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# School of Law Annual Report 1963-1964

School of Law Dean

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The Report of the School of Law  
 July 1, 1963 - June 30, 1964  
 Robert Emmet Clark, Acting Dean

I. GENERAL SCHOOL INFORMATION

A. Significant achievements during academic year 1963-64

The law school graduated its 15th class on June 5, 1964 and now has a total of 254 graduates.

The enrollment figures for the year 1963-64 are as follows:

	<u>Semester I</u>	<u>Semester II</u>
1st year	53	40
2nd year	23	24
3rd year	<u>13</u>	<u>13</u>
Total	89	77

These figures can be compared with the projections made in the Dean's Report of 1963:

First year	60
Second year	23
Third year	<u>15</u>
Total	98

An overall estimate for the year 1964-65 would seem to indicate a similar increase in enrollment is to be expected. This follows the national trend. Between 1957 and 1962, for which figures are available, there was a 15% increase in the number of students studying law in United States law schools.

More important than the enrollment figures themselves is the improved quality of the entering students. Higher admission

requirements have contributed greatly to this development and also to a decline in attrition rates. The overall quality of the first year group entering in 1964, as shown by evidence of performance in college and aptitude tests, will be substantially higher than in 1963. A continuing problem is the lack of scholarship funds and particularly scholarships for first year students with high ability.

The Law School Admission Test scores for those in the 1963 entering class who completed the year, whether or not they were suspended or placed on probation, were:

Highest	99.6 percentile	737 raw score (800 is considered perfect)
Average	65 "	526 raw score

There were only ten scores below the 50th percentile which is usually the cut-off point at the best law schools.

The Law School Admission Test average score for the class entering in 1964 will be significantly higher. We do not exclude an applicant solely on the basis of his LSAT score, as there are other criteria, viz. his college background and the Iowa Legal Aptitude Test which we employ. All of these criteria aid in making the decision to admit or reject a student.

## B. Significant plans and recommendations

### 1. Library reorganization

The complete reorganization of the law library is continuing. Substantial changes in procedures, services and rearrangement of collections and treatises and methods of cataloging

and recording library holdings are included. Much of this work is expected to be completed during the next year.

The growth of the library as well as the anticipated increase in enrollment emphasizes the need for more space. The law building is overcrowded and requires an additional wing for book stacks, offices and seminar rooms.

## 2. Natural Resources Journal

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

b) The Natural Resources Journal has had a steady growth but in order to become more widely known in all areas of resources, an editor must be found who is knowledgeable in several fields of resources. This is well understood by members of the Journal Advisory Board as well as Mr. Utton, who is presently the Editor. A search should be commenced for a qualified person who could take on the job in the next two or three years. In the meantime Mr. Utton continues to do an excellent job.

c) The Natural Resources Journal received a grant from Resources For The Future of \$10,500, to be used over the next three years at the rate of \$3,500 each year.

## 3. Program of Continuing Legal Education of the Bar

It is time that the law school took an active part in a specific program of continuing legal education of the State Bar.

This would require services of an additional faculty member with the highest qualifications who would be responsible for the post-degree program of instruction which would be carried on apart from the regular hours of law school instruction.

C. Appointments to staff

Professor Henry Weihofen, a member of the faculty since 1948, will serve as acting dean in 1964-65. The search will be continued for a well-qualified person to be appointed dean.

Assistant Professor Carl M. Selinger was given regular status and is no longer Visiting Assistant Professor.

The search for faculty replacements during the year resulted in the appointment of the following persons, effective September 1, 1964:

Visiting Professor Dale W. Broeder, of the University of Nebraska College of Law, Lincoln, Nebraska. B.A., summa cum laude, Willamette University, 1950. J.D., University of Chicago, 1953.

Visiting Associate Professor Jerome A. Barron, of the University of North Dakota School of Law, Grand Forks, North Dakota. A.B., magna cum laude, Tufts College, 1955. LL.B., Yale Law School, 1958. LL.M., George Washington University Law School, 1960.

Assistant Professor Alan D. Liker, B.B.A., City College of New York, 1959. LL.B., New York University School of Law, 1961. LL.M., New York University School of Law, 1962. Teaching Fellow and Research Assistant since 1962 in the Harvard International Taxation Program.

Visiting Assistant Professor Gerald W. Rock, of California Western University School of Law, San Diego, California. B.A., University of Florida, 1953. LL.B., University of Florida, 1959. LL.M., Yale Law School, 1962.

D. Separations from staff

Dean Vern Countryman resigned effective June 30, 1964 to accept a regular position on the Harvard Law School faculty.

Professor David H. Vernon resigned effective June 30, 1964, to accept a position as associate dean and professor of law at the University of Washington School of Law in Seattle.

Visiting Associate Professor Daniel L. Rotenberg completed his year as visitor and accepted a fellowship for work at the University of Wisconsin for the summer and a position at another university for next year.

Miss Frances Brennan of the library staff retired for health reasons effective June 30, 1964.

E. Leaves of absence

Professor Robert Emmet Clark was granted leave of absence for the year 1964-65 to become Visiting Professor of Law at the University of Arizona, Tucson.

Associate Professor R. Dale Swihart was granted leave of absence for the year 1964-65 to become Visiting Associate Professor of Law at the University of Texas School of Law, Austin.

II. Composite of information requested on individual biographical supplements

1. Advanced study

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2. Sabbaticals, leaves of absence, summer teaching, travel, etc.

Weihofen, Henry

On leave until September 1963, serving as Director, Mental Competency Study, The George Washington University.

3. New scholastic honors, fellowships, etc.

Weihofen, Henry

Honorary Fellow, American Psychiatric Assn. 1963.

4. Publications

Clark, Robert Emmet

The Legal Background of Federal-State Water Rights Conflicts, Proceedings of Annual Convention of National District Attorneys Assn., Los Angeles

A Note on Two Decisions: Kelly v. Carlsbad Irrig. Dist.; Tevis v. McCrary, N.M. State Bar Bulletin, June 13, 1963

Some Legal Aspects of Saline Water Conversion, 8th Annual N.M. Water Conference, Roswell, July 1963

A Short Critique of New Mexico Water Law, N.M. State Bar Convention, October, 1963

New Mexico Water Resources Law: A Survey of Existing Law, Division of Research, UNM, Spring, 1964

Community Property, Encyclopaedia Britannica

Fink, Myron

Research in California Law. Dennis & Co., 1964. 2nd edition, 132 pages

The Basic Legal Bibliography Curriculum, 57 Law Library J. 29 (1964)

4. Publications - continued

Swihart, R. Dale

Federal Taxation of New Mexico Community Property,  
3 Natural Res. J. 104-169 (1963)

Vernon, David H.

Annulment of Marriage: A Proposed Model Act,  
12 J. of Pub. Law 143 (1963)

Priorities, The Uniform Commercial Code and Consumer  
Financing, 4 Boston College Ind. & Comm. L. Rev. 531  
(1962-63)

Supplement to Title XIV of American Law of Mining  
(1 page)

The Uniform Commercial Code: Some New Mexico Problems  
and Proposed Legislative Solutions, 3 Nat. Res. J.  
487 (1964)

Report of the N.M. Advisory Committee to the U. S.  
Commission on Civil Rights (Housing Discrimination  
in Albuquerque)

Weihofen, Henry

Missouri's Mental Responsibility Law, Journal of the  
Missouri Bar, December 1963

Three chapters in Rubin, The Law of Criminal  
Correction, West Publishing Co., 1963

5. Other research projects in progress

Clark, Robert Emmet

The Water Law of the United States, in progress  
(4-5 volumes, 10 collaborators)

Three lectures on Water Law, UNM, April 1964

Recent Ground Water Legislation, in progress  
(to be published in Arizona Law Review)

Water Law lectures, N.M. State University, June 29-30



5. Other research projects in progress - continued

Seed, Verle R.

Adverse Possession in New Mexico, an article  
for the Natural Resources Journal

Selinger, Carl M.

A Study of the Right to Perform a Contract, an  
article

Swihart, R. Dale

Section of Treatise, American Family Law (multi-  
volume) on Community Property, to be published by  
Little, Brown, 1964

Section of Landmark Papers on Estate Planning,  
Wills, Estates & Trusts (multi-volume treatise)  
to be published by Prentice-Hall

Preparation of special course materials for  
Estate Planning

Utton, Albert E.

The International Rights and Obligations of the  
United States (part of multi-volume work entitled  
The Water Law of the United States)

Vernon, David H.

Cases and Materials on Agency, Partnership and  
Introduction to Business Units (with Countryman)

Weihs, Henry

Director, Mental Competency Study, sponsored by  
National Institute of Mental Health

Word-Watching for Lawyers, article to appear in  
American Bar Association Journal

Chapter for book on How to Find the Law, to be  
published next year by West Publishing Co.

6. Activities in learned and professional societies

Clark, Robert Emmet

Water Rights Committee, American Bar Association  
(Report of New Mexico Law 1964)

Publications Committee, State Bar of New Mexico

Annual Convention of Association of American Law  
Schools, Los Angeles, December 1963

Fink, Myron

Annual Convention of American Association of Law  
Libraries, July 1963; panelist on "An Experiment  
in Library Education--The A.A.L.L. Rotating Institute"

Seed, Verle R.

Trustee Rocky Mountain Mineral Law Foundation,  
met in July 1963 in Boulder, Colorado

Member Legal Committee, Interstate Oil Compact  
Commission, met in December 1963 in Santa Fe

Annual Convention of Association of American Law  
Schools, Los Angeles, December 1963

Selinger, Carl M.

Annual Convention of Association of American Law  
Schools, Los Angeles, December 1963

Swihart, R. Dale

Annual Convention of Association of American Law  
Schools, Los Angeles, December 1963

Utton, Albert E.

Chairman, World Peace Through Law Committee of  
the State Bar of New Mexico

Member, Right to Counsel Committee of the  
Albuquerque Bar Association

6. Activities in learned and professional societies - continued

Vernon, David H.

Committee on Academic Freedom and Tenure,  
Association of American Law Schools

Annual Convention of Association of American Law  
Schools, Los Angeles, December 1963

Member Advisory Board, Journal of Legal Education

Member of Subcommittee to Investigate Academic  
Freedom and Tenure at the University of Mississippi

Weihofen, Henry

Advisory Committee on Supreme Court Decisions,  
Association of American Law Schools

Annual Convention of Association of American Law  
Schools, Los Angeles, December 1963

Publications Committee, Albuquerque Bar Association

Meeting of New Mexico Bar Association, Roswell,  
November 1963

7. Other professional activities

Clark, Robert Emmet

Water Resources Conference, University of California,  
Lake Tahoe, October 1963

International Rivers Project, New York University,  
New York, December 1963

Testimony before Senate Select Committee on S. 1275,  
March 1964

Meeting with UCOH, Tucson, March 1964

University of California Conference on Pacific-  
Southwest Water Plan, June 4-6, 1964

Swihart, R. Dale

Speech, "Tax Problems on Subdivision of Real Estate,"  
at 1963 Annual Tax Clinic of N.M. Society of Public  
Accountants.

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7. Other professional activities - continued

Swihart, R. Dale - continued

Program Committee of Third Annual New Mexico Tax Institute

Utton, Albert E.

"New Mexico Advisory Committee Report to Civil Rights Commission," talk given to Hadassah

"U.S. Policy and the UN," panel discussion KHFM

"U.S. Policy and the UN," panel discussion KNME-TV

"Cuba and U.S. Foreign Policy," panel discussion KNME-TV, KOB-TV and KGCM-TV

"International Law," talk to Manzano High School

"Problems of World Federalism," panel discussion AAUN

"Capital Punishment," talk to Student Religious Liberals

"The Legal Profession," talk to Young Churchmen of the Rio Grande

"The First, Fifth and Fourteenth Amendments," series of six talks to Adult Education Class of St. Michael's Church

Vernon, David H.

Eleven lectures (with prepared teaching materials) sponsored by the Bureau of Indian Affairs and Small Business Administration to group of Indian businessmen

Weihofen, Henry

Read papers or participated in panels at:

Governor's Conference on Mental Retardation, Albuquerque, December 1963

Albuquerque Workshop on Alcoholism, December 1963

American Medical Association Conference on Mental Retardation, Chicago, April 1964

(continued next page)

7. Other professional activities - continued

Weihofen, Henry - continued

World Affairs Conference, University of Colorado,  
April 1964

Law-Behavioral Science Round Table Conference,  
University of Iowa, April 1964

Institute of Psychiatry and Law for the Judiciary,  
University of Southern California, May 1964

American Psychiatric Association, Annual Convention,  
Los Angeles, May 1964

D.C. Area Council on Alcoholism, Washington, D. C.  
August 1963

Shirtsleeve Session, KNME-TV

Advisor, Walter E. Meyer Research Institute of Law

8. Non-teaching University service

Clark, Robert Emmet

Member of Executive Committee of Natural Resources  
Center

Member, Entrance & Credits Committee

Fink, Myron

Member, Library Committee

Seed, Verle R.

Member, Retirement and Insurance Committee

Selinger, Carl M.

Ad Hoc Committee of Policy Committee on Use of  
University Facilities by Outside Speakers

Swihart, R. Dale

Chairman, Faculty Policy Committee

Member, University Administrative Committee  
(continued next page)

8. Non-teaching University service - continuedSwihart, R. Dale - continued

Law School Library Committee

Administrator, State Bar Loan Fund

Law School United Fund representative

Utton, Albert E.

Cultural Affairs Committee

Vernon, David H.

Chairman, Committee on Academic Freedom & Tenure

Chairman, Ad Hoc Committee to Draft Student Standards Policy

Member, Athletic Council

Lecturer, Career Scholar Program

Faculty Advisor to University Basketball Team at National Invitational Tournament, New York

Chairman, Law School Curriculum Committee

Weihsfen, Henry

Student Standards Committee

Law School Library Committee

State Bar Loan Fund Committee (for Law School)

9. Public serviceClark, Robert Emmet

Counsel to organizational Committee for State-Wide Planned Parenthood Society

Fink, Myron

Chairman, Speakers' Bureau, Albuquerque Association of United Nations

9. Public service - continued

Selinger, Carl M.

Reporter on Court Organization and Administration  
for the Citizens' Conference on New Mexico Courts

Utton, Albert E.

President, Coronado Monument Society

President, Corrales Community Theater, Inc.

President, Albuquerque Association for the United  
Nations

Vernon, David H.

Vice Chairman, New Mexico Advisory Committee to the  
Federal Civil Rights Commission

Investigated civil rights of Indians in Gallup

Chairman of Albuquerque branch of NAACP TV Spectacular  
commemorating the 10th anniversary of the school  
integration case

Weihofen, Henry

Board of Directors, Albuquerque Area Council on  
Alcoholism

Governor's Executive Committee on Statewide  
Comprehensive Mental Health Planning