

1-1-1962

# School of Law Annual Report 1961-1962

School of Law Dean

Follow this and additional works at: [https://digitalrepository.unm.edu/law\\_admin\\_ar](https://digitalrepository.unm.edu/law_admin_ar)  
University of New Mexico  
UNM Digital Repository

---

## Recommended Citation

Dean, School of Law. "School of Law Annual Report 1961-1962." (1962). [https://digitalrepository.unm.edu/law\\_admin\\_ar/33](https://digitalrepository.unm.edu/law_admin_ar/33)

This Annual Report is brought to you for free and open access by the School of Law Administrative Records at UNM Digital Repository. It has been accepted for inclusion in School of Law Annual Reports by an authorized administrator of UNM Digital Repository. For more information, please contact [disc@unm.edu](mailto:disc@unm.edu).

The Report of the School of Law  
July 1, 1961 - June 30, 1962  
Vern Countryman, Dean

1. GENERAL SCHOOL INFORMATION

A. Significant achievements during academic year 1961-62

The law school graduated its thirteenth class of 11 members. There are now 233 graduates of this school. One additional student will complete the requirements for the LL.B. degree during the summer session. Of our total graduates, 181 are now practicing law in New Mexico and they constitute more than 25% of the approximately 700 actively practicing members of the bar of the state.

The raised admission standards described in last year's report and effective Semester I, 1961-62, have yielded heartening results in our first year of experience. In the past we have suffered an over-all attrition rate of 42% for academic deficiency, and 39% of the total attrition for this reason occurred in the first year. In last year's first year class, the first admitted under the new standards, total attrition for academic deficiency was only 14%. Moreover, for the first time in our history, not a single member of the first year class will go into the second year on probationary status.

Paradoxically, the attrition for non-academic reasons, mostly financial, was last year 29% as against an average of 19%.

Since this type of attrition is largely affected by fortuitous factors, it is highly variable and unpredictable. Last year's level was closely approached by the classes of 1951, 1953, 1960 and 1962.

Since non-academic attrition is primarily caused by financial problems, our scholarship resources are highly relevant, and in this area we made substantial improvement in the past year. Heretofore, our total scholarship funds were limited to three resident tuition scholarships, two non-resident tuition scholarships and six cash scholarships from private sources ranging from \$75 to \$250 per year. During 1961-62 we were able to increase the Gausewitz Memorial Scholarship from \$75 to \$150 and received the following new scholarships from private sources:

Alexander Venner Wasson Scholarship	\$ 750
State Bar of New Mexico Scholarship	\$ 250
Law School Alumni Fund Scholarship	\$ 125

In addition, the law school received a gift of \$50,000 in the will of the late Mrs. Ira Rothgerber which, though probably not available for another year, will provide an additional \$2,500 annually in scholarship funds.

B. Significant plans and recommendations for the near future

As indicated in last year's report, our most serious problems have been declining enrollments and lack of adequate scholarship funds.

Starting in 1947 at a time when many veterans were eligible for public assistance in completing their education and before the competing glamour and financial rewards of a scientific career had become acute, the law school by 1949 -- the first year with a full complement of first, second and third-year classes -- had an enrollment of 116. By 1950 the total enrollment reached 134. In 1951 it dropped to 80. Since that time it has varied between 53 and 85 and averaged 73. This roughly parallels the national experience where total law school enrollments have dropped from 56,102 in 1949 to 44,461 in 1961.

Our reduction of academic attrition should improve our total enrollment figures in the near future. Due to increasing applications in 1961, we were able to apply our raised admissions standards with virtually no reduction in enrollment, having a total of 58 last year against 59 the year before. For 1962-63 our projected enrollment is 9 in the third-year class, 15 in the second-year class and 40-50 in the first-year class, for a total of 64-74.

If our experience with increasing applications and declining attrition continues, corresponding figures for 1963-64 should be approximately 12 in the third-year class, 25 in the second-year class and 50 in the first-year class, for a total of 87.

Since declining law school enrollments is a national problem, both the Ford Foundation and the American Bar Association have under active study the problem of providing additional scholarship aid for law students. This school is working closely with committees of both organizations to insure consideration of the special problems of the smaller law schools.

C. Appointments to staff

Albert W. Stone of Montana State University School of Law was appointed Visiting Associate Professor of Law for a nine-month period beginning July 1, 1961, to replace Professor Robert Emmet Clark, who took a leave of absence to accept a Ford Foundation fellowship to study systems of public control of water resources in Israel and other Middle and Near East countries.

Albert E. Utton was appointed Assistant Professor of Law effective February 1, 1962, to replace Assistant Professor Jack L. Kroner who resigned at that time. Professor Utton is a native of Aztec, New Mexico, who graduated from the University with a B.A. in Geology, with distinction, in 1953. After Professor Robert Emmet Clark, he is the second UNM graduate to join the law faculty. Mr. Utton was a Rhodes Scholar at Oxford University where he received his B.A. in Jurisprudence, with honors, in 1956 and his M.A. in 1959.

He has partially completed the requirements for a J.S.D. degree at Yale Law School. In addition to his teaching duties, Professor Utton serves as editor of the Natural Resources Journal.

D. Separations from staff

Assistant Professor Jack L. Kroner resigned effective at the end of Semester I, 1961-62, to return to New York City and enter the practice of law.

II. Composite of information requested on individual biographical supplements

1. Advanced study

- - -

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

Clark, Robert Emmet

Leave of absence 1961-62 - Middle East and Europe

Countryman, Vern

Visiting Professor, University of Texas, first summer session, 1962

Finman, Ted

Visiting Professor, Stanford University, summer session of 1961

Poldervaart, Arie

Sabbatical leave Semester I. Project: Study of law library classification schemes and library organization in Eastern United States, Canada and Western Europe. Some 75 law libraries visited.

Seed, Verle R.

Administrative leave -- Western Europe --  
spring semester of 1961-62

Swihart, R. Dale

Visiting Professor, University of Missouri,  
summer session of 1962

Vernon, David H.

Sabbatical leave, Semester I (Visiting Scholar,  
Harvard Law School)

Visiting Professor, University of Texas, first  
summer session of 1961

Weihofen, Henry

Summer, 1961, consultant at George Washington  
University, to explore feasibility of a research  
project in law and psychiatry.

3. New scholastic honors, fellowships, etc.Clark, Robert Emmet

Ford Foundation Law Fellowship 1961-62

Vernon, David H.

Fellowship, University of California, Berkeley,  
for Workshop in International Legal Studies  
(6 weeks)

Weihofen, Henry

Advisor, President's Panel on Mental Retardation

4. PublicationsClark, Robert Emmet

Encyclopedia Britannica, the section on  
Community Property

Countryman, Vern

Book -- The Lawyer in Modern Society (National Council of Legal Clinics 1962)

Attachment in New Mexico I, 1 Nat. Res. J. 303 (1961)

Attachment in New Mexico II, 2 Nat. Res. J. 75 (1962)

Book review -- Cahn, The Predicament of Democratic Man -- Albuquerque Review, December 28, 1961, p. 6

Finman, Ted

The Request for Admissions in Federal Civil Procedure, 71 Yale Law Journal, 371 (1962)

Collaborated with Dean Vern Countryman in preparation of The Lawyer in Modern Society (National Council of Legal Clinics, 1962)

Swihart, R. Dale

Federal Taxation of Life Insurance Wealth, 37 Ind. L. J. 167 (1962)

Vernon, David H.

Recorded Chattel Security Interests in the Conflict of Laws, 47 Iowa L. Rev. 346 (1962)

Weihofen, Henry

Book -- Legal Writing Style (West Publishing Co. 1961)

Book reviews in Crime and Delinquency, and in University of Detroit Law Review

5. Other research projects or creative work in progress or completed during period

Clark, Robert Emmet

Completed manuscript on "Water Law of New Mexico Since 1955" (to appear in Natural Resources Journal, U.N.M.)



Clark, Robert Emmet - continued

Research on Public Control of Water Resources in Israel, Egypt, Iraq, Lebanon, Syria, Jordan, Cyprus and Italy under Ford Foundation Fellowship grant.

Countryman, Vern

Book -- Cases And Materials on Debtor and Creditor -- to be published by Little, Brown & Co. in 1963

Finman Ted

Article entitled "Implied Assertions as Hearsay: Some Criticisms of the Uniform Rules of Evidence" to be published in Stanford Law Review, July, 1962

Poldervaart, Arie

Compilation of selective bibliography on Uniform Commercial Code covering books, pamphlets and periodical articles, New Mexico State Bar

Revision of compilation of laws governing the University of New Mexico

Swihart, R. Dale

Book review, Foosner, Taxation of Insurance, for Indiana Law Journal

"Federal Taxation of New Mexico Community Property," for Natural Resources Journal

Analysis of state tax laws and draftsman for new tax code (New Mexico Legislative Study Commission on Taxation)

Class materials (cases, problems and text) for Taxation and Estate Planning courses

Vernon, David H.

"Annulment of Marriage in New Mexico:  
Part II," to be published in Journal of  
Public Law during 1962

Article on Federal Negotiable Instrument  
Law in progress for publication in the  
Texas Law Journal

Supplement to Article XIV of the American  
Law of Mining

Weihofen, Henry

Articles, to be published in Encyclopedia  
of Mental Health

Chapters for a book on The Law of Criminal  
Correction, to be published by the National  
Council on Crime and Delinquency

Sections for Report of President's Panel  
on Mental Retardation

6. Activities in learned and professional societiesCountryman, Vern

President, Phi Beta Kappa Association of  
New Mexico

Director, New Mexico Chapter, American Civil  
Liberties Union

Member, Association of American Law Schools  
Committee on Professional Responsibility

Attended Association of American Law Schools  
convention December 27-30, 1961; Conference of  
Western Law Schools, March 29-31, 1962;  
American Bar Association Conference on  
Professional Responsibility, May 2-3, 1962;  
University of California at Los Angeles  
Conference on Law & Electronics, May 26-29,  
1962

Finman Ted

Attended annual meeting of Association of American Law Schools, December, 1961

Currently serving on the Association of American Law Schools committee on teaching law in the liberal arts curriculum

Poldervaart, Arie

Meeting of National Conference of Commissioners on Uniform State Laws in St. Louis

Chairman of State of New Mexico Commissioners on Uniform State Laws

Attendance at and participation in meetings of State Library Commission; vice-chairman

Swihart, R. Dale

Conference of Western Law Schools -- paper on "Can law students be taught to write like lawyers."

Vernon, David H.

Attended meeting of Association of American Law Schools, December, 1961 (Chairman, Committee on Academic Freedom and Tenure)

Attended meeting of Conference of Western Law Schools, April, 1962 (read paper on the teaching of the Uniform Commercial Code)

President, UNM Chapter of A.A.U.P.

President, New Mexico State Conference, A.A.U.P.

Midyear Legal Institute of New Mexico State Bar Association (paper on priorities under Uniform Commercial Code)

Weihofen, Henry

Member, Board of the Isaac Ray Award, American Psychiatric Association

Member, Publications Committee, Albuquerque Bar Association

7. Other professional activitiesClark, Robert Emmet

Two lectures at Hebrew University, Jerusalem, on Water Law of Israel, Jordan and New Mexico, February 8 and February 22, 1962

Countryman, Vern

Member, New Mexico Supreme Court's Committee on Uniform Jury Instructions

Member, Albuquerque Bar Association Committee on Civil Rights

Poldervaart, Arie

Member of Albuquerque Bar Association Juvenile Court Liaison Committee

Participation in committee activities of American Association of Law Libraries and New Mexico Library Association

Seed, Verle R.

Director of Seventh Annual Rocky Mountain Mineral Law Foundation Institute on campus of The University of New Mexico, July 27-29, 1961

Swihart, R. Dale

Consultancies -- by various local attorneys on federal tax problems

Utton, Albert E.

High school graduation speaker -- Aztec High School, June, 1962

Vernon, David H.

Six hour lecture series in Gallup, New Mexico,  
and 20 hour lecture series in Deming, New Mexico  
(both for lawyers, discussing the Uniform  
Commercial Code)

Speech on Uniform Commercial Code to Albuquerque  
Credit Men's Association

On Shirt Sleeve Session T. V. show, Channel 5  
(integration)

Bill drafter, with Professor Swihart, for the  
New Mexico Legislative Revenue Structure  
Study Committee

Weihofen, Henry

Lectures and speeches before Wichita Bar  
Association, American Medical Association,  
New Mexico Psychological Association, Veterans  
Administration Hospital staff, St. Louis,  
National Conference of Christians and Jews

TV program (KNME)

University of Chicago Jury Project

Advisory Committee, Journal of Family Law  
(University of Louisville)

Panelist, World Affairs Conference, Boulder,  
Colorado

8. Non-teaching University serviceCountryman, Vern

Member, Entrance and Credits Committee,  
Administrative Committee, Board of Deans

Finman, Ted

Member, General Honors Council

Member, Committee on Educational TV  
Compensation Policy

Poldervaart, Arie

Participation in meetings of University  
Library Committee

Service on committees of Phi Kappa Phi,  
The University of New Mexico chapter

Seed, Verle R.

Member of Administrative Committee --  
faculty-elected representative

Swihart, R. Dale

Member of Committee on Retirement and  
Insurance

Vernon, David H.

Member, Committee on Academic Freedom and Tenure

Chairman, Law School Curriculum Committee

Weihsfen, Henry

Member of Policy Committee

9. Public ServiceCountryman, Vern

Member and budget panel chairman, Albuquerque  
Community Welfare Council

Director, Albuquerque Visiting Nurses Association

Director, Legal Aid Society of Albuquerque

Poldervaart, Arie

Boy Scouts

Utton, Albert E.

Discussion Leader of Great Books Program

Chairman, Speakers' Panel of Albuquerque  
Association for United Nations

Moderator -- Great Decisions Discussions

Vernon, David H.

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

Weihofer, Henry

Professional Advisory Committee, New Mexico  
Association for Mental Health

Mental Health Advisory Committee, New Mexico  
Department of Public Health

National Advisory Council, Boston University  
Law-Medicine Research Institute

10. Personal information

- - -