Welcome to the Winter 2006 issue of UNM LAW. These articles and photographs reflect a vibrant learning community that respects both its newest members and its most experienced graduates. At times it is tempting for me to conclude that “all is well.” A careful ear, however, will pick up a tendency in our community, which may be prevalent throughout our society, toward fixed viewpoints and intolerance for the views of others.

As you will see in an article on page 13, we are trying to address this phenomenon, in part, through a series of difficult dialogues. In a community of learners who are intelligent and carry strong opinions, there is a need to define and practice the skills necessary for carrying out public dialogue about divisive issues. Our goal is to conduct these dialogues in a professional and civil manner and in a way that furthers our understanding of opposing views in a meaningful way.

The aim of this pilot project called Legal Dialogues is to free up the voices of students who might avoid discussions because they feel that their points of view are unpopular (and, believe me, there are students from all points of view who express this hesitation to talk) and to teach those who are more than willing to talk to listen and seek out the opinions of others.

My hope is that this “talk about talking” will help create a more open learning environment at the school, taking better advantage of the political, social, ethnic, age and geographic diversity of our students. In addition, the ability to carry on professional and civil dialogue in an adversarial setting should strengthen our students’ lawyering skills, making them better problem solvers for their clients. Finally, these skills might serve our graduates most in their roles as leaders of their respective communities, making them better equipped to struggle with our most difficult social and political issues.

If you have suggestions for the difficult dialogues series or are willing to share your own thoughts about opening up civil dialogue at the school and in the community, please feel free to write to me at scarnechia@law.unm.edu.

Thanks, as always, for your continuing support of the school.

Suellyn Scarnechia
Gov. Bruce King Reading Room Nears Completion

Before Bruce King turned out the lights in the governor's office one last time after his third and final term as governor in 1994, he and his wife, Alice, cleaned out their desks. Official documents went to the state archives, but their personal papers, correspondences, plaques and campaign memorabilia went into boxes, 300 of them, that they stacked inside their garage at home on their ranch in Stanley.

A few years ago, the former governor, who also served six years as speaker of the state House of Representatives, figured it was time to see what was in all of those boxes. He decided to donate them to the UNM School of Law, from which his son Gary earned a J.D. in 1983. "I also thought the collection would be accessible at the law school for people wanting to do research," says King.

To properly honor the governor who helped shape the modern-day state of New Mexico and to make it easier for King researchers, Carol Parker, director of the Law Library, proposed turning a centrally located, second-floor copy room inside the library into the Gov. Bruce King Reading Room. The 1,000-square-foot space will reflect the former governor's ranching roots, with a wagon-wheel-shaped ceiling design. Furniture from his political career in New Mexico will center the room and memorabilia will fill display cases. The law school plans to host lectures in the room and groups also will be able to reserve it for meetings.

Staff at the UNM Political Archives have been sorting through the boxes since last summer, uncovering some 900,000 items. Among their finds: a copy of the governor's 1979 inauguration speech, campaign posters and buttons, meeting agendas, appointment sheets, Alice's personal stationery when she served as chair of the New Mexico Committee for the International Year of the Child, thank you notes and a 1982 yearbook of the Pro Football Hall of Fame, which recorded a visit by the governor that year. Once the King collection has been processed and organized, an online index will be created and its contents will be available for research. The collection will be housed in a separate 500-square-foot, climate-controlled room inside the Law Library.

"It is an honor to have Gov. King's collection in the Law Library and to be able to make this collection available to researchers," says Parker. "The Gov. Bruce King Reading Room will be a wonderful addition to the law school and we hope the public will spend time there."

The reading room is scheduled to be dedicated on April 6, King's 82nd birthday.

Dedication of the Gov. Bruce King Reading Room

When: April 6, 2006
Time: 4 - 6 p.m.
Where: UNM Law Library
Who: The public is welcome

Corrections and Additions

In the listing of Honors and Awards for the Class of 2005 in the Autumn Issue of UNM LAW, the LexisNexis Award for the top three students of the Class of 2005 was out of order. The correct order is: Martha Mulvany, first; Jarred Slade, second; Josh Ewing, third.

An article about the Alumni Summer Golf Classic failed to mention the first-place team, whose members were: Ranne Miller (67), Brad Tepper (73), Steve Vidmar and Ritchy Vidmar.

We regret the errors and omissions.
A flurry of orientation events welcomed the newest members of the law school community, the first-year class. As always, one of the first week highlights is the dean’s cookout, which takes place on the back patio.

Class of 2008

- Applicants: 1,162
- Members: 119
- Men: 55%
- Women: 45%
- Minority: 46%
- Median age: 26
Indian Convocation Welcomes Students

For the 12th year, Native American students and their families, along with students pursuing Indian Law certificates, were the guests of honor at “Indian Law, Indian People,” the UNM law school’s annual academic convocation and gathering of communities. Dean Suellen Scarnecchia announced a $25,000 donation from Michael Gross (’79), pictured right, to go toward scholarships for Native American law students. In the keynote address, Professor John LaVelle provided a brief commentary on the Felix S. Cohen Handbook of Federal Indian Law, which has been revised. LaVelle served as an executive editor. He and UNM law professors Kip Bobroff, Christine Zuni Cruz and Gloria Valencia-Weber each wrote sections of the treatise, whose copyright is owned by the American Indian Law Center. Along with a wide array of native crafts at a silent auction was an attention-grabbing 2006 Harley Sportster 883 Lowboy. The motorcycle was raffled off, raising $3,500 for the Native American Law Students Association.
A Good Start

MATANZA!

A feast featuring pork cooked in an outdoor pit by members of the Mexican-American Law Student Association, mariachis and a piñata, got the school year off to a good start. The annual MALSA event attracted students and their families and alumni, along with faculty and staff.
Hurricane Victims Find Place at UNM

Classes had barely begun when Hurricane Katrina quickly brought an end to the fall semester at universities along the Gulf Coast. Among those students who weren’t quite sure how they would continue their legal education were Cassie Dugal, a 3L at Loyola University New Orleans School of Law; and Drew deGraauw and his girlfriend, Jennifer Mahoney, both students at Tulane University School of Law.

All three had left New Orleans before the hurricane struck: Dugal decided to head home to Sunset, La., a little town near Lafayette; deGraauw and Mahoney went to his aunt and uncle’s house in Baton Rouge. They all spent the entire night watching the storm on TV and the subsequent failure of the levees, finding comfort in the company of family.

Once it became clear New Orleans would not recover for a long time, including the law schools, the students began looking for options. DeGraauw made a phone call to the UNM School of Law. “I was planning on coming to New Mexico after graduation to practice law anyway; my parents and brother live here and my grandparents moved here last year,” he says. Although he grew up in Louisiana, deGraauw spent summers with relatives in New Mexico.

He was unprepared for the reception he received from Susan Mitchell, assistant dean for admissions and financial aid. “I had started selling myself when she interrupted me to say UNM would take me and Jennifer and that we needed to get here right away, that we had already missed two weeks of classes,” he says.

Once they arrived, they were enrolled in classes and provided free textbooks, since theirs were destroyed in the flooding aftermath of the hurricane. And they received externships with the state Court of Appeals. That was the first day. Before they had even met them, classmates emailed class notes. To help them catch up, professors stayed after class.

DeGraauw plans to graduate this spring with a diploma from Tulane. Mahoney, a Kansas native, is in her second year and intends to stay at UNM, to be with her boyfriend, but also because she finds UNM a better fit. “The professors are more approachable, they even email us to see how we are doing, and everyone works as a team, which is a nice change from the competitive atmosphere at Tulane,” she says. After staying with deGraauw’s parents in Placitas for the fall semester, she planned to get her own apartment for the spring term.

Dugal had lost communication with Loyola and by the time she heard that the law school was holding classes in Houston until the New Orleans campus could be reopened for the spring semester, she was at the airport on her way to Albuquerque.

“The Loyola website was down for several weeks and I had found out that UNM was accepting students,” she says. “I had always wanted to move out West and this seemed like a good opportunity.” She shared a house with Deana Bennett, a 2L, and Bennett’s boyfriend that was within walking distance to school.

As much as she enjoyed and appreciated her time at the UNM law school, Dugal returned to Loyola for her final semester. Although they hadn’t met before arriving at UNM, Dugal, deGraauw and Mahoney have become close friends and it’s a good bet they will stay that way.

Law School Contributes to Katrina Relief Effort

Professor Jenny Moore visits with a student in the Forum during her volunteer shift to raise money for the American Red Cross following Hurricane Katrina. The Student Bar Association, Phi Alpha Delta and MALSA led a UNM School of Law relief effort that raised nearly $3,000, which was matched by Compass Bank. Members of the law school community also donated food, water and hygiene products to evacuees who relocated to Albuquerque after the devastating storm.

Women’s Bar Scholarship

Morgan Honeycutt, center, a 3L, was the recipient of the New Mexico Women’s Bar Association Scholarship for the academic year 2005-2006. She is flanked by Barbara Arbuckle (’90), president of the Women’s Bar Scholarship Foundation, right, and Dean Suellyn Scarnecchia. The scholarship was established to assist women law students at UNM.
Alumni and friends of the UNM School of Law filled the ballroom at the university's Student Union Building to honor three members of the legal community for their contributions to the law school and the legal profession at the 12th Annual Distinguished Achievement Awards Dinner in late October.

Recipients of the 2005 awards were Richard Gerding ('64), who maintains a practice in Farmington, Tommy Jewell ('79), a recently retired judge in the Second Judicial District, and Ruth Kovnat, emerita professor at the UNM law school.

The evening began with a reception and included introductions and good humor from emcee Bill Lang ('82), chief judge of the Second Judicial District. Videotaped presentations also celebrated each recipient's contributions to the profession.

The annual banquet is presented by the UNM law school's Alumni/ae Association and proceeds support the alumni scholarship fund.
A special thanks to the sponsors

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Career and Student Services

Measuring Success One Person at a Time

When John Feldman (’89) was hired to take over Career and Student Services at the UNM School of Law five years ago, his only instructions were to create a vision and make it work.

He designed an office whose mission is doing whatever it takes to help students and alumni find employment that suits their individual needs and to provide whatever support they need along the way. He likes to say he measures his successes one student or graduate at a time. One statistic he is especially proud of is a 95 percent passage rate of UNM law graduates who took the New Mexico bar exam last year for the first time.

In 2004, Bonnie Stepleton (’87) joined Feldman, and together with administrative assistant Melissa Lobato, they keep the vision evolving. There is no task they won’t take on, from reviewing resumes, scheduling career fairs, organizing mock interviews or tying neckties. They are just as happy to sit down informally with students. In fact, Stepleton’s ambition is to visit with every 1L this semester, to hear about their career goals or just how they are doing.

“We view our relationship with students as cradle-to-grave,” she says. “No matter how many years they have been out of law school, we are always happy to do what we can to assist them.”

Their involvement begins before classes begin for first-year students; they organize events for a four-day orientation in August, including mock classes, setting up sessions with the financial aid office and the always-popular dean’s cookout. During orientation, they emphasize the importance of keeping a balance throughout law school, of not forgetting the life students had before matriculating.

They host a resume workshop, but are also available for one-on-one assistance anytime. Feldman and Stepleton coordinate academic support, connecting students with a faculty adviser or a tutor. For students with any sort of disability, they arrange for any necessary accommodations to ensure those students will have the same access as their classmates to their legal education.

On the office’s website: www.lawschool.unm.edu/careers, students and alumni can post their resumes in the career center, which then links them to regional and state bar associations. The website also contains links for legal job openings and judicial clerkships. In the Career and Student Services’ office, students and alumni can read through a collection of materials geared to finding employment.

Career and Student Services also maintains information about a variety of writing competitions, moot court competitions and fellowships. And just like a good lawyer, if Feldman and Stepleton don’t have an on-the-spot answer to a request, they will research it until they find it.

“We see what we do as an extension of the professionalism that is important to the dean and the UNM law school community,” says Feldman.

Robert Lara Relies on Career Services

During his first year of law school at UNM, Robert Lara asked Bonnie Stepleton to help him start looking for a government or administrative legal job. She helped him target his resume to that area of work and encouraged him to take classes that would be helpful in that area of law.

That spring, he participated in a mock interview program, where he learned how to ask questions of prospective employers and what kinds of questions to anticipate. That summer, he landed a job with a legal aid office in Texas, his home state.

Now in his second year, Lara took part in an on-campus interview program set up by Career and Student Services. John Feldman made sure his tie was properly knotted. When Lara failed to land a job, Feldman and Stepleton offered emotional support and encouragement.

“They listened to me, let me vent, asked what I learned from the interviews and how I could do better,” says Lara. “They even offered to practice with me.”

Then he got a summer job offer to work with the Consumer Products Safety Commission in Washington, D.C. Now Feldman and Stepleton are helping him find a place to live.

“Being successful in law school is about process and getting experience,” says Lara. “John and Bonnie want to make sure I’m well-rounded for the kinds of jobs I’m looking for. They are very invested in the students, that we get jobs and that we develop as people.”

Michelle Engert Finds Niche at Federal Public Defender’s Office

By her second year of law school, Michelle Engert knew she wanted to be a public defender, so she looked up John Feldman. He suggested a summer clerkship with the Federal Public Defender’s Office in Albuquerque, and then reviewed her resume and cover letter. She got the job, along with a law student from Georgetown University. The next academic year, she stayed on as an intern.

With graduation looming during her third year in 2004, she told Feldman she wanted to work for the state Public Defender’s Office. One day, when John Bigelow, chief public defender for the state, was at the law school meeting with the dean, Feldman pulled Engert out of the clinic and arranged an impromptu informal interview.

“She’s certain that interview secured her a position with the State Public Defender in Santa Fe.”

After a year in that job, an opening came up with the Federal Public Defender in Las Cruces. Before Engert applied, she again had Feldman review her resume and letter. He also offered to be a reference. Last fall, she became an assistant federal public defender.

“The only way I got this job is from everything John did,” says Engert. “He is a respected mediator and attorney, and knows everyone everywhere, so when he let me use his name with prospective employers, it meant a lot.”

Now Engert is returning the favor. Whenever she attends lawyer functions in Las Cruces, she reminds her colleagues that nearly 100 new lawyers are graduating every year from the UNM law school, and encourages them to consider them for jobs.
Guest Speakers

Roger Pilon, vice president for legal affairs with the Cato Institute, offered his thoughts on the constitutionality of the Solomon Amendment and the ability of universities to ban military recruiters from their campuses during a September debate, sponsored by the Federalist Society. Other panelists were Kenneth Upton, senior staff attorney with the south central regional office of Lambda Legal in Dallas and Allison Michael, president of the UNM law school’s chapter of the Federalist Society.

Laura Gómez (not pictured) moderated a panel discussion in September on the aftermath of Hurricane Katrina. Members of the panel included (l-r) Jennifer Mahoney, a Tulane University law student who transferred to the UNM law school after the storm; Eileen Gauna (’85), a professor at Southwestern University School of Law; Ricky Lee Allen, a professor in the UNM Language, Literacy and Sociocultural Studies Department and UNM Law Professor Elizabeth Rapport.

Professor Jorge Ramírez of Texas Tech University School of Law delivered a NAFTA “primer” in October as part of a speaker series sponsored by the International Law Students Association.

Daniel Littlefield, Jr., presented a November lecture entitled, “Black Indians and Blood Quantum: ‘Lawful’ Racism” as part of the “Crossings of Breath: Indigenous & Black Relations in North America” conference, co-sponsored by a number of UNM departments and institutes, including the UNM law school. Littlefield is director of the Sequoyah Research Center at the University of Arkansas at Little Rock, which houses the American Native Press Archives, the world’s largest repository of Native American newspapers and periodicals.

Subhankar Banerjee shared his photos from a two-year stay in the Alaskan arctic and which are featured in his book, Arctic National Wildlife Refuge: Seasons of Life and Land, during a November presentation at the UNM law school. He also spoke about how his photos became the object of censorship when they were linked to the battle over drilling for oil in the arctic.

Stephen Durkovich (’67) spoke to UNM law students about medical malpractice and the challenges of running a solo practice. The New Mexico Trial Lawyers Student Association sponsored the lunchtime talk.

Law School Hosts Terrorism Conference

Two panel discussions shed light on important contemporary issues in international law during an October conference titled “Speaking Law to Terror: The Rule of Law in the War on Terrorism.”

According to UNM Law Professor Jennifer Moore, the conference presented an opportunity to engage in dialogue about the relevance of both international law and the U.S. Constitution to the counter-terrorism policy of the U.S. government. Topics included the relevance of the Geneva Conventions to the war on terror and the treatment of people detained by the U.S. Government.

Speakers included Geoff Loane and Philip Sundel, both with the International Committee of the Red Cross, John Yoo, a professor at the University of California School of Law at Boalt Hall; Jordan Paust, a professor at the University of Houston Law Center and Moore. UNM law professors Norman Bay and Sherri Burr moderated the discussions, and they, along with Moore and Professor Liz Rapaport, organized the conference.

Dick Shine questions John Yoo about his presentation.

Jordon Paust, of the University of Houston Law Center, makes a point during a discussion about treatment of detainees. Listening are moderator Sherri Burr and Philip Sundel, deputy legal adviser with the International Committee of the Red Cross.
Economic Development Clinic Opens its Doors

When Alfred Mathewson prepared an outline for a new economic development clinical program at the UNM School of Law, he envisioned students offering the same services typically performed for big clients at big firms. Instead, the clients would be nonprofits, small businesses and entrepreneurs. Students would gain experience in areas such as drafting and reviewing contracts, drafting articles of incorporation and operating agreements, tax advice and disputes, predatory lending advice and bankruptcies.

The economic development clinic opened last fall and Mathewson believes it is one of the few nationwide to offer students practice in both transactions and litigation.

But first, students experienced the challenges of building a practice. Throughout the fall semester, they made presentations to community groups around Albuquerque on a variety of subjects, including payday loans, gross receipts tax, earned income tax credit and the new bankruptcy law.

“We have been working to get the word out as to how we can serve the public,” says Paul Nathanson, who co-taught the clinic.

Anita Kelley and Bryan Williams, both 3Ls, found it rewarding to go out into the community and educate people on the services they could provide.

“It helped me learn to reach out and find clients,” says Williams. “I like the idea of getting people organized up front so they don’t get into trouble later.”

On one case, Williams collaborated with a student at the Robert O. Anderson Schools of Management at UNM. The business student wrote a business plan and Williams worked on the legal issues of setting up a business. Antoinette Sedillo Lopez, associate dean of clinical programs at the law school, is working with the Anderson faculty to formalize such collaborative efforts.

Woven into the new clinic is a Low-Income Taxpayer Assistance program, which recently received funding by the Internal Revenue Service Taxpayer Advocate, an independent arm of the IRS that helps taxpayers resolve tax problems. Evan Hobbs, an Albuquerque lawyer who practices in the areas of tax, business and estate planning, is leading this initiative, and in that role, co-taught the clinical course with Nathanson. He is teaching it again this semester with Sedillo Lopez.

“Students learn procedures regarding disputes with the IRS, such as audits, appeals, negotiating installment agreements, defending taxpayer rights in IRS collections and general conflicts over amounts paid and owed,” he says. “We want to be known as a resource for the New Mexico community.” The taxpayer assistance program does not provide tax preparation assistance.

MALSA Receives National Award

The Mexican American Law Student Association at the UNM School of Law was named Law Student Organization of the Year by the Hispanic National Bar Association (HNBA).

The award recognized MALSA’s efforts to bring awareness to issues facing the Hispanic community, and its dedication to furthering the education of all Hispanic students. Among the activities recognized were: its mentorship program with ENLACE (Engaging Latino Communities for Education), in which MALSA members mentor minority high school students; MALSA’s work in helping to organize the first annual Minority Mentorship Mixer for high school and college students; MALSA’s efforts to recruit minority law students, including free practice LSAT tests and admissions information sessions at schools across New Mexico and its activism in promoting the benefits of diversity and race-conscious admissions at the UNM School of Law.
Hugh Muir Oath Winners

This year’s five winners and three judges of the Hugh Muir Oath Project were honored at a catered dinner at Dean Suellyn Scarnecchia’s home in November. The project offers first-year students an opportunity to make a pledge to their new profession. From l-r: Charles Vigil, president of the State Bar of New Mexico; Carrie Snow, Terri-Nikole Baca, Adolfo Mendez, New Mexico Supreme Court Justice Pamela Minzner, Joe Conte, executive director of the State Bar; Francisco Perez, Dean Scarnecchia, Shannon Driscoll.

New Writing Requirement to Challenge Students

In an effort to improve the overall quality of writing among UNM School of Law graduates, the faculty has adopted a revised advanced writing requirement. This new policy is being phased in among current 3Ls and will apply to all 2Ls.

To help bring more structure and uniformity to the requirement, students are encouraged to enroll in seminars geared toward addressing the requirement. They can fulfill the requirement in a variety of courses that might range from Access to Justice, Educational Equity, International Business Ethics and Mexican-Americans and the Law. Within the courses, they will work individually with professors to develop a topic and work through a couple of drafts. The papers, which must be a minimum of 20 pages long, will be approved according to the standards set out in the restructured writing requirement.

Every semester, UNM law librarians will be available to visit individual seminars to offer targeted presentations on specific subject areas. UNM law school writing instructors will offer tips on the difference between scholarly writing and brief writing.

“We want students to get an in-depth experience of analytical writing, and by offering a wide variety of seminar choices, we hope they will find an area of the law they are passionate about, which will provide a good framework for their research,” says Professor Jenny Moore, chair of the curriculum committee. “Linked to this is our commitment to provide each student with an opportunity to grow as a writer, by taking his or her writing and analytical skills to a higher and more sophisticated level.”

Tough Topics Discussed in Legal Dialogues Course

When Dean Suellyn Scarnecchia arrived at the UNM School of Law, one of her top priorities was to get people talking.

“Nationwide, it’s an issue at law schools, providing an environment where students can feel free to express their point of view,” she says. “When I came here, many people of all viewpoints told me how they didn’t feel comfortable speaking up in class.”

She enlisted the assistance of student organizations and this year began offering Legal Dialogues, a one-credit class that is also open to faculty to attend. Throughout the school year, six evening classes take place; each one organized by a different student group.

After an introductory session, the Christian Legal Society chose to discuss the concept of intelligent design. Outside speakers were brought in to present conflicting views on the issue. In mid-January, MALSA organized a student panel to talk about what it means to be white in a diverse society. Scarnecchia, who is teaching the course, moderates the discussions.

Already, students have noticed their own prejudices when trying to discuss an issue they feel strongly about.

“It’s not about changing the other person’s opinion, but it’s about being reflective on my own opinion and understanding that the only person I can control is myself,” says Erin Ferreira, president of the Women’s Law Caucus. “I have definitely seen my own biases.”

As president of the Christian Legal Society, Karole Kohl, a 3L, had been concerned with how acceptable it has become to bash Christians and how Christians often are automatically judged to be proselytizing, whether they are or not.

“The dialogue on intelligent design helped bring an issue that addresses our concerns to light and I hope it opened peoples’ minds to Christianity,” she says. “It’s not about arguing, but about looking at issues critically and hearing viewpoints that are different from our own.”

Scarnecchia is pleased with the students’ ability to work together on touchy subjects and be open to other points of view. She hopes it will open up conversations in the classroom and encourage more tolerant discussions of a wide variety of viewpoints.

“This type of awareness is important to the legal profession,” she says. “For lawyers to be successful problem solvers for their clients, they must understand why their opposition is taking a different position. This understanding is essential to being a great lawyer.”

The ground rules are inclusive by nature. Whether you are conservative or liberal, a minority or among the majority, this is a chance for everyone to talk about tough issues.”

“– Denise Chanez
– President, Mexican American Legal Student Association

Alison Pauk Wins Essay Contest

Alison Pauk, a 3L, took first place in the 2005 Blacklock Ethics Essay contest, sponsored by Phi Delta Phi, an international legal fraternity that was established in 1869 to promote a higher standard of professional ethics. She received $500.
China Trip Raises Awareness of Energy Challenges

The challenges of balancing the energy needs of an emergent world power with social and environmental issues were brought home to Marilyn O’Leary, director of the Utton Transboundary Resources Center, during a visit to China last fall. O’Leary was invited to speak at the International Conference of Reservoir Operations Managers. Her topic, “Water Law, Environmental Law and Collaboration in the United States.”

As part of her visit, she took a boat ride up the Yangtze River to Three Gorges Dam, the most ambitious hydroelectric project in the world. At 1.2 miles across, with a series of five locks designed to increase ship traffic from the China Sea to Chongqing, the nation’s largest city, the project will generate one-ninth of China’s electric power. Currently, the country relies on smog-producing fossil fuels, such as coal. The ambitious project will displace more than 1 million people and create a lake more than 350 miles long.

“After the trip up the Yangtze, I went to Beijing where the air pollution was astounding, and I rarely saw a clear sky,” O’Leary said. “It showed me that there is no easy answer for how to deal with the environmental effects of energy development.”

During the five-day conference at Sun Yat-sen University in Guangzhou, she enjoyed hearing people from countries such as Korea, Israel, Italy and Austria discuss reservoir management, including public input into the decision-making process. And she appreciated the opportunity to talk about the Utton Center’s message of preventive diplomacy to address differing interests in controversial water projects.

“My trip to China made me realize that conservation is the easiest way to prevent ill effects of energy development. And once we have done as much conservation as possible, we have to look at mitigating those ill effects, because energy development is critical for emergent countries to alleviate poverty and aid growth and advancement,” she said.

Students Contribute to Natural Resources Newsletter

Early last year, when Jennifer Pruett (’83) agreed to revive Vista, the newsletter of the State Bar’s Natural Resources, Energy and Environmental Law Section, she knew where to look for contributors: the UNM School of Law. She was, after all, offering money for articles and the opportunity to be published, two enticements sure to pique the interest of law students.

She has not been disappointed.

From an email seeking article ideas, Pruett has received more proposals than she can use. She chooses a few for each issue, paying up to $300 for each one.

Josh Mann, a 3L and editor of the Natural Resources Journal, has written two articles for the newsletter so far, one on the San Juan River water settlement last spring and “Blowing in the Wind: How Many Generations Must Pass Before Indians get their proper royalties on their Oil and Gas,” for the fall 2005 issue.

“I’d never written like that before,” he says. “I felt like a journalist, talking to people to find out the real story behind these issues. For the oil and gas article, I sat down with Alan Taradash, who spent three-and-one-half hours explaining the whole issue to me. It was like taking a class.”

Other students who contributed to the fall issue, which focused on oil and gas, were Mark Barron (3L), “Breaking Ground in New Mexico: The Role of the Accommodation Doctrine in Determining a Mineral Estate Owner’s Obligation to Compensate Land Owners for Damage to the Surface”; and Alex Beattie, “Negotiating Pipeline Dreams.” Gabriel Wade (’05) and Carlos Ruiz de la Torre (3L) contributed to the spring 2005 issue.

Kyle Harwood (’99), chair of the Natural Resources, Energy and Environmental Law Section, considers the students’ contribution to the newsletter a first step in an ongoing relationship with the law school.

“I’m going to make it a priority to reach out to students in the Environmental Law Society and at the Natural Resources Journal, because I see them as future section members,” he says.
Sandia Water Model Considered by Panamanian Officials

Susan Kelly, associate director of the Utton Transboundary Resources Center, provided details of a hydrologic model that can help predict future water supplies at a September conference in Panama City, Panama.

The conference, which focused on the wide varieties of techniques currently used in the United States to address water and environmental conflicts, was sponsored by the Evans Center, an alternative dispute resolution center at South Texas College of Law. The Panamanian government is planning to create an international dispute resolution center to address issues ranging from maritime shipping disputes to water and natural resource conflicts in Latin America.

The center will be located at the City of Knowledge, an international technology park, located in the Panama Canal Zone. This “city,” formerly a U.S. military base, was turned over to Panama as part of the Panama Canal Zone reversion, which took place in 2000. The reversion gave Panama independent control of the Panama Canal and surrounding area, which includes roads, airports, hospitals, community centers and residential housing formerly occupied by U.S. military personnel and canal administrators.

The model Kelly presented originally was created by Sandia National Laboratories to aid discussion of a water management plan for the Middle Rio Grande. Utton Center staff helped organize meetings and comments from the many people involved in developing the model.

“The development of the model served as a form of conflict resolution in that the process gave stakeholders from different perspectives a forum to discuss issues in a productive manner,” she says. “They were able to reach agreement on many facts and better understand diverse viewpoints.”

The Panama Canal’s system of locks uses only fresh water, 52 million gallons of water every time a ship passes through, to be precise. Water administrators are concerned about municipal drinking water supplies, along with environmental and economic impacts, says Kelly, which is why they are interested in how the Sandia hydrologic model could help them predict the canal’s impact on their water supplies.

Center Joins with Sandia Labs on Energy-Water Project

The Utton Center has begun working with Sandia National Laboratories on a project that is looking at the mutual dependence of water and energy production.

“A lot of people don’t realize how connected they are,” says Mike Hightower, a scientist at Sandia. “We are seeing a growth of energy in the U.S. for electric power generation, ethanol production and refining petroleum products, all of which require water. At the same time, we are seeing a reduction in available fresh water supplies. These are two train wrecks ready to occur.”

To address this growing problem, he has begun working on a strategy called the Energy-Water Nexus (www.sandia.gov/energy-water). Naturally, his concentration focuses on science and technology issues, such as developing better technologies for electric generation and more efficient processes and materials.

But he knows that science and technology alone won’t prevent a train wreck. Because of legal and policy issues that surround the regulation of water resources, he turned to the Utton Center for assistance in identifying constraints and incentives related to technology implementation. Three regional workshops are planned to gather information on different areas’ water needs.

Hightower also recognizes the need for collaboration among differing interests.

“We will compile the information we gather and develop a template for the assessment of issues that would affect putting into place new technologies,” says Marilyn O’Leary, director of the Utton Center. “This project also furthers our mission of preventive diplomacy: promoting collaboration and good management practices and thus reducing conflicts over water needs.”

Utton Center and IPL Review State Statutes

The Utton Center and Institute of Public Law (IPL) collaborated on a project for the Office of the State Engineer (OSE) to review the myriad statutes that authorize or govern water and wastewater systems in New Mexico.

Specifically, Utton Center and IPL staff members developed a series of charts summarizing and comparing the laws on the different systems while the OSE staff members prepared a companion chart on funding sources for system financing.

The study was done in cooperation with the New Mexico Environment Department and the New Mexico Rural Water Association. It was presented to the Legislature’s Interim Committee on Water and Natural Resources and New Mexico Finance Authority Oversight Committee in the fall.

“This was a formidable task as there are close to 20 different statutory forms for these systems, all of which provide varying degrees of statutory power and responsibility,” says Judy Flynn O’Brien of IPL.

Susan Kelly Analyzes Reservoir Storage

Susan Kelly, associate director of the Utton Transboundary Resources Center, is representing the center on a water management subcommittee of the Middle Rio Grande Endangered Species Act Collaborative Program, a federally funded consortium of river water managers, universities, environmentalists, pueblo representatives and federal agencies.

The consortium is working to improve water management in the middle Rio Grande region, both meeting the needs of water users and improving the status of endangered species in compliance with the Rio Grande Compact. Issues being looked at include irrigation efficiency and how surface and groundwater interact.

Kelly spearheaded a preliminary reservoir storage modeling analysis, which looked at various options for storage and management of water in the middle Rio Grande region. This analysis can be found on the Utton Center’s website.
Last fall, the University of New Mexico School of Law welcomed a new community of educators and students. The UNM offices of Engaging Latino Communities for Education (ENLACE), an initiative that emphasizes the importance of furthering education among Hispanics and other minorities, moved to the law school after being located on main campus since its inception five years ago.

Through a variety of programs for minority students and their parents at targeted Albuquerque mid-schools and high schools, ENLACE hopes to reduce the high school dropout rate and increase college and graduate school completion. Students receive tutoring, counseling and endless amounts of informal support, and their parents can enroll in classes and receive support, as well. A special emphasis is placed on minority students earning education degrees so that they can serve as role models for the generations behind them.

Part of the ENLACE mission is to address education policy across New Mexico and work for systemic changes to better serve students of all races who grow up in Hispanic communities, including Anglo children who encounter barriers to education.

"It’s perfect to be at the law school, where policymakers are trained," says Karen Griego-Sanchez, ENLACE state director. "Now our students can see law school as an obtainable goal, and they see role models in other students, law professors and the dean herself."

Joining Griego-Sanchez at the law school is Antonio Gonzalez, mentoring coordinator for UNM. Gonzalez, who was an ENLACE mentor as an undergraduate at UNM, last year earned a bachelor’s degree in secondary education and is now teaching part time. He oversees 25 paid undergraduate tutors and about 20 volunteer law school tutors, all of who work one-on-one with Albuquerque Public Schools students. Tutors help out any way they can, assisting with homework, preparing for college entrance exams, career planning and most importantly, being a consistent source of support.

"I ask what they are interested in and work with them on class assignments," says Denise Chanez, a 3L and president of the Mexican American Law Student Association, who tutors two students at West Mesa High School. "We help out a big variety of students, from honor students who might not have a family member to help prepare them for college, to students who are struggling academically. This is our chance to encourage students to follow what they want, despite not having friends in college."

Chanez, who is the first in her family to attend law school, also appreciates the support she receives from ENLACE parent volunteers who coordinate projects from an office at the law school. Already, she sees a valuable meshing of missions, ENLACE and the law school. She has gained insights on school projects involving educational equity from ENLACE volunteers, they have helped out with MALSA events. She also enjoys the homemade posole the parents have brought in for the law students. Members of the Black Law Students Association and Native American Law Students Association also work regularly with the ENLACE staff.

From ENLACE’s paid staff to the volunteers, just walking into the law school on a regular basis has broken down barriers.

"Many of our volunteers and workers feel in awe when they first come to our offices here, that they can be part of such an esteemed higher education community," says Griego-Sanchez. "Then, they are surprised when they are treated as equals. This has been the most welcoming, gracious, open place we’ve been on campus."

"It’s important for the law school to be part of the national movement to involve law schools in programs that are working to improve student performance at all levels, from pre-school to college. ENLACE is an important part of our effort to expand the pipeline of children who are prepared for college and professional education in New Mexico."

– Dean Suelyn Scarnecchia
Staff on the Move

Beth Gillia ('97) has been promoted to senior attorney at the Institute of Public Law. In her new position, she will conduct a feasibility study for the New Mexico Motor Vehicle Division to determine where there is justification for the Taxation and Revenue Department to rewrite and reorganize the state Motor Vehicle Code.

Tom Huesemann has retired from the staff of the UNM Law Library after 27 years. Most recently, he has been a member of the technical services staff, working behind the scenes to purchase, receive, catalogue, file, process and preserve materials for the library’s collection.

Carolyn Johnson has been promoted to program specialist at the Institute of Public Law. Through a contract with the New Mexico Department of Transportation’s Traffic Safety Bureau, she develops programs, plans of action and materials relating to the control and prevention of drinking and driving in New Mexico.

Pam Lambert ('84) has been named director of the Judicial Education Center at the Institute of Public Law. She has been with the center for eight of her 18 years with the Institute of Public Law, the public service arm of the UNM law school. Among her many accomplishments, Lambert has written judicial benchbooks, developed online resources and training and overseen legal writing projects.

Michelle Rigual has been promoted to assistant director for collections, electronic resources and technical services at the UNM Law Library. In her new position, she manages the library’s electronic resources and plays a key role in library collection development.

Ron Wheeler has been promoted to assistant director for faculty, research and instructional services at the UNM Law Library. He oversees library archives and directs library outreach and instructional programs.

WINTER 2006
Paul Biderman Leads Institute of Public Law

One of Paul Biderman’s primary goals when he entered the legal profession was to make a social impact. That was 35 years ago. Most of those years, he has done just that, working in the public sector, the last 14 as director of the Rozier E. Sanchez Judicial Education Center (JEC), located within the UNM law school’s Institute of Public Law (IPL).

On December 1, he was named director of IPL, an appointment he views as the culmination of his career.

“It feels like the years I’ve spent practicing law, working in state government and at IPL are all coming together in this position,” he says. “I am excited to have an opportunity to make a difference in New Mexico.”

In keeping with the institute’s collegiality, he scheduled a staff retreat to establish priorities, discuss how IPL could build upon its expertise and identify additional clients they would like to serve. He plans to set up an advisory board, comprised of current clients and other people dedicated to IPL’s mission of serving the state by assisting state agencies, offering education, research and input on legal aspects of public policy.

He welcomes the advisory board’s input on the institute’s work, the majority of which focuses on traffic safety, the judiciary, wildlife law, development of rules and regulations, along with children’s issues and advocacy. Considering IPL is mostly self-supporting, Biderman hopes board members can help secure grants from the state agencies IPL works with and other sources.

The Institute of Public Law was established in 1969 as the public interest arm of the UNM law school. Biderman joined the staff as the first director of the JEC in 1991 and has cultivated a nationally recognized program for training judges of all levels, from non-lawyer magistrates to district court judges. The JEC was among the first state judicial education programs to use satellite teleconferencing and has become a national leader in developing web-based educational programming. Its web course on Alternate Dispute Resolution earned JEC the annual Howell Heflin Award from the State Justice Institute in 2002.

Prior to leading the JEC, Biderman served as cabinet secretary of the state Energy and Minerals Department, staffed and led the Attorney General’s Consumer Protection Division and worked in legal services programs on the Navajo Nation and in northern New Mexico. Last year, he was named Public Lawyer of the Year by the State Bar of New Mexico and the American Bar Association’s Judicial Division presented him with its 1997 Judicial Education Award.

In his new position, he has asked this year’s Legislature for funding for the JEC, the Corinne Wolfe Children’s Law Center, and the Center for Wildlife Law. Next, he will take his first year to determine how IPL can best focus its innovative energies to assist the state.

Already, he has begun working to expand into the areas of health law, water policy, additional areas of children’s law and advancing Native American-state relations.

“I’m also excited about strengthening collaborations and creating new ties with other parts of UNM on our various initiatives,” he says. “As IPL director, I look forward to bringing a broader perspective to public policy development.

“Hopefully, in years to come, we’ll see less poverty, better treatment of children, safer highways, a stronger sense of justice and we’ll lower cultural and ethnic barriers to achievement. If IPL can contribute toward the development of laws and policies that help our state realize those goals, then I will have a sense of real accomplishment.”

Recent IPL Projects

Lawyers at the Institute of Public Law are providing staffing assistance to committees appointed by the New Mexico Supreme Court that are reviewing magistrate court rules and jury instructions.

IPL staff is conducting a feasibility study on how best to rewrite the Motor Vehicle Code for the New Mexico Department of Transportation.

UNM Law Professor Chairs People of Color Conference

Antoinette Sedillo Lopez, associate dean for clinical affairs, will chair the Southeast/Southwest Regional People of Color Legal Scholarship Conference, which will be held from April 7-9 in Santa Fe. The theme for this year’s conference will be, “Coalition Building Among Communities of Color in a Post-Integration World.”

A number of UNM law professors, including Dean Suellyn Scarcenecchia, will participate on a variety of panels. The mission of the conference, which takes place in a different city every year, is to create a supportive environment for minority law teachers to help them succeed in their academic pursuits.

“I would like to expand this mission to nurture scholarship by everyone who is interested in issues affecting people of color, whether or not they are persons of color themselves,” says Lopez. “Anyone interested in an academic career could learn about the scholarship aspect at this conference.”

The fee to attend the conference is $150. For more information or to register for the conference, contact Gloria Gomez at 277-0820 or gomez@law.unm.edu.
Students Contribute to Brazilian Human Rights Case

Learning how to write a brief is a proficiency all students acquire during law school. For UNM law students Lisa Collins and James Dodd, the opportunity to apply that new skill to a case before the Inter-American Commission on Human Rights brought their study of law to life.

The case involved José Dutra da Costa, a union leader in northern Brazil, known as Dezinho, who called attention to abuses of farm workers by local landowners violently opposed to land reform in their district. Before he was gunned down outside his home in 2000, he had reported death threats for seven years. Although the gunman has confessed to the shooting, pointing to a wealthy landowner who ordered Dezinho’s murder, the landowner has never been charged and the gunman still has not been brought to trial.

Under the direction of Jenny Moore, their professor in a multidisciplinary course entitled Peace and Conflict, Collins and Dodd, along with Flynn Sylvest, drafted an amicus brief that outlines how Brazil has violated numerous provisions of the American Convention on Human Rights to which Brazil is a party. This treaty defines and ensures the protection of various enumerated human rights, including the rights to humane treatment, due process and legal remedy. To date, 25 countries have ratified this agreement, including Brazil. The case is scheduled to be heard by the Inter-American Commission later this year.

Moore, who also serves as director of UNM’s Peace Studies program, had been looking for ways to involve her students in real-world opportunities when she met Todd Howland, director of the Robert F. Kennedy Center for Human Rights. He and his staff told her of the Brazil case and encouraged her to enlist the help of students to work with the center’s attorneys on the brief. The center regularly works with law schools on its briefs.

“It was a good experience for the students on how to apply international law. I think it was very exciting for them to offer an analysis of a complicated area of law comprising both political and economic human rights issues,” says Moore.

Each student wrote a different section, which Moore then compiled into a 40-page brief. Dodd addressed the victim’s right to a remedy, which is intended to ensure that the perpetrators of the crime are brought to justice. Collins argued that the Brazilian government knew of the threats against Dezinho and failed to protect him, thus robbing him of his right to life, right to be free from cruel and inhuman treatment, and rights to liberty and due process. Sylvest, who helped out with the brief as an independent study, researched Brazil’s failure to carry through with its obligations to implement land reform.

“As a signatory to the treaty, Brazil agreed to create a climate where human rights violations wouldn’t occur,” says Moore.

Throughout the fall semester, the students met weekly with Moore to discuss the case. After the ruling by the Inter-American Commission, it may recommend the case be heard by the Inter-American Court, the highest tribunal under the convention.

Both Collins and Dodd appreciated the chance to work on a real human rights case, in an area they both would like to pursue after graduation in the spring.

“To bring a case like this to worldwide attention and to help the people working in this area was amazing,” says Collins. “And the knowledge that what I’ve learned in law school will matter in the future, that it does make a difference, was rewarding.”

For Dodd, who worked in Bolivia with the Peace Corps, the idea that his contribution could help ensure human rights are protected in Brazil provided a taste of how he would like to use his legal education.

“It was a great opportunity to work on a project with purchase,” he says.

Joseph Freedman Brings EPA Expertise to Classroom

Joseph Freedman always knew he wanted to be a defense lawyer, influenced perhaps by the dramatization of Clarence Darrow in “Inherit the Wind” and the television shows of his youth, such as “Perry Mason” and “The Defenders.” This career choice was confirmed by a Constitutional Law course he enjoyed as an undergraduate at the University of Chicago.

Following graduation from the University of Michigan Law School, he spent a year at the Université Libre de Bruxelles, Belgium, where he studied Continental and European Community Law. For the next two years, he practiced anti-trust and corporate law at the Wall Street firm of Hughes, Hubbard & Reed, discovering that was not the field for him.

Reassessing his career, Freedman made a decision to work in an area in which he was genuinely interested and cared about.

“I’ve always liked the outdoors, camping and hiking, and have been interested in environmental issues,” he says. "Environmental law was an emerging field so I joined the general counsel’s office at the Environmental Protection Agency in 1980."

This academic year, Freedman, now a senior attorney with the agency, is visiting the UNM law school, where he is teaching international environmental law, administrative law and international trade law and the environment.

At the EPA, he has defended the agency on issues involving hard rock and coal mining, the inorganic chemical industry and ocean dumping of sewage sludge. His duties have included providing legal advice to EPA program managers, reviewing guidelines and defending the agency in litigation.

In the 1980s, he counseled EPA officials in the design of a national contingency plan that governs the cleanup of Superfund sites. Since 1992, he has advised the agency on international environmental issues, which has included representing the EPA in the negotiation and implementation of a number of multilateral environmental treaties.

Freedman notes that 25 years after entering a budding field, there is now widespread recognition of the global nature of most environmental problems. Most recently, he says, countries have recognized the need for environmental protection and international trade rules to be mutually supportive and that free trade agreements generally include provisions regarding the establishment and enforcement of environmental laws.

“There are so many different things going on in international negotiations and it’s rewarding to be doing something about environmental global problems,” he says.
Presentations and Research

Marsha Baum spoke at the League for Innovation’s Conference on Information Technology 2005 in October in Dallas. Her topic was, “Surf and Turf: Teaching Students about Copyright, Fair Use, and Public Domain on the Internet.”

Sherri Burr lectured on “Copyrights and Trademarks for Advertisers” to the New Mexico Advertising Federation in September. In November, she participated in a Minding Your Finances Panel at a Mount Holyoke College Black Alumni Reunion event.

In December, she traveled to New Zealand and Australia where she interviewed New Zealand and Australian filmmakers, entertainment lawyers, and film industry executives for an update to her book, Entertainment Law in a Nutshell, due out in 2007.

Denise Fort presented a paper at the 6th Annual Global Conference on Environmental Taxation: Issues, Experiences, and Potential. The September gathering was held at the University of Leuven in Leuven, Belgium. Her paper was titled, “The Promotion of Renewable Energy Sources Through Tax or Other Market-Based Measures – Challenges and Obstacles.” While in Europe, she met with European Union officials to discuss agricultural policy.

In October, she spoke on, “Where will we get our water in the future – A new era of federal involvement with western water?” at a conference sponsored by the University of Montana School of Law. Fort also addressed the U.S. responsibility to the many people in the world who lack safe drinking water at the national Citizens for Global Solution conference in Santa Fe.

While on sabbatical this year, she is researching the United States’ national policy toward irrigated agriculture.

Laura Gómez spoke about the first criminal trials that occurred under American jurisdiction in New Mexico in 1847 at a September faculty workshop at the University of Wisconsin’s Institute for Legal Studies. In October, she presented a talk in San Juan, Puerto Rico at the 10th annual LaCrit conference, a gathering that focuses on critical legal analysis of interest to Latinos. She discussed the parallels between the U.S. colonization of New Mexico in 1846 and the U.S. colonization of Puerto Rico in 1898.

Antoinette Sedillo Lopez made a presentation entitled, “Making and Breaking Habits: Cultural Context and Inter-cultural Communication in Supervision in the Clinic” at the Sixth International Clinical Conference in October at Lake Arrowhead, Calif. At the same conference, Alfred Mathewson spoke on, “Training Corporate Lawyers for Underserved Communities.” The conference was hosted by the UCLA School of Law and the University of London Institute of Advanced Legal Studies.

Sedillo Lopez was featured in a December issue of the Hispanic Outlook in Higher Education. In an article about her, she was referred to as “a regular voice in promoting diversity.”

Suellyn Scarnecchia is serving on the American Association of Law Schools’ Committee on Recruitment and Retention of Minority Faculty Members. In that role, she was invited to give a number of presentations during which she discussed the results of a recent AALS statistical study that indicates relatively low retention rates for minority law faculty members nationwide. Her presentations also included a report by the committee that highlights actions law schools can take to improve minority faculty retention. She spoke at the AALS annual meeting in Washington, D.C. in January, where she participated in panel discussions on academic freedom in clinical programs and on law school “pipeline programs” to improve college preparation in K-12 programs. She also spoke at the American Bar Association Law Deans Workshop in Chicago in February and on April 7 she will speak at the Southeast/Southwest Regional People of Color Legal Scholarship Conference.

In Print

Marsha Baum co-wrote Internet Surf and Turf Revealed: The Essential Guide to Copyright, Fair Use, and Finding Media with Barbara Waxer, a textbook author of multimedia software and former Institute of Public Law employee. The book was published last October by Thomson Course Technology.

Scott Hughes co-authored the second edition of The Art of Mediation, published in late 2005 by the National Institute for Trial Advocacy. His co-author was Mark Bennett, a Santa Fe mediator, facilitator and strategic planner who also teaches advanced mediation as an adjunct professor at the UNM law school.


Paul Nathanson Bids Farewell After 25 Years

Staff and Faculty at the UNM School of Law honored Paul Nathanson during an afternoon reception in the forum. Nathanson retired as director of the school’s Institute of Public Law. He remains a part-time research professor and taught in the new economic development clinic last fall. Pictured with Nathanson are Judy Flynn O’Brien, director of the Corinne Wolfe Children’s Law Center at IPL and Dean Suellyn Scarnecchia.
Grads Follow Their Conscience, Set up Santa Fe Practice

Like many law students, Jesse Boyd, Todd Lopez and Julie Sakura talked about setting up their own firm after they graduated. They would accept only clients they felt impassioned to serve and generally would use their newly learned skills to make the world a better place.

And like most students, their idealism faded after graduation in 2003. There were loans to pay off and it made more sense to take their first step under someone’s guidance. They went their separate ways -- Boyd to Montgomery & Andrews to practice water law, Lopez to a general practice with McClaugherty & Silver and Sakura to practice family law at Eight Northern Pueblos.

When they found themselves all living in Santa Fe, they met for an occasional beer after work. It was during one of those after-hours confabs that they revived their idealism and decided to go after their dream.

A year ago, they opened Lopez, Sakura & Boyd in a former psychiatrist’s office in Santa Fe. They still don’t have a secretary or receptionist and they share one room, with their three desks pushed together. Laptops and cell phones are always on. A conference table that came with the space fills the only other room.

“The idea was to have a practice where we could afford to have a conscience,” says Sakura. “If one partner wants to pursue something pro bono, we support them. We all have the same goals: social and economic justice.”

Boyd and Lopez both served on the Natural Resources Journal in law school and earned Natural Resources certificates. They would like to be focusing their practice on water law and environmental law and dream of obtaining a state contract in those fields. But they have accepted that for now they must take whatever comes through the door.

Commercial transactions, real estate, corporate, contract, civil litigation, appeals, these are the types of cases they have taken on. Sakura hasn’t turned away any client, continuing to focus her practice on family law. Even though they are struggling to build their practices, all three partners already have accepted pro bono work.

“We are all confident in our legal skills, but if we get a case that is over our heads, we seek help and remain honest with ourselves and our clients,” says Boyd, who admits he calls his dad, John Boyd (’73), a partner with Freedman, Boyd, Daniels, Hollander & Goldberg, a few times a week with hypotheticals.

In Memoriam

Barbara Stephenson

Barbara Stephenson, an MIT-trained engineer who combined a love of words with numbers during a later legal career, died in October after battling heart disease. She was 66.

Stephenson was born in Bryan, Ohio, the daughter of a civil engineer who built waterworks for the U.S. Army during World War II.

Following graduation from the Massachusetts Institute of Technology in 1960, she became the first female engineer at Digital Equipment Corp., a startup company near Boston. Among her numerous achievements there, she designed an analog-to-digital converter, which became one of Digital’s core products and for which she was awarded a patent. In addition to other computer design work at Digital, she was granted another patent for a “kitchen calculator,” which enabled a cook to convert any recipe for the actual number of diners.

In the early 1970s, Stephenson moved to New Mexico when her husband, Jerry, a physicist, took a job in Los Alamos. After taking time off to raise her son, Tom, she became involved in the New Mexico Chapter of the American Association of University Women, a women’s rights group, and eventually enrolled in the UNM School of Law.

After graduation in 1981, she entered private practice, focusing on real estate and taxation issues. She served on the board of the Solo and Small Firm Practitioners Section of the New Mexico State Bar and in 1992, wrote Financing Your Home Purchase in New Mexico.

Stephenson retired in 1999 and helped teach computer classes at the Bear Canyon Senior Center. She also designed an 18-hole miniature golf course in her back yard.
Hector Balderas Finds Niche in State Legislature

Hector Balderas was running his own criminal defense practice in Albuquerque when he moved home to Wagon Mound and began running for something more far-reaching: the state Legislature.

"It was exciting to think about representing the community that raised me and helping with the challenges of the people," he says.

He also knew the odds were against him; his rival in the Democratic primary had held the seat in the House of Representatives for four years and was from a large political family in Mora County.

Nonetheless, Balderas set about telling people in the far-flung district that stretches from Santa Rosa to Raton to Taos about himself. At 11, he moved to Wagon Mound when his mother returned home to be near her family after a divorce. Balderas worked at the local gas station and as a ranch hand as a youngster. He developed an early love for basketball and helped lead the Wagon Mound Trojans to the state tournament in 1989 and 1991.

His mother had never attended college and his father had taken some classes, but Balderas' high school teachers and counselors made it clear that education was his only chance to escape poverty. The average annual income today in Mora County is about $12,000. Accepting their advice, he attended Highlands University, and then became a budget analyst for the United States Department of Agriculture in Washington, D.C.

But he knew he wanted to continue his education, and although he didn't know any lawyers, he suspected that a legal education would provide him with choices. At the UNM law school, he found the social fear to be as tough as the academic challenges during his first year.

"In the first few months of law school I was not sure if I belonged there," says Balderas. But a commitment to diversity and sensitivity to native New Mexicans from his professors helped ease the transition. "They made me feel like I was a valued piece of the puzzle," he says.

After graduating in 2001, Balderas spent 10 months as an assistant district attorney in the Second Judicial District, before opening up his own criminal defense practice in Albuquerque. In 2004, he returned home to run for the Legislature.

For six months, he knocked on doors, disregarding the advice of people who tried to tell him his rural district was not conducive to a walking campaign. He raised campaign funds statewide, spoke to the voters as an equal and targeted his message to the importance of values, leadership and a connection to community.

In the June Primary, Balderas received nearly twice as many votes as the incumbent, and went on to easily win the seat in the general election.

"I think people felt a sense of pride in me, a small-town kid who does well and comes home to help," he says. "And they were excited to have someone aggressive and educated who could articulate their needs."

Now embroiled in the second half of his first legislative term, already Balderas has seen how the critical thinking he learned in law school has helped him analyze the social, legal, political and economic ramifications of legislation. Rather than spend his first session finding where the bathrooms are and mostly listening, he gained the respect of his colleagues and sponsored some hard-hitting bills.

One of those, which passed and was signed by the governor, provides for tougher management of sex offenders across the state, no matter the size of the community. "We had different standards in different jurisdictions and it was creating a big problem for everyone," he says. "By closing some loopholes of Megan's Law, now offenders can't hide in smaller towns after being kicked out of the larger cities."

Balderas was named Rookie Legislator of the Year by the Greater Albuquerque Chamber of Commerce. "I take this type of recognition in stride," he says. "I am only doing what is right for my district and the State of New Mexico."

During the current 30-day session, he is working on improving funding for schools and providing money to renovate and build rural water systems, some of which date to the early 1900s.

Considering he serves on three interim legislative committees, Balderas has become a year-round policy maker. He still practices law, assisting on cases in northern New Mexico for the Albuquerque firm of Robles, Rael, & Anaya. As a lawmaker, he has discovered an ability to interact well with people and a knack for taking into account different perspectives.

"I have found a niche in this," he says. "Whether it lasts one year or 20 years, it is a huge honor and privilege that I don't take lightly." He knows it is up to the voters to decide his future, but he is flattered that some people have suggested he would be a good candidate to represent New Mexico in Congress some day.

Balderas is now raising three young children with his wife, Denise Cruz Baca, a reading specialist with the West Las Vegas School District. To stay in shape, he is back practicing with the Wagon Mound Trojans, his former basketball team.

"It's ironic that I spent so many years trying to get out of Mora County and one year trying to get accepted back," he says. "Right now, I feel like the sky's the limit."
Jane Cavanaugh
Enjoys Pace of International Law Practice

When Jane Cavanaugh was deciding in what direction to take her career, she signed up for a personality assessment test to see what job environments might best suit her. Most significantly, she learned that she needed an energetic setting and to be challenged.

At Katten Muchin Rosenman in Washington, D.C., where she focuses her practice on financial transactions and aviation law, she has found both. Cavanaugh represents aircraft manufacturers, airlines, owners and lessors of commercial and private aircraft in various financing, sales, purchase and leasing situations. Most of her clients are outside the United States.

Cavanaugh routinely works on deals valued in the hundreds of millions of dollars. Recently, she helped a major rock band buy an interest in an aircraft, and is currently busy on a lease deal involving an Irish client and a Siberian airline.

“It is constant action, never a dull moment,” she says. “It’s a fast, frenzied pace most of the time, going from transaction to transaction. I work with lawyers and clients from all over the world.” In other words, she loves it.

Not bad for a job that was the result of a practice interview.

Following graduation from the UNM School of Law in 1995, Cavanaugh spent two years as a staff attorney in the civil division of the Second Judicial District, before she made up her mind to return to the East Coast to be closer to her family in Maryland. Her parents had retired and she wanted to build a relationship with her young nephew, Shane. A new niece, Lauren, soon followed. Not knowing any lawyers in the Washington, D.C./Baltimore area, she jumped into the job market and interviewed with an aviation firm, figuring the interview would be good practice.

“As it turned out, I got an offer and took the job, which ended up being a very good thing,” she says.

Before heading west to the UNM School of Law, Cavanaugh had spent her entire life in Maryland, growing up in Baltimore, then attending Western Maryland College, now named McDaniel College, where she was awarded a B.A. in political science. She went on to earn a master’s of administrative science, management from Johns Hopkins University in 1989. She then worked as a sales manager and national trainer in the consumer products industry until realizing that she needed more of an intellectual challenge.

From the first time she visited the UNM law school, she knew it was the place for her.

“I had heard about the school’s famous open-door policy,” she says. “I was attracted by its diversity, small class size and quality of education. And the professors were very willing to welcome a stranger.”

Even though she is now hundreds of miles away, Cavanaugh still feels connected to the law school, and every time the school sponsors an alumni reception in Washington, D.C., she attends, enjoying her visits with Dean Suelyn Scarmecchia and Herb Wright, director of development and alumni affairs.

At the law school, she started out planning to go into civil rights work — until she took an International Law class with Franklin Gill. She studied abroad in Tasmania and Guanajuato, was a member of the Jessup Moot Court Team and the International Law Students Association and was the student representative on the school’s International Programs Committee.

In her job, Cavanaugh occasionally travels to Brazil and Germany to visit with clients, but more typically, she closes her deals in New York City. She lives in Washington, D.C., a short walk from the National Zoo. She hikes regularly in nearby Rock Creek Park, and volunteers at the local Hillwood Museum as a weekend gardener.

During the summer, she and her fiancé, Michael Gaffney, a patent litigator, spend most of their time aboard their trawler on the Potomac River. In the evenings they can be found at the marina unwinding on their back deck — though Jane has been known to drag her laptop out there to finish up some work. On the weekends, they often drop anchor away from the marina and enjoy the tranquility of the river.

In keeping with her interest in international affairs, she and Gaffney enjoy traveling abroad. In recent years, they have visited Italy, Costa Rica, the Caribbean, Greece, Norway, Iceland, Portugal, Morocco and the Czech Republic.

In February, they will be traveling to New Mexico, to be married. “I’m looking forward to adding more wonderful memories to my New Mexico experience.”
Reunion Weekend

In mid-September, members of 10 UNM School of Law graduating classes reunited in a joint alumni gathering. The weekend brought together alums from around the country. Professor Sherri Burr presented a CLE lecture titled, “The Global Film and Television Industry: New Mexico’s Role,” on Saturday afternoon at the School of Law and everyone met up for dinner that evening at Embassy Suites Albuquerque, one of the city’s newest hotels.

Doña Ana Fall Golf Classic

Golfers gathered at the Sonoma Ranch Golf Course in Las Cruces for the first Fall Golf Classic, sponsored by the UNM School of Law Alumni Association and the Doña Ana County Bar Association. The tournament followed the same format and rules established by the Summer Golf Classic, which takes place every summer in Albuquerque.

Taking top honors was the first place team of Patrick Martin, Jason Martin, Gavin Monjeras and Charlie Blanchard. Tournament organizers were Melissa Reeves (‘93) and Ken Gonzales (‘94). Gonzales is a board member of the UNM School of Alumni Association. Proceeds from the tournament benefit the scholarship programs at the UNM School of Law and the Doña Ana County Bar Association.

Thanks to Tournament Sponsors

Wendell Hull & Associates, Closest to the Hole Sponsor
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Sonoma Ranch Golf Course Raffle prize
Washington, D.C. Reception

Alumni/ae from the Washington, D.C. area gathered at Pushmataha House for a UNM School of Law-sponsored reception last fall. Charles Blackwell (’73), ambassador of the Chickasaw Nation to the United States, welcomed alums to his home in the Capitol Hill district. In the past, he served as assistant dean at the UNM School of Law before going to work on Wall Street.

Dean Suелlyn Scarnecchia enjoyed the opportunity to visit with the school’s alumni.

Dean’s Circle Values Long-time Donors

In the fall 2005 issue of UNM LAW, we noted our appreciation of new gifts to the Dean’s Circle, an exclusive club of donors who contribute $1,000 or more to the law school annually.

In this issue, Dean Suелlyn Scarnecchia would like to recognize the generous ongoing support of donors who contribute a minimum $1,000 donation every year. She welcomes these long-standing benefactors to the Dean’s Circle, as well.

Mr. and Mrs. Arthur Beach
Sarah Bradley and Thomas Clark
Mr. and Mrs. Brian Branch
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Mr. and Mrs. Leo Romero

Mr. and Mrs. Steve Scholl
Duward Sorenson and Mary Hoffman
Elizabeth Whitefield-Thorne and Paul Thorne
Herb Wright
Jack Clarke Honored for Labor Work

Jack Clarke has been inducted as a fellow in the College of Labor and Employment Lawyers, which represents the highest peer recognition of sustained outstanding performance in the profession, exemplifying integrity, dedication and excellence. The college was established in 1995 as an initiative of the Council of the Section of Labor and Employment Law of the American Bar Association to recognize leaders in the field and emphasize the importance of all aspects of labor and employment law.

Clarke is a full-time arbitrator and mediator in Montgomery, Ala. He was the principal draftsperson for the Alabama Code of Ethics for Media tors and serves on the Alternative Dispute Resolution Committee of the Alabama State Bar. In 2002, the Alabama State Bar presented him with its Outstanding Service Award.

Following graduation from the UNM School of Law in 1971, he joined the faculty of the University of Arizona law school. In 1976, he left for private practice in Northport, Ala., until 1981, when he established an arbitration/mediation practice in Tuscaloosa, Ala. He moved his practice to Montgomery in 1994.

Clarke is a member of the National Academy of Arbitrators and in 1988 was presented the Whitney North Seymour, Sr. Arbitration Medal by the American Arbitration Association.

Andrew Schultz has been elected president of the district of New Mexico for the Federal Bar Association. He is managing director of Rodey, Dickason, Sloan, Akin & Robb and practices in the areas of class action, civil rights litigation and complex procedural and appellate work.

Sandra Rotruck has joined the firm of Atkinson & Kelsey, where she practices divorce and family law.

Michelle Lujan Grisham received a Zia Award from the UNM Alumni Association for service to the New Mexico community. She is cabinet secretary of the state Department of Health, the largest department in state government. She also has served in other state agencies, including the state Aging and Long-term Services Department and was director of the State Bar’s Lawyer Referral for the Elderly Program.

Alan Varela has been listed among the 100 most influential Hispanics in the United States by Hispanic Business Magazine. He is director of the New Mexico Workers’ Compensation Administration and recently served as president of the Hispanic National Bar Association.

Monica Zamora has been appointed a judge in the children’s division of the Second Judicial District.

Ousama Rasheed and Roger Smith (‘92) received the cooperating attorney award from the American Civil Liberties Union at its annual Bill of Rights dinner in December. They were honored for their work stopping an Albuquerque...
que law that would have empowered the city to seize and forfeit vehicles of DWI suspects at arrest, rather than conviction.

1992
Roger Smith has become an associate with the Revo Law Firm in Albuquerque. He focuses his practice on personal injury cases. He recently received an award from the ACLU (see 1990.)

1995
Virginia Dugan has been elected president of the State Bar of New Mexico. She is a shareholder with the Albuquerque firm of Atkinson & Kelsey.

Sharon Gentry has been promoted to general counsel of the New Mexico Workers’ Compensation Administration. She had been an attorney-mediator with the administration.

1996
Dusti Harvey has opened the Harvey Law Firm in Albuquerque. She focuses on nursing home abuse and neglect cases, personal injury, medical malpractice and auto accidents. In addition, she regularly lectures to groups and at legal seminars on topics relating to nursing home negligence and abuse.

Sandra Nemeth has been elected to the New Mexico Board of Bar Commissioners. For the past seven years, she has been a sole practitioner in the 11th and 13th judicial districts. She lives in Grants.

1997
Lisa Chavez has received the State Bar of New Mexico’s Continuing Legal Education Crest Award for Young Lawyers. She was chosen from 250 lawyers statewide. Chavez is a partner with Rodey, Dickason, Sloan, Akin & Robb.

Joshua Sutin was named a 2005 Rising Star by Texas Monthly magazine, an honor given to a select number of lawyers who are under 40 and have practiced law for less than 10 years. He focuses his practice on taxation issues with the San Antonio firm of Cox, Smith, Matthews. He is married and has two sons, Benjamin, 3, and Noah, 6 months.

2000
Kevin Korte is the proud father of Ezekiel John Korte, who was born July 20. He is a partner in the Santa Fe firm of Prince, Schmidt & Korte.

Carolyn Ramos has been elected to the New Mexico Board of Bar Commissioners, representing the Young Lawyers Division. She is a senior litigation associate with the Albuquerque firm of Butts, Thornton & Baehr, where she practices primarily in the defense of trucking, medical malpractice, product liability and other personal injury cases.

2001
Ronald Archibeque has joined the firm of Koeller, Nebeker, Carlson & Haluck, in Phoenix. He practices primarily in the areas of complex litigation, construction defect, product liability, general liability and class actions.

2002
Sandra Beerle has become an associate with the firm of Rodey, Dickason, Sloan, Akin & Robb. She focuses her practice on health law litigation. Formerly, she was a clerk for New Mexico Supreme Court Justice Pamela Minzner and state Court of Appeals Judge Michael Bustamante.

Tiffany Sanchez is co-author of “Court Systems: Law, United States of America”, which outlines the legal and court systems of the United States. The article, co-written with New Mexico Court of Appeals Judge Roderick Kennedy, appears in the Encyclopedia of Forensic and Legal Medicine, published in 2005 by Elsevier. She is a staff attorney with the state Court of Appeals.

Les Sandoval has joined the Albuquerque firm of Atkinson & Kelsey. He focuses his practice on family law.

2003
Wade Jackson has joined the firm of Rodey, Dickason, Sloan, Akin & Robb as an associate in the Commercial Litigation Department. Formerly, Jackson served for two years as law clerk to Senior U.S. District Judge C. Le Roy Hansen.

2004
John Blair has become an associate with the firm of Sheehan, Sheehan & Stelzner. He formerly clerked for New Mexico Supreme Court Justice Ed Chavez.

Lynn Mostoller has joined the firm of Keleher & McLeod. She focuses her practice on employment and civil rights law and labor relations. Previously, she clerked for Judge Harris Hartz, on the 10th U.S. Circuit Court of Appeals.

Tiffany Oliver has become an associate with Miller Stratvert. She practices primarily in the areas of divorce and family law.

2005
Thomas Aaron Garrett has become an associate with Miller Stratvert. He practices civil litigation, worker’s compensation and professional liability in the firm’s Albuquerque office.

Linda Vanzi Receives Charlie Driscoll Award

Linda Vanzi received the 10th annual Father Charlie Driscoll Award by Dismas House New Mexico for her work as a volunteer. The award is given in memory of the criminal defense lawyer who later became a priest and a co-founder of Dismas House, a nonprofit founded in 1974 to provide transitional housing and support services to men and women who have been recently released from jail. Vanzi (’95), who has been a judge in the Second Judicial District since 2004, has volunteered at Dismas House every week for the past five years, when she sits down for a meal with women who are rebuilding their lives. She also volunteers with the New Mexico Women’s Justice Project, Working Classroom and the Albuquerque Rescue Mission.
LET’S HEAR FROM YOU!

We want to know what you’re doing, whether you’ve made a career change, received an award or added a new member to your family.

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