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School of Law Annual Report 1964-1965

School of Law Dean

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The Report of the School of Law
July 1, 1964 - June 30, 1965
Henry Weihofen, Acting Dean

I. General School Information

A. Appointments to Faculty

It is a pleasure to report the appointment of Thomas W. Christopher as the third dean of the law school. Dean Christopher comes to us from the University of North Carolina School of Law in Chapel Hill, North Carolina, where he has been a professor since 1961. He received his B.A. in 1939 from Washington and Lee, and his LL.B. in 1948 from the University of Alabama. He did advanced work at New York University, receiving his LL.M. in 1950 and his S.J.D. in 1957. He is admitted to the bar in the states of Alabama, Georgia, New York, and North Carolina, and in the federal courts. He was on the law faculty of Emory University for eleven years prior to going to North Carolina, serving as associate dean from 1954 to 1961. He also has been a visiting professor at the University of Utah and the University of California in Berkeley. He is a specialist in antitrust law and in food and drug law.

Two other men are also joining the faculty effective September 1, 1965:

Visiting Professor Malcolm P. Sharp of the University of Chicago School of Law.- Professor Sharp has received the following degrees: B.A. in 1918 from Amherst College; M.A. in 1920 from the University of Wisconsin; LL.B. in 1923 and S.J.D. in 1927 from

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Harvard University. He was admitted to practice in New York in 1924 and practiced there in 1924-25. He was an assistant professor in economics at the University of Wisconsin from 1919 to 1920. He was an assistant professor of law at Iowa State University in 1925-26, at the University of Wisconsin in 1927-30, and an associate professor of law at Wisconsin in 1930-33. He was at the University of Chicago as visiting associate professor of law from 1933 to 1935, remaining as associate professor from 1935 to 1940, and has been a full professor of law there since 1940.

Visiting Associate Professor Willis H. Ellis of the University of Denver.- He received his A.B. in 1951 from Wabash College and his J.D. in 1954 from Indiana University. He was admitted to practice in Indiana in 1954. He was law clerk for the U.S. Court of Appeals, 7th Circuit, 1954-56, and a Teaching Fellow at Harvard University, 1960-61. Mr. Ellis was assistant professor at the University of Denver, 1961-64, and has been associate professor there since 1964.

B. Faculty and Staff Resignations

Professor Robert Emmet Clark, who spent the past year as visiting professor of law at the University of Arizona, has resigned in order to participate as a member of the Public Land Law Review Commission and to devote more time to a multi-volume treatise of which he is serving as general editor, "Water Law of the United States."

Associate Professor R. Dale Swihart, who has been at the University of Texas this past year, has resigned to accept a position

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on the law faculty of Washington University School of Law, St. Louis, Missouri.

Professor Dale W. Broeder, having completed his year as visiting professor of law, is teaching this summer at the University of Southern California in Los Angeles and has accepted a permanent position on the faculty of the University of Toledo College of Law commencing September, 1965.

Associate Professor Jerome A. Barron has accepted a position on the faculty of George Washington University School of Law.

Assistant Professor Gerald W. Rock has retired from law teaching to go into the private practice of law in California.

Mrs. Julia R. McCulloch, Administrative Assistant and Secretary of the School, retired last fall after fifteen years of loyal service.

C. Significant Achievements During the Academic Year 1964-65

The law school graduated its 16th class on June 4, 1965, and now has a total of 271 graduates. There were 16 in the graduating class, the largest group we have graduated since the class of 1959.

The enrollment figures for the year 1964-65 are as follows:

	<u>Semester I</u>	<u>Semester II</u>
First year students	52	49
Second year students	29	28
Third year students	16	16

The average score on the Law School Admission Test of the members of the first year class who completed the year was 531, which is in the 64th percentile of all those throughout the country

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who have taken this test. The two highest ranking students scored 715 and 714, placing them in the 99th percentile--better than all but about 1% of those who have taken the test.

The problem of scholarship funds necessary for attracting first year law students of high ability has been somewhat alleviated by the generous bequest of Mrs. Reina Rothgerber in honor of her parents, Alfred and Miriam Grunsfeld. This bequest of \$50,000 will realize \$2,500 per year which can be used to help bring students of exceptional ability to the law school. However, our need for scholarship and loan funds still far exceeds the supply and constitutes a continuing problem.

A project for the release on their own recognizance of persons charged with crime was conducted in the Albuquerque Municipal Court during the past year. The program followed the pattern established by the New York City program financed by the Vera Foundation to enable indigent persons to be released pending trial without having to post bail. The law school provided student personnel to conduct the program, and paid them for the first months until the city could provide funds for the purpose. An application to the Economic Opportunity Board (the Poverty Program) has now been drafted by Professor Henry Weihofen to establish a similar program in the state District Court.

The UNM law school played host on November 21, 1964, to the Annual Regional Moot Court Competition, which is sponsored nationally by the Young Lawyers' Committee of the Association of the Bar of the City of New York. In this region only UNM and the Universities

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of Arizona and Colorado entered teams. The winner was the University of Colorado. The "court" hearing the arguments was made up of Judge Irwin S. Moise of the Supreme Court of New Mexico, Judge Frank H. Hall of the Supreme Court of Colorado, and Judge Howard C. Bratton of the United States District Court. Arrangements for the occasion, including a dinner following the competition, were in the charge of a committee of the Student Bar Association.

During March, 1965, the Student Bar Association sponsored a series of lectures on legal ethics and professional responsibility. The speakers included Mr. Thomas E. Ahern, President of the Albuquerque Bar Association; Mr. Joseph E. Roehl of the law firm of Modrall, Seymour, Sperling, Roehl and Harris, and chairman of the Albuquerque Bar Association's Committee on Minimum Fee Schedules; and Professors Gerald W. Rock and Henry Weihsfen.

The Natural Resources Journal continues to make steady growth and to increase in stature in its field. The subscription list covers fifty states and twelve foreign countries, including Russia. The caliber of articles continues at a high level, as evidenced by large reprint orders received from both private and governmental agencies. The Editor-in-Chief, Mr. Utton, has represented (or will represent) the University at one regional and one national conference on water resources. Contacts with potential contributors are an invaluable by-product of such attendance.

A second installment of \$3,500 of the Resources for the Future, Inc. grant to the Journal, awarded in 1963, was received.

Increased enrollment in the law school has worked to the

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advantage of the Journal by providing more candidates for the student editorial board.

D. Significant Plans and Recommendations

1. Library Reorganization

The reorganization of the law library continues. The New Mexico materials in the Rare Book Room and the collection of U. S. Documents were singled out for intensive work. For each, a new classification scheme was prepared and materials were organized on the shelves in accordance with the new classifications and marked with new classification numbers. In the process, some materials were weeded, voids were uncovered and filled, materials were accessioned, and book pockets added. All current state compilations and codes on the first floor were checked for completeness and currency, and were recorded in our continuations record. The periodical holdings are being reviewed and recorded, and a collection of legal education materials has been organized on the shelves in the librarian's office. Under Mr. Fink's direction, the library staff has organized and reviewed our holdings in New Mexico Session Laws, statutes, reports, and Attorney General's opinions.

Space limitations are becoming ever more critical as our library grows, and more books are having to be stacked in the basement.

2. Natural Resources Journal

More secretarial help for the Journal is required. At present the Journal has a half-time secretary. A full-time secretary

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is needed.

3. Program of Continuing Legal Education of the Bar

As last year's report pointed out, the law school should take an active part in a continuing legal education program. An example of the role the law school can and should play is the recent one-day seminar given by Professor Alan Liker on "Tax and Community Aspects of Divorce and Property Settlements." It is important that the law school increase its activity in the area of continuing legal education.

II. Composite of Information Requested on Individual Biographical Supplements

A. Advanced Study

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B. Sabbaticals, Leaves of Absence, Summer Teaching Elsewhere, Travel, Etc.

Utton, Albert E.

Summer of 1964, traveled to England to study British Legal Aid System.

C. New Scholastic Honors, Fellowships, Etc.

Weihofen, Henry

Elected a Fellow of the American Society of Criminology, March 1, 1965.

D. Publications

Fink, Myron

Book Appraisals: (1) The Approach to Self-Government

D. Publications (continued)Fink (continued)

by Sir Ivor Jennings, in 58 Law Library Journal 190, May 1965. (2) California Pleasure Boating Law by State Bar of California Committee on Continuing Education of the Bar, in 58 Law Library Journal 92, February 1965.

Liker, Alan D.

Audit Supervisors' Course for Latin American Tax Officials, approximately 50 pages, plus 45 pages of notes to instructors, published by the U. S. Treasury Department, Spring 1965.

Seed, Verle R.

Adverse Possession in New Mexico, Part I, 4 Natural Resources Journal 559-583; Part II, 5 Natural Resources Journal 96-121 (1965).

Utton, Albert E.

Nigeria and the United States: Some Constitutional Comparisons, published in 9 Journal of African Law 40, Spring 1965.

Weihofen, Henry

Guardians and Other Protective Services for the Mentally Incompetent, American Journal of Psychiatry, Vol. 121, No. 10, p. 970, April 1965 (10 pp.).

Word-Watching for Lawyers, American Bar Association Journal, Vol. 50, p. 663, July 1964 (4 pp.).

E. Other Research Projects in ProgressLiker, Alan D.

UN-Income Tax Administration Manual, completed two more chapters, "Income Tax by Declaration" and "Enforcement Procedures." (Conferences are to be held on these in 1966 in three regions of the world.)

Selinger, Carl M.

Study of Discipline of Attorneys for Non-professional Misconduct, an article for publication in Natural Resources Journal, October 1965.

E. Other Research Projects in Progress (continued)

Utton, Albert E.

The International Water Rights of the United States
(part of a multi-volume treatise, Water Law in the
United States, which is to be published by the Allen
Smith Co.).

Book Review: Canada-United States Treaty Relations,
to be published in American Journal of International
Law.

Weihofen, Henry

Five chapters for report of Mental Competency Study,
sponsored by National Institute of Mental Health at
The George Washington University.

Digest of New Mexico Mental Health Laws for State
Department of Public Health.

Chapter for new edition of How to Find the Law, to
be published by West Publishing Co.

Mental Incompetency to Contract or Convey, an article
to be published in Southern California Law Review.

Book Review: Legal Interviewing and Counseling, by
Harrop Freeman, for Cornell Law Quarterly.

F. Activities in Learned and Professional Societies

Fink, Myron

Attended Annual Meeting of American Association of
Law Libraries held at St. Louis, Missouri, June 28
to July 2, 1964. Appointed to Committee on Publications.

Liker, Alan D.

Lectured, New Mexico Tax Institute, September 1964.

Participated, New Mexico Estate Planning Council,
1964-65.

Conducted Continuing Legal Education Seminar for the
Albuquerque Bar Association: "Tax and Community Aspects
of Divorce and Property Settlement Agreements." June 19,
1965.

F. Activities in Learned and Professional Societies (continued)

Liker (continued)

Attended meeting of Association of American Law Schools, Chicago, Illinois, December 27-29, 1964.

Attended Conference of Western Law Schools, Salt Lake City, Utah, April 23-24, 1965.

Selinger, Carl M.

Attended meeting of Association of American Law Schools, Chicago, Illinois, December 27-29, 1964.

Attended Conference of Western Law Schools, Salt Lake City, Utah, April 23-24, 1965; read paper entitled: "The Regulation of Student Political Activity: A Comparative Approach."

Utton, Albert E.

Represented Law School at meeting of Associated Rocky Mountain Universities, Boulder, Colorado, November 11, 1964.

Attended meeting of Association of American Law Schools, Chicago, Illinois, December 27-29, 1964.

Elected Treasurer of Phi Kappa Phi for 1965-66.

Named UNM delegate to Universities Council on Water Resources.

Member of New Mexico Bar Association Publications Committee.

Member of Albuquerque Bar Association Social Committee.

Member of New Mexico Bar Association Peace Through Law Committee.

Weihofen, Henry

Professional papers read at:

Law and Mental Health Institute, New Mexico State Hospital, Las Vegas, New Mexico, August 21, 1964;

Psychiatry and Law Foundation, Los Angeles, California, September 4, 1964;

F. Activities in Learned and Professional Societies (continued)

Weihsfen (continued)

Professional papers read at: (continued)

Natural Law Institute, Loyola University, New Orleans, Louisiana, March 27, 1965;

Staff Meeting, Nazareth Sanatorium, March 2, 1965;

Institute of Psychiatry and Law for the Judiciary, Coronado, California, May 8, 1965;

Seminar on Current Disarmament Proposals, United World Federalists, Albuquerque, New Mexico, May 17, 1965.

Attended meetings of professional organizations:

Association of American Law Schools, Chicago, Illinois, December 27-29, 1964;

Conference of Western Law Schools, Salt Lake City, Utah, April 23-24, 1965;

Conference on Law School Admissions, sponsored by Educational Testing Service, White Sulphur Springs, West Virginia, April 8-11, 1965;

Panel of Research Advisers, Walter E. Meyer Research Institute of Law, New York, May 7, 1965;

Advisory Board, Research Project on Mentally Retarded and the Law, Washington, D.C., June 1, 1965;

National Council on Crime and Delinquency, Detroit, Michigan, June 13-15, 1965.

Member of the following boards, councils, committees, etc.:

Advisory Board, Research Study on the Mentally Retarded and the Law, George Washington University;

Board of the Isaac Ray Award, American Psychiatric Association;

Professional Council of the National Council on Crime and Delinquency;

Panel of Research Advisers, Walter E. Meyer Research Institute of Law;

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F. Activities in Learned and Professional Societies (continued)

Weihsfen (continued)

Member of boards, councils, etc. (continued)

Affiliate Board, National Council on Alcoholism;

Editorial Advisory Board, Journal of Family Law;

Advisory Board, Southwestern Law Journal, Southern
Methodist University School of Law;

Publications Committee, Albuquerque Bar Association.

G. Other Professional Activities

Liker, Alan D.

Legal Consultant, U. S. Treasury Department, Special
Enrollment Examination.

Selinger, Carl M.

TV discussion of foreign policy.

Utton, Albert E.

Participated in panel discussion at First Unitarian
Church, January 13, 1965. Subject: "Future
Legislative Developments in New Mexico."

Addressed assembly of graduating high school seniors
on careers in law, January 30, 1965.

Appeared before the Judiciary Committee of the New
Mexico House of Representatives to testify on
Reapportionment, February 4, 1965.

Appeared before the Judiciary Committee of the New
Mexico House of Representatives to testify on Capital
Punishment, February 9, 1965.

Participated in "Great Decisions" program series on
"The United Nations After Twenty Years," March 11,
1965, on KNME-TV, KGGM-TV, KOB-TV (Albuquerque);
KROD-TV (El Paso); KGGM Radio (Albuquerque) and
KGIW Radio (Alamosa, Colorado).

Participated in panel discussion on Capital Punishment,
KNME-TV and KOB-TV, April 8, 1965.

G. Other Professional Activities (continued)

Utton (continued)

Participated in panel discussion on Recent Supreme Court Developments, KNME-TV and KOB-TV, April 29, 1965.

Participated in panel discussion on the Dominican Republic, KNME-TV, May 20, 1965.

Weihsfen, Henry

Shirtsleeves Session, KNME-TV.

Lecture on "The Hard Core of Racism," Unitarian Church, July 19, 1964.

Lecture to Men's Club of Congregation B'Nai Israel.

H. Non-Teaching University Service

Fink, Myron

Member, Executive Committee of the Friends of the University of New Mexico Libraries.

Member, Committee on Gifts to Libraries, Museums, and Galleries.

Member, Faculty Library Committee.

Member, Law School Library Committee.

Liker, Alan D.

Member of Curriculum Committee.

Seed, Verle R.

Member of Retirement and Insurance Committee.

Selinger, Carl M.

Member, Athletic Council.

Ad Hoc Committee on Off-Campus Speakers.

Chairman, Law School Curriculum Committee.

Administrator, Law School Sophomore Honors Seminar.

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H. Non-Teaching University Service (continued)

Selinger (continued)

Program Chairman, UNM Chapter, American Association of University Professors.

Utton, Albert E.

Member, Policy Committee.

Member, Graduate Committee.

Faculty Adviser to New Mexico Law School Students
Civil Rights Research Group.

Chairman, Law School Loan & Scholarship Fund.

Member, Law School Speakers Committee.

Weihofen, Henry

Member, Entrance and Credits Committee.

Member, Law School Library Committee.

I. Public Service

Fink, Myron

Chairman, Speakers' Bureau, Albuquerque Association
of United Nations.

Liker, Alan D.

Active Member of Temple Men's Club.

Selinger, Carl M.

Director, Coronado Credit Union.

Chairman, Volunteers for Johnson-Humphrey.

Utton, Albert E.

President, Albuquerque Chapter, United Nations
Association of the United States of America.

President, Coronado Monument Cultural Society.

Chairman, Sandoval County Grass Roots Association.

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I. Public Service (continued)

Utton (continued)

Treasurer, Lawyers for Johnson & Humphrey.

Weihofer, Henry

Vice President, Albuquerque Area Council on Alcoholism.

Trustee, The Henry and Barbara Kiker Lecture Memorial.

Member, Board of Directors, New Mexico Association for Mental Health.

Member, Ad Hoc Committee on Viet Nam.

Member, Albuquerque Chapter on National Committee to Abolish the House Un-American Activities Committee.

Testified before committees of the New Mexico Legislature on HB 297.

J. Personal InformationSelinger, Carl M.

Completed United States Army Reserve obligation.

Utton, Albert E.Second child, a son, born January 26, 1965.
