant.

The second issue was an Indian Law Symposium featuring articles written by Navajo Chief Justice Robert Yazzie, Professor Robert Laurence (recognized in the field of Indian Law), and an introduction by Senator Ben Nighthorse Campbell of Colorado. The Law School's Professors Gloria Valencia-Weber and Christine Zuni contributed articles on the tribal court system and Philip S. "Sam" Deloria gave an informal history of the American Indian Law Center located here at the Law School.

The third issue was the annual survey consisting of student-written notes on cases that significantly affected New Mexico's laws. This year there were 20 student notes published.

The fourth issue was the United States-Mexico Law Journal, a product of the United States-Mexico Law Institute, Inc., under the direction of Professor Franklin E. Gill. The issue contains the proceedings of the Institute's Second Annual Conference held in Santa Fe, New Mexico, October 28-30, 1993. This year's topics of discussion were Current Issues in U.S.-Mexican Business Law: The Progress of the North American Free Trade Agreement; Enforcement of Foreign Judgments and Arbitral Awards; Secured Financing of Personal and Real Property. The issue contains articles and panel discussions, some followed by questions and comments by the
participants, mostly taken from the transcripts of the Conference and some were papers submitted by the speakers. The Law Review staff edited the transcripts and papers for clarification, adding footnotes where appropriate. Professor Frederick M. Hart's commentary on Article 9 of the Uniform Commercial Code was translated into Spanish. There were a total of 14 article pieces and 4 panel discussions.

Write-on Competitions. The Law Review holds two write-on competitions annually. The first of these took place over the winter break period, December 1993-January 1994. The response was good with 59 packets being distributed. The Law Review also accepts papers written for the Natural Resources Journal competition. There were 21 papers turned in, 9 of which were written on the NRJ problem. The Board made offers of acceptance to 11 students and 10 of them accepted; all were first-year students who will be on the staff beginning Fall 1994.

The second competition was held over the summer break period with packet pickup from June 1 through July 27. A total of 35 packets were distributed. The return deadline is August 5, 1994. The 1994-95 Board will be making the selections from this competition.

Activities. Work Sessions. The Law Review held work sessions, known as "cite-checking parties," approximately once a month or when needed. These sessions have proven to be more efficient in getting articles cite-checked and edited for publication. The sessions also serve as a vehicle for staff interaction and developing comraderie which is very important for a good working relationship among the staff.

1993 United States-Mexico Law Institute Conference. Over the last weekend of October 1993, the United States-Mexico Law Institute held its Second Annual Conference in Santa Fe, New Mexico. The Law Review's editors for the United States-Mexico Law Journal, Andrew Abeyta and Paul Owen, attended the conference. They supervised the tape recording of the sessions, met with the speakers, and assisted with some of the activities of the conference.

National Conference of Law Reviews. The National Conference of Law Reviews, of which the Law Review is a member, held its annual meeting in San Juan, Puerto Rico, on March 16-20, 1994. The meeting was attended by incoming Editorial Board members Gregory Williams (Editor-in-Chief) and Monique Salazar (Managing Editor). They reported that they learned much about how other law reviews operate and how our law review compares with others nationwide.

Indian Law Conference. The Nineteenth Annual Federal Bar Association Indian Law Conference was held in Albuquerque on April 7-8, 1994. 1994-95 Symposium Editors, Alison Arias and Mike Witt, attended the conference in preparation for their Indian Law issue. The conference covers a broad range of topics critical to the development of Indian law. Some of the issues of this year's conference were health reform, the Endangered Species Act, economic
development, compliance with the Indian Child Welfare Act, implementation of the Indian Gaming Regulatory Act, water rights settlements, and water quality regulation in Indian country. The editors are also trying to get permission to publish some of the most significant speeches given at the "Listening Conference" held in Albuquerque this spring.

The Law Review Board. 1994-95 Editorial Board Appointments. In March, selections for the 1994-95 Editorial Board were made and a total of 14 positions were filled. The Board will again have two editors each for the symposium issue (to again be on Indian Law issues) and the United States-Mexico Law Journal issue.

Membership. In the spring, there was considerable discussion by both the current and new Boards and the staff about the criteria for Law Review membership and they considered the possibility of establishing a base grade point average or class standing as a condition for membership. They also discussed limiting the size of the Law Review staff because many felt that this year's staff of nearly 50 was too many and some students quit after the Fall semester because of lack of work. The 1994-95 Board will consider these changes for next year.

Future of the United States-Mexico Law Journal. There was also discussion regarding the future relationship between the Law Review and the United States-Mexico Law Journal. There was concern about just how the Journal will fit into future Law Review publication: will it be a permanent issue of our subscription or will it continue to be a separate issue? Because of the larger amount of work involved with its publication, should it have its own separate staff or should the Law Review continue to "share" its staff for this issue? There have been meetings with Dean Romero, Professor Gill, Director of the United States-Mexico Law Institute, the Law Review's Administrative Secretary, and the 1994-95 Editor-in-Chief concerning this issue. The meetings are continuing and hopefully this issue can be resolved soon.

Case Notes. The 1994-95 Survey Editor initiated a new approach to dealing the number of case notes she and the Notes & Comments Editors must supervise and edit. She has set two writing periods: the first set to be done over the summer and the second set during the Fall semester. This schedule should alleviate the problem of the editors being inundated with work.

Expenses. The Law Review has managed to hold down expenses this year. One area which shows a dramatic drop is in publication expenses. This was due mainly to smaller-sized books and smaller quantities printed. The basic page limit for each issue is 250 pages; the three issues this year averaged just under 200 pages. The Law Review also worked harder to limit the number of corrections made on the first and final proofs to keep down the charges for these alterations.

Future Plans. Desktop Publishing. The Law Review has been talking with the Computer And Technology Services (CATS) personnel about
acquiring new computers, a printer, and software to enable the Law Review to move into desktop publishing. Discussions are still continuing and nothing has been decided as yet.

1994 United States-Mexico Law Institute Conference. The Third Annual Conference of the United States-Mexico Law Institute is scheduled for September 15-17, 1994, in Santa Fe, New Mexico. This year's topics are "Current Issues: Corporations, Energy and Labor." As the Law Review will again publish papers from this conference, the editors for the Journal will be very busy upon their return to school coordinating the conference speakers/authors for the publication. With the conference being held over a month earlier this year the staff will have busier fall semester, but this should result in an earlier publication date next year.

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

The 1993-94 year has been active for CIRT. The highlights of the year have been as follows:

NAFTA and the Environment (Stanford University). In cooperation with the North America Forum at Stanford, and the Center for Latin American Studies at Stanford, CIRT helped organize an all-day conference entitled NAFTA and the Environment: The Tuna-Dolphin Conflict. This has and continues to be an important and controversial issue between Mexico and the United States.

The U.S.-Mexico Border (Santa Fe). In cooperation with the Udall Center at the University of Arizona and with the financial assistance of the Ford Foundation, CIRT organized a conference entitled U.S.-Mexico Border: An International Region Under Stress. The conference was located at La Posada de Santa Fe in Santa Fe, New Mexico. The goal of the conference was to bring together all the Ford Foundation grantees working on U.S.-Mexico projects in order to share research results and issues.

Transboundary Resources (Durham, England). In cooperation with the International Boundaries Research Unit of the University of Durham, CIRT co-sponsored an international conference entitled Transboundary Resources: Conflict Resolution and Peaceful Management Strategies. The program included a wide variety of topics including conservation, hydrocarbons, river basins, fisheries and mining. The Director moderated the panel on River Basins. Among the Associates of CIRT participating were: Dr. Ellen Hey of Holland, Dr. Dante Caponera of Italy, and Dr. Stephen Mumme of Colorado State University. The conference was held at the University of Durham on April 14-17, 1994.

The Rio Grande Basin (El Paso). CIRT, through its Director, participated in the planning of the Town Hall conference on Sustainable Development for the Rio Grande/Rio Bravo Basin. The
conference was held in El Paso, Texas, May 1994, and brought together representatives from all the major sub-basins of the drainage basin.

**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 Székely 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 third year. The working group has been assisted by the Goldsmith Foundation and again met at Cuixmala, Mexico. 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 Center and its Director served as the Secretariat and the Secretary, respectively, for the Water Resources Committee of the International Law Association. CIRT Senior Fellow, Robert Hayton, serves as Rapporteur for the Committee. The full Committee met in Rome in February at the UN HQ (FAO). The various working groups reported on their progress in the areas of major water diversions from international rivers, liability for transboundary damage and cross-media pollution. The reports of both groups were accepted for presentation at the general ILA meeting in Buenos Aires in August.

**The North American Institute.** CIRT participated in various conferences of The North American Institute and sits on the Board of Directors.

**Mexican Research Program.** In conjunction with PROFMEX, we helped organize the annual meeting of the Board of Directors of PROFMEX. This meeting was held in Santa Fe in conjunction with the conference on the U.S.-Mexico Border: An International Region Under Stress.

**North American Free Trade Agreement.** Prior to the vote in Congress on NAFTA, the Director, at the request of Congressman Bill Richardson of New Mexico, briefed a group of seventeen congressmen on the environment situation in the border at Matamoros, Tamaulipas, Mexico.

**Borderlands Scholars.** CIRT was represented at the Association of Borderlands Scholars' 35th Annual Conference in Albuquerque, New Mexico by Dr. Stephen Mumme. The conference was held in conjunction with the Western Social Science Association.
International Boundary Environmental Cooperation Commission. CIRT, in collaboration with the Udall Center at the University of Arizona and other specialists, drafted a proposal for an International Boundary Environmental Commission (IBEC). This proposal has significantly influenced the creation of the Border Environmental Cooperation Commission.

Texas State Land Commission. CIRT, through its Director and in cooperation with the Texas State Land Commissioner 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) Rio Grande water supplies at the conference on the Rio Grande Basin and Sustainable Development in El Paso, Texas, May 1994, (2) Regional Water Planning in Taos, New Mexico in November, 1993, (3) U.S.-Mexico Water Issues in Santa Fe in August, 1993 and (4) Transboundary Water Management at the New Mexico Water Conference in Carlsbad, New Mexico in September, 1993. In addition, the Director was asked to present the Annual Research Lecture in April. This is the highest honor the University of New Mexico can bestow on a member of the faculty. He spoke on the U.S.-Mexico Border: An International Region Under Stress.

Mexican Foreign Ministry. CIRT completed the fifth year of the Graduate Program in American Legal Studies for lawyers from the Secretaría 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, five foreign service lawyers have completed the program - Adriana Félix González, Rodrigo Labardini, Rodolfo Quilantán Arenas, Ricardo Cámara Sánchez and Francisco Javier Rosado. Lic. Rosado wrote his thesis on The Dispute Settlement Mechanisms in GATT the World Trade Organization and NAFTA: Is Reconciliation Between Trade and the Environment Possible?


Guanajuato Summer Law Institute (Guanajuato, Gto., Mexico.) CIRT provided administrative support to the Summer Law Institute. CIRT's Program Coordinator, Delia Rojas-Urioste, acted as Administrative Assistant to the Director of the Institute in carrying out this six-week long program for over fifty students from the United States, Mexico and Canada. The courses offered included Immigration Law, Mexican Law - An Overview and NAFTA's Effects on Mexican Law and Economy.
Publications. CIRT continue to add to the literature of Transboundary resources and have published articles on a variety of topics.

They are now publishing Volume 8 of the Transboundary Resources Report and some selected articles include:

- **Challenges Facing the Management and Sharing of the Ganges**
- **The Need to Protect Estuarine Zones in Arid Areas:**
  - The Example of the Colorado River
- **The Danube River Basin: International Cooperation for Sustainable Development**

In cooperation with the Natural Resources Journal, CIRT has now published Part II of Managing North American Transboundary Water Resources. This is perhaps the most important comparative study to date of the U.S.-Mexico - International Boundary and Water Commission, and the U.S.-Canadian - International Joint Commission. Among its articles were the following:

- **The International Joint Commission and Public Participation: Past Experiences, Present Challenges, Future Tasks** by Mimi Larsen Becker
- **Public Participation and the IBWC: Challenges and Options** by Roberto Sánchez
- **Ecosystem Management: Great Lakes Perspectives** by Leonard B. Dworsky
- **Shared Resources, Common Future: Sustainable Management of Canada-United States Border Waters** by Barry Sadler
- **Institutional Responsiveness and Planning: The Case of Mexico and the United States** by Alberto Székely

These publications make an important contribution to the rational management of Transboundary issues.

INSTITUTE OF PUBLIC LAW

The Institute of Public Law has continued to work on numerous projects funded by state and federal government and private foundations.

In 1993, the Center for Wildlife Law completed a State Wildlife and Poaching Laws Campaign to ensure national dissemination of its State Wildlife Laws Handbook (Government Institutes, 1993), the first summary and comparison of fish and wildlife codes of the 50 states. The campaign was designed to educate the public, lawmakers, interested organizations and agencies about the availability of the Handbook; to focus national attention on the issues raised by the work; and to mobilize awareness of and support for changes in states' wildlife laws to better protect wildlife and promote its welfare. The state handbook has paved the way for a companion volume, the Federal Wildlife Laws Handbook. A $344,233 grant from the U.S. Fish and Wildlife Service Division of Federal Aid is funding work on this book, which is expected to be finished in late 1995. The book will
summarize all of the federal laws that have application to state and federal protection and management of fish and wildlife in the U.S., as well as U.S. treaties and federal treaty enabling legislation. In 1993, the Center began publishing the *Wildlife Law News Quarterly*, the only newsletter which reports on the latest developments in wildlife law in the states and Canadian provinces. The Center has established a network of fish and wildlife attorneys who report to newsletter staff on new developments in their jurisdictions.

Center Director Ruth Musgrave is one of only a handful of wildlife law experts in the U.S. She teaches a course in wildlife law at the University of New Mexico Law School. In 1993, she was appointed to the State of New Mexico's advisory committee for the review of the Department of Fish and Game's laws. Musgrave also serves on a number of national boards, including Defenders of Wildlife, The Dian Fossey Fund, and the Francis R. Seebee Charitable Trust.

The Center for Environmental Law and Policy began the year by conducting a training program in environmental law for state court judges from the southwestern states of Arizona, Colorado, New Mexico, Texas and Utah. Conducted in coordination with the Environmental Law Institute and funded by the State Justice Institute, the Southwestern Judges Conference on Environmental Law took place in Albuquerque on July 29-30, 1993. A resource handbook has been adapted from the proceedings and distributed to state judicial educators nationwide.

The Institute continues to publish the quarterly newsletter *Tank Notes* on behalf of the New Mexico Environment Department's Underground Storage Tank Bureau. *Tank Notes* is highly regarded for the way it uses humor and easy-to-read articles to communicate complicated regulatory requirements and technical developments to owners and operators of underground storage tanks. Institute staff have also assisted the UST Bureau in drafting revisions to the state UST regulations, specifically the financial responsibility requirements. For the NMED's Hazardous and Radioactive Materials Bureau, staff presented testimony to the Environmental Improvement Board explaining the Department's proposed regulations setting annual fees for hazardous waste generators and facilities. IPL had assisted the Department and its task force in developing those regulations.

In August 1993, the Institute concluded its work on a legal analysis of the City of Albuquerque/Bernalillo County Ground-Water Protection Policy and Action Plan (October 1992 Draft Final) for the City/County Policy Coordinating Committee.

During the 1993-94 fiscal year, the Rozier E. Sanchez Judicial Education Center provided about two dozen programs for the justices and judges, court clerks and other personnel of the New Mexico judicial branch. Programs conducted this year included a week-long orientation for new municipal court judges; statewide satellite teleconferences on DWI and contempt of court; and a seminar on domestic violence for the judges and court staff of the district, magistrate and municipal courts for the Ninth and Tenth Judicial
Districts. The Center arranged a statewide teleconference and regional seminars for the Supreme Court's Judicial Information Division to prepare court staff for automation enhancements. Our funding transferred from primarily federal to primarily state sources, including the new $1 judicial education fee; and our staff increased to three full-time and two part-time members.

The New Mexico Department of Highway and transportation, Traffic Safety Bureau provided the Institute with five grant awards in the past year. The projects included an update and revision of the DWI Prosecutor's Manual, coordination of the bi-national Border Traffic Safety Conference (held in El Paso November 15-17, 1993), the Teen Safety Activist Development Program, DWI Prevention Teen Activism Program and the DWI Training and Information Program. IPL staff also surveyed records systems in Bernalillo County for DWI Metro Action Team. In the next year the Institute will begin the Traffic Safety Information Program and continue and expand work on the teen awareness with the Youth Traffic Safety Action Program. In addition, IPL will coordinate a statewide DWI Assessment for the bureau.

IPL staff performed research and prepared drafts of rules for the Telecommunications, Transportation and Insurance Departments of the State Corporation Commission.

**APPOINTMENTS TO STAFF**

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**SEPARATIONS FROM STAFF**

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**UNITED STATES-MEXICO LAW INSTITUTE**

The United States-Mexico Law Institute held its Third Annual Conference September 15-17, 1994, in Santa Fe, New Mexico. Prominent attorneys from Mexico and the United States compared corporate and securities laws in Mexico and the United States and discussed the regulation of the energy industry in Mexico.

Robert Hertzstein of Washington, D.C., who represented the government of Mexico in some of the negotiations of the North American Free Trade Agreement and Jorge Perez-Lopez of the U.S. Department of Labor discussed the NAFTA Labor Cooperation Agreement with representatives of labor and corporations.

The general Counsel of Xerox Mexicana, S.A., who has been
extensively involved in civil litigation in Mexico talked about the administration of justice in Mexico.

The U.S.-Mexico Law Institute was organized in cooperation with the Mexican Law Committee of the Section of International Law and Practice of the American Bar Association, the State Bar of New Mexico, and the Asociación Nacional de Abogados de Empresas of Mexico. The purposes are to promote research on legal problems common to the United States and Mexico, to study the administration of justice in both countries, and to provide a regular forum for attorneys, judges and legal scholars to meet and share their opinions with their counterparts from the other country.

The Institute publishes annually the United-States-Mexico Law Journal edited by the staff of the University of New Mexico Law Review. Students of UNM School of Law who edit the Journal are invited to participate in the institute conferences.

ADMISSIONS

The University of New Mexico School of Law received 1252 applications for the class that entered Fall 1993. Of that group 203 were admitted. The median LSAT for those admitted was 158 and the median UGPA was 3.31. The matriculated class of 109 had a 156 LSAT median (based on the average of multiple scores). The LSAT range was 172 to 137. The UGPA median was 3.3 ranging from a 2.15 to 3.98. The average age on entry was 26. The class had 52 percent women and 49 percent minority students. There were 98 residents and 11 nonresidents in the Class of 1996.

FINANCIAL AID

With few exceptions, law school grant assistance is need based. In 1993-94 the school made grant awards to 67 students for a total amount of $119,399. Of the 67 students, 27 students were Native Americans, receiving in-state tuition grants. Grants ranged from $400 to $2,900 and averaged $1,782. Financial aid decisions were made in June and November by the law school financial aid committee comprised of two faculty members, an associate dean, and the director of law school admission and financial aid.

COMPUTER AND TECHNOLOGY SERVICES

Computer and Technology Services (CATS) was formed in summer of 1993. The group evolved from individuals providing computer support to the clinic and the library to a department chartered with managing all aspects of computer services throughout the Law School.

A primary focus of the past year was to establish a foundation for an effective organization. This included numerous clean-up tasks, establishing policies and procedures, strategic planning,
and stabilizing the computing environment. These activities were complicated by the fact that the Law School was using a computer that was on loan from Digital Equipment Corporation and the actual machine had to be swapped a couple of times before we obtained our permanent one. There was also significant effort invested in obtaining funding from main campus to finally purchase the system.

In tandem with the process of establishing a foundation, CATS also realized the need to look and move forward. Thus, in concert with our strategic plan, we took on several projects that improved our computer capabilities. The most pervasive project was the expansion of our network capability to support the Macintoshes that were being used in Administration and PCs which are needed by faculty, staff, and students. This expansion maintains the goal of the Law School to have a high degree of shareability of information via a network while greatly enhancing our capabilities through use of extensive PC and Macintosh based applications.

In addition to those accomplishments we have made, we are continuing our efforts both in maintaining a stable and reliable computing environment and in enhancing the functionality and usability of our systems. This fall we will implement ten hours of computer training designed to complement the LRRW and Advocacy programs. We are working closely with CIRT to implement the Network 2000 project in Bratton Hall which will increase the number of high-speed network connections we have. That will pave the way for us to implement a CD-ROM server, based out of the library and available to PCs located throughout the Law School. This is already being investigated and planned. And we are exploring ways to more fully tap into the Internet by use of our UNIX system.

ALUMNI/AE RELATIONS

1. The first Annual Distinguished Achievement Award Dinner
   A. Attendance reached 480.
   B. Videos of the three awardees were produced.
   C. Net fund raising result was $9,500.
   D. Recognition plaques were placed on a wall in the forum and dedicated in March.

2. The second Annual Distinguished Award Dinner
   A. Sponsorships have been secured for the wine, mementos and reception. Plans are in progress for additional sponsorship.
   B. Video of the three awardees is complete.
   C. Site is secured.

3. The Alumni/ae Board
   A. A retreat was held to determine the direction for the year and set goals. Almost half of the Board attended.
      1. One of the goals centered around working more closely with the outlying areas. Two of the four areas have had meetings during the past six months
      2. By-Laws are being reviewed and updated.
   B. The annual meeting was held in conjunction with the Bar Convention in October.
4. There were a series of ten Law Firm functions to inform alumni/ae and other interested attorneys about what the law school is doing.
   A. The Dean, Development Director, Library Director and Technologies Director were representatives from the law school.

5. Reunions
   A. Committees have been formed and classes are being contacted.
   B. Class representatives have agreed to include a fund raising component in planning reunion activities.
   C. Reunion weekend will coincide with the Distinguished Achievement Award Dinner.

DEVELOPMENT

1. Law Firm Breakfast
   A. One Law Firm Breakfast was held in September to inform smaller law firm principles about the needs of the law school. Approximately 12 people attended.

2. Internal files
   A. The scholarship files were accumulated, read and summarized for the use of the Financial Aid Committee. Each account was documented and reviewed with either University or Foundation account managers for recommendations.
   B. Income accounts were reviewed and recommendations discussed and implemented with Peggy and Eduardo.
   C. The donor data base was reviewed and recommendations implemented to more accurately reflect the intention of the donor and where money is directed or restricted.

3. Major Gifts
   A. Currently on the Foundation tracking system there are 20-25 potential donors
   B. Additions to the law school endowments equaled $119,953.
   C. Four new endowments were started this year.
   D. The most significant gift in progress is the intended Chair from Margaret Moses and Turner Branch. There is a second anonymous donor considering a Chair.
   E. The most significant bequest is the Karelitz Chair which will be in excess of $2 million.
   F. Continued work is in progress with several donors for bequests and endowments.
   G. A cultivation was held at University House which included six major donors. The dinner was followed by a basketball game. We won!

4. Annual Campaign
   A. Consisted of two mailings—one in November, one in December, and the phone-a-thon.
   B. Volunteers played a minor role in writing or signing letters, doing phone follow-up and giving general direction to the campaign.
   C. Pledge cards and brochures were developed specifically for the campaign.
D. Results: Excluding dinner money, $66,807 raised.
E. Campaign plans for 1994-95 will add a firm and lead gifts component as well as reinstitute class representatives.

5. The Simms Memorial Lectureship Board of Trustees met twice.

6. Professional Development
   A. Attended the ABA conference for deans and development directors.

LAW LIBRARY

The UNM Law Library finished its first year under the direction of the new Law Library Director, Judith Anspach. Significant developments during the year were the reorganization of the Reference Department to create a new Information Services Desk and a Research Services Desk; an increase in fund raising activity coordinated by a new Law School Development Director, Jan Hosea; completion of a glass wall sound barrier on the Upper Floor of the library which also necessitated an asbestos abatement project; and many enhancements of the shared UNM Library bibliographic automated system and refinements in internal library procedures.

Organizational Changes. In an effort to strengthen the quality of the reference service offered to law faculty, law students, and the legal community, the Reference Department was reorganized in January, 1994. Reference services were divided into an Information Services area and a Research Services area. An Information Services Desk was created at the Circulation desk to assist the public and provide answers to inquiries not requiring in-depth research. A small collection of core legal materials was also assembled for easy access by the Information Services staff, and the Pro Se Collection was moved to an alcove across from the Information Services Desk. The Research Services Desk, located in the Upper Floor Reference Center, is staffed by librarians. Two vacant paraprofessional positions were converted to add one librarian position requiring both the MLS and the JD degrees. This position is scheduled to be filled in the fall semester, 1994, and will provide a second legally trained librarian to assist with in-depth legal reference questions.

All cash functions: i.e. change-making, selling of parking permits, cash register operation, etc. were removed from the Circulation Desk and from student staffing to the Photocopy Services area where stricter security is available and permanent staff have responsibility for these operations. Hours for photocopy service have been expanded to provide staff and student assistance at the photocopy machines until 9:00 PM on week nights and during the day on Saturday and Sunday.

In preparation for utilizing the fund accounting functions of the Library’s INNOPAC integrated automated system into the Library’s fiscal management procedures, the Staff Assistant for Fiscal Services, Marylin Jaramillo-Garcia, moved to the Acquisitions area. Throughout 1994/95 special coding will be devised and the INNOPAC reporting functions will be used for fund accounting for purchases and receipts of equipment, supplies, and
other budgetary expenses in addition to library books and serials. Use of INNOPAC for these purposes will eliminate duplicate inputting and record keeping in the LOTUS system which has been done for the past several years.

The position of Administrative Coordinator was created and is currently posted. This position in the administration area of the Law Library will provide additional and much needed support for the Library Director and Deputy Director.

The entire staffing structure throughout the Law Library is being reviewed in response to the ABA and AALS Accreditation reports which urged an increase of professional librarians on the Law Library staff as well as dual-degreed librarians. Whenever a vacancy occurs it is not automatically filled at the same level, but the needs of the entire Library are being considered and vacant positions converted or reassigned whenever necessary.

Security. A professional security agency, Burns International Security Services, Inc., was hired for the school year on a trial basis. The company provided security guards two hours before the Library closed until several hours after the Library closes for a total of forty hours of nighttime security. Law students were permitted to remain in the library after closing provided they signed a release acknowledging their personal liabilities. A roster of students remaining in the library was also kept. The presence of the guard did prevent several potentially dangerous incidents. The roster and releases enabled the library staff to determine the after hours usage of the library. The Dean will decide based on the statistics of after hours Library usage whether professional security is provided for 1994/95 and if after hours access by law students is permitted.

Automation. A Law School Computer Unit was created by Dean Romero to achieve coordination of computerization throughout the Law School. The Unit is supervised by Professor Mike Norwood of the Law School Clinic Program, and managed by Susie Marbury. The Law Library's Programmer II, David Anstine, was transferred to the Unit with the understanding that computer support for the Law Library would be equal to the computer support afforded by having a computer technician within the Law Library staff.

An increase in legal CD-Rom products has raised the need for a Law School CD-ROM network that would support access to law materials on CD-ROM on the VAX for access by faculty and students throughout the Law School and in their homes. Coordination of building and expanding the Law School VAX CD-ROM network is a priority for the 1994/95 year.

Innopac. The shared UNM Library bibliographic system continued to develop. A major enhancement was the loading of MARCIVE records for U.S. government publications which allows library users to have subject and title access to government publications received through the GPO depository program at both the general libraries and Law Library on a current basis and to locate these materials at the appropriate library. The Binding module and location of items in binding preparation and processing has been working effectively. A Library Systems Automation Coordinator, Joan Griffith, was
hired in the fall of 1993 at Zimmerman Library. The position was designed to assist communication and development among all of the libraries sharing INNOPAC and other library systems. Regular meetings concerning records in the shared systems as well as system protocols have been scheduled throughout the year.

**Collection Development.** In an effort to encourage faculty participation in collection development, a quarterly publication, *Recent Titles For the Subject Specialist*, was purchased. The service is divided into twenty-three major areas of law publications that are listed in separate pamphlets and presents the recent acquisitions of sixty academic, bar, and law firm libraries. Each issue contains new titles collected for those working at the leading edge of research, practice, and teaching in their legal specialty so they are kept current in their fields. The issues are circulated to faculty members in their subject areas, and they indicate what items they would like added to the collection. The librarians also review these lists and have been actively selecting publications from them on a timely basis. In 1994/95, an approval plan from one of several publication vendors will be adopted to ensure timely ordering of publications essential to the current research and teaching needs of the Faculty.

**Fund Raising.** Dean Romero, Jan Hosea, and Judith Anspach were active in meeting with a number of law firms throughout the community to encourage gift giving to the Law Library for collection growth. Among gifts received this year was a $500 donation from the Sager, Curran, Sturges and Tepper Law Firm; and $1,000 for publications on taxation law from the law firm of Laflin, Lieuwen, Tucker, & Pick.

**Staff Development.** A Staff Enrichment Committee was created to oversee requests and support for staff development and travel to professional meetings. The members of the committee for 1994/95 were Lorraine Lester, Tom Huesemann, and Debbie Kozerski.

**Professional Activities.** Judith Anspach attended the American Association of Law Libraries Conference in Boston, July, 1993. She was a speaker at the 1994 SWALL Annual Meeting in Dallas, Texas, on April 15th. Her presentation topic was "Collection Management for the Frugal Librarian: Tips for Tight Times". She will also be presenting a paper "Performance Analysis, Appraisal and Discipline in Law Libraries: Strategies for Managing the Library Work Force" at the American Association of Law Libraries in Seattle, Washington, on July, 12, 1994. She was the Law Library’s representative to New Mexico Consortium of Academic Libraries and served on the New Mexico Compilation Commission, the University’s Evaluation Committee for Dean Robert Migneault, and the AALL Publications Review Committee. She wrote a column for the AALL Newsletter on the work of the Publications Review Committee and was in charge of arrangement for the Committees’s display in the Activities Section at the AALL Annual Meeting. In June, 1994, she attended a legal research seminar for librarians and legal writing instructors at St. Paul, Minnesota. She also attended the UNM Employee Training and Development Program, "Managing Performance".
Eileen Cohen, Associate Law Librarian, was awarded tenure and promoted to Professor in 1994. She attended the American Association of Law Libraries Conference in Boston, July, 1993; the Southwestern Association of Law Libraries Meeting in Dallas, Texas in April, 1994; and the New Mexico Library Association Meeting, April 28-30 in Albuquerque, NM. She served on the UNM Faculty Senate Continuing Education Committee and the UNM Law School Curriculum Committee. She also participated in several Legal Research and Writing sessions, Fall, 1993 and taught Advanced Legal Research, Spring, 1994.

Lorraine Lester, Deputy Director, attended the American Association of Law Libraries Conference in Boston, July 1993; Served on the AALL Committee on Relations with Information Vendors (CRIV) and coordinated the price tracking project of 16 major legal publishers for the Committee. She attended the informational workshop: "Native American Culture: the Next Decade" held in Prescott, Arizona July 30-31, 1993 and attended the Southwestern Association of Law Libraries annual meeting in Dallas, April 14-16, 1994. She was invited by the Matthew Bender Company to participate in a law librarian forum in New York City, September 29-30, 1993.

Gordon Russell, Assistant Law Librarian, attended the American Association of Law Libraries conference in Boston, July, 1993; the informational workshop: "Native American Culture: the Next Decade" held in Prescott, Arizona July, 30-31, 1993; the Southwestern Association of Law Libraries annual meeting in Dallas, April 14-16, 1994; and the AMIGOS workshop: Prism, ILL Basics May 24-25 in Albuquerque. He was awarded the Juris Doctorate from UNM Law School in May, 1994.


Leonard Cazares and Dana Dorman continued their progress towards a Masters Degree in Library and Information Science from Emporia State University in Kansas.


AMIGOS Fall membership meeting, Sept. 8-9, 1993 - Albuquerque, NM - was attended by Dana Dorman, Vicki Burt, Constancia Simpson, David Epstein, Sandra Halliday, and Len Cazares.

New Mexico Library Association Meeting, April 28-30, 1993, held in Albuquerque was attended by Len Cazares, Vickie Burt, Dana Dorman, David Epstein, Janet Faulhaber, Debbie Kozerski, and Sabra Steinsiek.

Personnel Changes

Judith Anspach - New Director July 1, 1993

Avid Anstine - transferred to the Law School Computer Support Unit July 1, 1993
Oscar Baynes - retired        April 30, 1994
Carroll Botts - replaced Vicki Burt       June 7, 1994
Vicki Burt - promoted to LIS II, replaces Chris Kalnan        April 17, 1994
Eileen Cohen - granted tenure; promoted to Professor       June 30, 1994
Sandra Halliday - terminated         April 11, 1994
Sabra Steinsiek - reclassified to LIS II        May 1, 1994