1-1-1983

School of Law Annual Report 1982-1983

School of Law Dean

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GOVERNOR'S COMMISSION ON HIGHER EDUCATION HEARING
UNIVERSITY OF NEW MEXICO
SCHOOL OF LAW
September 26, 1983

AGENDA

Opening Statement by Dean

Admissions and Student Body -- Helene Simson

Academic Program -- Robert Schwartz

Clinical Law Program -- J. Michael Norwood

Library -- Myron Fink

Faculty (including research and service activities)
-- Lee Teitelbaum

Student Comments -- Fred Jones

Institutional Service and Research -- Frederick M. Hart

Financial Needs -- Robert J. Desiderio
RESOLUTION

On September 21, 1983, the Board of Directors of the University of New Mexico Law School Alumni Association resolved that:

1. The University of New Mexico School of Law is essential to the development of the legal profession in the State of New Mexico;

2. Curtailing the collection and services provided by the School of Law Library will adversely affect legal education and the legal community in general;

3. Unless faculty and staff salaries are made more competitive, the School of Law will be unable to continue attracting and retaining the caliber of faculty and staff which it requires.

4. It is essential to support the School of Law in its endeavor to provide the highest quality of legal education.

Therefore the Board of Directors requests that this Commission provide the necessary support so that the School of Law may fulfill its goals and responsibilities.
In his biennial report for 1933-35, President James F. Zimmerman recommended the establishment of a law school at the University of New Mexico. He wrote in part:

Little or no library will be needed for the freshman year, and one full-time instructor, with the aid of local talent can give all of the instruction required for that year. An additional instructor will be necessary for the second year, with increased library facilities, the greater part of which can be secured by the means of private donations. It is believed that the first two years of law can be adequately provided with appropriation of $7,000 for the first year, and $10,000 for the second year.

The Law School was actually founded in 1947. Accreditation was granted by the American Bar Association in 1948. In that same year the School became a member of the Association of American Law Schools. A chapter of the Order of the Coif was established at the School in 1971.

Of the 51 students who entered the School in 1947, 27 ultimately received their degrees. From 1947 until 1967, the School remained very small with an average graduating class of only 18. In 1965, the total enrollment was 154 students. This increased gradually during the next five years and then significantly from 1970 to 1971 and from 1971 to 1972. In the latter year, the enrollment stood at 313, and has remained close to that during the succeeding years. Since 1974, approximately 100 students have graduated each year. The total number of graduates is now 1,717. Of these graduates 1,503 are members of the bar of the State of New Mexico.
The initial faculty, including the librarian and dean, was 4. By 1965, this had increased to 12, and it now stands at 32. The Law School has had five permanent deans: Alfred Gausewitz, 1947-58; Vern Countryman, 1959-64; Thomas W. Christopher, 1965-71; Frederick M. Hart, 1971-79; and Robert J. Desiderio, 1979__. In addition, there have been two acting deans: Robert Emmet Clark, 1958-59 and 1963-64; and Henry Weihofen, 1964-65.

The Law School was originally housed in temporary facilities, from which it moved to its present structure, which was enlarged in 1978. In addition, a separate building housing the Institute of Public Law, the Law School Copy Center, and the executive offices of the State Bar Association was completed in 1975. In 1983, that building was expanded to provide additional space for the Institute of Public Law and the State Bar Association.

The Institute of Public Law was originally funded in 1969, but its activities were very limited until Gary O'Dowd became the Institute's director in the spring of 1971. Mr. O'Dowd resigned last May and a search for his successor is in progress.

The American Indian Law Center was first established in 1966, but its development was slow until Mr. Robert L. Bennett became the Center's director in 1970 and Mr. Philip S. Deloria became director in 1972.

The Natural Resources Center was formally established in 1978.

In 1982, a Board of Visitors was formed. The Board consists of 27 prominent lawyers and judges from throughout the state. Its purpose is to share ideas and information and to be the Law School's representatives throughout the state.
The admissions operation is the single most time-consuming administrative function undertaken annually by the School of Law. The School is convinced that this is the way it should be, for the results largely determine who will have access to the legal profession in New Mexico.

A. Student Body

Presently, the student body is comprised of 349 students, 180 (51.6%) women and 131 (37.5%) minority students. There are 99 Hispanic students, 23 Native Americans, 7 Blacks, and 2 Asians studying at the School.

Because most students who are admitted as non-residents become residents of New Mexico during their first year, there are few, if any, non-residents in the second and third year classes. Approximately 85-90% of the available places in the first year class are reserved each year for New Mexico residents. The Law School does not recruit outside the state and publishes in all national admissions materials the overwhelming preference given to residents.

The present first year class numbers 124 students (109 residents and 15 non-residents).* The residents graduated from 10 high schools in Albuquerque and from high schools in 20 other New Mexico communities. Of the residents attending high school in New Mexico, slightly more than half attended school outside of Albuquerque, with Alamagordo, Belen, Carlsbad, Farmington, Las Cruces, Roswell and Santa Fe having at least

* The Admissions Committee selected the class from a total of 748 completed applications (381 residents and 367 non-residents).
two representatives in the class. The average length of residency for those who claimed New Mexico residence was 16.7 years. The hometowns represented in the first year class include Alamagordo, Aztec, Belen, Carlsbad, Cedar Crest, Cloudcroft, Farmington, Gallup, Grants, Las Cruces, Las Vegas, Los Lunas, Montezuma, Mora, Roswell, Ruidoso, Socorro, Taos Pueblo and Truth or Consequences, as well as Santa Fe and Albuquerque.

B. Recruitment

The Admissions Committee recruits vigorously in an effort to obtain a fair representation of the New Mexico high schools, hometowns and residences. Each fall Law School faculty and students visit New Mexico undergraduate institutions to provide information about opportunities in the field of law. It is the School's hope that these meetings, by heightening interest in law as a career, will attract a strong, diversified group of applicants. The recruiting groups include members of the various student organizations: Black American Law Students Association, Mexican American Law Students Association, American Indian Law Students Association, Women's Law Caucus, and the Student Bar Association.

C. Admissions Committee

Associate Dean Peter Winograd is the Director of Admissions and an ex officio member of the Committee. There are five voting members of the Committee, four faculty members and one third year student elected by the student body.

The deadline for receipt of application forms is January 15, so by that date the administration knows how many applicants there will be for seats in the new entering class. In recent years approximately 350 to
400 applications have been received from New Mexico residents and an approximately equal number from non-residents. Because 85-90% of the available places are reserved for residents, the non-resident competition is much more severe than the resident. The applications of non-residents are screened by the Committee chair and the Associate Dean, and only the most promising (approximately 100) are referred to the full Committee for consideration. In contrast, each member of the committee reviews the entire application file of every resident.

To complete his or her file, an applicant is required to submit at least one personal appraisal form from someone who knows the applicant well and a Law School Data Assembly Service (LSDAS) report, which provides a Law School Admission Test (LSAT) score, summarizes undergraduate transcripts in a uniform fashion, and combines the two into an index. A copy of the applicant's transcript also is provided by LSDAS.

Every applicant is required to take the LSAT, a four hour examination designed to measure certain abilities important to the study of law, such as logical reasoning and analysis. The School conducts an annual validity study to determine the correlation of LSAT scores and undergraduate grades with performance in first year law courses. The studies have shown a reasonably good correlation at UNM and indicate that the best weighting of grades and scores here is about 45% for the former and 55% for the latter. A formula reflecting the 45%-55% weighting is applied to these objective credentials presented by each applicant in order to obtain his or her index.

Grades, scores, and indices are important, but they are far from infallible. The Law School believes that people cannot be summarized by
numbers, that applicants with similar statistics may have very different levels of potential, and that it is the School's responsibility to pay close attention to the non-quantifiable factors which may signal these differences. As a result of the School's approach, two applicants might have similar indices, but careful attention to non-quantifiable factors may result in different admission decisions.

The Admissions Committee spends much of its time from January through April evaluating applications on an individual basis. Each of the five members assigns every resident application a value using one-half-point increments from .5 to 4. Once a week, the committee meets in full session to discuss cases and to record points. In making evaluations, members take into account all information in the folders.* For example, the members consider grades, looking not only at cumulative average but also at whether that average improved or declined over the course of study; scores; appraisals; personal statement and background; part-time employment while in college; extra-curricular activities; type of college attended; and course of study. Each member may assess these factors differently, of course, but in each case an overall point value must be assigned reflecting the member's judgment of the strength of the folder. Some applicants are then admitted, some are denied, and those in the middle range are deferred for further consideration after all of the applicant pool has been considered. When all completed applications have been considered at least once, decisions are then made on the great majority of middle-group people, although some must be placed temporarily on a Waiting List for possible admission should accepted applicants withdraw from the class.

* See sample application materials attached as Appendix.
In addition, each year several applicants who, in the Committee's judgment, would benefit from pre-law preparation, are admitted on condition that they satisfactorily complete one of three pre-law summer programs:

1. **Special Scholarship Program in Law for American Indians**

   For the past 17 years, the American Indian Law Center has conducted a summer program designed to prepare American Indians for law school and has administered nationally the Special Scholarship Program in Law for American Indians. This program brings about 35 American Indians to the School each summer for an intensive eight week introduction to the study of law. When this program was initiated in the summer of 1967, it was a demonstration program. Since then, it has not only been continued but was instrumental in the formation of the Council on Legal Education Opportunity (CLEO). The Indian program is presently funded totally by the Bureau of Indian Affairs. Five professors, some from UNM, constitute the faculty each summer.

2. **Southwest Legal Education Opportunity Institution**

   Since the formation of CLEO in 1968, the Law School has been an annual participant in the Southwest consortium, hosting the summer program most recently in 1978 and 1982. The other participating schools are Arizona, Arizona State, Utah and Brigham Young.

   CLEO is a national program sponsored by several legal education organizations. It annually provides several six week pre-law summer training programs for approximately 35 students each and an annual scholarship of $1,000 for each CLEO student who matriculates in law school. CLEO is presently funded by the U.S. Department of Education.
3. Instituto Preparativo Legal

Each summer the Law School has funded from its own resources a four week preparatory program for about a dozen entering students. Law faculty have taught this for an "honorarium," and there has been no financial assistance to the students.

The Instituto was initiated by Professors Walden and Romero in 1975 in order to extend the benefits of CLEO and the Indian summer program to students not meeting the financial or other eligibility guidelines established by these programs. The Instituto includes non-minority and minority students.

The Committee's approach is an individual one. Applicants are viewed as people with unique strengths and weaknesses, and decisions are made only after considerable deliberation. The system is not and never will be scientific, for people cannot be categorized in scientific fashion. Given this inevitable margin of error and the unhappy fact that many applicants must be denied admission annually, the School believes its approach to the problem is as humane and rational as possible.

The Admissions process at the Law School seeks to serve New Mexico by providing its citizens and institutions with highly qualified, competent attorneys. The process is designed to assure that those attorneys fairly represent the geographical and ethnic diversity of the state.
THE UNIVERSITY OF NEW MEXICO
SCHOOL OF LAW

INFORMATION FOR APPLICANTS

This brochure is designed to provide information which applicants for admission will find helpful. If you have unanswered questions, please do not hesitate to let us know. Our address is: Admissions Office, UNM School of Law, 1117 Stanford Drive N.E., Albuquerque, New Mexico 87131.

ABOUT UNM

The University of New Mexico was created by an act of the Territorial Legislature in 1889, twenty-three years before New Mexico became a state. Opened as a summer normal school on June 15, 1892, it began full-term instruction on September 21 of the same year.

The University has been one of the nation's fastest growing, with enrollments more than doubling each decade since 1950. In the fall of 1982, the student enrollment exceeded 22,500, and the full-time faculty numbered 1,165. The 20 acres comprising the original campus have become more than 600, and buildings have increased from a single structure to nearly 150. Largest of the state's publicly supported institutions of higher education, the University has 57 instructional departments and nondepartmentalized schools and colleges, with master's degrees being offered in 55 fields. The doctorate may be earned in 28 fields in the Colleges of Arts and Sciences, Education, Engineering, Fine Arts, Law, Management, and Medicine.

The University is situated in Albuquerque, a metropolitan area of 450,000 and the center of much of the scientific development contributed by New Mexico to the atomic age. The campus lies a mile above sea level on a plateau overlooking the Rio Grande, about twelve miles west of the Sandia Mountains, which reach to 10,678 feet.

Albuquerque is noted for its dry and sunny climate, and although the weather undergoes normal seasonal changes, temperatures are rarely extreme. Historic Santa Fe lies 60 miles to the north and the Los Alamos Scientific Laboratory a short distance beyond.

In a setting rich with the traditions of Indian, Spanish, Anglo, and Black cultures, the University of New Mexico continues to strive for new levels of excellence in its teaching, research, and service.

Physical Facilities

In January 1971, the School of Law moved to a new building designed to exemplify the modern legal profession while retaining a spirit of the southwest. During the 1976 legislative session, $3,000,000 was appropriated to expand the law school building. The additions, completed in early 1978, provided additional space for the library and clinical programs, as well as new classrooms and faculty offices.

The unique feature of the building, actually the heart of it, is a central concourse or Forum. It is flanked by the library and classrooms. The Forum is a place for discussion, where students and faculty meet on even ground as they go to and from offices, library and classrooms. Here, in an atmosphere less imposing and formal than that of the classroom, all can seek sounding boards for their ideas. Students may discuss, listen, advocate, criticize, counsel, theorize, complain, teach and learn with the greatest degree of freedom.

Centered in the Forum is a circular moot courtroom. It serves as a reminder that one of the great purposes of law and of lawyers is to serve society by settling disputes and conflicts and by helping to provide conditions under which animosities can be transformed into creative associations.

The School of Law Library occupies a separate wing of the building and is on two levels. To facilitate study, most seating is provided by large individual carrels, and the library is divided so that reading areas are separated into small segments. There is a separate room within the library for typing, an audiovisual room and a lounge area. Except for a small number of restricted books, an open-stack policy is in effect. The library contains approximately 240,000 volumes and is being augmented by about 10,000 volumes annually. The library is an official depository of federal materials, and special collections are being developed in American Indian law, in early New Mexico law and lawyers, and in water law.

Admission

Detailed instructions for applying to the School of Law are included with each packet of application materials; they should be followed carefully. The deadline for receipt of applications for admission in August 1984 is January 15, 1984.

The Admissions Committee considers both quantifiable (LSAT scores and grade point averages) and non-quantifiable (letters of recommendation, personal statements, extracurricular interests, etc.) factors in making decisions. The Committee also recognizes that special prelaw programs for minority and disadvantaged applicants, such as CLEO summer institutes, provide valuable information about an appli-
cant's ability to succeed in law school, and the participation of applicants in such programs is taken into account.

It is important to keep in mind that the table makes no distinction between residents and non-residents (the former are given a very substantial preference), nor can it reflect the considerable weight which is given to non-quantifiable information.

**APPLICANT GROUP—FALL 1983**

In each box, the figure to the left of the slash represents applicants, while the figure to the right of the slash represents acceptees (e.g., 10/2 in a box means 2 of 10 applicants with that combination of LSAT and GPA were accepted).

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<td>79/25</td>
<td>82/48</td>
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**Student Expenses, Per Semester (1983-84)**

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<td>Student Bar Association dues (payable at the Law School at registration) per year</td>
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**GENERAL DEFINITION OF RESIDENT FOR TUITION PURPOSES.** A resident student is defined as a financially independent adult who has been domiciled in New Mexico for not less than one year prior to the start of classes for a term or semester and who can provide evidence satisfactory to the University of his or her intent to retain residence in New Mexico or a person who has come to New Mexico to work full time, practice a profession, or conduct a business full time and his or her dependents. Rules for determining residency are outlined in the University of New Mexico Bulletin.
Financial Aid, Prizes, and Awards
In addition to the federal and state loan programs for which all University of New Mexico students are eligible, the School of Law has a number of scholarships and work-study programs available to those students who demonstrate financial need. Applications for Law School aid are submitted through the Graduate and Professional School Financial Aid Service (GAPSFAS), Princeton, New Jersey 08541. Awards by the Law School are based on financial need, as established by a review of all resources available to the student and his or her family.

Grants from several named scholarship funds, listed below, are available to students through the generosity of alumni and other contributors to the School of Law. No special application is necessary to be considered for these grants. Those based on financial need are awarded by the Committee on Financial Aid after reviewing all GAPSFAS forms submitted; those based on factors other than need (e.g., class standing, excellence in particular subject areas, etc.) are awarded by the Committee on Honors and Awards after reviewing all qualifying student records.

W. E. & Hazel Bondurant Scholarship Fund
C. M. Botts Memorial Scholarship Fund
John Cloak Memorial Scholarship Fund
Margaret Keiper Dailey Memorial Scholarship Fund
Sam and Frances Joy Dazoo Scholarship Fund
Dona Ana County Bar Association Law School Fund
Dean Alfred L. Causewitz Scholarship Fund
Alfred and Miriam N. Grunsfeld Scholarship Fund
Frederick M. Hart Award
Hoahour Memorial Scholarship Fund
Helen J. James Scholarship Fund
Law School Alumni Scholarship Fund
Thomas J. Mabry, Sr. Scholarship Fund
A. H. McLeod Prize Scholarship Fund
Joseph W. Meek Prize Scholarship Fund
Irvin Stern Moise Award in Legal and Judicial Ethics
The Northwestern Mutual Life Insurance Company Estate Planning Scholarship
Olaf A. Olson Memorial Scholarship Fund
Randolph L. Reese Memorial Scholarship Fund
Anna K. Reisiger Scholarship Fund
Rocky Mountain Mineral Law Foundation Research Scholarship Fund
Pearce C. Rodey Memorial Scholarship Fund
John Field Simms Memorial Scholarship Fund
Lewis R. Sutin Award
Jerrold Walden Memorial Scholarship Fund

The following loan funds have been established by donations from various individuals and are administered by the Law School:

Albuquerque Bar Association Loan Fund
McIntosh Memorial Fund
Hurd Memorial Fund
Montoya Memorial Fund
McArthur Memorial Fund
Morgan Memorial Fund
McDevitt Memorial Fund
New Mexico State Bar Fund
Sceares Memorial Fund

Second-and Third-Year Students: up to twenty hours per week as long as the student is in good academic standing.

Overview of Degree Program and Requirements
Basically, the first-year program is designed to survey the role that law plays in society and to introduce students to courses fundamental to any curriculum, e.g., torts, contracts and property. Emphasis is also placed upon the skills of advocacy, such as legal writing, moot court, litigation, counseling and negotiating. After the first year, all courses, except one in professional responsibility and participation in the clinical program, are elective, but the faculty is considering a proposal to place additional upperclass courses in the required category.

Currently, about one hundred courses and seminars are offered with the subject matter including corporate and commercial law, taxation, criminal procedure, legislation, labor law, trade regulation, natural resources law, mining law, oil and gas law, water law, environmental law, jurisprudence, comparative and international law, decedents' estates, Indian law, corrections, sex roles in the law, state and local government and many others. In addition, students are encouraged to take courses in other graduate schools of the University and to do individual research under the auspices of a law faculty member.

The School emphasizes clinical legal education and all students are required to take at least six credit hours of clinical law. The School operates its own clinic that handles both civil and criminal matters for members of the University community. In addition, it operates an office that defends indigents in criminal procedures. Students may also elect to be assigned to the district attorney's office, the public defender's office, federal and state administrative offices and private practitioners.

The School is on the semester basis with three full academic years of resident law study and 86 semester credits required for the Juris Doctor (J.D.) degree. Joint Juris Doctor-Master of Business Administration (J.D.-M.B.A.) and Juris Doctor-Master of Public Administration (J.D.-M.P.A.) programs are available, and a special interdisciplinary program in Natural Resources Law and Policy is also available.

Special Programs
Associated with the School of Law is the American Indian Law Center, which has worked closely with the Navajo, Pueblo and other tribes to assist them in improving their judicial systems.

The Institute of Public Law and Services serves the State of New Mexico and the southwest in an advisory capacity on legal matters.

The Natural Resources Law Center coordinates three law school activities in the natural resources field—the Natural Resources Journal, the Natural Resources Policy Program, and legal research activities. It plans and administers special academic programs in natural resources policy, and coordinates research activities and several grant programs in the natural resources field.

Relationship With the Community
State and municipal courts and the United States District Court are convenient to the Law School. Students may not only visit them but are brought into contact with them through work in the Clinical Law Program. Members of the Bench and Bar are generous in giving their time to speak with students, in serving as lecturers, and in supervising internship programs both during the year and summers. In addition, the Law School conducts a regular program of continuing legal education to which students are invited.
1915

Law School Publications and Competitions
The School of Law publishes two law journals—the Natural Resources Journal and the New Mexico Law Review. The Natural Resources Journal is published quarterly and provides a policy-oriented forum for various disciplines concerned with the management and use of natural resources and the environment.

The New Mexico Law Review is published three times a year. It emphasizes developments in New Mexico law and legal institutions. Both journals use student materials.

One member of the faculty serves as editor of the Journal and as advisor to the Review. Students edit and process materials for each issue of both publications. First-year students are invited to join the staffs during their second semester.

Moot Court. The School of Law sends six students to the National Moot Court regional competition each year. Contestants are selected from the first- and second-year classes each spring, on the basis of briefs and oral arguments. The six winners are divided into two teams, which compete with several other schools from the area. Winners of the regional competition advance to the national finals in New York. In each year during the period 1976-1982, UNM placed first in the regional competition.

Client Counseling Competition. The object of this competition is to simulate a law office consultation, in which law students, acting as attorneys, are presented with a typical client problem. Students must conduct an interview with a person or persons playing the role of the client, and then determine how they would proceed. UNM's team won the national competition in 1973 and placed second in 1979.

Honor Code
An Honor Code administered by students has been in operation since the establishment of the School. The Code assumes that a student in the School of Law has entered upon a professional career in which he or she must take responsibility for his or her own conduct as well as for keeping the legal profession pure. The Code covers all phases of Law School life, including the taking of examinations without proctors, conforming to Law School and Law Library rules and regulations, professional conduct in all matters, and correctness of applications, forms, and other papers submitted to the Law School and University.

Student Organizations
There are several active student organizations at the School, including:

American Indian Law Students Association
Black American Law Students Association
Delta Theta Phi Law Fraternity
Mexican American Law Students Association
National Lawyer's Guild
Student Bar Association
Women's Law Caucus

Applicants wishing to obtain information from any of these organizations should feel free to write to them, c/o UNM School of Law.

Housing
The University owns and operates 220 units of married student housing (one, two and three-bedroom, furnished or unfurnished). Additional information can be obtained by writing to Married Student Housing, La Posada 201-UNM, Albuquerque, New Mexico 87131.

The Office of the Dean of Students maintains a file of privately owned off-campus housing. This file is available to any student who visits the Dean's office, 1124 Mesa Vista Hall (main campus); however, no information can be mailed.

At the Law School, the Student Bar Association maintains a bulletin board for housing information, including opportunities to share a house or apartment. In addition, members of the S.B.A. and other student organizations are happy to assist new students in finding housing.

Child Care
A substantial number of students at the Law School have children. The University Child Care Co-Op offers full day care for children of students, faculty and staff for $550-700 a semester; part-time care is available for $275-350 a semester. Parents contribute three hours' work per week. In addition to the University service, there are more than fifty child care facilities in Albuquerque, including nursery schools, day care centers, church-related schools, Montessori schools, and Headstart centers. Care is available on a part-day, school-year-only basis or from 8:30 a.m. to midnight year round. Some programs offer transportation.

Placement
The School of Law attempts to assist graduates in obtaining placement upon graduation. Private firms and governmental offices frequently send representatives to interview students at the School.

Most graduates practice in New Mexico. It was not possible to determine complete average salaries of the most recent graduating class at the time this brochure was printed, but it is clear that salaries vary considerably depending upon position, the arrangements made with a specific firm, non-legal and other experience of the graduate, and other factors. The range of starting salaries with law firms in Albuquerque is generally from $16,000 to $28,000, with an average of approximately $21,000. Federal agencies start new attorneys at about $23,000; state and local government positions usually have lower starting salaries.

The job market for new attorneys is highly uncertain. Up to the present time, most graduates have been successful in finding positions upon graduation, but it is clear that those completing school during the past year have had less choice than those who graduated a few years ago. Whether the Bar will be able to continue to absorb all who wish to practice law is questionable.
APPLICATION FOR ADMISSION
to J.D. PROGRAM
FALL 1984

This application is for admission as a First Year Student or as a Visiting Student (applicant must check one)

(Middle)

(First)

(Last)

Name

UNIVERSITY OF NEW MEXICO
SCHOOL OF LAW
1117 STANFORD DRIVE N.E.
ALBUQUERQUE, NEW MEXICO 87131

INTERNATIONAL ATTACHMENT

RCN

LSAT

LTR ( )

FEE

GAPSFAS

INC

Do not write above

I M P O R T A N T

Attach here a 1983-84 Law School Application Matching Form. We MUST receive one of these forms with your application in order to obtain your LSDAS report. An LSDAS report is required of all applicants to this school (see instructions).

Have you enclosed Your:
1) Application Fee ($10.00)?
2) Postal Notification Cards?
3) Address Labels?

Have You Applied for Admission to this Law School before? ______________________

Year(s) ______________________

What is your 1983-84 LSDAS registration number?
84 ______ ______ ______

When did (will) you take the Law School Admission Test?
(List all dates) ______________________

____________________
Name ___________________________ Last ____________ First ____________ Middle ____________

Present Address ____________________________________________________________
City ___________________________ State _______ Zip Code _______________________

Telephone no. (Area Code ) __________________________

Permanent address where mail will always reach you __________________________________________
City ___________________________ State _______ Zip Code _______________________

Telephone no. (Area Code ) __________________________

Date after which correspondence should be sent to permanent address ____________________________

Date and place of birth ____________________________________________ Social Security No. _________

Are you a United States citizen? 1 ☐ Yes 2 ☐ No
If foreign, indicate country ____________________________

Visa Type ____________________________

Please indicate languages other than English in which you are fluent. Ethnic Information

☐ American Indian or Alaskan Native

☐ Asian or Pacific Islander

☐ Black (Non-Hispanic origin)

☐ Hispanic

☐ White (Non-Hispanic origin)

☐ Do not care to respond

If you have checked box 1, 2, 3, or 4, please include a statement describing in detail your ethnic, cultural, and linguistic heritage, including the background of each of your parents.

List all high schools, colleges, universities, graduate and professional schools attended on any basis. Include enrollments at UNM and UNM Branches.

<table>
<thead>
<tr>
<th>Name of Institution</th>
<th>Location</th>
<th>Dates of Attendance</th>
<th>Degree</th>
<th>Date Degree Awarded or Expected</th>
<th>Major Field of Concentration</th>
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<td>Secondary Schools</td>
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<td>Colleges</td>
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<tr>
<td>Graduate and Professional Schools (Including Law)</td>
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Has your college, university, graduate or professional school course been interrupted for one or more terms for any reason? ________ If so, please explain on page four.

Were you employed during the academic year as an undergraduate? ____________________________

Positions held: __________________________________________

No. of hours per week: Fr. yr. _______ Soph. yr. _______ Jr. yr. _______ Sr. yr. _______

State your last five positions of full-time employment, including summer employment and military service; do not list part-time employment during the academic year.

<table>
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<tr>
<th>From</th>
<th>To</th>
<th>Position Held</th>
<th>Name and Address of Employer</th>
<th>Reason for Leaving</th>
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</table>
What is your undergraduate field of academic concentration?

If you have attended in the same concentration program throughout college? ______ If not, at what point did you change and why? List any other areas in which you have done intensive academic work.

If you wish to do so, list no more than three extracurricular or community activities which have been important to you. Briefly describe each activity and your contribution to that activity (use page four or supplementary sheet if necessary).

List all scholastic honors you have received (prizes, scholarship awards, membership in honor societies, etc.).

Give the name of the person(s) you have asked to submit an appraisal form (one appraisal form is required; submission of a second is optional):

1)

2)

☐ If two appraisals will be submitted for you, and if you do not wish to have your application reviewed until both have arrived, check this box.

It is your responsibility to be certain that each person listed above submits an appraisal form directly to the School of Law.

Answer

Have you ever been convicted of a crime other than a minor traffic violation, or had disciplinary action taken against you by any university, governmental, or administrative agency, or by military authority?

☐ Have you ever been academically suspended from any college or university (including law school)?

☐ Are you currently on probation at any college or university (including law school)?

If your answer to any of these questions is "yes," explain fully on page four.

What do you consider your "home town"?

City and state of legal residence

---IF YOU CLAIM NEW MEXICO RESIDENCY, COMPLETE THE FOLLOWING QUESTIONS---

How many years have you been a resident of New Mexico?

County of voter registration and registration number

Dates of your actual physical presence in New Mexico:

<table>
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<tr>
<th>Date</th>
<th>County</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mo. Yr.</td>
<td></td>
<td>To</td>
</tr>
<tr>
<td>Mo. Yr.</td>
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<tr>
<td>Mo. Yr.</td>
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<td>To</td>
</tr>
<tr>
<td>Mo. Yr.</td>
<td></td>
<td>To</td>
</tr>
</tbody>
</table>

During the last two years account for any absences from the state of New Mexico. Give inclusive dates and reasons.

If you have been employed during the past two years, list names of employers and dates of employment.

If you own an automobile, give the state and license plate number.
Did you file a personal income tax report with the New Mexico Bureau of Revenue during the year immediately preceding this application? □ Yes  □ No

Will you receive financial aid from any State other than New Mexico? □ Yes  □ No  If yes, which State? ____________________________

Are you a member or a dependent of a member of the U.S. armed forces who is stationed in New Mexico? □ Yes  □ No

NOTE: A member of the U.S. armed forces assigned to active duty within the exterior boundaries of New Mexico, or a spouse or dependent child, may claim residence for tuition purposes during the period of active duty assignment within the State. Information concerning documents required to support a claim to residence for tuition purposes on this basis is available in the Admissions Office.

Are you planning to attend the University under one of the public laws governing educational benefits for veterans? □ Yes  □ No

Have you served active duty in the armed forces of the United States? □ Yes  □ No

If yes, give dates of active service. ________________________________________________________________

Of what State were you a legal resident when you entered military service? ________________________________________________________________

Are you now on active military duty? □ Yes  □ No  If yes, give expected date of discharge ____________________________

Are you requesting an early education release from the service? □ Yes  □ No  If yes, give date ____________________________

Are you eligible for a New Mexico veterans tax exemption? □ Yes  □ No

You should use this space (and separate sheets of paper, if necessary) to complete questions or to bring to the Committee's attention any additional information which you feel should be considered in evaluating your application. Please keep in mind that the Admissions Committee must make difficult choices from among many candidates presenting strong credentials. Sometimes an applicant's "paper record" fails to present a true picture of the applicant's prospects for the study of law and membership in the profession. In addition, the reasons motivating an applicant's desire to study law are important. You might also wish to present here any information regarding family background, educational opportunities, financial resources, etc., which may have had an effect on your prior academic performance or test scores.

This is your opportunity to discuss anything that you think should be taken into consideration by the Committee when it acts upon your application.

I certify that all information given in this application is complete and accurate to the best of my knowledge. If I am accepted as a student at The University of New Mexico School of Law, I agree to conform to and abide by the letter and spirit of all rules, regulations, and procedures of the University. I understand that misrepresentations in any statement by me will be considered adequate grounds for cancellation of registration, or for suspension from the University.

__________________________________________  ________________________________
Date                                                   Signature
APPRAISAL OF APPLICANT

Applicant’s Last Name Undergraduate College ____________________________
First Middle

WAIVER OF ACCESS

I have requested that this appraisal form be completed by (Name) ____________________________
for use in the admissions process and in counseling by officials of The University of New Mexico School of Law.
In accordance with the Family Educational Rights and Privacy Act of 1974 (check one):

☐ I waive access to this report, which shall be considered confidential
☐ I do not waive access to this report (non-confidential)

Date ____________________________ Applicant’s Signature ____________________________

Note—If the applicant has agreed to the waiver printed above, we shall preserve the strict confidentiality of this
document and it will be made available only to University officials. If the applicant has not agreed, this report
will be made available to the applicant on request, if he or she enrolls as a student at The University of New
Mexico School of Law. If this portion of the form is not completed, the School will assume that the applicant has
NOT waived access.

How long, in what connection, and how well have you known the applicant?

Your appraisal of this applicant will be an important factor in judging his or her qualifications for law school. Of particular
significance will be your candid comments about the applicant regarding:

(1) special interests, motivations, personal qualities and social or academic background which may distinguish the appli-
cant from other applicants;

(2) the applicant’s overall promise, character and fitness to practice law.

A statement from you about these qualities will greatly assist the admissions process and will be almost essential to
your evaluation being given the proper weight. Please use the remainder of this form for your comments and feel free
to attach additional sheets if you wish. You may prefer simply to attach a letter to this form.

COMMENTS:

-OVR-
I recommend this candidate for admission to The University of New Mexico School of Law on the basis of:

<table>
<thead>
<tr>
<th>Intelligence and Intellectual Promise</th>
<th>Not Recommended</th>
<th>Without Enthusiasm</th>
<th>Fairly Strongly</th>
<th>Enthusiastically</th>
<th>Insufficient Knowledge to Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Character and Personal Promise</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>Overall Recommendation:</td>
<td>☐</td>
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</tbody>
</table>

______________________________  __________________________
Signature                        Institution

______________________________  __________________________
Name and Title (please print or type)  Address

______________________________  __________________________
Date                         City       State       Zip

Please return directly to: Office of Admissions, University of New Mexico School of Law, 1-117 Stanford Drive N.E., Albuquerque, N.M. 87131.

Prompt completion of this form will be appreciated by both the candidate and the Law School, for the application cannot be reviewed until your appraisal is received.
Some applicants would like contact with student organizations during or after the admissions process. Several student organizations are actively involved in providing information about the School and in helping applicants present themselves completely and accurately to the Admissions Committee.

If you would like to be contacted by one of these student organizations, please provide the information requested below and check the appropriate box(es). This form may then be enclosed with your application or mailed directly to the appropriate organization(s), c/o UNM School of Law.

- [ ] I would like to be contacted by the following organizations

- [ ] Before I am admitted
- [ ] Only after I am admitted:
  - [ ] AILSA (American Indian Law Students Association)
  - [ ] BALSA (Black American Law Students Association)
  - [ ] Delta Theta Phi Law Fraternity
  - [ ] MALSA (Mexican American Law Students Association)
  - [ ] SBA (Student Bar Association)
  - [ ] WLC (Women's Law Caucus)

Name: _____________________________________________________________

Present Address: ______________________________________________________

Present Phone: (Area ___ ) ____________________ __
CURRICULUM

The Law School seeks to develop a true academic community where students and teachers work together to provide the best possible legal education for what may be the most diverse student body in any law school in the country. The faculty are dedicated to teaching -- a process that goes on both inside and outside of the classroom -- and the Law School has developed a well justified reputation as among the finest teaching law schools. The School has developed a unique and innovative curriculum without abandoning those traditional elements of legal education which have proved to be successful. The most distinctive characteristics of the curriculum are the very intensive first year program, the clinical program, and the strong emphasis placed on trial and appellate moot court work and skills training. The School is committed to offering a broad variety of introductory and upper level courses, and to offering an opportunity to specialize in Natural Resources. The curriculum also provides a variety of independent research opportunities, and encourages students to take courses in other divisions of the University. The faculty and administration encourage and support new course ideas and new teaching techniques. Finally, the curriculum encompasses courses and opportunities for students with actual or predicted academic problems.
The Curriculum Committee (five faculty and four students) reviews the curriculum annually and offers a proposed curriculum for student comment and faculty approval. While the faculty believe the teaching program is the best offered at any law school, the School thoroughly reviews the entire curriculum each year. Over the past several years, substantial changes have been made in almost every part of the curriculum, and a new and innovative first year curriculum is now being considered by the faculty. That curriculum proposal is attached to this report. The annual process of curricular design is time consuming, but the committee has committed substantial time and energy to systematically and comprehensively review the relationship between clinical and non-clinical aspects of the curriculum and to engage in long-range planning for the curriculum as a whole.

There is general agreement that the strengths of the curriculum are its flexibility, diversity, the clinical program, the natural resources program, the new first year writing program, the newly initiated "mini-courses", the specialty courses, and the sectioning of first year courses.

THE FIRST YEAR PROGRAM

The first year program is divided into two separate semester offerings with no courses spanning the entire year. During the current year, the first semester includes the following courses: Legal Analysis, Civil Procedure, Contracts, Property Law/Legal History, and Legal Research and Writing.
One cornerstone of the first semester curriculum is the recently developed Legal Analysis course which focuses carefully on the special analytical skills required by law students and lawyers. The course was designed by Professors Hart and Teitelbaum and employs materials that these faculty members have produced or acquired from a number of sources. The course first entered the curriculum as a two credit course two years ago, and it has been expanded as the materials and interest have grown. This course serves as an introduction to legal reasoning and argumentation, the sources of law, and the nature of legal institutions. Substantial elements of the course involve the analysis of judicial decisions, with particular attention to identifying the ways in which cases can be used to support legal propositions, and of statutory materials. The course also seeks to locate approaches to legal doctrine within various theories of jurisprudence.

One section of Legal Analysis is reserved for about twenty-five members of the first year class chosen on the basis of their first year averages. These twenty-five students are given special counseling, tutorials, and practice examinations in the context of a legal method course. Students in this section of Legal Analysis are also given substantial special tutorial help in each of their other first semester courses. These tutors, all upper class students, are paid, and positions, for which selections are made by the faculty members teaching in the program, have become positions of honor and prestige.

This year the Law School has assigned each first year student to a faculty member who will serve as that student's writing
tutor and advisor. Every faculty member participates in this program, and each faculty member advises either four or five students. The supervising faculty member is required to provide whatever individual writing instruction and advisement is necessary to his or her students. Evaluation of student writing is done through the review of biweekly papers submitted by each student, and read and graded by the faculty tutor. The program is intended to develop the legal writing skills of all of the incoming students, to identify students who need more intensive work in writing or analysis, to provide social support to students who may have difficulty adjusting to the pressure of the first year of law school, and to involve all faculty members in the first year academic activity. The course imposes a significant burden on the students (who receive one credit for their work) and upon the faculty (who receive no teaching credit for their work in this program). Despite the burdens, the program was unanimously approved by the faculty and generally welcomed by the students this Fall.

The second semester of the first year consists of Introduction to Advocacy, Torts, Constitutional Law and Criminal Law. Students are also permitted, but not required, to choose an elective from a group selected as suitable for first year students.

In Introduction to Advocacy, students manage a simulated case from interviewing a client, through filing a complaint or answer and preparing fact memoranda, to oral argument and brief-writing. The course also serves as a vehicle for teaching legal research. Six groups of students, each working with its own
faculty member and student assistant, are divided into three plaintiffs' groups and three defendants' groups. Members of the bar, third year students, and other faculty members judge the final oral arguments in the last week of the spring semester.

The Advocacy course provides a useful illustration of the degree to which the first year program has been a matter of concern and an area in which resources have been heavily invested. The Advocacy course was added to the curriculum ten years ago, and originally was taught by adjunct faculty under the supervision of one or two full-time faculty members. Each adjunct faculty member had a small section, and there was considerable difference among sections in grading, content and philosophy. Over the years the program has expanded into the course taught by six full-time faculty members. It is the most faculty intense course offered at the Law School.

The course provides a very heavy burden on faculty members, who are expected to teach all of the fundamentals of legal research and writing and review with great care lengthy papers and briefs of twenty students. The faculty members are also expected to teach another course during this semester and participate in other academic activities. By rotating the faculty who teach this course, the Law School has been able to maintain a high level of energy and enthusiasm in a course, almost unique among law schools, that traditionally leaves its faculty and students both excited about the legal process and exhausted.

The Advocacy course also illustrates the extent to which the video facilities are used in teaching. In most sections,
students tape a practice argument, view that tape with a faculty member, and discuss the tape prior to the final arguments. All final arguments are taped and the tapes are used for a full evaluation of the student's performance and also as a teaching mechanism through which faculty member and student can view the final tape together and discuss it. In addition, video is used to present certain other parts of the course such as the initial client interview.

The second semester also offers an intramural moot court experience for first year students, and an opportunity to "try out" for law review.

SECOND AND THIRD YEAR CURRICULUM

After the first year, the only required courses are ethics, a six-hour clinical experience, and a writing requirement (fulfilled by intramural or national moot court competition, law review participation, or by completing specific courses designated by the faculty). The second and third year electives are made up of such staples as Income Taxation, Evidence, and Property II, a broad range of courses and seminars on numerous topics, and a variety of trial practice offerings.

Trial Practice is available to approximately eighty students each year in several options. During most years, students may elect to take Trial Practice (1) combined with Evidence (2) in the context of a litigation course including both pre-trial and trial practice, or (3) as a separate and discrete course. Common to all of these offerings is the emphasis on student performance in simulated problems. Videotaped critiques of student
performances are also used extensively in each of the trial practice offerings. Members of the bar are heavily utilized for demonstrations and as judges in mock trials. It is not surprising that the faculty members who have designed and who teach in these extraordinary courses are regularly called upon to design and participate in national trial advocacy programs.

There are significant gaps in the second and third year curriculum due to lack of resources. Antitrust and Labor Law have not always been offered. There is no Intellectual Property course. Modern real estate law is represented through offerings by adjunct faculty. Jurisprudence has not been offered every year, and Remedies is occasionally missing. The second and third year program, however, does offer diversity through moot court work, client counseling competition, independent research, the clinical program, the natural resources program, problem oriented courses, and mini courses.

Many of the faculty members have designed practice oriented problem courses in particular substantive areas. These courses are designed to provide a substantive legal background while also training students in the requirements and techniques of practice. For example, students are taught to draft documents in a contracts drafting course; they develop, incorporate, and modify businesses in Business Planning; they argue current issues before administrative agencies in Administrative Law; they prepare Supreme Court briefs on First Amendment issues in Church and State; and they take on the role of the bench in Supreme Court Decision Making. While lack of resources has made it impossible to offer
all of these courses every year, the number of problem courses -- designed primarily for third year students -- has increased dramatically in the last five years.

The School now also offers one credit "mini-courses" for students who wish to expose themselves to a substantive area but who do not have the time in their schedule to take a full three or four credit course. These courses -- usually fifteen lectures, occasional question periods, and a substantial reading assignment -- are followed by a formal examination. "Mini-courses" have been offered, or will be offered this year, in Bankruptcy, Administrative Law, Water Law, Oil and Gas Law, and Criminal Procedure.

The Law School makes a substantial commitment to moot court work. In addition to the moot court aspects of the first year Advocacy course, participation is encouraged in the intramural moot court competition in the spring and in the national moot court competition in the fall. The School sponsors two national moot court teams each year. The results at the regional competition level have been satisfying. One of the New Mexico teams has won in the regional competition, and has gone on to the national competition in New York, for each of the past ten years. The second New Mexico team usually places second or third in the regional competition. In most of the past ten years, the School has had the best brief in the region, and it has often placed in the top five nationally. The faculty and students who participate in the moot court effort consider it one of the best learning experiences available at the Law School.
The six members of the final teams are selected by an ad hoc faculty-student committee which bases its decisions on the results of the spring intramural competition. The members of the national team run the spring competition under the supervision of a faculty member, writing the problem, grading the briefs, administering the preliminary and final argument rounds, and acting as judges in these rounds. All students are eligible to participate in the spring competition, although the competition largely attracts first year students. No class credit is given for participation in this competition.

The Law School also makes a substantial commitment to teaching client counseling skills. In addition to the client counseling aspects of Introduction to Advocacy, the clinical program and the interviewing course, the School encourages participation in the intramural client counseling competition. A faculty member advises the teams. Faculty members and members of the bench and bar assist in judging practice and final rounds. Frequently, the New Mexico team has placed first in the regional competition and gone on to the national competition in New York. One year the UNM team won the national competition, and it is virtually always a serious contender.

The Law School also permits selected students to do intensive independent research with a faculty member. The general requirement for independent research is that a substantial paper be completed on a topic which will not duplicate course work otherwise available in the curriculum. About twenty second and third year students elect this option each year. Independent
research projects are normally approved when students wish to research topics not covered in existing courses or seminars, but independent research credit is available for projects begun in a regular seminar or course and not completed within that framework. Independent research also provides opportunities not available in seminar or regular course work.

The program in natural resources policy is a multi-disciplinary program in the area of natural resources and environmental studies. Students who participate are required to take a minimum of nine hours from a list of related law courses, six hours from a list of courses in related nonlaw fields, and four hours work on the Natural Resources Journal. The program is an effective method of using existing resources to encourage area specialization and interdisciplinary work. Five faculty members provide the law course coverage; faculty members on main campus in economics, biology, political science, geology and public administration have provided the related nonlaw course coverage.

Any law student may receive credit toward his/her J.D. degree for up to six hours' credit for graduate level courses taken in other schools of the university while enrolled in the Law School. Under current policy, any J.D. candidate, with the permission of the Dean or Associate Dean, can enroll in any Master's or Ph.D. program available at the University and work toward both degrees concurrently.

Two such joint programs have been successful at the Law School. The first is a joint J.D.-M.B.A. program requiring approximately four years if summer courses are taken. It typically
involves a full-time first year at the Business, full-time second and third years at the Law School, and fourth year devoted to electives at both institutions. Several students have completed this program. The second is a joint J.D.-Master of Public Administration program, which more than a dozen students have completed to date.

Other interdisciplinary opportunities include standing permission for sociology Ph.D. candidates to take certain law school courses. The arrangement is based upon the fact that the sociology Ph.D. program now offers a concentration in criminology. There is also an active exchange with the School of Medicine, with faculty and students from each school often attending lectures at the other. The Bioethics course at the Law School has enrolled students from the Medical School, Department of Public Administration, and several departments within the College of Arts and Sciences. Graduate students in any department can take up to six hours of courses in the Law School with the permission of the Dean or Associate Dean of the Law School and the permission of the appropriate university departmental chairman.

**LEGAL PUBLICATIONS**

The *New Mexico Law Review*, once a part of the *Natural Resources Journal*, is now an independent, student-run publication. It appears three times a year, and its circulation is about nine hundred. In addition to the editorial staff, returning second year students act as editorial assistants. Staff selections are made by its editorial staff on the basis of a writing sample provided by first and second year candidates in a spring writing
competition. The Law Review members select the editorial board. The Law Review publishes a wide variety of articles, primarily in areas of immediate interest to the New Mexico bar. The size of its staff varies from year to year, but the number averages about twenty-five. Students who participate in the New Mexico Law Review also receive course credit.

The Natural Resources Journal is an international, interdisciplinary publication devoted to the study of natural and environmental resources, with an emphasis on research directly relating to public policy. The Journal publishes four quarterly issues and has a circulation of about 2,000. It contains articles and symposia written by leading authorities in the natural resources field, reports and analyses of recent developments and decisions prepared by the student editorial staff, and book reviews. Professor Utton serves both as Natural Resources Editor and faculty advisor and there is a student editorial staff. Staff selections are made in the same way that the Review staff selections are made. Student members of the Journal staff also receive course credit of one hour per semester. The Journal student staff has about thirty-five to forty members.

Although the two publications separated in 1971 they continued to share the same student editor until 1977. The two journals now are autonomous and the editorial board of the Review has become sufficiently self-sustaining that the faculty advisor is able to allocate most of his time to the Journal. The student editors (nine) of the two journals receive a partial tuition scholarship in recognition of their supervisory work.
The Law School publications represent an important area of the curriculum in which writing is a central element. A variety of faculty members offer editing advice and help to students involved in these publications. Virtually every faculty member has edited student work, and many devote a substantial amount of time to this editing.

Attached to this overview are:

1. The Curriculum for 1983-84
2. The report of the 1982-83 Curriculum Committee, which recommended very substantial changes;
3. A Proposal on legal education which was prepared by Professor Teitelbaum in 1979, and which has served as the basic consensus document guiding curriculum reform over the past four years.
### FIRST YEAR PROGRAM

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**Courses with Limited Enrollment/Seminars/Journals**

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<td>Legislative and Administrative Law Newsletter I (Limited to 12)</td>
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<td>Evidence/Trial Practice # (3 cr.—With Permission of Instructor) (5 cr.—Limited to 36)</td>
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**CLINICAL COURSES ARE LISTED ON REVERSE SIDE**

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*Designates courses scheduled in both fall and spring semesters.
See Course Descriptions.
Designates courses that meet the writing requirement. Other courses may meet the writing requirement.

Trial Practice, offered separately in the Fall and during intersession, will be offered also as a six-credit combination with Evidence in the Fall. It will not be offered in the Spring.
SECOND AND THIRD YEAR PROGRAM Continued

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<td>Legislation*</td>
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<td>Centro Legal*</td>
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*Designates courses scheduled in both fall and spring semesters.
*Designates courses that meet the writing requirement. Other courses may meet the writing requirement.

See Course Descriptions.

Trial Practice, offered separately in the fall and during intersession, will be offered also as a six-credit combination with Evidence in the Fall. It will not be offered in the Spring.

15.
## FIRST YEAR PROGRAM

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## SECOND AND THIRD YEAR PROGRAM

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## Courses with Limited Enrollment/Seminars/Journals

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SECOND AND THIRD YEAR PROGRAM Continued

Call No. Courses with Limited Enrollment/Seminars/Journals Continued

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<tr>
<td>658</td>
<td>Governmental Regulation of Banks and other Financial Institutions* (Limited to 15)</td>
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<td>Mathewson</td>
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<tr>
<td>669</td>
<td>New Mexico Law Review IV*</td>
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<td>Staff</td>
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<td>671</td>
<td>Advanced Tort Litigation* (Limited to 15)</td>
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<td>Martinez</td>
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<tr>
<td>673</td>
<td>Administrative Law Seminar* (Limited to 12)</td>
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<td>Browde</td>
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<td>676</td>
<td>Teaching Law to High School Students (Limited to 25)</td>
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<td>Luckasson</td>
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<td>684</td>
<td>Indians &amp; the Supreme Court* (Limited to 12)</td>
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<td>Ragadale</td>
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<td>685</td>
<td>Indian Child Welfare Issues (Limited to 15)</td>
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<td>Turcill</td>
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<td>V-715</td>
<td>Interviewing &amp; Counseling* (3 cr.--Limited to 12)</td>
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<td>Sisson</td>
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<td>718</td>
<td>Negotiations (Limited to 12)</td>
<td></td>
<td>Sisson</td>
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<tr>
<td>707</td>
<td>Tax Practice Clinic* (Prerequisite--Federal Income Tax)</td>
<td></td>
<td>Mathewson</td>
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<tr>
<td>710</td>
<td>Legislation</td>
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<td>Mathewson</td>
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<tr>
<td>720</td>
<td>Law Office Intern*</td>
<td></td>
<td>Schwartz</td>
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<td>723</td>
<td>District Attorney*</td>
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<td>Martinez</td>
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<td>731</td>
<td>Centro Legal*</td>
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<td>Hermann</td>
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<tr>
<td>740</td>
<td>Law Practice Clinic*</td>
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<td>Norwood-Johnson</td>
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<tr>
<td>744</td>
<td>Judicial Extern/Law Office Extern*</td>
<td></td>
<td>Hermann</td>
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</tbody>
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*Designates courses scheduled in both fall and spring semesters.
#Designates courses that meet the writing requirement. Other courses may meet the writing requirement.
*Designates courses that may be elected by first-year students.
@See Course Descriptions.
Evidence, offered separately in the Spring, will be offered also as a six-credit combination with Trial Practice in the Fall.
MEMORANDUM

DATE: April 29, 1983

TO: The Faculty

FROM: The Curriculum Committee

RE: Part II, Report of the Curriculum Committee

This memorandum represents Part II of the Curriculum Committee's Report and is being distributed in anticipation of the faculty meeting scheduled for May 2, 1983. We were unable to state a curriculum, even in a tentative way, for 1984-85 in time for distribution to the students this spring. However, we believe that what we have accomplished will, with your advice and comment, permit a tentative curriculum to be stated early in the fall of 1983-84. If this occurs, second-year students planning their courses for the fall and spring will have additional, helpful information.

The memorandum directs your attention to four issues for discussion. First, and most important in terms of length and detail, is our proposal for curricular revision, to be implemented as decided upon by you for 1984-85. Second, Professor Nathanson has suggested that we begin planning for a Washington semester which would satisfy all or a part of the clinical requirement. Although the proposal might be implemented as early as spring semester 1983-84, we are making no recommendation other than that it be implemented either next spring or the following fall. Third, the Curriculum Committee asks that you approve an additional offering next year, a Legislative and Administrative Law Newsletter course, for one-hour credit each semester as a continued experiment. Fourth, Professor Occhialino has suggested that we begin planning for a summer school which would attract out-of-state students and out-of-state faculty, to be implemented no earlier than the summer of 1985. *

With respect to the general curricular revision, we invite discussion but we suggest that final action be deferred until after the retreat scheduled for August. With respect to the proposals made by Professors Nathanson and Occhialino, we suggest that a tentative vote be taken so that further feasibility studies can begin. With respect to the Legislative and Administrative Newsletter, we ask that you approve its addition to the offering sheet for both semesters next year.

* Not included

SCHOOL OF LAW 1117 STANFORD, N.E. TELEPHONE (505) 277-2146
I. Curricular Revision, Beginning 1984-85

During the past year we have met in small groups and as a whole committee to review a variety of curricular reform proposals from other schools and from prior committees at our school. We also surveyed students at this school with a questionnaire designed by the student members of the committee. We met with most of the faculty in a series of special curriculum committee meetings.

As a result of this year's work, we have some specific recommendations. We are agreed that the curriculum we presently have can and should be strengthened, and we have some suggestions that can be implemented within the 1984-85 curriculum. These suggestions represent a curricular revision that will affect all three years.

The changes we suggest flow from several sources. First, some years ago we as a faculty approved in principle a reform proposal drafted by Professor Teitelbaum, which we believe our suggestions advance. That first reform proposal recommended that the faculty place in the first semester courses which had as their central aim skill development, including case analysis, and perspective on law as a social, economic and historical institution. Legal Analysis represents a progression toward the faculty's original commitment to a more integrated, focused set of first-semester courses which de-emphasize classic common law subject matter divisions.

In addition, the first reform proposal suggested that a sharper distinction be made between the second-year program and the courses provided for and recommended to students for their third year. The proposal suggested, for example, that second-year students should focus upon substantive law courses and that practice/planning courses be the core of the third year.

Our proposal is consistent with the first reform proposal in recommending that the first semester contain courses in legal analysis, jurisprudence, legal history, and legislation: categories suggested in the first reform proposal. Our proposal goes further in recommending that the same emphasis on perspective be continued through the second semester by requiring follow-up courses in each category, courses which continue to build upon the information and insight acquired in the first semester. Finally, we recommend that three follow-up courses be highly recommended in the third semester.

Our proposal is also consistent with the first reform proposal in recommending sharper distinctions between first-year, second-year, and third-year programs. We recommend that courses be designed for inclusion in the first two and one-half semesters which have as their goals perspective and skills, breaking down artificial doctrinal lines, and teaching the basic doctrinal principles needed for upper-level courses. Thus, in the first semester we are suggesting a course in Legislative and Administrative Processes, which introduces students to related skills such as the old common law courses introduced case analysis. Further, in the second semester we recommend a course we have designated The Civil Process, which surveys the traditional lawsuit rules and structure but which also touches upon evidentiary considerations, the emerging significance of arbitration, and the growing importance of courts with limited jurisdiction. Finally, in the third
semester, we believe that the faculty should highly recommend a course in the Criminal Process, which parallels the second-semester course in the Civil Process. We also recommend a course in Responsibility for Injurious Conduct, which introduces students to the connection between society’s concern for civil liability and that represented by criminal sanctions.

As you will see by the terms of our proposal, the coordination of the first two and approximately one-half semesters leads up to a broad number of electives in the second and third years which will build upon the principles and insights developed earlier. We hope and expect that the coordination of the first two and one-half semesters will make students’ choices in the second year more informed, and that they will be able to work at a more advanced level with greater interest and with a better general background than has been the case. At the very least, we anticipate that their choice among the electives will represent more informed choice about content and relevance.

In the third year, we propose that students be required to satisfy their writing requirement. We recommend that students take certain courses that tend to pull together several doctrinal areas as well as build upon prior law school training, such as Federal Jurisdiction and Conflicts. Further, we recommend that advanced and planning courses be taken. Our proposal should generate student demand for additional advanced and planning courses; if more are provided, the beginning, the middle and the end of the law school experience will become even more distinct. We also anticipate that third-year students will be able to participate more effectively in advanced courses because of their first-year “common curriculum” and because of better direction in selecting electives which anticipate a third-year specialization.

Our proposal is consistent with curriculum committee efforts which have considered the possibility of a set of specific required courses, a “menu” approach under which students must select courses from a number of core areas, or a combination of the two schemes, for the second- and third-year programs. Under these approaches the faculty must identify either courses or areas which are important enough to require. While these approaches have the advantage of giving direction, prior committees and this committee have felt that the difficulty of obtaining faculty agreement on courses to be required and the loss of flexibility for students were very important and perhaps fatal drawbacks. We believe that our proposal represents a workable compromise: the initial, coordinated set of courses provides in an efficient way basic materials from which individuals can build as desired, and the placement of courses within the curriculum statement as well as specific course descriptions will give further direction to students choosing electives.

Our proposal is, of course, most consistent with our own views. These were, most importantly, a commitment to a major expansion of the first reform proposal and an attraction to the Queens College curriculum, which seemed to us a fresh, interesting look at the law as part of society and the legal profession as an important instrument of change. We think the fresh look may be as important for us as a faculty as for entering students. We have had a great time as a committee becoming friends as well as colleagues in our joint venture, and we hope that a dramatic proposal (or even a not-so-dramatic one) will provide an acceptable excuse and convenient vehicle for much lively
discussion and challenging planning. We are less wedded to the specifics of our proposal than we are to a concerted faculty effort at long-range planning.

We also felt that over time, with the growth in faculty, our curriculum had evolved from a relatively limited offering sheet. We now have a rich, diverse mix of courses with interesting but unexplored connections and classic, but increasingly artificial divisions. It has become, in consequence, more difficult for students to choose among electives. It may also be highly inefficient that so many courses lack prerequisites.

Ultimately, also, we were persuaded that in addition to greater structure our students most want more and better writing opportunities. This became our single most abiding concern. The results of our efforts follow.

**SUMMARY OF 2½ SEMESTER "PROGRAM"**

<table>
<thead>
<tr>
<th>Category</th>
<th>First Semester</th>
<th>Second Semester</th>
<th>Third Semester</th>
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<tbody>
<tr>
<td>I. Legal System &amp; the Lawyer</td>
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<tr>
<td>A. Work of the Lawyer</td>
<td>Legal Research &amp; Writing (1) &amp; Legal Analysis (3), or Advocacy (4)</td>
<td>Advocacy (4) or Legal Analysis (3)</td>
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<tr>
<td>II. Legal System and the State</td>
<td>Jurisprudence (3)</td>
<td>Governmental Power (3)</td>
<td>Limitations on Governmental Power (3)</td>
</tr>
<tr>
<td>III. Legal System and Society</td>
<td>History and Legal Development (2)</td>
<td>Private Property Rights and Public Policy (3)</td>
<td>Responsibility for Injurious Conduct (3)</td>
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<tr>
<td>IV. Legal System and the Economy</td>
<td>Contracts (3)</td>
<td>Law and the Economy (3)</td>
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**TOTAL HOURS**

15 Hours 15 (or 16) Hours (9) Hours

21.
A. FIRST-YEAR PROGRAM

First Semester (15 hours)

1. Legal Analysis (3) or Advocacy (4) (three or six sections) (If Legal Analysis is offered, Legal Research and Writing (1))

2. Legislative and Administrative Processes (3) (two sections)
   This course would be designed to illustrate and analyze the processes by which policy is translated into law and then applied — and how these processes are themselves governed by law. The course would thus be an introduction to the processes of public law, with emphasis on the lawyer's role in dealing with officials who formulate and administer law. It consequently de-emphasizes law-making and applying by private transactions and the courts, the traditional focus of the first-year law curriculum. The course would also have a methodological function: to teach the principles and techniques of statutory construction and interpretation through use of the Federal Administrative Procedure Act.

   There is an excellent set of teaching materials available for this sort of course (Linde and Bunn, Legislative and Administrative Processes) that develops four major issues: (1) the suitability of different kinds of process for law-making and law-applying (including examination of tradeoffs involved in various process—protection choices, e.g., elective accountability and procedural protection, evidentiary proof and expertise); (2) the process of legislative policymaking (the use of committees and hearings, lobbying, the construction of legislative history, the need for and limits of legislative investigative powers); (3) the process of agency policymaking (the budgeting process, devices for public participation, the use of policy-cost/benefits—analysis); and (4) the use of process to assure accountability and fidelity to law (open meetings and records laws, conflict of interest laws, problems in legislative delegation, executive and legislative control over agencies).

3. Jurisprudence (3) (two sections)
   The purpose of this course is to make explicit, and to lay a foundation for understanding, the issues that pervade legal study. The course would explore, for example, the content of the concepts of justice, liberty, and equality, the controversy over whether there can be a "right answer" to a question of law, and the continuing debate concerning the separation of law and morals.

   The course includes three sorts of studies (1) Grist for the Mill — students will be given specific cases which present the issues in sharp relief. They will be used throughout the semester to illustrate the problems; (2) The History of Jurisprudence — we will need some exposure to the relevant controversies over time, particularly the rise and fall of Natural Law theories, and the rise of Positivism; and (3) The Contemporary Debate — we will finally focus in on the "battled lines" drawn by H.L.A. Hart and Ronald Dworkin, and perhaps other contemporary commentators.
4. History and Legal Development. (2) (two sections)
   (one possible section) The English Origins of American Law. This section might emphasize the theme of legal evolution within a society over several centuries. The course will begin with a description of English society before the Norman Conquest. Thereafter, the course will examine feudalism's impact on English criminal and private law and institutions in the medieval period. As time permits, some attention will also be paid to the significance of the sixteenth and seventeenth century legal reforms and constitutional-law developments.
   The course will introduce students to some of the essential legacies of English law to American common law and American legal institutions. For example, the English system gave the lawyers of the early eighteenth and nineteenth centuries core ideas of civil liability represented by the forms of action such as trespass and trespass on the case and principles of criminal process, such as the grand and petty juries. Furthermore, we inherited a vocabulary/conceptual structure for real property which survives today. Finally, the concept of law as protecting individual liberty has deep English roots. Books used will include Harding, A Social History of English Law, Maitland, The Forms of Action, and C. Warren Hollister, The Making of England.
   (second possible section) A second section might study the relationship of history to a single area of law. Examples include state regulation of parent-child relationships, the rise of corporate groups, the law of theft, or the development of welfare law.

5. Contracts (3) (two sections)
   In an industrial society characterized by a "free enterprise" system and notions of individual freedom, "contract" is one of the primary means by which private individuals order their affairs. The contracts course inquires into why promises are enforced as contracts, which promises are enforced and how they are enforced. The course places emphasis on close and critical analyses of court decisions. It stresses case analysis in the traditional way, using common law doctrine as a vehicle for teaching skills. It will provide an alternative, more indirect method of teaching skills and a classic perspective on law in a semester in which other courses are teaching skills directly or providing perspective.

Second Semester (15 or 16 hours)
1. Legal Analysis (3) or Advocacy (4)

2. The Civil Process (3) (two sections)
   This course will evaluate the ways private disputes are resolved, and it will consider informal resolution, mediation, arbitration, civil litigation, and self-help. It will also consider the way disputants select from among these dispute resolution schemes.
   The greatest part of the course will focus on civil litigation and the process employed by the federal and state courts to resolve disputes through this system. In particular, the course will consider forum selection, pleading, discovery, and pre-trial
resolution processes in a single, one plaintiff/one defendant civil action. This course will also provide an introduction to the role of the lawyer in a civil action, burdens of proof in civil cases, and the notion of relevance in the law of evidence.

3. Governmental Power (3) (two sections)

This course considers the fundamental allocations of power among the branches of the federal government, as well as the relationship of federal power to state sovereignty.

4. Law and the Economy (3) (two sections)

The purpose of this course is to provide students a perspective from which they will be able to see their future clients' situations, not solely as "legal" problems, but as social-economic problems which the law may help solve. The course will trace the developing role of law in the economy from the nineteenth century (but still popular) view of law as an unobtrusive facilitator of the laissez faire free market through the rise of law both as a regulator of the market and as an organizer of non-state regulation through distribution of power to private institutions. The shifting views of the function of law in the economy will be examined (1) as a reflection of society's developing concepts of the nature of man, society and the public welfare; and (2) as the stimulus for dramatically different kinds of legal rules and styles of legal reasoning.

The substantive materials for the course will be drawn from the areas of corporations law, labor law and regulatory/distributive law, with a measure of common law contract and property law which parallels and enlightens the shifting views the legislation has taken toward the role of law in economic organization. The coverage of the three statutory areas should provide a comprehensive enough overview of the subject matters that teachers of second- and third-year courses in these areas will be able to assume student familiarity with basic doctrines (thus allowing these later courses to become less "survey" and more in-depth analysis).

5. Private Property Rights and Public Policy (3) (two sections)

This course will stress "the big picture" of the fundamentals of property law in order to furnish a foundation for second-year courses and specialized third-year courses. Although property has a reputation for permanence, over time at least property law is highly adaptable to economic and social changes.

This course will examine the basic types of property interests, the classic "bundle of rights" associated with a property interest, and the public policy limitations which have generated and continue to influence our concept of property. The course will examine the possessory interests in real and personal property, concurrent ownership, and leases. The course will also examine the ways in which the common law and statutes promote and restrain free alienability. The common law tended to develop in ways that promoted free alienability. The restraints on a donor's power to give, sell, or will property were relatively few and represented largely a concern for free alienability in the hands of the beneficiary or
protection for spouse and children. American legal tradition continued the pattern by enlarging creditors' rights while at the same time providing innovative family protection with such devices as the homestead exemption, the rights of a surviving spouse to a minimum forced share, and the concept of community property.

B. SECOND-YEAR PROGRAM
First Semester, Highly Recommended (9 hours)
1. The Criminal Process (3)
This course will evaluate the process through which the coercive power of the state is applied against individuals. The course will cover each step in a criminal proceeding as well as the functions of the criminal law, the state's exercise of discretion at each stage of the criminal process, the responsibility of the lawyer in a criminal action, and burdens of proof in criminal cases. In particular, the course will consider grand jury and preliminary hearing processes, bail requirements, pre-trial practice, pleas and plea bargaining, discovery, competency of a defendant to stand trial, sentencing authority, criminal trial practice, and post-conviction remedies. The course will focus on the special limitations placed on the state's use of its criminal power by the Fourth, Fifth, and Sixth Amendments to the United States Constitution.

2. Limitations of Governmental Power (3)
This course explores individual rights and liberties as protected primarily by the Fourteenth Amendment to the U.S. Constitution. Particular attention is given to the Constitution as an expression of values. The course will include an evaluation of the privileges and immunities clause, substantive and procedural due process, equal protection, and the requirement of state action. The course will also investigate different methods of constitutional analysis.

3. Responsibility for Injurious Conduct (3)
The purpose of this course is to combine criminal law and torts in order to provide a better context for understanding both. It is thought that this study will be efficient, not only because of the common origins of criminal law and tort, but also because both studies traditionally are characterized by similar pursuits. That is, both traditional courses identify and discuss the particular interests which the law will protect, and both courses teach the elements of the causes of action through which the law protects these interests.

To a large extent, particular crimes and torts must be treated discretely, by use of traditional materials. The areas will be constantly contrasted, however, with respect to major differences: public vs. private wrongs, the (sometimes) different purposes of the systems of criminal and tort law, the contemporary statutory basis of criminal law vs. the common law basis of tort, and the ways that society differentiates interests and remedies for injurious conduct by distinguishing among states of mind.

25.
Second Year. Highly Recommended
Selections from the following:
1. The Legal System and the Lawyer
   Eg. Evidence or Evidence/Trial Practice, Civil Procedure II, Ethics or Role of the Lawyer in Society, National Moot Court, Law Review, Natural Resources Journal, a selection from the Clinical offering

2. The Legal System and the State
   Eg. State and Local Government Law, Environmental Law, Eminent Domain, Law of International Relations

3. The Legal System and Society
   Eg. Wills or Wills and Trusts, Family Law, Community Property, Indian Law, Immigration Law

4. The Legal System and the Economy
   Eg. Federal Income Tax, Natural Resources, Water Law, Oil and Gas I, Mining Law, Labor Law, Business Associations I, Contracts II, Commercial Transactions I

Second Year. Second Semester (1 hour)
Required: Brief writing as part of a single problem administered for the entire class.

If the writing requirement were fulfilled during the third year, a student would be required to do serious formal legal writing during first (Advocacy) and third year. We could provide one additional substantial writing experience for each student by requiring each second-semester second-year student to write a brief for an appellate court.

We recommend that the brief be of about the complexity now required for the in-house moot court competition and that the in-house competition be run from those briefs. While everyone would be required to write the second-year brief, only those who wish to go into the second-year moot court competition would be obliged to do the oral arguments. This requirement would not only provide another writing experience, but it would be likely to increase the number of students willing to participate in the oral argument competition. Of course, that participation would have independent value.

This proposal would require some fairly substantial administrative work. We suggest that we give each student one credit for work on the brief and that the brief be graded on a credit/no-credit basis. While a faculty member ought to organize and administer the program, brief grading should be done by a core of third-year students who are either paid or given academic credit for their work. In fact, this group would be likely to include the National Moot Court.
Team from the first semester, and the second-semester moot court program would work in much the way it does now. Obviously, some additional third-year graders would have to be added because the number of briefs to be graded would be increased substantially.

The faculty administrator would be responsible for selecting the problem, establishing an administrative schedule, and scheduling a series of lectures on the substantive law of the moot court problem, brief writing techniques, and simple writing skills. While the students would not be required to attend these lectures, most students probably would want to take advantage of them. The student graders would prepare substantial commentary on each brief before returning it to its writer. Any brief that appears to be arguably unsatisfactory would be sent on to the faculty supervisor, who would decide whether the student deserved a credit or no credit for the course. The moot court competition to choose the National Moot Court Team would remain unchanged.

C. THIRD-YEAR PROGRAM

Required: Completion of the third-year writing requirement either in a seminar or through independent research.

There is a very great inconsistency in what different faculty members require in satisfaction of the upper-class writing requirement. Some are insistent upon very substantial papers, and some accept much less. Students (and faculty members) might be encouraged to take the requirement more seriously if we required all third-year students to declare their third-year paper topics by the beginning of the second semester of the third year and complete the writing by April of that year. We could distribute a list of student names and their topics and then make the papers available to the student's colleagues through the library. In fact, we suggest maintaining a special card file on students' third-year papers and keeping all of the papers filed in the Law School library. By doing this, we may convince students that they are making serious contributions to the law through their third-year papers. In addition, others — including potential employers — will have access to those papers through the library. This process also may allow us to develop a substantial indexed file of academic work done on a wide range of issues, often related to New Mexico law.

Third Year, Highly Recommended
1. Completion of the Clinical requirement
2. One planning course, such as Business Planning or Estate Planning
3. Federal Jurisdiction
4. Conflicts of Law
5. Remedies
6. An interdisciplinary course, such as Law and Society, Law and Social Change, within the Law School, or a course carrying graduate level credit, approved by the Curriculum Committee, within another University department
7. Advanced courses, such as Advanced Family Law, Fiduciary Administration, Business Associations II, Advanced Criminal Procedure, Oil and Gas II, Advanced Water Problems
8. Selections from other courses, recommended for the second year but not yet elected

27.
CURRICULUM PROPOSAL

The following is a proposal for significant alteration in the law school curriculum. It derives in concept from discussions within the faculty over several years which embodied, expressly or implicitly, a number of assumptions about the role and performance of this and other law schools. Certain of these assumptions should be set forth at the outset.

1. Legal education should be both general and specific. It is first an intellectual endeavor with, for persons who undertake the practice of law, a significant applied aspect.

2. The intellectual component of law is in the truest sense interdisciplinary. It comprises philosophy (and particularly ethics and logic); history (social, intellectual, economic and political); economics (macro- and micro-); sociology; psychology; and most of a liberal arts curriculum. Natural science is also, and increasingly, of consequence to law.

Moreover, the study of law is not only permissibly but innately interdisciplinary. Whereas the study of some fields may be joined to reveal points of agreement and divergence, a complete study of law ought not be divorced from matters arising in philosophy, history, and a variety of other fields.

3. The intellectual aspect of law also presupposes an ability to understand and replicate the process by which legal actors operate. It is not enough to recognize legal argument; students must be sufficiently immersed in the method of argument (and all of its components, such as the nature of legal institutions) that he or she can engage, accurately and persuasively, in argument.

4. Legal education also requires basic familiarity with the body of existing law. This is important not only to exemplify the method of law, but also to learn what issues are distinctively presented by the various areas of law and as a kind of "bibliography" course. Students should become familiar with the issues and sources of authority in a variety of areas, so that—when problems in those areas arise—they know something about how to undertake the research and analysis that will be required.

5. The practical aspect of legal education is intimately related to its intellectual aspect. Representation of clients requires the capacity to interpret and create law in a specific situation. Without this ability, no nonintellectual skills will suffice. However, the practical aspect also presupposes a working knowledge of the nonlegal context in which clients identify and face legal problems, of methods of communicating with them,
...of the legal system in operation. Accordingly, legal education should include a significant applied component.

First Semester, First Year

Our present theory, widely shared among law schools, is that the first year and particularly the first semester should be devoted to education concerning legal method. While "substantive" courses such as Contracts and Family Law are listed in the curriculum, it is generally agreed that coverage of substantive material is of little importance. Rather, these courses are intended as vehicles for studying the methods of legal reasoning, analyzing legal institutions, teaching something about advocacy, introducing policy analysis, and the like.

The proposed curriculum continues this focus on legal method but suggests that it be studied directly and not through the medium of substantive subject areas. Reliance on what are labeled as substantive courses is misleading in that it suggests to students that if not the, prime concern is to learn "Contracts" or "Family Law," rather than analytical methods and institutional operations. Certainly, the former becomes dominant at examination time; the use of Gilbert's only makes sense if the course is considered largely an exercise in acquisition of legal rules. Moreover, no substantive course is uniformly well suited to inquiry concerning legal method and institutions. We choose areas which presumably are relatively well suited to these inquiries, but they still impose artificial limits which are inconsistent with what we seek to accomplish in the first semester of law school.

In place of the current curriculum, a series of components addressing methods of legal analysis, the nature of legal institutions, and like matters should be adopted. Most if not all of these components would draw upon lines of case analysis or statutory development, but they would not be courses in Contracts, Family Law, or Civil Procedure. Any given component might use Contracts cases, but would do so because those cases illustrate some analytical scheme or some institutional method; the same component might draw as well on cases from any other appropriate area of law. Nor would these components necessarily be of equal or approximately equal length. There is no special reason for having four "courses" of three or four hours each; a component should have whatever number of teaching hours it requires, without any relationship to the hours given other components. The semester would therefore comprise some 210 hours of classes, divided variously among components.

The subject matter of first-semester components might include the following:

1. Formal Legal Analysis. This broad heading refers to a number of approaches to the study of the character of judicial
opinions and the methods of reasoning used in the common law system. It might include some exposure to formal logic, a study of the nature of precedent and its place in legal argument, an inquiry into legal constructions and fictions, consideration of the sources and uses of policy in legal decisionmaking, and/or a variety of other devices for examining modes of legal analysis. (For an oversimplified summary of a few of the techniques that might be taught and illustrated, see the attached Introduction to Legal Argument.*)

2. The Relationship of Case Method to Legislative Activity. This is also a gross component, which could be subdivided into, for example, consideration of (A) the respective competence of courts and legislatures, and (B) the techniques of interpretation used by courts in dealing with legislation, including (i) interpretation of statutes which are unintentionally ambiguous and (ii) of those which expressly delegate to courts or community the task of defining terms (e.g., "reasonable" or "seasonable").

3. The Relationship of Social and Intellectual History to Legal Development. This component might study the relationship of history or culture to the development of one or more areas of law. An approach of this sort has been used with, for example, state regulation of parent-child relationships, the rise of corporate groups, welfare law, and various other areas. The context of law could be examined through such components and, concomitantly, something of the culture in which we operate will emerge.

4. Traditional Jurisprudence. Examination of various philosophical foundations for legal analysis could be included in the first semester and be played off against issues arising in connection with other components.

5. Everything that I have omitted, including Advocacy in some form, that addresses the ways in which courts reach their conclusions, lawyers participate in that process, and laws are created and developed.

Second Semester, First Year

It would be justifiable to continue the approach described above for two semesters, and perhaps that would be the preferable thing to do. For present purposes, however, I would suggest devoting the second semester to an application of analytical and institutional skills and knowledge in the framework of five courses. For this purpose, courses of the kinds usually found in the first semester (or first year) of law school—Contracts, Torts, and any other courses that contain a substantial analytical component—would seem appropriate. It would also seem appropriate to include a course or two that focuses on the processes by which courts deal with legislative authority,

*Not included.
so that this aspect of the first-semester curriculum can be explored more thoroughly.

This semester ought serve as a transition from the initial period of direct concentration on legal method to the second year, in which students would be exposed to a considerable body of substantive law. The use of "analytical" courses would permit further development of skills but, if the first semester accomplishes some part of its purpose, greater coverage will be possible than is presently true of first- (or even second-) semester courses.

The Second Year

The second year of law school should be devoted primarily to acquisition of substantive law. That would not, of course, be its sole direction; substantive courses can be and frequently are taught analytically. However, the basic curriculum for a second-year student would be at least five subjects each semester which would emphasize relatively broad knowledge of the issues, sources of authority, and analytical method in each subject. This is, of course, very much like our present second-year program.

A modification of this approach would be to increase coverage in at least one of these semesters by developing short (e.g., two-hour) survey courses, of which a student could take six or seven. It may be that some courses lend themselves to such modification and others do not. There is no reason to require that all substantive courses take this form, but their development should be encouraged so that an introduction to issues and sources of authority in a greater number of areas would be made available.

The Third Year

The third year should serve as a period of applying skills and knowledge learned and of transition to practice. It will probably be necessary for a student to take during this year a few--two or three--substantive courses of the kind principally directed to second-year students. However, the major part of the third-year curriculum (and I would think something like two-thirds of that curriculum) should comprise two groups of courses: (1) applied problems of some complexity (such as the Business Planning course now given, or simulated problem exercises), and (2) client contact/practice courses. One or more formal written products should be completed in connection with each of the first group of courses.

Although it might be preferable to allocate these groups of courses to the first and second semester respectively, that does not seem practicable having regard to the burden it would place on current clinical programs. Moreover, the simulated and
"real" clinical activities might well actively supplement each other in some cases. The former would allow in-depth exploration of one or more complex problems, requiring the student to execute in a formal and detailed fashion the skills and knowledge he has gained thus far. Although clinical cases cannot be made systematically as complex as simulations, they offer some kinds of experience that no simulation can convey and, therefore, further expand the student's appreciation of client representation and legal practice.

A Note On Timing

Plainly, curriculum transition of this kind cannot be implemented next year or even the year after. The components that comprise the first semester must be developed, not only in principle but in detail. Moreover, it might well be desirable to pre-test components either with first-year students or upperclass students before the program is put into place. The same can be said of the third-year Problems courses, for which materials and format must be developed and tried. Perhaps three years would be a realistic estimate of the time required for the transition, but this is only practicable if those years are spent in active planning and development.

Faculty Resources

Availability of resources for curriculum innovation has been a continuous practical concern. This section of the proposal seeks to describe available resources (Table I) and to match those resources against the demands posed by the revised curriculum (Table II).

For purposes of a faculty resources survey, it is necessary to establish a mock curriculum, which is the only function of the specificity that follows. Although particular courses or kinds of courses are listed, they are only intended as illustrations and each reader should substitute his or her own particular preferences at each stage.

With respect to the first semester of the first year, the proposed curriculum will require fewer faculty resources than the present scheme. This year, we invest sixteen faculty, each quarter-time, in the first semester: Family Law--2; Contracts--2; Civil Procedure--2; Advocacy--6; Programmed Studies--2; Legal History--2. With the proposed curriculum, I think 12 faculty quarters would surely suffice, and could be used in one of several ways. My own preference would be either to have six faculty members responsible for the first-semester curriculum for each of whom that responsibility would satisfy their full teaching requirement for the semester, or to have four faculty members allocated entirely to the first-semester, first-year curriculum with four others teaching, for one-half their semes-

* Not included

32.
load, various components of the first-semester curriculum. In either scheme, the first-year students would be divided into groups of 16 or 25, respectively, under the supervision of a faculty member to whom they can go for advice and assistance. Of course, no faculty member would teach all components of the first-semester curriculum, although he or she would have to be generally familiar with those components in order to assist the students he or she supervises.

The second semester, first year would occupy ten quarters of faculty time, which is approximately the situation now.

The third-year curriculum would require development and coverage of a number of "Problems" courses, which ought be limited in enrollment (e.g., 16). If each student were to take two such courses, we would need 12 or 13 such courses. If each took three, we would need 18 or 19 such courses. Each course would be a quarter faculty load. The Practice/Skills courses are now taught by the clinical staff, whose resources seem adequate to the third-year needs under the proposed curriculum.

Put together, the first-year curriculum would require 22 faculty quarters, and the third-year curriculum (excluding Practice/Skills courses) would occupy 18 quarters. That leaves, from the 70 total quarters available from "classroom" teaching resources (Table I), 30 quarters to cover the rest of the curriculum (that is, the second-year coverage courses, of which students could take two or three in the third year). As Table II indicates, there are presently 32 courses not taught by adjunct faculty in this component, one of which (Evidence/Trial Practice) must be considered two courses. If we are to cover all of these courses in the future—which may or may not be thought necessary—and if we are to section any of these courses, some increase in faculty resources will be required. How great that increment must be depends on the extent to which sectioning and flexibility are thought desirable or necessary. For purposes of barely satisfying programmatic requirements, the increment need not be very great: two additional faculty members would provide eight additional quarters, which in turn should allow sectioning of a few large enrollment or prerequisite courses. Further sectioning, greater scheduling flexibility, and a broader curriculum (particularly in the second year) necessarily imply a larger increase in faculty resources.
Clinical education has a long history at the University of New Mexico School of Law. More than 20 years ago there was a requirement that seniors devote time to the existing Albuquerque Legal Aid program, but they were not supervised by Law School faculty nor given any academic credit. Until 1970, the clinical program at the University of New Mexico was limited. It primarily served to introduce the students to the needs of indigents for legal services. In 1970, the school received a one-year grant from the Council on Legal Education for Professional Responsibility in order to expand its clinical program. In that year, the University agreed to devote substantial resources to experiment with clinical legal education, and the New Mexico Supreme Court adopted a liberal student practice rule.

Since 1970 the clinical program at the University of New Mexico School of Law has grown from a one-person operation involving only a few students to a six credit hour program required for graduation. The program's resources include six tenured faculty with extensive experience in clinical education and a new, fully-equipped clinical office complex located in the Law School. The program utilizes a widely accepted teaching methodology of assigning primary professional responsibility for actual clients to students who work under the supervision of law faculty.

The depth of the Law School's commitment to clinical legal education is reflected by the requirement that a student complete six hours of clinical credit for graduation. Three of these credits may be completed in an externship under the supervision of a Judge or a private
attorney, but at least three must be earned in a clinical course taught and supervised by Law School faculty.

One of the primary objectives of the Clinical Law Program is to assure that graduates can perform competently in or out of a courtroom. The program has the long-range goal of developing in the potential lawyer the sense of responsibility, the commitment, the reliability, and the understanding of law office economics that are the essence of a successful practitioner. In the clinic, students actually represent clients under a rule of the State Supreme Court which permits students to practice before the state courts. Students engage in the skills of negotiating, counseling and interviewing as well as courtroom advocacy under intensive supervision. Supervisors are law school professors, all members of the State Bar, and all extensively experienced in practical aspects of the practice of law.

In the clinical method of instruction students are confronted with problems of the sort that lawyers encounter in actual practice. These problems are concrete, complex and unrefined. The students must deal with these problems as lawyers. They bear the professional responsibility for decision and action. In solving the problems, the students must interact with people. These students' performance in all these activities (analysis, planning, decision making, implementation of decisions by action, and their interactions with the people) is subjected to intensive and rigorous critical review.

Clinical education promotes the training of competent professionals by:

1) exposing students to the demands, constraints and methods of thinking in role;
2) exposing students to the demands, constraints and methods of analyzing and dealing with unstructured, factual situations;
3) giving students a basis for examining the dynamics of interpersonal communication as they impact on problem solving activities;
4) giving students a methodology for learning from experience;
5) providing insights into the functioning of the legal systems and raise questions about its capacities and limitations;
6) provide professional skills instruction.

A clinical course at UNM may include teaching the following skills:

1) interviewing;
2) fact gathering and field investigating;
3) identifying and applying law to case facts;
4) diagnosing a client's problem;
5) developing case strategy;
6) counseling;
7) drafting legal instruments and writing legal briefs;
8) analyzing the operation of legal institutions;
9) defining professional competence and the lawyer's professional responsibility in the attorney-client relationship;
10) negotiating and settling;
11) preparing for and conducting trials;
12) preparing appellate briefs and arguing appeals; and
13) developing a methodology to evaluate one's own professional performance throughout one's career.
Clinical courses are of two types, in-house and extern.

In-house clinics are actual practice experiences in which students represent clients in civil and criminal cases under the active supervision of a regular full-time member of the Law School faculty. The 1983-84 in-house course offerings include:

1. Law Practice Clinic (a six credit hour general practice clinic);
2. Centro Legal (a three credit hour misdemeanor defense clinic);
3. Tax Clinic (a three credit hour clinic);
4. Legislative Clinic (a four credit hour clinic);
5. District Attorney Clinic (a three credit hour misdemeanor prosecution clinic); and
6. Law Office Clinic (a three credit hour civil practice clinic).

All in-house clinical programs include a classroom component. In addition to other teaching techniques, the simulation model of clinical instruction is employed in the classroom to supplement the students' live case experiences. The classes are regularly scheduled and meet from two to four hours each week depending on the course. Some class time is utilized to present the substantive and procedural law underlying the live cases or problems encountered in the clinic. Most class time is devoted to competency training in the areas previously outlined.

The students' in-house clinical experience begins with an intense week of orientation to prepare students for the clinical experience and to familiarize the students and faculty with each other. Transferred cases are assigned during the first week, and case intake begins during the second week of the semester. Once cases are assigned, weekly file reviews are conducted in which students' cases are reviewed on an indi-
vidual basis with faculty members. Furthermore, all pleadings and correspondence written by students must be both reviewed with and signed by a faculty member. A faculty member is required to be present at all court and administrative hearings.

In addition to individual weekly file reviews, weekly staff meetings of the class as a whole are scheduled. Students present cases, and issues raised are critically analyzed by the class and faculty. Role playing and moot courting of problems which arise in the course of the students' actual cases occur before the problem is executed by the student in the actual setting. These simulations are conducted by the faculty both in and out of the regularly scheduled classes.

In the in-house clinic courses the student/faculty ratio is kept low. This semester the ratio ranges from 1:3 to 1:9. The clinical faculty endeavors to form an individualized teaching relationship with the students so that the maximum educational benefit is derived from their actual case experience.

The clinic's IBM OS/6 word processor is used to monitor students' caseloads. Weekly printouts provide the faculty with current data quantifying six parameters of each student's caseload. The printouts quantify the total number of cases which have been assigned to a student up to that point in the semester, the number of currently active cases, the case mix by type of all cases seen, the current status of each case, the dates of any scheduled hearings, and the total number of hours worked on each case during the week immediately preceding the printout. This data insures that the faculty can make timely adjustments in assigned caseloads to provide each individual student sufficient case volume and case type mix for a high quality clinical experience.
Time sheets are maintained by the students. When a case is closed, students dictate a closing memo and client letter. These are reviewed by the faculty. Each closing memo will contain data summarizing the case activity, outcome, and total time spent on the case.

The UNM Law School in-house clinical courses are structured and operated as a wholly integrated model modern law office from centralized filing to the state of the art word processing. The clinic's every aspect is designed to introduce students to lawyering at its optimum.

The in-house clinics are housed in the Clinical wing of the Law School which was added in 1978. The core of the facility consists of an open area of approximately 4,500 square feet. In the center is space for an office manager and secretaries and around this are eight faculty offices. The walls of the faculty offices are open and formed by the use of custom designed bookshelves and other office landscaping techniques. This permits easy access to the faculty for students. Around the perimeter of the room are thirty-four work stations for students. Each work station is equipped with telephones and dictating equipment. There is a receptionist and a centralized filing system. Four interview rooms, a conference room, a waiting room for clients, and a file room complete the clinical facility.

The clinical area is fully integrated into the other Law School facilities. For example, there is immediate access to the main floor of the library. A New Mexico collection and other frequently used reference materials are shelved in the clinical area. In addition, there are audiovisual carrels and microfilm readers immediately available when the library is entered from the clinical wing. There is also a seminar room adjacent to the clinical area and an audiovisual classroom/courtroom on the floor beneath it.
The clinical facilities are well equipped to support the students' education. Each interview room is equipped with a videotape camera, and each faculty office has a monitor to permit viewing of interviews or conferences in any of the interview rooms. Monitoring and videotaping interviews, with the client's consent, is a highly effective means of developing students' lawyering skills and offering quality service to the client.

Word processing equipment utilizes a computer-based IBM System 6, with two terminals. Use of this system allows easy revision of the students' work and permits storage of model forms of pleadings that can be compared with the students' final work product.

The clinic's teaching staff includes six tenured full-time faculty members with extensive practice and clinical teaching experience. These six faculty members also teach courses other than those directly related to clinical field work. This year these faculty, in addition to clinical courses, are teaching courses in trial practice, evidence, advanced tort litigation, law office management, professional responsibility, interviewing and counseling, and negotiation. Several faculty members whose primary areas of expertise are in substantive areas such as tax law, water law, civil procedure, commercial law and constitutional law are also devoting time to clinical teaching this year.

Over the course of the last decade the list of clinical courses taught by full-time Law School faculty members includes Law Office Clinic (civil practice clinic); Centro Legal (misdemeanor defense clinic); Criminal Practice Clinic (felony defense clinic); District Attorney Clinic (misdemeanor prosecution); Felony Prosecution Clinic; Tax Clinic; Prison Legal Services Clinic; Juvenile Law Clinic; Legisla-
tion Clinic; Elderly Law Clinic; Welfare Litigation Clinic; Public Interest Litigation Clinic; Mental Health Clinic; Advanced Litigation Program; and Law Practice Clinic.

The clinic's extern programs are characterized by the absence of direct daily faculty supervision. Students are placed in law offices outside the Law School and are trained by non-faculty lawyers. The placements are carefully screened and monitored for their educational value. Often these placements are made in offices where lawyers or judges are able to expose students to areas of law different from those which underlie the cases and problems handled in the in-house clinics.

Law school faculty supervision of the students in extern clinical courses includes arranging the field placement, regular biweekly meetings with the student, on-site visits with the student and the student's supervisor, and the review of written records and reports submitted by the student and the student's direct supervisor.

Extern field experience courses usually include a classroom component. The instructional resources of both law school faculty and the field supervisors can be utilized in the classroom. The classroom component often centers on discussions of topics and reading materials prepared by the law school faculty.

In addition to law office extern placements, the Law School also provides a judicial extern experience. In the judicial extern program, students clerk with judges at both the appellate and trial court levels, and in both state and federal courts. The judicial extern program affords students the opportunity to gain first hand insight into the judicial decision-making process.
The UNM School of Law Clinical Program enjoys national and international recognition for excellence. The program is cited as a model clinical program. Law professors from this and other nations have visited the program to gain first-hand experience in its operation.

Funding for the development of the in-house clinical program has been provided by grants or contracts from a variety of sources including the Council on Legal Education for Professional Responsibility, the New Mexico Public Defender's Office, the Bernalillo County District Attorney, the Associated Students of the University of New Mexico, the Law Enforcement Assistance Administration, the New Mexico Department of Corrections, the U.S. Administration on Aging, and the U.S. Department of Education.

A grant from the U.S. Department of Education Clinical Experience Program has been awarded to UNM in each of the past five years. This represents a grant for every year that the U.S. Department of Education Clinical Experience Program has existed. The grant proposals for the program are refereed by recognized experts in the field of clinical education. They are very competitive. Last year only 29 law schools in the country received a grant. This is clear evidence of UNM's national leadership in the field of clinical education.
I. General Information

The Law School Library is one of three autonomous libraries at the University of New Mexico. It functions as part of the Law School and its policies and practices are made with the express or implied consent of the Law School Dean and faculty. Its primary function is to serve the study, reference and the research needs of the Law School student body and faculty.

The Guide describes the physical location of collections and services (p. 2-3), the building and general overview (p. 4-5), library collections (p. 6-12), services (p. 13-16).

At present, the library contains in its collections around 210,000 cataloged volumes, 40,000 of which are in equivalent microform. In 1982-83 it spent over $280,000 for books and serial services, $405,000 for salaries, $64,000 for Supplies or other Expenses, $1500 for Equipment and Furniture and close to $10,000 for book binding. It employs a staff of 25 and requires an additional 14,000 hours of student help. It is administered by a Law Librarian who is a tenured member of the Law Faculty as well as the Law Library Faculty. In 1982-83, over 17,000 volumes were borrowed from the Law Library for outside use and over 1,000,000 pages were photocopied by and for patrons from materials in the library. It provides a Lexis computer service (and more recently a Westlaw service) which is used for law school reference, research and instruction. At present, the Law Library is engaged in a joint project with the University of New Mexico General Library to convert all of its holdings of books and serials to machine-readable form. One day, perhaps soon, the collections of both libraries will be accessible through computer terminals located here and in other locations throughout New Mexico.
A. Resource for the Law School

The Law School Library provides an attractive, comfortable, functional place for Law School study and research although there are problems with noise in the library which may require structural changes. It is strongly oriented toward service to patrons and this is reflected in the training of staff, organization of materials for maximum convenience to users, liberal library policies and rules, e.g., students may remain in the library after hours by arrangement, and a highly specialized staff of lawyer-librarians and assistants who provide reference services. The Law Library is unique in its strong service orientation.

In addition to responding to and anticipating the needs of its faculty and student body, it provides services to the Institute for Public Law, American Indian Law Center, Natural Resources Center and research support for the Law School's Clinical Law Program, the Land Grant Project, the Natural Resources Journal, the New Mexico Law Review, the Moot Court and Trial Advocacy and Client Counseling participants. It has developed and maintains two special collections of books in support of this work: the American Indian Law Collection and the Land Grant Law Collection.

The Law Library has today an excellent working library - a well-rounded, basic collection of Anglo-American materials sufficient to support the Juris Doctor degree. Although well-selected and even containing significant interdisciplinary materials, it nonetheless lacks some of the depth and comprehensiveness typical of a research-oriented, scholarly law library. To attain the status of a scholarly, research-oriented collection, it will be necessary to press for one or more state bond issues similar to the state bond issue of 1973-78 when the Law School Library received $350,000 with which to purchase new books and serial services which could not otherwise be acquired through regular book budgets.
B. Resource for the Public

As a public resource, the Law School Library is unique within the United States. Its uniqueness is a result of the confluence of several forces and factors. First, it is located in a growing Metropolis representing a large number of specialized groups requiring specialized legal information, e.g., N.M. State Bar, the courts, and business interests. Second, it is the only law school library in New Mexico and is 40% larger than the only other comparable law library, the Supreme Court Library in Santa Fe. Third, because of the need for a public legal reference and information center in Albuquerque and in the state, it has become in the true sense a public law library and has been following a policy over the years of encouraging New Mexico citizens to use its facilities and services. The result has been an unparalleled use of the library by the public for study, for reference and for legal research. Fourth, because of the absence of a Bar Library in New Mexico, the Law School Library has become the primary resource for legal reference and research in New Mexico. This is highly significant for several reasons: first, because of the large numbers of lawyers in the Albuquerque area who use the Law School Library regularly throughout the year; second, because of the special relationship between a law library and a lawyer. Lawyers are peculiarly dependent upon law libraries in their day-to-day work. The law library is the source of information about law, a place where advocacy and knowledge meet, an intellectual resource necessary for the practice of law. In a true sense, the law library is to the lawyer what the laboratory is to the scientist.

In consequence, the School of Law Library is today constantly responding to the needs of the various publics in New Mexico through its reference services and its collections. Some examples: the Law Library contains the finest, most comprehensive collection of current law practitioner books and serial services in the state; requests for our materials from other libraries
within the state increase dramatically each year as does the use of our Reference Center by the general public; students from other university departments and from high schools doing law-related research use the library. In short, the Law Library is not just for faculty and law students. It is the place to go if one has a legal question.

As a resource to the Law School, to the State of New Mexico, to the southwest region, and to the nation, it is important to realize that the School of Law Library has the potential for significant further expansion and development of book collections and reference-research services in the following areas:

1. **Natural Resources Law**
   With an on-going, world-recognized *Natural Resources Journal*, a Natural Resources Center at the Law School, with many courses in Natural Resources Law offered in the Law School, and because of its unique geographical position with respect to natural resources, there is obviously great potential for further development in this area.

2. **Mexican-Latin American Law**
   The Law Library has recently developed a Special Collection intended to provide basic materials in this area. Strong scholarly interests in the University of New Mexico coupled with our close proximity to Mexico and Latin America suggest this too has strong potential for further development.

3. **American Indian Law**
   The Law Library already has a nationally-recognized special collection of legal materials in American Indian Law and is located proximate to the American Indian Law Center. Interest in American Indian affairs is so high in this region that the Law Library collection could one day become
one of the larger collections of American Indian legal materials in the country.

In 1980-81, in an evaluation of the Law School Library by Professor Julius J. Marke, Law Librarian of New York University School of Law, the following appeared in his Report:

For scholarly research in law and law related subjects, the Law Library of the University of New Mexico can be likened to a cultural oasis, with nothing comparable in a geographic area radiating 500 miles from it in all directions. The closest scholarly research source in the Southwestern part of the United States is the University of Texas, about 1000 miles east of it and the Law Library collections to be found in Los Angeles to its west. The Supreme Court Library in Santa Fe is primarily oriented to the immediate needs of the judiciary and the practitioners of the state, with very little depth in scholarly materials. In this context, recognizing that the University of New Mexico Law Library presently contains a basic Anglo-American Law collection with the beginnings of a scholarly research collection in Comparative, Foreign and International Law, it is ripe for becoming a unique regional research resource for the Southwest based on the institutional interests of the Law School and the University.
III. Financial needs of the Law Library

These needs are both immediate and long-term. The immediate needs arise from budgets for Books/Serials and for Supplies and Expense which are simply inadequate and have been so for years. Both of these budgets are very sensitive to inflationary pressures, particularly the budget for books. For example, we have persistently tried to reduce expenditures for serial services without compromising the quality of our collections. These efforts have met with limited success. Compared to rising costs, cut-backs in marginal serial services in the Law Library have had little effect.

As an example of our present plight, in 1982-83, our total Book/Serials budget was $205,748. In that year, expenditures for the upkeep of serial services alone cost $240,864 - much more than our entire book budget. In contrast, we spent only $33,000 on new monograph and serial titles in the same year. Were it not for transfers of funds from photocopy net receipts and gifts from the UNM Law School Alumni and lawyers from throughout the state, we would not have been able to pay our bills for Books/Serials last year.

Serial Services include upkeep of treatises, statutes and court reports, looseleaf services, periodicals and runs of continuing material of many kinds. The expense is on-going and is not addressed by infusions of money from state bond issues for limited periods of years. To address this problem in 1983-84, the Law Library will need an additional $40,000 for Books/Serials notwithstanding an additional $20,000 which the University has provided for us this year in our budget for Books/Serials.

Other financial needs requiring immediate attention in the current year are $16,000 for equipment to implement a new Circulation/Inventory system and another $12,000 to keep Westlaw, a computerized research system, in the
Law Library,

Long range, the problem is one of having sufficient funds to realize the potential of the Law Library, both in its collections and its services. Here is where a state bond issue to provide money for the purchase of new books and serial services enters the picture. One of the problems after the last bond issue in 1973-78 was that no provision was made to allocate on-going funds to maintain the new serial services that were acquired. Clearly, merely to add new titles without providing for upkeep service has not and will not work. Both a higher level of support in the current Book/Serial budget and a state bond issue are needed. We are hopeful that these questions will be addressed in the immediate years ahead.
Faculty

The strength or weakness of any educational institution lies ultimately in its faculty. It is the strength of this Law School. The Law School long ago decided that its first responsibility lay in teaching and, to that end, went about selecting members who understood that we emphasize our educational function, not only for those who might attend any law school but for a student body representative of the state's general population.

We have, we believe, succeeded in that enterprise remarkably well. The faculty as a whole share a commitment to the teaching of law to a diverse student body, and doing so as well as it can be done. It may be worthwhile to indicate several reflections of this commitment. At the most general level, hiring, retention, and promotion decisions are heavily influenced by teaching evaluations conducted by the faculty and the students. This, more than any other criterion, governs the composition of the faculty. A second general indicator of concern for teaching may be found in the attitudes of our students toward their educational experience. Law school is probably nowhere widely considered an amusing way to pass time, but faculty members who have taught at other schools are genuinely convinced that there is a greater sense of community and excitement at New Mexico than is found at most other institutions. It is also appropriate to refer to the experimentation described in the section curriculum as evidence of the faculty's commitment to our educational function. The individual and collective investment of time required for curricular development is very great, and worthwhile only in terms of improved teaching.

A more specific indication of individual commitment to teaching can be found in the materials used for classroom instructions. In many law schools, teachers rely almost exclusively on commercially available casebooks and sets
of problems. Preparation of one's own teaching materials is an extremely
time-consuming activity, for which no reward exists beyond the sense that the
educational program has been in some degree enhanced. It is a measure of the
faculty's acceptance of their responsibilities that, as Table 1 indicates, a
vast number of courses at this law school rely entirely or significantly on
materials prepared by the faculty member teaching the course or by another
faculty member who has previously taught that course.

TABLE 1
MATERIALS USED IN LAW SCHOOL COURSES
1983-1984

<table>
<thead>
<tr>
<th>No. of Faculty</th>
<th>No. of Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Casebook</td>
<td>14</td>
</tr>
<tr>
<td>Casebook significantly supplemented by faculty (100 pages)</td>
<td>11</td>
</tr>
<tr>
<td>Materials entirely prepared by faculty</td>
<td>25</td>
</tr>
</tbody>
</table>

This information, which reflects the materials used for the current aca-
demic year, indicates that almost every faculty member employs materials pre-
pared by himself or herself in at least one course, and that the vast majority
of courses are taught through cases, readings, problems, and other materials
assembled by the teacher. The immense investment of time required to produce
these materials can only be explained by the faculty's interest in teaching as
effectively as possible.

Another aspect of the faculty's commitment to the teaching enterprise is
reflected in the belief, formally incorporated in our standards for promotion
and tenure, that education is not solely or even principally a classroom activ-
ity, conducted for three hours a week. Rather, we assume that much of our
teaching, and the students' learning, will take place outside of the class-
room. Accordingly, the faculty of this Law School, unlike many others, does
not keep office hours but is generally in the school and available to
students virtually all day long. Moreover, the availability of faculty members to students is published in a variety of ways and, we are glad to say, relied upon heavily by the students.

As the written statement submitted by the Dean will indicate, the faculty has taken seriously its obligations to the community as well. A large number of faculty have served and do serve on committees established by the executive and judicial branches of state government, engage in contract work with state agencies, and lend their services to a variety of community activities.

The following Tables summarize in rough form the professional services provided by the faculty to national, state, and local organizations without compensation.

**TABLE 2**

**SERVICE ACTIVITIES OF FACULTY**

June, 1982 - June, 1983

<table>
<thead>
<tr>
<th>Service To:</th>
<th>No. of Faculty</th>
<th>No. of Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gov'tal. Agencies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Gov't.</td>
<td>10</td>
<td>11</td>
</tr>
<tr>
<td>N.M. Bar Ass'n.</td>
<td>14</td>
<td>19</td>
</tr>
<tr>
<td>County/City</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>State Judiciary</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>National Organizations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ass'n. Amer. Law Schools</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Amer. Bar Ass'n.</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>Law School Adm. Council</td>
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<td>5</td>
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<tr>
<td>Others</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>Pro Bono Litigation</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>Miscellaneous Activities</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Editorial Boards</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>National Journals</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>86</strong>¹</td>
<td><strong>109</strong></td>
</tr>
</tbody>
</table>

¹All faculty members engaged in some service activity during 1982-1983.
As Table 2 indicates, all of the Law School's faculty provided service of one sort or another during the last year. They served on committees of the State Bar, participated in retreats and conferences of the Bar, consulted with or assisted in training staff of state governmental agencies, and consulted with county and city officials and agencies. In addition, it has traditionally been the law school's role to serve on various rule-making committees of the Supreme Court, and several faculty members did so during the past year.

It may seem surprising that service to national organizations was also rendered by a significant number of faculty members. It is a reflection of this school's profound interest in legal education that its faculty are heavily involved in national legal educational organizations such as the Association of American Law Schools, the American Bar Association, and the Law School Admissions Council. It is a reflection of the regard in which our faculty members are held that they occupy important offices in those organizations. Among our faculty are two trustees of the Law School Admissions Council and one member of the governing Executive Committee of the Association of American Law Schools, a far higher representation than is true of most other law schools in the country. In addition, one faculty member is an officer of the American Association on Mental Disability, the national organization of professionals from all disciplines who are concerned with legislation, litigation, and policy regarding mentally disabled persons.

Table 2 also includes faculty who engaged during the last year in pro bono litigation on behalf of various clients in Bernalillo County, a traditional form of community service for legal academics. It does not reflect, however, speeches to local groups, which are set out in Table 3.
TABLE 3

PAPERS AND SPEECHES

June, 1982 – June, 1983

<table>
<thead>
<tr>
<th>Audience</th>
<th>No. of Faculty</th>
<th>No. of Papers</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Organ.</td>
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<td>24</td>
</tr>
<tr>
<td>N.M. Bar Ass'n. &amp; Judiciary</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>Local Groups</td>
<td>8</td>
<td>29</td>
</tr>
<tr>
<td>Canada/Mexico</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>25</strong></td>
<td><strong>68</strong></td>
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</tbody>
</table>

1 Twenty-four different faculty members gave papers or speeches during 1982-1983.

Most of the presentations to national groups were formal papers, and the audiences included groups of law teachers at the Annual Meeting of the Association of American Law Schools, the Law & Society Association, the Mid-Continent Law School Association, and other professional organizations. In addition, many faculty presented papers on local and national legal issues to the New Mexico Bar Association and Judicial Conferences. A large number of speeches, usually informal, were given to local groups of all kinds, ranging from the Kiwanis Club to neighborhood citizens' groups, on a variety of subjects. Three members of the faculty also had occasion to address Canadian and Mexican groups in connection with their specialties.

Tables 2 and 3 include only services to the community in which faculty members drew expressly on their professional training. No attempt will be made to list all of the general community activities in which faculty have engaged. As a glance at the summaries of activities provided to the Commission will reveal, however, these activities reach almost every area that might attract the attention of a varied group, from Cub Scouts to the Albuquerque Civic Light Opera, the Vortex Theatre to the Albuquerque Boy Choir.
It might seem, perhaps, as if the demands of teaching and service to the community would preclude a commitment to scholarship. As Table 4 indicates, however, that is not the case.

**TABLE 4**

**FACULTY PUBLICATIONS**

*June 1982 - June 1983*

<table>
<thead>
<tr>
<th></th>
<th>Published</th>
<th>Solicited or Accepted for Publication</th>
<th>In Progress</th>
</tr>
</thead>
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<tr>
<td></td>
<td>Fac. Works</td>
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<td>Fac. Works</td>
</tr>
<tr>
<td>Books</td>
<td>2</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Articles (N.M.)</td>
<td>12</td>
<td>13</td>
<td>-</td>
</tr>
<tr>
<td>Articles (national)</td>
<td>5</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>Book Reviews</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>7</td>
<td>7</td>
<td>-</td>
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<tr>
<td>TOTAL</td>
<td>27&lt;sup&gt;1&lt;/sup&gt;</td>
<td>32</td>
<td>12&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

<sup>1</sup>Includes 20 different faculty members.

<sup>2</sup>Includes 10 different faculty members.

<sup>3</sup>Includes 11 different faculty members.

This is a significant body of scholarly work to emerge from a relatively small faculty over the course of a single year. Twenty different faculty members published articles, books, or book reviews during that period, appearing both in New Mexico Journals (the New Mexico Law Review and the Natural Resources Journal) and national publications. The place of publication also reflects the division of subject matter between national and local issues. In addition, ten faculty members have either had works solicited for publication or have completed works that have been accepted for publication, assuring that...
this year's production is not anomalous. Those solicited or accepted works will appear sometime during the latter part of 1983 and 1984. Moreover, the figures stated should be considered conservative. It is unquestionably the case that a number of faculty will contribute to the New Mexico Law Review's Survey of New Mexico Law during the coming year, as they have in the past; however, those contributions are indicated only as "In Progress" or not at all. Finally, a significant number of works are in one or another stages of preparation and, while not all may see the light of day, it is safe to assume from the faculty's publication record to date that many will and that many more, not listed in this presentation, have been commenced.

There is, in short, much to be proud of in our faculty, and it seems right to express that pride to this Commission. It also seems right to say that the compensation levels for a faculty with this demonstrated commitment to providing excellent legal education and excellent lawyers to the state and its citizens are unacceptably low. It is not that faculty compensation is lower than the compensation paid to equally well qualified lawyers in practice, although that is certainly true. Nobody on this faculty compares what he or she makes with what our classmates earn in practice. We understand, and accept, that lawyers employed in an academic setting do not earn what practicing lawyers earn. The compensation at this school is, however, still very low compared to that paid academic lawyers at other law schools. Table 5 displays our compensation, together with that of nine other law schools in the Southwest: Arizona, Arizona State, Colorado, Kansas, Oklahoma, Texas, Texas Tech, Utah, and Wyoming. Of these ten schools, New Mexico has the lowest salary figure and the second lowest fringe benefit package. More important, we were last year almost exactly $6000 below the median salary for these law schools and almost $8000 below the median total compensation. These figures say a
great deal both about the salary available to faculty here and the fringe benefit package. Many schools, for example, provide a non-contributory 15% tax-sheltered retirement plan, to which our partial contributory plan does not compare. The weakness of our fringe benefit arrangements plainly compounds the inadequacy of the base salaries at UNM.

Two other points must be made about these figures. One is obvious: they are drawn from the 1982-83 academic year, and do not reflect the relative worsening of our position as a result of the current freeze on salary increments. This Table, therefore, under-represents the compensation differential between this and comparable law schools. The second point is that the figures compiled by the American Bar Association do not include research grants given to faculty members to support summer research activities. This form of support is common at law schools, and might be considered a salary supplement. Because of straitened financial circumstances, UNM has not recently been in a position to offer research stipends to its faculty. For a faculty member who would qualify for such support; the difference between the compensation at New Mexico and at the median would reach $11,000-$12,000.

TABLE 5
MEDIAN SALARIES FOR COMPARABLE LAW SCHOOLS
1982-1983

<table>
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<tr>
<th>School</th>
<th>Base Salary</th>
<th>Fringe Benefits</th>
<th>Total Compensation</th>
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<tr>
<td>1</td>
<td>$52,296</td>
<td>$8,301</td>
<td>$60,597</td>
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<tr>
<td>2</td>
<td>48,500</td>
<td>9,700</td>
<td>58,200</td>
</tr>
<tr>
<td>3</td>
<td>46,088</td>
<td>10,600</td>
<td>56,688</td>
</tr>
<tr>
<td>4</td>
<td>46,225</td>
<td>9,371</td>
<td>55,596</td>
</tr>
<tr>
<td>5</td>
<td>47,000</td>
<td>8,391</td>
<td>55,391</td>
</tr>
<tr>
<td>6</td>
<td>47,164</td>
<td>7,688</td>
<td>54,852</td>
</tr>
<tr>
<td>7</td>
<td>47,016</td>
<td>6,775</td>
<td>53,791</td>
</tr>
<tr>
<td>8</td>
<td>42,000</td>
<td>6,300</td>
<td>48,300</td>
</tr>
<tr>
<td>9</td>
<td>42,295</td>
<td>5,136</td>
<td>47,431</td>
</tr>
<tr>
<td>UNM</td>
<td>41,100</td>
<td>6,100</td>
<td>47,200</td>
</tr>
</tbody>
</table>

Source: American Bar Association
It may be as well to say specifically what the costs of inadequate compensation are, and may portend, for this law school. Perhaps the most obvious, but perhaps least important, is the sense of unfairness that faculty members feel in knowing that they are paid less than what other state law schools, in comparable areas, think right to pay their teachers. It is in some measure demoralizing to be taken for granted or to be told that one must count as compensation for professional activities a clear view of the mountains or a mild climate.

This is, however, the least of the problems created by inadequate compensation. Far more significant are the effects that underpayment may have on the discharge of our principal responsibilities. Among these effects is the potential loss of faculty members themselves, either to practice or to law schools offering a more attractive compensation plan. These are not mythical risks. The faculty has, over the last six or seven years, lost four faculty members to the practice of law, in part at least because the financial rewards were so much greater. Those losses are deeply regrettable, because the colleagues who left were expert in their areas. Perhaps, however, even significant improvement in faculty salaries would not have kept all of them, because it is simply not to be expected that the law school will be able to pay lawyers to the extent that private practice can do so.

This cannot be said, however, should we lose faculty to other law schools. We have only lost one faculty member in this way within recent years, but that is not because offers have not been made to present faculty members by schools of at least equal reputation and standing. Ultimately, those offers—sometimes after a visit for a semester or a year—have been rejected, but the reasons for rejection have to do with continuing commitment to the program of this school rather than because financial aspects were as fa-
voriable here as there. To retain those faculty members and their commitments to a first-class educational institution, it is necessary both that adequate compensation be available here and that the school be able to retain its commitment to imaginative and skillful legal education.

In the final analysis, it is the damaging effects on the performance of our teaching, service, and scholarly responsibilities that underpayment may create that should be the greatest cause for concern. As the average faculty age moves into the 40-45 year range and choices must be made about their children's high school and college education, there is good reason to expect that income will become increasingly important. As that happens, outside income will be sought to relieve the consequences of underpayment. There is nothing illegal in seeking outside compensation; as the Commission knows, all faculty members at this University (like most others) have the right to undertake private employment for an average of one day a week during the period of their contract coverage. Of course, faculty members on a nine-month contract are entirely free to work during the summers for as much time as they like.

If, as seems likely, faculty members come to rely on outside income to supplement their pay, continued discharge of our responsibilities will undeniably be prejudiced, at least to some degree. Commitments to practice on a significant scale may be expected to reduce the amount of time faculty members have available to pursue teaching outside the classroom. The tradition, as we have said, has been for faculty to be available virtually all day long, five days a week. If teachers are required to engage in practice, and particularly trial practice, for an average of one of those days, just that much teaching time will be lost.

An even more predictable cost of the movement towards outside compensa-
tion will fall in the area of scholarship. Even without income problems, scholarship at this law school has always represented "stolen time." When teaching responsibilities are taken as seriously as they are here, and particularly when faculty make themselves routinely available outside class hours as well as during classes, the time to carry out difficult and long-term research must often be taken from evenings, weekends, and summer vacations. If that time must, however, be dedicated to income-producing activities, such as practice and even teaching every summer, scholarship will necessarily and heavily be affected.

Taking these factors into account, it should be apparent that the productivity in teaching, service, and scholarship realized to this point cannot be expected to continue unless significant improvement in compensation levels is forthcoming. That is not simply because the faculty will become resentful or demoralized. Its commitment is too strong for even foreseeable sentiments of that sort to prejudice its efforts. Rather, decline will occur because the financial position of the faculty cannot tolerate sub-average compensation levels. If time now directed toward teaching in and outside of the classroom is reduced, that will be a source of profound regret for the faculty as well as for the school itself, but it may come to be considered a necessary step. If time-consuming research and service activities are reduced in favor of income-producing activities (whether in practice or in summer teaching), that will likewise be regretted but accepted as necessary under the circumstances.

Moreover, it will not be enough merely to raise the compensation levels of the faculty, if continued excellence in all of the school's responsibilities is seriously desired. To the extent that teaching continues to be understood as requiring close and frequent consultation with students throughout
the academic year, scholarship will be substantially conducted during the sum-
mer. Direct support for research undertaken during the summer is necessary
for those faculty who actively pursue that activity, if they are not perpetu-
ally to be faced with a choice between financially rewarding pursuits and le-
gal scholarship, which is customarily uncompensated. That is not to ask for a
"paid vacation," as a sabbatical is sometimes (and wrongly) considered, but
for payment for work that is currently uncompensated despite its intimate con-
nection with the discharge of our professional responsibilities.
Students everywhere have come to realize the importance of having a voice in all aspects of government and particularly how it effects our, and our children's, education. For that reason we, the members of the Student Bar Association wish to express a few concerns. We are confident that this Commission, Governor Anaya and the State Legislature will respond with concrete solutions. The formation and appearance of this Committee here today is very timely. In fact, had you not come to us, circumstances would have forced us to come to you. The matters that affect us the most today include curriculum development, quality student programs and services, better access to state subsidized child care programs, and continued student representation on this and other governmental committees.

**Curriculum Development**

For about a year now, the Law School Curriculum Committee has been suggesting excellent changes in this school's approach to legal teaching. Clearly this is necessary if we are genuinely interested in quality education in New Mexico, and if New Mexico law students are to compete successfully in our profession. This change in approach, though new, has just this semester been implemented and calls for a faculty that can do the job. Our present faculty, though very competent and able to carry out curriculum policies, are limited in number. If we are to continue to improve our quality of education here at the Law School through curriculum development, we must have the necessary
resources. We must attract and maintain a quality faculty and staff to implement these new policies which are primarily responsible for the excellent education we receive. Students have come to appreciate the quality of education here at the Law School and, in fact, decided to attend UNM Law School because of it. They realize also, however, that to maintain that quality of education the Legislature needs to provide for adequate compensation for faculty and staff.

Although, I am certain this issue will be addressed by Dean Desiderio, I wish to impress upon you the fact that students are aware of the problem and very concerned as to how inaction may affect the quality of legal training in New Mexico.

Quality Student Programs and Services

The Student Bar Association is the second largest legal organization in New Mexico, second only to the New Mexico Bar Association. We are involved not only with providing essential social services and activities, but also with providing the best legal education and a forum for lively debate and the free exchange of ideas between ourselves and practicing lawyers, judges and state officials. Although these services are valuable, they cannot consistently and effectively be brought without additional appropriations to the Law School.

Clearly stress is a problem for most law students, particularly those first year students who naturally are not accustomed to the rigor of law school and others who are faced with the extra pressures of divorce, marriage, family illnesses, financial problems and other adversities. As a student-wide organization
the Student Bar Association along with the Law School Faculty Affairs Committee have been desperately trying to staff a professional stress therapist to deal particularly with law school related problems that students face daily.

These services I have just mentioned are essential if our law school is to be serious about attracting, keeping, and providing a fair chance of succeeding to not just "good students," but to all Law School students.

Better Access to State Subsidized Child Care Programs

There are many UNM law students, and other college students throughout New Mexico, with families. These families often rely on state subsidized child care. However, whether or not a family meets the sliding fee criteria often depends on whether the student's financial aid is used for educational expenses, or living expenses.

If a student uses fellowship or scholarship money to pay living expenses, that money is considered in determining child care eligibility for his/her children. If it is used for educational expenses (e.g., tuition, fees, books, etc.) it is not used in computing eligibility.

We strongly urge you to consider that many students could not be students without the scholarship or fellowship they receive. Scholarships and fellowships are always awarded as a direct consequence of the student's educational pursuits. Thus, they should be considered income awarded to defray educational expenses, and exempt from consideration in making child care eligibility determinations.
Student Representation

While every member of this Commission should be commended for its efforts toward providing quality education, the Student Bar Association is particularly appreciative of Governor Anaya's appointment of Janice Paster as the student representative to this Commission. We are continually and genuinely concerned that students are not left out of the picture where education on any level is concerned.

Finally, there is no doubt that without curriculum development, quality student programs and services, better access to state subsidized child care programs, and student representation, New Mexico schools will fall far behind in providing quality education. In fact, the Student Bar Association certainly feels that without quality legal training and the essential services incidental to it, the Law School will be hard pressed to turn out qualified graduates. We urge upon the Governor and our State Legislature, therefore, to make the necessary financial adjustments and legislative changes to ensure all law students an equal opportunity to succeed and compete successfully in our profession.
1. In General

In addition to research and service by individual members of the faculty, the Law School has undertaken an institutional commitment to scholarship and public service through the establishment of the Institute of Public Law, the American Indian Law Center and the Natural Resources Center. Each of these components of the School represent major commitments in their respective areas of work.

2. The Institute of Public Law

Established over 10 years ago, the Institute became a viable operation when Gary O. O'Dowd became its director in the winter of 1970-71. At that time, he was the only person associated with the program; now the staff numbers approximately 12 full-time and 8 part-time employees, including 2 research professors. During the past eight years, the Institute's annual budget has increased from less than $25,000 to over $350,000.

The Institute serves the State of New Mexico by offering educational programs, technical and legal services, and legal publications in order to increase the productivity and responsiveness of state and local governmental entities. The Institute's activities can be divided into three major areas:

a. Educational Programs. Educational programs have included teaching state and local government law to law students and to employees of the department of Finance and Administration and of the Taxation and Revenue Department;
teaching legislation to law students; providing training programs for Magistrates, Municipal Court Judges, Juvenile Probation Officers and other government officials; and providing in-house training programs for law and other University students employed by the Institute.

b. Technical and Legal Services. Technical and legal services have included the recompiling of the New Mexico Statutes; drafting legislation; drafting rules and jury instructions for the Supreme Court of New Mexico; advising the Secretary of Finance and Administration; performing tax and public money studies and creating a computerized legal data base containing the laws of the state and the decisions of the New Mexico Supreme Court and Court of Appeals. This data base was created for use by the executive, judicial and legislative branches of government.

c. Publications. The Institute publication program provides New Mexico attorneys and governmental agencies with up-to-date information on rules and procedures, judicial decisions and legislation. Procedural manuals published by the Institute include the NM Appellate, Collections, Probate and Divorce Manuals, as well as a Treatise on NM Rules of Evidence. The NM Local & Federal Handbook is a compilation of the thirteen judicial district court rules, updated quarterly, and includes US District Court Rules, US Supreme Court Rules, and Federal Rules of Civil, Criminal and Appellate Procedure. The Institute also publishes a monthly summary of Supreme Court
and Court of Appeals opinions, which are listed alphabetically in table form with cites to the NM Bar Bulletin, NM Reports and Pacific Reporter, then indexes the cases by legal subject matter.

A number of the Institute's projects have had a substantial impact on the administration of justice in New Mexico. Providing the staff support for the New Mexico Supreme Court Committee on Criminal Rules, the Institute drafted a complete set of rules governing criminal trials which were adopted by the court and are presently in effect. Similarly, the Institute provided staff support for the same committee as it turned its attention to criminal jury instructions. As a result, New Mexico became the first state to adopt mandatory jury instructions for use in criminal cases. Through an Institute project, in conjunction with a different Supreme Court committee, New Mexico adopted its own version of the Federal Rules of Evidence before they were finally approved by the United States Supreme Court. Other projects of a like nature resulted in rules for appellate procedure in criminal cases, rules for Magistrate and District Courts, and rules for use in the Children's Court.

To assist courts and other state officials, the Institute has published the Governor's Office Manual, Juvenile Probation Officers Manual, and the Magistrate and Municipal Benchbooks, which are used in annual training sessions for new judges.

A major project entailing three years work has been supervision of a new compilation of the New Mexico Statutes.
which was published at the end of 1978 and the establishment of a computer data bank allowing electronic retrieval of statutory material. The Institute has also been developing a data bank of New Mexico case decisions which will ultimately be expanded to Attorney General reports and then state documents.

A list of recent Institute projects is contained in the following table.

The Institute has been the source of state and local government law for the students at the Law School for the past 10 years. Individual Research has been taught almost every year by at least one member of the Institute staff. For example, Vance Mauney and Mike Hymel worked on a report on Property Taxation in New Mexico, and a law student received Individual Research credit to assist in this project. More than 60 students have taken Legislation II, which has been taught by the Institute staff. Since it appears that up to 25% of the students graduating from the Law School are employed by state and local government, the Institute is providing valuable services to the Law School community.

2. The Natural Resources Center. The history of the Law School's interest in this area goes back to 1961 when the first issue of the Natural Resources Journal was published. Indeed, formation of the Center was largely in recognition of a special interest long existent at the Law School in this area. The Center's activities fall largely in three areas:

a. Publication. The center publishes the Natural Resources Journal which is recognized as the leading journal in
its field. It is multi-disciplinary carrying articles from the variety of fields concerned with the better management of resources varying from land use to water, energy and forest resources. It has subscribers and is indexed literally throughout the world.

In addition the Center publishes the reports of its research projects in monograph form.

b. Teaching. The Natural Resources Journal serves as a laboratory learning experience for 2nd and 3rd law students who gain editing experience, and research, write and publish on questions of current concern in Resource Law.

The Center also provides students the opportunity to specialize in Natural Resources studies through the program in Natural Resources Law.

In addition to the program for law students and the Journal, the School has sponsored numerous conferences in both the United States and Mexico on natural resources problems.

c. Research. The Center has carried out Research including: (1) An Analysis of Federal and State Water Laws Affecting Energy Development in the Energy Producing Western States; (2) A study of Lifeline as a Form of Low-Income Consumer Relief in the Context of Utility Rate-Making; (3) An Analysis of Institutional and Legal Constraints and Considerations Affecting the Administration of Water Resources in the Albuquerque Greater Urban Area; (4) A Study of Federal Conditions on the Availability of Water for Energy in the Energy-Producing Rocky Mountain States; and a catalogue of
Federal Statutes Affecting Energy Development on Federal Lands in New Mexico; (5) Laws affecting conservation practices in selected Western States; (6) The Legislature history of New Mexico Storage Reservoirs; (7) Pueblo Water Law Scenarios and their Economic Impacts; (8) U. S.-Mexico Resources needs to the year 2000 and (9) Governor's Water Law Reform Commission.
<table>
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<th>Fiscal Year 1978-79</th>
<th>Fiscal Year 1979-80</th>
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<td>Supreme Court: UJI Criminal - New Instructions on death penalty, criminal trespassing, etc.</td>
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<td>Legislation</td>
<td>Headnote/Indexing Service (updated monthly)</td>
</tr>
<tr>
<td>Fiscal Year</td>
<td>Fiscal Year</td>
<td>Fiscal Year</td>
<td>Fiscal Year</td>
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<td><strong>院外法</strong></td>
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<td><strong>院外法</strong></td>
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<tr>
<td><strong>MAJOR PROJECTS</strong></td>
<td><strong>MAJOR PROJECTS</strong></td>
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<td><strong>MAJOR PROJECTS</strong></td>
<td><strong>MAJOR PROJECTS</strong></td>
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<tr>
<td>Tax Study</td>
<td>Automated Data Processing Council</td>
<td>Probate Manual update</td>
<td>Funds Management Study - monitor public funds enactment of House Bills 404 and 405 and oversight of implementation.</td>
<td>Local and Federal Rules (updated quarterly)</td>
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<td>Automated Data Processing Authority</td>
<td>Governor's Office Manual Update</td>
<td>Probate Manual Update</td>
<td>Purchasing Manual, original draft</td>
<td>University: Campus Parking Regulations</td>
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<td>DFA Reorganization</td>
<td>Tax Study</td>
<td>Governor's Office Manual Update</td>
<td>Injunction Manual</td>
<td>University - Campus Parking Regulations</td>
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<tr>
<td>Scholarship or Fellowship Grants</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>--</td>
<td></td>
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<tr>
<td>Number of students receiving grants from law school or university sources</td>
<td>120</td>
<td></td>
<td></td>
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<tr>
<td>Law school endowment income</td>
<td>71,232</td>
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<td></td>
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<tr>
<td>Law school gifts and grants</td>
<td>1,552</td>
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<tr>
<td>Tuition rebate and general funds made available by the university</td>
<td>29,416</td>
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<td></td>
<td></td>
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<tr>
<td>Other sources</td>
<td>36,359</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$139,559</td>
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</table>
### American Bar Association Statistics

Median Salaries for Comparable Law Schools

<table>
<thead>
<tr>
<th>All Faculty</th>
<th>Total Compensation</th>
<th>Base</th>
<th>Fringe</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>60597</td>
<td>52296</td>
<td>8301</td>
</tr>
<tr>
<td>2</td>
<td>58200</td>
<td>48500</td>
<td>9700</td>
</tr>
<tr>
<td>3</td>
<td>56688</td>
<td>46088</td>
<td>10600</td>
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<tr>
<td>4</td>
<td>55596</td>
<td>46225</td>
<td>9371</td>
</tr>
<tr>
<td>5</td>
<td>55391</td>
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<td>42000</td>
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<tr>
<td>9</td>
<td>47431</td>
<td>42295</td>
<td>5136</td>
</tr>
<tr>
<td>New Mexico</td>
<td>47200</td>
<td>41100</td>
<td>6100</td>
</tr>
<tr>
<td>Median of Region Schools</td>
<td>55100</td>
<td>46700</td>
<td></td>
</tr>
</tbody>
</table>

1. Statistics are for 1982-83 academic year.

2. Law schools numbered "1-9" include, but not in this order: Arizona, Arizona State, Colorado, Kansas, Oklahoma, Texas, Texas Tech, Utah, and Wyoming. Schools may not be specifically identified.
## NASULGC SALARY COMPARISONS

### A. Comparison of UNM Law School to National Averages

<table>
<thead>
<tr>
<th></th>
<th>National Average</th>
<th>UNM Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor</td>
<td>49344</td>
<td>43162</td>
</tr>
<tr>
<td>Associate Professor</td>
<td>36856</td>
<td>37920</td>
</tr>
<tr>
<td>Assistant Professor</td>
<td>31754</td>
<td>29333</td>
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</table>

### B. Comparison of UNM Law School to Region 2 Averages (UNM is located within Region 2)

<table>
<thead>
<tr>
<th></th>
<th>Regional Average</th>
<th>UNM Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor</td>
<td>49859</td>
<td>43162</td>
</tr>
<tr>
<td>Associate Professor</td>
<td>36961</td>
<td>37920</td>
</tr>
<tr>
<td>Assistant Professor</td>
<td>30795</td>
<td>29333</td>
</tr>
</tbody>
</table>

According to NASULGC data, Law School salaries in relationship to salaries of other law schools are farther from national or regional means than any other UNM school or department.
## STAFF

Salary Comparisons

<table>
<thead>
<tr>
<th>Number of School of Law Employees</th>
<th>Salary Range Midpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UNM</td>
</tr>
<tr>
<td>Grade IV</td>
<td></td>
</tr>
<tr>
<td>Staff</td>
<td>2</td>
</tr>
<tr>
<td>Secretary</td>
<td></td>
</tr>
<tr>
<td>Grade V</td>
<td>4</td>
</tr>
<tr>
<td>Department</td>
<td></td>
</tr>
<tr>
<td>Secretary</td>
<td></td>
</tr>
<tr>
<td>Grade VI</td>
<td>2</td>
</tr>
<tr>
<td>Editorial Assistant I</td>
<td></td>
</tr>
<tr>
<td>Grade VII</td>
<td>2</td>
</tr>
<tr>
<td>Administrative Secretary</td>
<td></td>
</tr>
<tr>
<td>Grade VIII I</td>
<td>3</td>
</tr>
<tr>
<td>Editorial Assistant III</td>
<td></td>
</tr>
</tbody>
</table>

1 Other employees of the School of Law:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Number</th>
<th>Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>4</td>
<td>&quot;</td>
</tr>
<tr>
<td>XII</td>
<td>1</td>
<td>&quot;</td>
</tr>
<tr>
<td>XV</td>
<td>1</td>
<td>&quot;</td>
</tr>
<tr>
<td>XVI</td>
<td>1</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

2 Source: UNM Staff Compensation

3 Source: Association of Legal Administrators, Albuquerque Chapter, 1982 Annual Wage, Salary and Benefit Survey, Law Firms With 25 or More Attorneys

Salary comparisons were not available for Grades X and above. However, the figures provided for Grades IV - VIII should reflect corresponding differences for Grades X and above.
Approved by vote of the faculty at a regularly scheduled meeting, on March 23, 1981.

UNIVERSITY OF NEW MEXICO
SCHOOL OF LAW

TENURE, REAPPOINTMENT AND PROMOTION POLICY

I.
PREAMBLE

The purpose of this policy is (1) to help ensure that individuals who join the University of New Mexico Law School Faculty are treated fairly in their employment relationship with the Law School and the University, and (2) to describe the expectations of this school regarding the performance of its faculty members. To the first end, procedures are detailed to ensure that tenure, reappointment, retention and promotion decisions will be made fairly. To the second end, this document elaborates the University of New Mexico Faculty Handbook description of expectations in the context of the goals, missions and operation of the Law School.

The two traditional goals of a university, to transmit and to increase the store of human knowledge, are also goals of the Law School. However, the means by which these goals are accomplished at the Law School is affected, if not controlled, by the Law School's responsibility to educate students who will serve society as lawyers and by the characteristics of law as an academic discipline. The Law School, as does the University, recognizes its obligation to provide other services which foster the culture and welfare of the general population. Because ours is the only law school in the state, law faculty members have a special opportunity and responsibility to participate in the improvement of New Mexico's legal process.
II.

FACULTY ROLE IN ACHIEVING GOALS
OF THE LAW SCHOOL

A. Teaching

The Law School trains students for a profession that has an immediate and profound impact on the lives of others. Because clients entrust their lives and well-being to our graduates, the margin for error in our teaching is small. We are obligated to offer an educational program that provides our students with technical information, analytical, advocacy and counseling skills, and a commitment to providing clients with the most excellent representation possible. Further, our program ought to instill in our graduates a determination to improve society's system of justice.

In teaching, there is the need to assist students in their quest for information essential to effective lawyering. There is, moreover, a need to help students develop the analytical thought process often referred to as "thinking like a lawyer." Although much is said in derision of this expression, the phrase has meaning for those within the profession, both academicians and practitioners, and the concept has been a long-standing goal of legal education in this country. The case and problem methods of instruction are evidence of the concern of legal educators that students develop skills and abilities independent of the accumulation of facts. The more recently developed clinical law pedagogy adds an important new dimension, but has no different objective.

Because classroom instruction constitutes a substantial portion of a student's legal education, all faculty assigned to classroom courses must exhibit a high degree of competence in and fidelity to class presentation. In the teaching of some courses, such as those involving significant student projects, the traditional classroom component may be of less significance,
substantially modified or even non-existent. In both traditional and non-traditional situations, of course, the expectations of faculty performance must be consistent with the objectives of the course or program.

Classes normally should be taught when scheduled, and rescheduling, when necessary, should accommodate the students. Careful preparation is essential. Demeanor in class is important. Faculty should develop clear objectives for courses taught by them. Because there are many successful pedagogical approaches to the teaching of law, diversification in teaching methods is desirable, and experimentation in methods and materials is encouraged. In all cases, faculty must be demanding of themselves and of students. Much should be expected by way of both preparation and performance.

The teaching goals of a law school cannot be achieved if reliance is placed solely on classroom instruction; time spent by the faculty in education outside of class is essential to the development of students into lawyers. These teaching activities take various forms, and no catalogue of them would be complete. Some examples, however, are illustrative.

Co-curricular programs at the Law School, such as law review and moot court, are integral parts of the Law School's education program. It is a responsibility of faculty to serve as judges in the moot court program, and this carries with it the obligations to read and criticize student briefs and to review critically student oral presentations. Faculty are also expected to work with students who are preparing law review articles for publication or who are editing the work of others. No faculty member can be expected to be an expert in every area of the law; hence, it is the responsibility of all faculty to assist students and colleagues who have cases or problems in the faculty member's area of interest.
Furthermore, it is the responsibility of the faculty to develop additional means for contact between the faculty and students in an intellectual and professional setting. For example, courses can be structured to require papers or projects that presuppose out-of-class meetings between student and teacher; formal and informal arrangements can be established whereby students and teachers contribute to a research project; and special group meetings with students may be held in conjunction with a course where special topics are discussed, or where other faculty or practicing lawyers participate.

The teaching of law is not just the imparting of knowledge or the honing of skills. Socialization of those who are unaware of the nature of the profession is essential. This involves, as a necessary and important component, the development of a sense of professionalism and a recognition of the important role the lawyer plays in society. It is expected that all faculty will teach and encourage these values as much by example, in and out of the classroom, as by formal pedagogy.

Each faculty member is expected to stand as a role model for what he or she believes membership in the legal profession requires of an individual. The sense of professionalism must permeate the Law School's program, but there can be no formula for its achievement. Each faculty member must contribute in his or her own unique way. Clearly, all must exhibit dedication to their obligations, a respect for the goal of achieving a better society and a willingness to expand extraordinary effort in completing tasks in a professional manner. Some will demonstrate this through scholarly pursuits, others by participating in group efforts to improve the legal system or in the resolution of disputes. At times, faculty will, and should, challenge decisions made by those in authority both within and outside the University, sometimes to the displeasure of the majority.
B. Scholarship, Research, and Other Creative Work

Law faculty members are expected to have abilities and interests which lead directly to research and service as members of the faculty of a state law school. Research enhances the knowledge and understanding of the researcher, and must be continually a part of a faculty member’s activities in order to prepare adequately for class and to stay current in his or her particular teaching fields.

The faculty member’s responsibilities go beyond this, however, and include the obligation to do research that will aid in the understanding and development of the law. Indeed, one of the privileges of faculty membership is the opportunity it presents for reflection on significant problems, and this carries with it the obligation to share research with others. One engaged in teaching a subject for a significant length of time at the graduate-professional level normally should develop insights into problems warranting communication to others.

Law professors, like faculty members in other professional schools, have a variety of audiences who may benefit from their research. Present and future students may be the prime beneficiaries of legal research through the development of innovative teaching materials such as casebooks or student textbooks. Legal practitioners may be the target of the dissemination of faculty research, through the development of continuing legal education materials and lectures, or the publication of articles in professional journals written with the goal of assisting the practicing lawyer to improve the quality of legal services provided to the public. Faculty research may also result in the direct improvement of the legal system, as where the research leads to the creation and passage of legislation or the creation of innovative legal arguments presented to courts in the context of actual litigation. Finally, research may culminate in the more traditional form of a publication.
in a scholarly journal the primary goal of which is the sharing of information with others engaged in similar academic research.

Although a faculty member may become involved in many research activities, normally he or she will engage in some scholarly research, more restrictively defined than the concept of research hereinabove discussed. The norm for scholarly research, or scholarship, would be publication in one of the traditional media for legal scholarship, such as a law review article, treatise, monograph, or casebook. The traditional media by their nature and because of the traditions that have developed around them constrain an author to be more rigorous and thorough in scholarship and to be more thoroughly objective in his or her reasoning. Further, these media tend to guarantee generally wider circulation and thus potentially more objective review than do some other media.

Research in other forms is also appropriate additional evidence of scholarship. Such research should result in a written product which demonstrates care and thoroughness, observes and analyzes legal issues and processes, and organizes the results in a helpful way. Such research normally would be disseminated beyond the Law School in order to allow other interested parties an opportunity to share and evaluate the research.

C. Service

Research forms an essential component of much service performed by law faculty members, and it is frequently unprofitable to distinguish the two. There are, however, service obligations of a different nature.

Service on Law School committees is an example. Because of the strong belief that collegial judgments are usually better than those made solely by administrators, much of the Law School's governance is the responsibility of the faculty. This work must be shared by the faculty, and those assigned to
committees are expected to participate actively in committee work. While all committee assignments require substantial commitments of faculty time and effort, three committees impose extraordinary burdens: Admissions, Faculty Appointments, and Curriculum. Admissions requires the review and disposition of applications from over 500 candidates for admission; Faculty Appointments involves attendance at the annual AALS recruitment meeting by members of the committee, scrutiny of a large number of applications for positions, and the recruitment of other applicants; Curriculum requires the determination of courses for the next year, the assignment of faculty to teach courses, and the ultimate determination of the Law School educational program.

Service to the American Bar Association and to state and local bar associations is important because it helps us as a faculty stay in touch with our profession and because it helps us introduce our students to the profession they have entered. To this extent, service to the legal community is a part of teaching. However, service to the legal community can and often does represent service to the larger community insofar as our bar association efforts may improve the delivery of legal services, the substance of the law, or the fairness of the legal process.

Service to legal education is also an important area of faculty effort. Participation in the activities of the Association of American Law Schools, the Law School Admission Council, the Council for Legal Education Opportunity, and the Special Scholarship Program in Law for American Indians, for example, should and do help improve the nature of legal education, the nature of the legal profession, and the contributions the Law School makes to the University.

Service on University committees, membership in the faculty senate, and acting as an advisor to a faculty committee or to the administration also frequently are demanding. In this regard, it is worth noting that representa-
tion of other University faculty in academic freedom and tenure matters sometimes is a special obligation of the law faculty.

Because of the special nature of New Mexico, unusual responsibilities and opportunities exist for service to the community. The inadequate staffing of legislative, executive and judicial branches of government; the unique diversity of the state's population; the great wealth of natural resources which contrasts with the poverty of many of its people; the relative youth of its legal system; and the need for development all provide the faculty of this university an opportunity for participation and a duty to do so. Much of the assistance given government is through institutional research provided by the Institute of Public Law, the American Indian Law Center, and the Natural Resources Center. Funded and unfunded research and service projects also contribute substantially. However, the faculty, as individuals, frequently are called upon to render assistance in many other ways. Service on committees of the courts, as advisors to executive and legislative committees and as advocates in important litigation are some examples.

This latter aspect of service, service to the development of law, involves goals and modes of presentation that may differ from those of traditional scholarship and is treated separately from such scholarship for descriptive purposes. However, service of this kind, reflected in legal briefs or other substantial professional activities, may require as much legal research and as much intellectual energy and skill as the preparation of research that falls within the category of traditional scholarship. To the extent that this is the case, the product of such service may be considered evidence of scholarship. Moreover, it is peculiarly important in a state like New Mexico, with a relatively young and small bar, that law school faculty members participate in such activities. Accordingly, it is appropriate to
treat such service by law school faculty members as a significant aspect of their professional life.

D. Personal Characteristics

Both the Faculty Handbook and the practice at the Law School recognize that the personal characteristics of one being considered for tenure, re-appointment or promotion may have an effect upon his or her ability to teach, conduct research or engage in service activities. Professional cooperation among faculty is important. The fact that a person is a "good colleague" is relevant to the extent that this term refers to the person's helpfulness in assisting other faculty members and willingness to undertake responsibilities at the school. It is unimportant, however, to the extent that the term is used to refer to social intercourse that the person may have with other members of the faculty at or away from the school. Similarly, acceptance by students is important, but only to the extent that it reflects upon the faculty member's teaching responsibilities.

It is also important that the University and the Law School encourage diversity and individuality among its faculty. Diversity of views, personality, demeanor and values help to prevent the natural collegiality of the faculty from leading to torpidity or self-satisfaction, and are important to help ensure that the educational program and research efforts of the school are varied. Therefore, diversity is itself an independent value to be sought, and the fact that the faculty member under consideration for tenure, reappointment or promotion manifests unique social or professional values or approaches will ordinarily be a positive factor.

E. Summary

These goals -- teaching, scholarship and service -- are neither antagonistic nor discrete; rather, they complement each other and overlap. For
their attainment, they all require that a faculty member be learned in the law and capable of transmitting his or her learning to others.

Because the evaluative process involves consideration of the strengths and accomplishments of an individual in the context of his or her specific responsibilities at the Law School, no absolute or firm rules can be established, but it is possible to state general guidelines that will be followed when making recommendations. In determining whether a faculty member will be recommended for tenure, reappointment, or promotion, an evaluation shall be made of his or her total contribution to the Law School, and of his or her potential for future contributions. This evaluation shall be made in the context of the specific duties assigned to the individual while a member of this faculty. Of primary importance is the faculty member's teaching, including both in-class and out-of-class contact with students, and the faculty member's research efforts and other creative work.

Individuals hired as faculty members are presumptively capable of meeting the guidelines for tenure and promotion. Teaching involves constant trial and error, failure as well as success. Particularly in the first few years, the emphasis is, has been, and should be on finding one's own way to communicate one's learning and sense of lawyering to students. Publication, scholarship, and other creative activity come, ordinarily, as a natural consequence of the teacher's experiences in learning how to teach.

The learning ought, of course, never stop, as students and the law change and as the teacher develops. Consequently, the expectations of faculty described in this policy are applicable equally, if not more so, to those who have been granted tenure and promoted to the higher ranks. Experienced faculty ought to be better able to contribute, and to have more opportunity and capacity for research and innovative teaching. Senior faculty should provide junior faculty both example and assistance in the quest for excellence.
Finally, a full-time appointment to this law faculty must be accepted as full-time employment. Although some outside consulting and other professional activities are not only permitted but encouraged, these must never detract significantly from the faculty member's primary obligations to the school.

III.

APPLICABILITY OF POLICY

A. In General

This policy applies to initial appointments only to the extent that the appointment has tenure or rank implications. The policy does apply to all Law School decisions involving recommendations to the University on (1) granting of tenure, (2) promotion, (3) second three-year appointments where a faculty member is initially appointed to a three-year term, (4) mid-term reviews of faculty on probationary status, (5) annual reviews of those on three-year or probationary contracts, and (6) retention of faculty who have tenure.

To some extent this policy codifies existing practices. To that extent it is effective immediately. In other respects, this policy reflects changes in policy or procedure. With respect to changes, this policy is applicable only to contracts, new or renewed, entered after its enactment.

B. Initial Appointments.

At the time an individual is offered an appointment at the Law School, a copy of this policy and the Faculty Handbook will be made available to the person. The offer of employment must contain a clear statement of the status that the individual will have and must refer both to this policy and to the Faculty Handbook.

If an individual is offered an appointment other than an initial three-year term appointment or a visitorship, or is to be offered appointment other than at the Assistant Professor rank, the Committee on Tenure; Reappointment
and Promotion must approve the appointment, the rank offered and the tenure conditions.

C. **Three-Year Term Appointments and Reappointment.**

Normally a person joining the faculty as an Assistant Professor will be offered an initial three-year term appointment. This is not a "probationary contract," but it is anticipated that the initial appointment will lead to a second three-year appointment, which is a probationary appointment, and ultimately to tenure if (1) the individual's performance is satisfactory and (2) the University's and Law School's need for flexibility* can be maintained.

Toward the end of the appointee's first and second year, the Dean shall appoint an ad hoc advisory committee of at least three faculty members to review the person's performance during the year. The purpose of this committee will be to assist the Dean in making the annual review required by the Faculty Handbook, and to assist the faculty member in his or her efforts to progress toward reappointment and tenure. Each committee shall adopt procedures that are similar to, but less formal than, those governing the Committee on Tenure, Reappointment and Promotion stated in this policy. After consultation with the Committee, the Dean shall evaluate the individual's performance in teaching, research, and service. A copy of this evaluation will be given to the individual, and another placed in his or her file. In the event that the faculty member objects to the evaluation, the Committee on Tenure, Reappointment and Promotion will review it upon request for fairness.

The faculty member is encouraged to respond to this annual report whether or not he or she seeks review of it by the Committee. The response may take any form. Successful completion of a plan, formulated in consultation with

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*"Flexibility" means the Law School's distribution of expertise, rather than a ratio between tenured and non-tenured faculty.*
the Dean, will be evidence of satisfactory progress toward reappointment and tenure during the coming year. A written response will form a part of the faculty member's file.

At the beginning of the faculty member's third year under the three-year contract, the Committee on Tenure, Reappointment and Promotion will conduct a full review of the individual's performance and promise under the procedures established by this policy, and will make a recommendation as to whether the individual's performance and promise warrant the offer of a second three-year appointment. This recommendation shall be based solely on the faculty member's performance and promise as stated in this policy, and shall not take into consideration the University or Law School's need for flexibility.

If the Committee recommends that the faculty member's performance and promise warrant reappointment, a second three-year contract, which is a probationary appointment, will be recommended unless the Law School's need for flexibility dictates that it is inadvisable to reappoint the individual. Where a question of the Law School's flexibility is raised, the Dean, as chair of the Committee, shall call a special meeting of the Committee. This meeting shall not be held until after a decision has been made that the faculty member's performance has warranted reappointment. At the meeting, the Dean shall present the issue of flexibility. The Committee shall make a recommendation regarding the reappointment in light of the need for flexibility, and shall forward its recommendation, through the Dean, to the Provost.

If a second three-year appointment is offered and accepted, reviews shall be conducted annually by the Dean in the same manner as during the first and second year. At the beginning of the faculty member's sixth year, the Committee on Tenure, Reappointment and Promotion shall prepare its recommendation as to whether tenure should be granted, and whether the faculty member should be promoted.
D. Probationary Appointments.

Where the initial appointment is on a probationary contract, the expectation is that the faculty member will be granted tenure at the end of the probationary period. The sole question in the granting of tenure is whether the faculty member’s performance is such as to warrant the granting of tenure. The Law School’s need for flexibility is not an issue at this point in the process.

An annual review of the faculty member’s progress toward tenure will be conducted by the Dean in consultation with an advisory committee of at least three faculty members appointed by the Dean. The purpose of this committee will be to assist the Dean in making the annual review required by the Faculty Handbook, and to assist the faculty member in his or her efforts to progress toward tenure. Each committee shall adopt procedures that are similar to, but less formal than, those governing the Committee on Tenure, Reappointment and Promotion. The review will be reduced to writing and given to the faculty member. Another copy will be placed in his or her file. If the faculty member objects to the report, it will be reviewed by the Committee for accuracy.

The faculty member shall be encouraged to respond to this annual report whether or not he or she seeks review of it by the Committee. The response may take any form. Successful completion of a plan, formulated in consultation with the Dean, will be evidence of satisfactory progress toward reappointment and tenure during that year. A written response will form a part of the faculty member’s file.
At the midpoint of the faculty member's probationary period,* the Committee on Tenure, Reappointment and Promotion will conduct a full review of the individual's performance and promise in accordance with the procedures established in this document and will report to the Dean its opinion as to whether the person is making satisfactory progress toward a favorable tenure recommendation. This mid-probationary report will contain specific recommendations regarding teaching, research and service. The Dean shall encourage the faculty member to respond to the mid-term review in the same manner that responses are sought to annual reviews.

At the beginning of the faculty member's last year under a probationary contract, the Committee on Tenure, Reappointment and Promotion will conduct a full review of the individual's performance and promise under the procedures established by this policy, and will make a recommendation as to whether tenure should be granted. The Committee will also recommend as to whether the individual ought to be promoted to the next higher rank.

E. Promotions.

Whenever the Committee on Tenure, Reappointment and Promotion makes a recommendation that a second three-year appointment be offered to a faculty member or that tenure be granted, it shall also make a recommendation as to whether the individual ought to be promoted. If the Committee recommends promotion, but the promotion is not granted by the University, the Committee will reconsider recommending promotion annually until either the promotion is granted or the Committee recommends against promotion. Whenever the Committee

*The Faculty Handbook provides that "if a faculty member receives a second term appointment, the third year review shall become the faculty member's mid-probationary review." See Section 3(g)(ii); fn. 3, page B-2 of the Faculty Handbook (Rev. 1-8-80).
recommends against promotion of an individual, it will reconsider its recommendation every two years until a favorable recommendation is made.

A faculty member may, however, elect not to be considered for promotion even though he or she would normally be considered under this policy. Also, nothing in this policy is to be construed as inhibiting the Committee from considering a faculty member for promotion at an earlier time than he or she would be considered under the policy.

F. Review of Tenured Faculty.

The performance of each tenured faculty member will be reviewed every five years. For the purpose of this review, the Dean will appoint an advisory committee of at least three faculty members who will review the faculty member's performance based upon the criteria for tenure, reappointment and promotion. The committee shall adopt procedures similar to but less formal than those governing the Committee on Tenure, Reappointment and Promotion stated in this policy. The committee will report to the Dean, who will discuss the committee's findings with the faculty member under review. The results of the review will be considered by the Dean in awarding salary increases, faculty assignments, and, where warranted, may form the initial basis for proceedings to terminate the faculty member's employment in accord with University policies and procedures.

When this policy is adopted, the Dean will determine a schedule to review faculty who presently have tenure so that approximately one fourth of the faculty will be reviewed each year.

IV.

MEMBERSHIP OF THE COMMITTEE ON
TENURE, REAPPOINTMENT AND PROMOTION

The Committee on Tenure, Reappointment, and Promotion shall consist of the Dean of the School of Law as chair, without vote, and all individuals who hold.
a full-time faculty or decanal appointment, other than a temporary appointment, at the Law School, other than the individual being considered for tenure, reappointment or promotion. Notwithstanding the foregoing, however, membership of the Committee on Tenure, Reappointment and Promotion requires that an individual have served as a full-time faculty member at this school for at least one full academic year.

V.

PROCEDURE OF THE COMMITTEE ON
TENURE, REAPPOINTMENT AND PROMOTION

1. During the first three weeks of the fall semester, the Dean, as chair of the Committee on Tenure, Reappointment and Promotion, shall appoint a subcommittee of the Committee for the purpose of preparing a recommendation and evaluative report on each faculty member who will be considered for tenure, reappointment or promotion during the academic year. The subcommittee shall have at least three members. If warranted by the number of decisions, the subcommittee may be divided into panels by the chair of the subcommittee with each panel having at least three members. Where panels are used, all provisions of this policy governing the subcommittee shall apply to each panel. The Dean shall consult with each faculty member who will be under consideration for tenure, reappointment or promotion in selecting the subcommittee; if panels are used, the chair of the subcommittee will consult with the faculty member concerning membership on the panel that will prepare the report on him or her.

2. The Dean shall provide the chair of the subcommittee with the names of all individuals who are to be considered for tenure, reappointment or promotion under this policy during the year. The chair of the subcommittee will determine whether this list is complete. The chair of the subcommittee will add to the list any faculty member requesting consideration or a faculty.
member whose name is suggested by another faculty member. The chair shall also determine whether the person to be considered wishes to withdraw his or her name from the list.

3. The subcommittee shall conduct a thorough review of the faculty member's fitness for tenure, reappointment or promotion, and shall prepare a full written evaluative report and a suggested recommendation on the advisability of tenure, reappointment or promotion for the full committee.

4. The criteria to be used in the suggested recommendation and report shall be (1) teaching, (2) scholarship, research and other creative work, (3) service, and (4) personal characteristics. Emphasis shall be placed upon teaching and upon scholarship, research and other creative work.

5. The relationship between the subcommittee and the faculty member under consideration should be a cooperative one in which both seek sources of information that bear upon the faculty member's performance and promise. However, it is the responsibility of the faculty member to bring to the attention of the subcommittee evidence that he or she has met the standards for tenure, reappointment or promotion. During the investigation of facts pertinent to the report, the chair of the subcommittee should consult with the faculty member, requesting information that is pertinent and providing the faculty member with the opportunity of submitting other information and of suggesting lines of inquiry and sources of additional information. Any information provided by the faculty member will be considered by the subcommittee, and any line of inquiry suggested will be followed.

6. When the subcommittee has completed a draft recommendation and report, it shall provide the faculty member with a copy and give the faculty member reasonable opportunity to suggest changes, including additions and deletions. The subcommittee shall consider all suggested changes, and its
report will reflect its disposition of the suggested changes. A final draft of the recommendation and report shall be given to the faculty member and the Dean as chair of the Committee on Tenure, Reappointment and Promotion.

7. The Dean, as chair of the Committee, shall call a meeting of the Committee to consider all tenure, reappointment and promotion decisions that must be made. Copies of the subcommittee reports and recommendations shall be distributed at the meeting. The faculty member under consideration shall have the opportunity to present to the Committee a written statement, to appear before the Committee, and to present relevant evidence. The Committee may adopt the report, with or without amendments, or reject it. If adopted, it shall constitute the Committee's recommendation and report to the Dean. If rejected, the Dean, as chair of the Committee, shall appoint a new subcommittee to revise it in light of the discussion at the meeting, and a new meeting of the Committee shall be held to consider adoption or rejection of the revised report.

8. When a recommendation and report is adopted, copies shall be given to the faculty member and the Dean, who will transmit it to the Provost. The Dean may add his or her recommendation and evaluation, but if this is done, a copy shall be provided the chair of the subcommittee and the faculty member. A copy shall also be made available to any other faculty member requesting it. If the faculty member under review, or any other faculty member, is dissatisfied by the recommendation or report of the Committee, he or she shall have the opportunity to present relevant evidence and arguments to the Dean before the Dean makes a recommendation, and thereafter to present relevant evidence and arguments to the Provost.
VI.

SOURCES OF INFORMATION AND
METHODS OF EVALUATION

A. In General

The evaluative process must look to the total contribution that the faculty member has made and is likely to make in the future to the goals of the University and the Law School. Decisions must be made on an individual basis, and comparisons between the faculty member under consideration and other faculty members must not govern recommendations.

The subcommittee and the Committee shall have access to prior annual and mid-probationary reports, responses to these reports, reports previously prepared by the Committee, student evaluations filed by the faculty member with the Dean, and to other parts of the faculty member's file that are given to them by the faculty member. The subcommittee shall consider all evidence that is relevant and material to the criteria for tenure, reappointment and promotion, including hearsay, but care will be taken to evaluate the evidence in light of its credibility.

The following enumeration of sources of information is not exclusive and does not imply that all sources will be useful or needed in all cases. For example, in some cases interviews with students and the faculty member's general reputation may be sufficient to convince the subcommittee or panel of the faculty member's teaching effectiveness. In other cases, however, that evidence may be inconclusive and require further investigation involving additional sources, which might include classroom visitations.

Before a favorable recommendation on tenure, reappointment or promotion is made, the faculty member under consideration must be judged to be highly competent in each criterion stated in the Faculty Handbook and this policy.
There must be a judgment that the individual's overall contribution to the Law School and the University has been and will continue to be significant.

For tenure, reappointment and promotion, a candidate is evaluated in terms of effectiveness in four principal areas: teaching; scholarship, research, or other creative work; service; and personal characteristics. A faculty member normally will not excel in all of these areas, but distinction or promise of distinction in either of the first two constitutes the chief basis for tenure, reappointment and promotion.

It is important that a faculty member's performance in teaching, scholarship and service be viewed in context of the responsibilities imposed upon the individual by the school. In some situations, particular assignments may limit a faculty member's opportunities in other areas. The development of new programs, the assignment to innovative courses requiring extraordinary planning and preparation time, and administrative duties are examples.

B. Teaching

1. In General

Wide variations in personality, talent and style inevitably and desirably produce great diversity in methods and approaches to teaching. Whatever the method or approach, substantial performance under this criterion requires demonstrated teaching ability comprising both competence in and motivation toward furthering the intellectual development of students. The tenure candidate's classroom teaching must be thoughtful, provocative and effective. Performance in teaching situations, both in and out of the classroom, must be of a quality to justify the conclusion that he or she is fully capable of furthering substantially the intellectual and professional development of those studying at the graduate-professional level.
The context in which courses are taught may be influential in judging the performance and promise of a faculty member. Thus, whether a course is taught in the first year or thereafter, its subject matter and its relationship to other courses in the area may affect both the manner in which the course is taught and student reaction.

Because of the wide diversity in faculty and courses, the subcommittee should discuss with the faculty member his or her objectives in the courses taught, the methods adopted to achieve those objectives, and changes that the faculty member anticipates making in future teaching.

2. Student Evaluation

In all cases the subcommittee will seek student opinion through the interviewing of students who have taken courses from the faculty member. This may be done by interviewing individual students or by group meetings. Both the Student Bar Association and the faculty member will be consulted in compiling a list of students to be interviewed, and the subcommittee will ensure that it contains a cross-section of students.

It is desirable that written student evaluations also form an important part of the evaluative process, and it is expected that each faculty member will regularly seek student opinion of his or her teaching effectiveness. If the faculty member has obtained written student evaluations, these will be considered when offered to the subcommittee or panel by the faculty member or when the faculty member has made them a part of his or her file by depositing them with the Dean.

Unsolicited comments by students, made to the subcommittee or panel or relayed by others, will be considered. Graduates of the school who took courses from the faculty member may be contacted for their opinion, due consideration being given to obtaining a cross-section of graduates.
In its consideration of student evaluations, the subcommittee should keep in mind that not all faculty will appeal in the same degree to all students. Variation in such appeal is inevitable.

3. **Evaluation by Peers**

Other faculty members often will be able to evaluate the teaching effectiveness of the individual under consideration. This is clearly true where the other faculty member has observed the candidate's classes for a period of time sufficient to form a judgment. It is usually also true when another faculty member is teaching the same course, and often true when they are teaching in the same areas. Participation with a faculty member in Continuing Legal Education or other programs often reveals some aspects of the person's teaching effectiveness and habits of preparation.

4. **Classroom Observations**

If the faculty member under consideration requests that one or more members of the subcommittee observe his or her classes, this shall be done in cooperation with the faculty member. If the subcommittee believes that other evidence of teaching effectiveness is insufficient to clearly establish that the faculty member meets the required standard of performance, the chair of the subcommittee will suggest to the faculty member that classroom observations be conducted, and, if the faculty member agrees, one or more members of the subcommittee, or other designated faculty members, will visit classes of the faculty member. The faculty member may request that the visitation be preceded or followed by a thorough discussion of the content of the material to be covered in the classes and the objective that the faculty member is seeking to achieve. Precautions shall be taken to ensure that the faculty member is not prejudiced by the presence of others in his or her class, and to ensure that the classes observed are representative. The faculty member shall
have the option of requiring notice before a particular class is taught or of allowing the visitation without notice. The faculty member shall have the option of having a class reviewed by videotape.

5. **Other Sources of Information**

Other possible sources of information about teaching include self-evaluations by the faculty member of his or her teaching, discussions with the faculty member and inspection of the materials used in the courses taught by the faculty member.

6. **Clinical and Non-traditional Courses**

Since clinical courses and some other non-traditional courses involve student supervision, a one-to-one relationship between faculty and a student as their main component, and teaching by example, some aspects of the evaluation of the teacher's performance are different. Student opinion shall be obtained in the manner previously provided, and, to the extent relevant, the other sources of information may be employed in the evaluative process. In addition, judges and lawyers who have observed the faculty member in cases involving the clinic may be able to assess the effectiveness of the faculty member as to case preparation and presentation, and the manner of supervision given to students.

In the clinical setting, discussions with the faculty member under consideration are of special value in ascertaining the faculty member's approach to the supervision of students. As usual, discussions with students are also likely to provide insight into teaching and normally should be conducted.

7. **Non-classroom Teaching**

In all cases, the availability of the faculty member to the students and his or her participation in the non-classroom teaching obligations of the faculty will be evaluated.
C. Scholarship, Research and Other Creative Work

1. In General

Like teaching, wide variations in personality, talent, style and opportunities result in a diversity of the types of research that faculty members undertake. Any evaluation of scholarship, however, involves a judgment of the scholarly abilities and interests of the faculty member. Therefore, a favorable recommendation presupposes that the faculty member undertakes research projects with care and thoroughness, and that he or she has the ability to observe and analyze legal issues and processes and to organize results in a way that leads to a better-understanding of the subject researched.

A faculty member has the obligation to disseminate his or her research beyond teaching in the Law School in order to allow other interested scholars and lawyers to share in the research. Dissemination also has the function of subjecting the faculty member to the critical review of others, thereby providing additional evidence of the competency of the faculty member as a scholar. Thus, except in highly unusual situations, dissemination of a faculty member's research in a form subject to critical review by other scholars and lawyers is a necessary requirement for a favorable recommendation.

Much of the research conducted by a faculty member on an initial appointment will be in the context of classroom preparation. This is often due in part to the fact that the faculty member's legal education, including his or her graduate legal education, and prior practice may have been general in nature and may not have afforded an opportunity to develop the area of expertise in which he or she is asked to teach. This must be taken into consideration in making recommendations. The faculty member's promise as a scholar is often of greater concern than his or her publications at this stage, but there must be tangible evidence of such promise, and it is expected
that a person will produce some disseminated scholarship before the time for a recommendation on tenure, reappointment or promotion occurs. More is expected of those who have greater experience as teachers or practitioners before joining the faculty.

2. Acceptable Research for Law Faculty

Both the purposes of legal research and the methods of its dissemination are varied, and no enumeration of either can be complete. For example, research may be for the purpose of evaluating court decisions, statutes, or the legal writings of others. It may be speculative, or suggest new areas for the development of the law, or it may be in the context of existing decisions and statutes. Research may be for the purpose of organizing a body of law that is presently unorganized, or for the purpose of reorganization. It may be designed to assist lawyers in the planning of client affairs or to provide them with simplified approaches to complex matters in litigation or planning. It may be aimed at educating those who have no experience in a particular area of the law or at furthering the understanding of experts in the area.

The methods of disseminating research are also varied. Treatises, books and articles on specialized subjects, book reviews and other publications are the traditional means recognized in all disciplines, and have a special place in the dissemination of a law faculty's research. Reports and monographs resulting from a funded or unfunded research project undertaken by a faculty member alone or in cooperation with others are also valid methods of dissemination, as are reports prepared for committees of the bar, the court, the executive or legislative branches of government or other public or private agencies. Statutes, court rules, procedural codes drafted by the faculty member and accompanying memoranda, as well as briefs submitted in the liti-
igation of a case, and memoranda prepared in the context of consultanthship are
other examples. Publication of class materials, manuals for the clinical law
program or lawyers, materials distributed at Continuing Legal Education pro-
grams, and papers, even though not published in any form, given at meetings
involving legal educators or the practicing bar also are appropriate.

3. Evaluation of Scholarship, Research and Other Creative Work

A faculty member under consideration for tenure, reappointment or
promotion will be asked to supply the subcommittee or panel with a complete
list of all of his or her research undertakings including both those that have
resulted in dissemination beyond the Law School and those that have not. The
faculty member should be encouraged to make this list as complete as possible,
refraining from any concerns of modesty. The subcommittee will then discuss
with the faculty member his or her research activities, including projects
presently in progress and those planned for the future.

Research that is published in any form will be evaluated by the sub-
committee. The opinions of other faculty members at this school who have
teaching or research interests similar to those of the faculty member under
consideration will be sought.

Sources outside the Law School will also be consulted. Again, it is
impossible to enumerate all ways in which this may be accomplished, but some
examples may be helpful.

(a) Faculty members at other law schools or, where appropriate, in other
disciplines at this university or at other universities may be asked to eval-
uate the work.

(b) The extent to which the publication has been cited as authoritative
by courts or other writers should be considered.
(c) Where the publication is designed to assist the practicing bar, lawyers and judges may be consulted as to the extent that the publication has assisted them.

(d) If the publication is a statute, its adoption; and any comment upon the statute published elsewhere is relevant; if the publication is in the form of a brief or memorandum of law, the extent to which a court has relied upon the publication in reaching a decision should be considered.

(e) Where the publication is designed for classroom use or use in the clinical law program, the extent to which the materials have been used, as written or in an altered form, at other schools, and the extent to which students believe that they are useful in helping them in understanding the material, is relevant.

(f) Materials prepared for Continuing Legal Education programs may be evaluated, in part, by lawyers attending the program and using the materials.

(g) Where the publication results from funded research, the degree to which the funding agency is satisfied by the publication is relevant.

(h) If the publication is in the form of a report to a committee, the extent to which the committee believed it to be helpful, and the extent to which it was adopted by the committee, should be considered.

In determining the extent to which a publication supplies evidence that the faculty member has met his or her research obligations, the subcommittee or panel will consider the extent to which it furthers the understanding of the law, the thoroughness of the research, the logic of the organization and analysis, the reasonableness of the conclusions or end product, and the extent to which it is innovative or imaginative. All such judgments must be made in the context of the purpose of the publication.
D. Service

1. In General

Service activities of a faculty member are divided into those that are of service (a) to the Law School, (b) to the University, (c) to the legal community, (d) to legal education, and (e) to the community at large. All shall be reviewed in evaluating a faculty member under consideration for tenure, reappointment or promotion. The extent to which a faculty member engages in service activities will vary among the faculty, and from time to time. Involvement in the administration and governance of the Law School is expected of all. Exceptional service will be considered a positive element in recommendations, but service activities should not be so extensive as to detract unduly from the faculty member's teaching and research obligations.

Service frequently involves teaching or research. For example, service on a committee may lead to the production of reports or the drafting of statutes or rules of court. To the extent that this is the case, the product of such service should also be considered evidence of scholarship.

2. Evaluation of Service

The subcommittee should ask the faculty member under consideration to provide a detailed and complete list of his or her service. The subcommittee should also discuss service activities with the faculty member to ascertain the extent of participation that each has involved. Service activities shall be judged upon the following criteria: (1) the importance of the activity, (2) the degree of the faculty member's participation, including the amount of time involved and the quality of the faculty member's service, and (3) the appropriateness of the activity for an academic lawyer. Where the Dean of the Law School or another University official has requested that the faculty member undertake the activity, this shall be taken into consideration.
Inquiries should be made of the Dean, the Associate Dean, the chair of committees upon which the faculty member has served, and others at the Law School who are likely to have information about the quantity and quality of the faculty member's performance in committee work and other administrative assignments. Inquiries will also be made of administrators, faculty members and others in the University who are acquainted with the faculty member's service to the University, and of those who are likely to know of the faculty member's work in legal education, in the legal community and in the community at large.

E. Personal Characteristics

Great care must be taken to ensure that personal suspicion or animosity not be allowed to influence tenure, reappointment or promotion decisions. The personal characteristics of the faculty member being considered are relevant only insofar as these characteristics have a direct bearing on the individual's teaching, research or service obligations. In no case shall the race, religion, sex, or political persuasion of the faculty member be of any influence in judging his or her personal characteristics.
Statement of the UNM Law Faculty Regarding Its Equal Opportunity Hiring Policies

The faculty of the University of New Mexico School of Law reaffirms its commitment to providing access to the law teaching profession to women and the cultural minority groups of Blacks, Chicanos, Indians and Orientals. Equally important, the Law School faculty recognizes that this commitment is consistent with and complementary to our goal of developing a pluralistic and culturally diverse faculty, which we believe is necessary to provide the highest quality legal education. Just as the law and the legal process are reflective of society in operation, the faculty must bring to its instruction those diverse cultures and viewpoints that are truly reflective of society.

In consideration of these goals and commitments, the Law School faculty considers it desirable to set long-range, intermediate and immediate goals to assist us in formulating policy and to guide us in the selection of new faculty. It is imperative that these goals be recognized as models, not necessarily to be reached or adhered to in a rigid fashion, but rather to serve as standards by which we can formulate policy and measure our achievement.

**Long-Range Goals:** As a long-range goal, the Law School faculty would like to see the composition of the faculty represent the ethnic, racial and sexual diversity of American society. Since this is a long-range goal, it is not appropriate to express its objective point in terms of a specific year, but it should be recognized that the faculty is speaking in terms of, perhaps, twenty years. The faculty sets this goal in recognition of the fact that for centuries these groups have been the object of overt and covert discrimination, directly impeding their access to the profession and the fulfillment of their legitimate aspirations. Moreover, the faculty recognizes the Law School's position in the community as a moral and intellectual example and hopes that the striving towards this goal will act as a stimulus to these groups' taking their rightful place in, and share of, the profession.

**Intermediate Goals:** The Law School faculty sets the following intermediate goals for the next five years:

First, the Law School will continue and expand its recruitment efforts in those areas which will bring us into contact with women and cultural minority groups. It is only through such an active recruitment policy that the Law School can provide these groups the opportunity to compete fully and fairly on genuinely equal terms. Further, in order to reach toward the long-range goal described above, the faculty hopes that of the faculty positions that become open during this period of time, we will be able to fill at least half with women and members of cultural minority groups.

**Immediate Goals:** Due to the unsettled budgetary and curricula conditions, the faculty determines it impossible and undesirable to specify goals in terms of numbers or percentages of women or minority group members to be hired for the immediate future. However, we recognize the necessity of immediate addition of women and cultural minority group members to the faculty. Further, in each hiring decision, the faculty will consider not only the assumptions underlying the above-stated long-term and intermediate goals, but also how that hiring decision will affect the achievement of those goals.

October 23, 1972
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Women 6

Minority 7