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School of Law Annual Report 2008-2009

School of Law Dean

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THE UNIVERSITY OF NEW MEXICO SCHOOL OF LAW
ANNUAL REPORT JULY 2008 - JUNE 2009
KEVIN K. WASHBURN, DEAN

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STAFF APPOINTMENTS AND SEPARATIONS

FACULTY ADDITIONS:

Kevin Washburn began his tenure as Dean of the School of Law in June 2009. Dean Washburn received his J.D. from Yale Law School and is a member of the New Mexico and Minnesota Bars. He came to UNM from the University of Arizona James E. Rogers College of Law, where he was the Rosenstiel Distinguished Professor of Law. Prior to Arizona, he was on the faculty of the University of Minnesota Law School and spent a year as the Visiting Oneida Nation Professor at Harvard Law School.

Reed Benson joined the law faculty as a professor of law. Professor Benson received his J.D. degree from the University of Michigan. Prior to joining UNM, he was on the faculty of the University of Wyoming College of Law. His experience also includes serving as executive director of WaterWatch of Oregon. Professor Benson teaches in the area of natural resources law and is editor-in-chief of the Law School's Natural Resources Journal.

FACULTY SEPARATIONS:

Research professors Sanford Gaines, director of the Utton Transboundary Resources Center, and Gary Conine, Karelitz Chair in Oil and Gas Law, left UNM at the end of the year.

VISITING FACULTY:

Visiting Assistant Professor Veronica Dorato taught in the Clinical Law Program during the fall semester. Ms. Dorato is a graduate of the UNM School of Law. Following graduation, she was a judicial law clerk for the chief judge of the New Mexico Court of Appeals. Her law practice experience includes workers' compensation and family law.

Max Minzner, Assistant Professor of Law at Yeshiva University, Benjamin N. Cardozo School of Law, visited UNM during the spring teaching courses in civil procedure. Professor Minzner, who has a J.D. from Yale Law School, clerked for the Honorable Pamela Rymer of the US Court of Appeals, Ninth Circuit, prior to joining Cardozo.

ADJUNCT FACULTY:

The law school continued to strengthen its ties with the legal community. The following adjunct professors taught during the year: Amy Alderman, Office of the Navajo Tax Commission; Cynthia Aragon, Esq.; Timothy Atler, Sutin, Thayer & Brown; Donald Becker, Esq.; Mary Behm, Keleher & McLeod; Thomas Bird Bear, adjunct professor, UNM Native American Studies; Darcy Bushnell and Susan Kelly, Utton Transboundary Resource Center; Rodina Cave and Daniel Rey-Bean, Nordhaus Law Firm; Rosemary Cosgrove and David Levin, 2nd Judicial District Court; Hope Eckert, Esq.; John Feldman, Law School Assistant Dean; Kristina Fisher, Esq.; Scott Gordon, Edward Ricco, Todd Rinner, and Andrew Schultz, Rodey Law Firm; Tova Indritz, Esq.; Honorable William Johnson, U.S. District Court Judge; Jennifer Landau, Diocesan Migrant & Refugee Services, Inc.; Alberto Leon, Bowman, Dow & Leon; Cassandra Malone and Kathryn Terry, Walther Family Law; Christopher Melendrez, Esq.; Karen Meyers, NM Attorney General's Office; Honorable Nan Nash, District Court Judge, 2nd Judicial District; Stewart Paley; Mary Pareja, Esq.; Robert Rambo, NM Court of Appeals; Christina Rosado-Maher, Esq.; Maureen Sanders, Sanders & Westbrook; Helga Schimkat, NM Regulation & Licensing; Molly Schmidt-Nowara, Freedman, Boyd, Hollander, Goldberg & Ives; Steven Scholl, Dixon, Scholl & Bailey; David Stout, Carpenter, Stout & Ransom; Hillary Tompkins, Solicitor of the US Department of the Interior; and Tim Vollman, Esq.

STAFF ADDITIONS/SEPARATIONS:

Hannah Farrington joined the Law School in the spring as director of development and alumni affairs. Prior to joining the Law School, Ms. Farrington was major gifts officer for UNM hospitals.

The law school's registrar, Patricia Trainor, retired from UNM at the end of the fiscal year.

ADMISSIONS AND FINANCIAL AID

ENTERING STUDENTS:

The University of New Mexico School of Law received 1091 applications for the class that entered Fall 2009. Of that group, 254 were admitted; 117 enrolled. For the entering class, the 25th percentile LSAT and UGPA was a 152 and 3.12; the 75th percentile was a 158 and 3.67. The median age on entry was 25. The class of 99 residents and 18 nonresidents had 52 percent women and 44 percent minority students.

The law school also enrolled 4 transfer students.

RECRUITMENT 2008-09:

The law school recruited students from New Mexico four-year institutions. Recruiters met with students at on-campus career days and made presentations to pre-law society meetings and to appropriate undergraduate classes and special programs.

The law school also participated in regional recruitment through the Caravan sponsored by the Western Association of Pre-law Advisors (WAPLA), visiting the University of Colorado-Boulder, the University of Utah, Brigham Young University, the University of Arizona, and Arizona State University. Individual visits were made to Colorado College, Atlanta University, Portland State University, University of Washington, Western Washington University, University of Notre Dame, University of Texas at El Paso, and the University of Nevada Reno.

Prospective applicants were also recruited at Kaplan LSAT review courses and at the Law School Admission Council's forums held in Houston, Washington D.C. and Los Angeles.

In addition to on-campus visits, the law school held four open house programs for all prospective applicants, and one program for accepted applicants.

During the year, admissions representatives met with approximately 350 prospective applicants, arranging class visits and tours and answering the applicants' questions. Recruiters responded to emails and phone inquiries from prospective and current applicants.

The law school also participated in UNM's outreach programs, including high school visitation days. For the eleventh year, the law school participated in the Law School Admission Council's National Minority Recruitment Month initiative. Given the success of the program, the law school again sponsored a Minority Mentorship Mixer with law school student groups. Interested high school and early college students visited the law school for a variety of workshops and a dinner event and met people in various areas of the legal field. The mixer provided students with helpful informational packets, and brief panels of speakers answered their questions and exchanged contact information with them.

Law student organizations continued to support law school sponsored recruitment efforts. Students called and emailed both prospective applicants and admitted applicants and helped staff tables at recruitment events. MALSA members conducted Mock LSATs for prospective applicants. Faculty members also emailed and called admitted applicants.

REGISTRAR'S OFFICE

The University of New Mexico School of Law Registrar's Office successfully managed student enrollment and maintained student records for 346 students.

This enrollment represented 4% African Americans; 9% Native Americans; 3% Asian; 31% Hispanic; 46% Caucasian; and 7% undeclared.

In-house digital archiving of past student records continues on an annual basis.

The office certified a total of 116 third-year students for graduation (Dec. '08 = 12; May '09 = 98; July '09 = 6).

The Class of 2009 turned in a 96% bar passage rate for the July 2009 New Mexico bar examination.

CURRICULUM COMMITTEE

In 2008-09, the Curriculum Committee approved a number of new elective courses, in order to supplement our offerings in the areas of immigration law, natural resources and Indian law, among others. We also expanded our offerings in the area of “hybrid” courses combining substantive law and practice, including the addition of an Advanced Immigration Practicum and an Advanced Innocence and Justice Project seminar, to allow students to continue to develop their expertise in representing immigrants in detention and seeking exoneration for those wrongfully convicted of crimes. In addition to these individual electives, the Committee would like to report on three other noteworthy steps in developing a curriculum that supports the core program of studies at the Law School:

- The Committee recommended and the full faculty approved the addition of a new required course in the first year. Beginning in the Spring semester of 2010, all 1L's will take a one-credit course in Legal Research. The proposal for this course was jointly developed by the Law Library faculty and the Legal Writing faculty. Small sections of the course will be offered by individual library faculty members. This course will be offered on a one-year trial basis, as part of a comprehensive study of the Law School's overall writing program, which will be conducted by a special committee of the faculty during the 2009-10 academic year. The faculty approved the Committee's recommendation on April 21, 2009.
- The Committee adopted a policy on moot court and related competitions to assist in the consideration of awarding credit and stipends to students for participation in moot courts. This policy is advisory in nature, and will guide the Committee and the Associate Dean for Academic Affairs in deciding which competitions will be included in the curriculum during a given year. The Committee submitted this policy to the faculty on April 21, 2009 for information, given that no faculty vote was necessary.
- The Committee discussed how the Law School might provide greater support to our students enrolled in the joint JD-MALAS program, in which students get a masters degree in Latin American Studies in addition to their law degree. Students opting for the human rights concentration of the MALAS degree are encouraged to take at least one law course with significant human rights content. Because these courses are typically seminars with limited enrollment, joint degree students sometimes experience difficulty in meeting their human rights concentration requirements. The Committee encouraged law faculty teaching these seminars to admit one or two MALAS students into the class over the normal seminar cap of 12 students.

INDIAN LAW PROGRAM

AMERICAN INDIAN STUDENT ENROLLMENT:

In the 2008-09 academic year, 32 American Indian students representing 14 tribal nations were enrolled at the Law School. The “critical mass” represented by these numbers facilitates a supportive climate at the Law School that in turn promotes the success of Native American students.

INDIAN LAW CERTIFICATE GRADUATES:

The May 2009 graduation added eight more alumni who completed the Indian Law Certificate (ILC). The certificate requires 21 hours of specialized study in Indian law. With this cohort, 102 graduates have completed the program since the first class graduated in May 1995.

INDIAN LAW SCHOLARSHIPS AND AWARDS:

A committee consisting of representatives of the UNM Indian Alumni Council and UNM School of Law awarded the 2008-09 Toby Grossman Scholarship to first-year law student Renee Ashley (*Navajo Nation*). The scholarship consisted of a financial award in the amount of \$6,800.

The Indian Law faculty selected third-year law student Jacob Keyes (*Choctaw*) as the inaugural recipient of the Henry Kent Anderson Human Services Award. The Henry Kent Anderson Human Services Award was established to benefit a student who is an enrolled member of an American Indian tribe “who has demonstrated, through exemplary work and deed, a concern for the victim’s of societies’ inequities.”

In spring 2009, the UNM law faculty designated third-year law student Gertrude Lee (*Navajo Nation*) as the recipient of the annual Mary Beth and W. Richard West, Jr. Award for Excellence in Indian Law.

INDIAN LAW FACULTY, STAFF, AND CURRICULUM:

In 2008-09 the core Indian law faculty members at UNM School of Law were professors Barbara Creel (*Pueblo of Jemez*), John LaVelle (*Santee Dakota Nation*), Gloria Valencia-Weber, and Christine Zuni Cruz (*Pueblo of Isleta/Ohkay Owingeh*). In addition, Professor Sherri Thomas (*Pueblo of Taos*) contributed to the Indian Law Program by serving on the Indian Law Committee and teaching a seminar on Indian law research. Professor LaVelle continued his tenure as chair of the Indian Law Committee, a position he assumed in spring 2006. Professor Valencia-Weber was on sabbatical leave during fall 2008.

Professor Creel taught in the Southwest Indian Law Clinic (SILC) in fall 2008 and taught Criminal Law in Indian Country in spring 2009. Professor LaVelle taught Torts and an Indian law seminar, Natural Resources in Indian Country, in fall 2008, and he taught his Conflicts of Indian Law seminar along with the basic Indian Law survey course during the spring 2009 semester. Professor Valencia-Weber taught International Law and Indigenous Peoples in spring 2009, along with Immigration Law. Professor Zuni Cruz taught The Law of Indigenous Peoples

as well as the basic Indian Law course in fall 2008, and served as editor of the Tribal Law Journal, in which she supervised TLJ students (both semesters). Professor Zuni Cruz taught in the Southwest Indian Law Clinic (SILC) in spring 2009.

In addition to teaching by the regular Indian law faculty during the 2008-09 academic year, curriculum coverage was supplemented by Professor Thomas, Assistant Professor of Law Librarianship, who taught Specialized Legal Research in Indian Law in spring 2009. Attorney Tim Vollman taught a seminar, Indian Water Law, in fall 2008; and Mr. Thomas Bird Bear taught a fall seminar in Indian Gaming. In spring 2009 Ms. Amy Alderman taught Indian Tax and Ms. Hilary Tompkins taught State-Tribal Relations. Additionally, Mr. Daniel Rey-Bear taught the National Native American Moot Court Competition seminar in spring 2009.

Mitzi Vigil (*Jicarilla Apache/Ohkay Owingeh*), administrator of the Indian Law Program, continued to provide superb administrative support for the Indian law curriculum and for all aspects of the Indian Law Program. Ms. Vigil returned to the Indian Law Program to begin serving as administrator in October 2008, after having previously served as the program's coordinator.

SPECIAL INDIAN LAW EVENTS:

- **Indian Law Program Welcome Dinner.** In September 2008, Professor Gloria Valencia-Weber hosted a welcome dinner at her home for Native students entering the first-year class at UNM School of Law. The dinner gave students and their families a chance to visit informally with Indian law faculty members and to learn more about the various features and offerings of the Indian law Program.
- **15th Annual Indian People/Indian Law Convocation and Gathering of Communities.** The 15th Annual Convocation, a ceremony honoring students in UNM's Indian Law Program and commemorating the Law School's success in providing Indian law training to all students, took place on November 10, 2008. The keynote address was delivered by Carolyn Abeita, an alumna of the law school who currently serves on the UNM Board of Regents. Special Recognition was given to former professor Kip Bobroff for his contribution to the Indian Law Program during his tenure as professor and chair of the Indian Law Certificate Committee.
- **Indian Alumni Breakfast Meeting.** The law school also sponsored an annual breakfast meeting for the UNM Indian Alumni Council during the 2009 FBA Indian Law Conference. The breakfast meeting provided a forum for Indian alumni to socialize with one another and to hear about Indian law program developments, especially those related to fundraising for Indian law program scholarships.
- **Third Annual Indian Law Clinics and Externships Symposium.** Professor Christine Zuni Cruz and Assistant Professor Barbara Creel, along with Associate Professor Aliza Organick of Washburn University, organized and conducted UNM's 3rd annual symposium on Indian law clinics and externship programs in June 2009. The third annual symposium focused on poverty in Indian country. The symposium allows Indian law clinicians and other clinicians working with minority populations to discuss shared missions and differing perspectives, and to support new ideas. This year's symposium took place at the Isleta Casino and Resort, Pueblo of Isleta, and was jointly sponsored by the Southwest Indian Law Clinic (SILC) at UNM School of Law, the Tribal Law Practice

Clinic at Washburn University School of Law, the University of Denver Sturm College of Law, and the Arizona State University Sandra Day O'Connor College of Law.

- **Indian Law Faculty Scholarly Presentations and Research.** Indian law faculty members gave presentations on their scholarly endeavors at various symposia and conferences locally and nationally.
- **Indian Law Program Retreats.** The Indian law faculty organized and participated in two retreats during the 2008-09 academic year for the purpose of further developing and strengthening the Indian Law Program. With the continuing support of the Law School administration, the faculty plans to continue these strategic retreats during the 2009-10 academic year.

INDIAN LAW FACULTY ACTIVITIES:

Professor Gloria Valencia-Weber completed basic research for a chapter on *Santa Clara Pueblo v. Martinez*, to be published in the forthcoming book *Indian Law Stories*. She also completed research on immigration control at the Mexico-U.S. borders for an article, co-authored with Professor Antoinette Sedillo Lopez, to be published in 2010 in *Intercultural Human Rights Law Review*. Professor Valencia-Weber also is preparing a draft that focuses on these transnational sovereigns' experiences after the 9/11 increase in security barriers at the borders. This report will be provided to the United Nations Permanent Forum on Indigenous Issues for the May 2010 session. Professor Valencia-Weber's scholarly presentations during 2008-09 include "History and Impact of *Santa Clara Pueblo v. Martinez*," delivered at the Michigan State University's conference commemorating the 40th anniversary of the Indian Civil Rights Act; "Building Tribal Law and Courts to Protect Sovereignty," delivered at the American Indian Law Center's second annual Tribal Leaders Conference at Isleta Pueblo on the theme of "Transitions: Building Stronger Tribal Governance, American Indian Law Center"; and "Transnational Tribes at the Mexico-U.S. Border: The Burdens of Security After 9/11," presented at a meeting of the Western Social Science Association in Albuquerque.

Professor Christine Zuni Cruz's scholarly activities included a presentation at the University of Kansas Tribal Law and Government Center Conference, titled "Who are you? Indigenous Identity in the 21st Century and the Lines of Tribe"; a presentation on "Essential Skills for Tribal Court Judges: Civil Jurisdiction" at a tribal judges training conference conducted by the National American Indian Court Judges Association; a presentation titled "CRT 20: Honoring Our Past, Charting Our Future," delivered at a CRT and Indigenous Peoples Workshop at the University of Iowa College of Law; and a performance, together with Professor Margaret Montoya, titled "Narrative Braids" as part of the Hayward Burns Lecture at the City University of New York (CUNY). Professor Zuni Cruz's publications in 2008-09 were *Narrative Braids: Performing Racial Literacy*, published in *American Indian Law Review*; and *Law of the Land-Recognition and Resurgence in Indigenous Law and Justice Systems*, published in *Indigenous Peoples and the Law, Comparative and Critical Perspectives* (B. Richardson, et al., eds.).

Professor Barbara Creel gave a presentation titled "Criminalization of Poverty" at the third annual symposium on Indian law clinics and externship programs, conducted at Isleta Resort. She also presented a discussion of "Complex Problem Solving through a Tribal Lens" at the Association of American Law Schools Clinical Law Conference in Cleveland, Ohio. Professor Creel also served as a moderator at the 2009 annual meeting of the Law and Society Association

in Denver, Colorado, on the conference theme of “Law, Power, and Inequality in the 21st Century.”

Professor John LaVelle gave a presentation at the American Indian Law Center’s second annual Tribal Leaders Conference titled “Natural Resources Development and Environmental Protection in Indian Country: Basic Principles and Regional Issues.” He also presented on “State Authority and Jurisdiction in Indian Country: Scope and Limits” at the 2009 annual conference of the New Mexico State-Trial Judicial Consortium. Professor LaVelle published an on online Emerging Issues Analysis for LexisNexis titled “Indian Law at the Turning Point: The Supreme Court’s Precarious Denial of Tribal Authority over Nonmembers in *Plains Commerce Bank v. Long Family Land and Cattle Company*.” He also served as an executive editor in publishing the 2009 cumulative supplement for *Cohen’s Handbook of Federal Indian Law*. Finally, Professor LaVelle continued his service to the Indian Law Section of the Federal Bar Association by preparing the published materials for the FBA’s 34th annual Indian Law Conference, held at Buffalo Thunder Resort at the Pueblo of Pojoaque in spring 2009.

Professor Sherri Thomas presented a case update for a quarterly meeting of the Southwest Indian Tribal Court of Appeals. She also gave a presentation titled “Origins and Solutions to the Indian Freedmen Disputes” as part of the Law and Anthropology section panel at the 2009 annual meeting of the Association of American Law Schools. Professor Thomas served as a moderator for the Federal Judiciary Libraries Panel at a conference of the Southwest Association of Law Libraries in Albuquerque, and gave a presentation titled “Federal Indian Law: A Trip through Indian Country” at that same conference.

CLINICAL PROGRAMS

The clinical law programs served students during three semesters. All 2009 law school graduates completed credit hours of clinic as per the law school requirement. During the year the clinic operated four clinics – the Community Lawyering Clinic, the Law Practice Clinic, the Business and Tax Clinic and the Southwest Indian Law Clinic. All of these clinics are integrated in a common management system and share educational planning, including decisions relating to program design and a common classroom component.

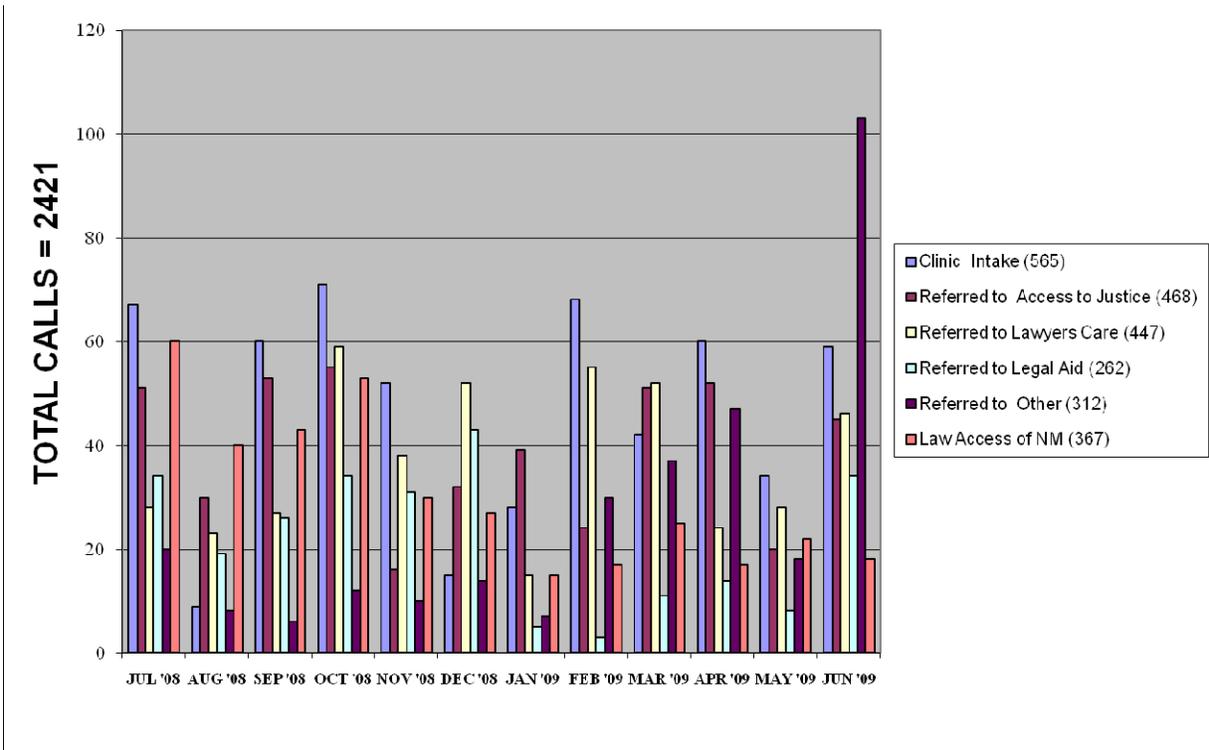
The clinic served over 500 clients during the 08-09 academic year. The clinic also referred numerous clients for low cost or pro bono services to other service providers or to the Law School’s volunteer Access to Justice Panel. In addition, clinic students provided dozens of legal education presentations to various community organizations and groups, including distribution of pamphlets summarizing key points of law together with links to service providers including the clinic. More details about the numbers of clients served and the referrals made are included in the charts below.

The clinical faculty continued to be very productive in their participation in the national and international clinical education field. The entire faculty who regularly teach in the clinic participated as presenters in at least one national conference and many participated in more than one. The law school also hosted the annual workshop for Native American serving clinics.

Professor Suzuki was elected to the position of Chair of the American Association of Law Schools Clinical Law Section at the Annual AALS meeting in January of 2009. Both Professors Suzuki and Sedillo Lopez published notable articles in the clinical legal education field.

Finally, the Law School’s clinics were awarded several grants in recognition of the work they produce. Professor Mike Norwood served as Principle Investigator for two funded grants in the clinic; both support the work of the Medical Legal Alliance for Children. Professor Alfred Mathewson served as Principle Investigator for a grant that supports the work of the Business and Tax clinic, and Professor Land completed work on a recently funded grant to support the Law School’s Innocence and Justice Practicum.

INCOMING CALLS FROM POTENTIAL CLIENTS:



Notes: This graph represents the number of calls, from potential clients received by the clinic and how the receptionist handled the calls.

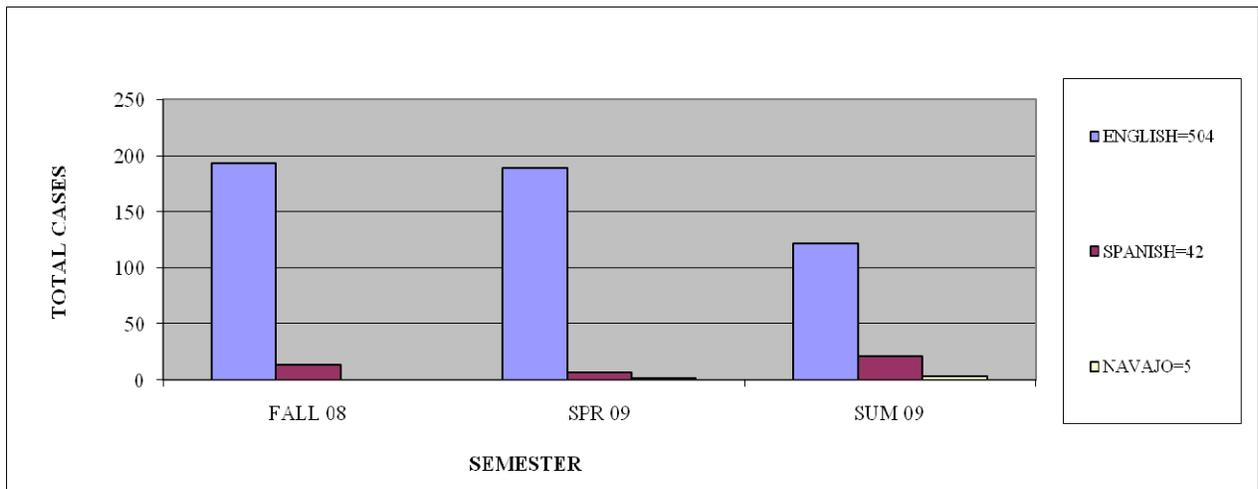
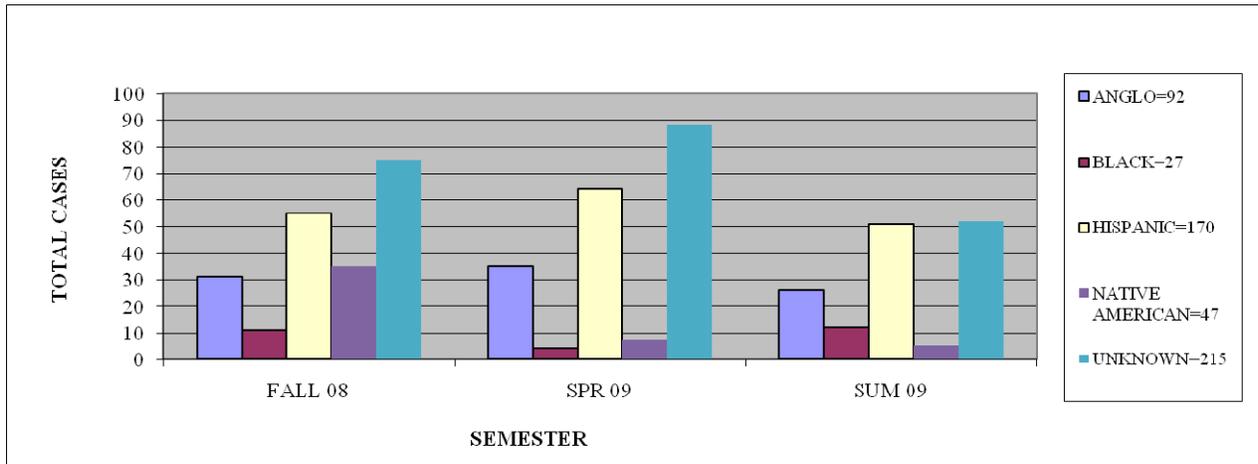
Clinic Intake: Represent the clients who called the clinic seeking legal services and cases were accepted. It also includes cases accepted at intake sites.

Referred to Access to Justice Panel: There are 150 attorneys participating on the Access to Justice panel. Potential clients are referred to 56 attorneys for pro-bono or reduced fee. Some of these attorneys have requested that only 2 or 3 potential clients be referred per month/per year. However, there is no feed back as to how many of the potential clients referred to the Access to Justice panel actually receive legal services.

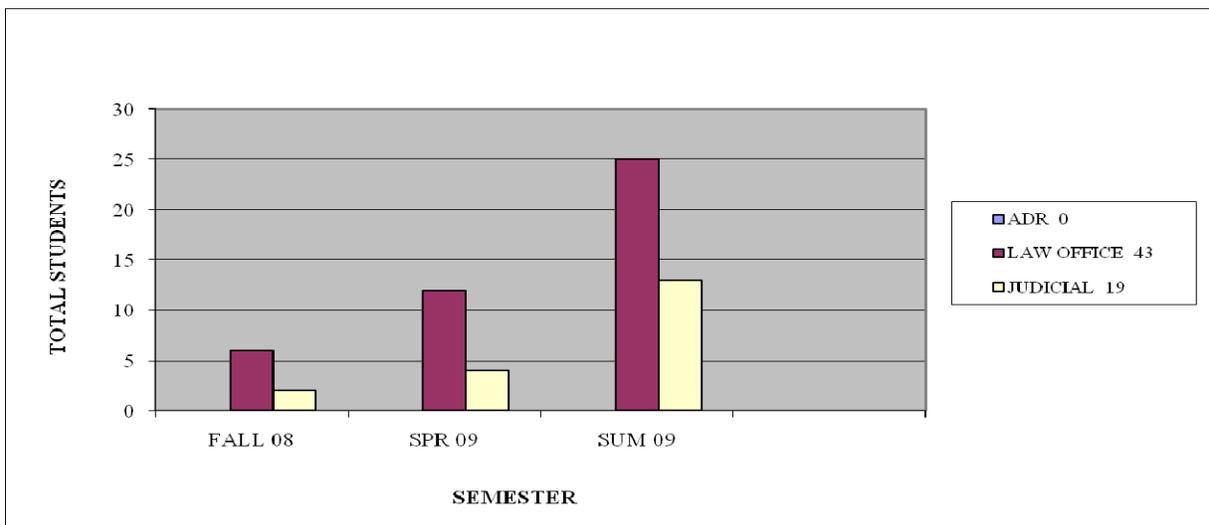
Referred to Lawyers Care, Legal Aid and Other: Represent the number of callers that didn’t meet the clinic guidelines for legal representation or the nature of their case was not appropriate for the clinical services and were referred to other alternative legal resources, i.e.,

Public Defender, Catholic Charities of NM, Lawyer Referral for the Elderly, Child Support Enforcement Division, Children’s Court.

ETHNICITY AND LANGUAGE DISTRIBUTION:



EXTERNSHIPS:



GUANAJUATO SUMMER PROGRAM

The Summer Law Institute in Guanajuato is sponsored by a consortium of law schools, which includes UNM, Texas Tech University, Southwestern University, and the Universidad de Guanajuato. It is administered in cooperation with the Latin American and Iberian Institute. Due to concerns about the H1N1 virus, the consortium cancelled the 2009 Guanajuato Summer Law Institute. Plans are underway to hold the Institute in 2010 with only one change to the programming that was scheduled for summer 2009.

The 2010 program will be held from Sunday, May 30 to-Sunday June 27, 2010. The externship program dates are June 28-July 9, 2010.

The following courses will be offered:

Overview of Mexican Business Law
NAFTA and Trade in the Americas
Impact of Economic and Social Issues on Mexican Legal Systems
International Business Transactions
Global Issues in Financial Institution Regulation

LAW LIBRARY

During 2008-2009, the Law Library continued to support the curricular functions and legal research needs of the Law School community and citizens of the State of New Mexico. In addition the librarians continued to teach legal research classes within the law school's program of legal education.

PERSONNEL:

Faculty

Marquita Harnett was hired as a Visiting Librarian. She is responsible for collection maintenance and development. She joined the other library faculty members, Michelle Rigual, Eileen Cohen, Sherri Thomas, Ernesto Longa and Theresa Strike. Michelle Rigual underwent a tenure-track mid-probationary review during the year. She was retained and promoted to Associate Professor of Law Librarianship. During most of the academic year, all of the Library's faculty positions were filled. However, this happy situation ended when Michelle Rigual announced in May that she had been hired to become the next law library director at Texas Wesleyan. Michelle remained with us through the end of the fiscal year. We threw a big party for Michelle in the King Room before she left. Eileen Cohen began serving on June 1, 2009, as Interim Head of Public Services in Michelle's absence. The entire library faculty participated widely in professional development activities throughout the year.

Staff

Andrea Lujan and Moses Moya settled into their Library Technical Assistant roles. Jeanette Hennie initiated a new career ladder, seeking promotion to LIS 3. Adam Byrd cut back to 0.75 FTE to continue to pursue his doctoral degree in anthropology. Carolyn Kelly settled into her new role as Technical Services Coordinator. Ramona Garcia initiated and successfully completed a career ladder and was promoted to Administrative Assistant 3. David Myers was hired in January 2009 to serve as Archivist in a newly created position. He started at 0.5 FTE, but moved to 0.75 FTE at the close of the fiscal year due to pent up demand for his services. We hired Ruth Singer to serve as a 0.25 FTE Archivist Assistant. She will work on processing the Prof. Al Utton collection. Her salary will be paid by a donation made by the Utton family. All of the staff participated widely in training and professional/career development activities throughout the year.

PUBLIC SERVICE, INSTRUCTION, AND OUTREACH ACTIVITIES:

The Library was open to the public an average of 90 hours per week. The Library gate counted 107,015 patron visits, which was consistent with numbers in recent years. The Library checked out or renewed 8,080 items and loaned 234 items to other libraries around the country. The Library Circulation Desk continued to be staffed by a mix of permanent Library staff and part-time Law student employees.

The Law librarians provided reference service from 9:00 a.m. to 6:00 p.m. Mondays- Fridays, and from 12:00 p.m. to 4:00 p.m. on Sundays, for a total of 49 hours. The breakdown of the reference questions taken at the Reference Desk was as follows: 695 Law students (21%), 1,604 members of the public (49%), 507 bar members (16%), and 463 other (14%), for a total of 3,138 questions answered at the Reference Desk.

Services provided to Law faculty away from the Reference Desk were separately counted. The Law librarians completed 183 requests for faculty research assistance. Librarian-supervised Law student research assistants assisted the librarians in this work. The Law Library also delivered 897 books and articles to Law faculty during the year. This work was supported in part by the Law Library interlibrary loan (ILL) team, which placed requests for 234 items for Law faculty and students. When added to the 577 other ILL requests received this year, the ILL team processed 811 requests.

Law faculty assistance, ILL work, and general reference questions totaled at least 5,054 instances of support provided by the Law librarians and the Library staff in 2008-09, not counting instruction.

The Law Library continued to offer a range of research instruction opportunities for Law School faculty and students, and for other groups. The Law librarians taught five sections of the Legal Research I elective classes in the Law School during 2008-09. The librarians also offered separate classes in Legal Research II, Indian Law Research, and Natural Resources Law research. In addition, the Library director taught Wills and Trusts. The law librarians began offering mandatory law student research assistant training to better prepare the RA's to support

the faculty. The Law librarians provided research instruction on New Mexico practice and primary materials as part of Law School Clinic orientations. Training sessions also included tours and informal classes for paralegal students from CNMCC and for undergraduate and graduate students from other programs at the University. In their role as educators, the Law Library faculty provided a total of 113 distinct training sessions in 2008-09, for a total of 1,157 attendees.

The Law librarians submitted a successful proposal to the Curriculum Committee to begin requiring a one-credit legal research classes for first-year students to take in the second semester. The class will begin January 2010, and it will require nearly all librarians to simultaneously teach, so it is a very ambitious undertaking. However, we want to keep the sections as small as possible which is why there will be five separate sections offered.

Although the Law Library provides many services for citizens who come to the building to use the collection and databases, the Library also continued its community outreach program in 2008-09 to increase citizen access to legal information. In providing these services, the Law librarians continued to work together with the Law librarians at the Supreme Court Law Library in Santa Fe, who also have an outreach program, to maximize the effectiveness and impact of both programs. As part of this program, Eileen Cohen visited Santa Rosa, and Michelle Rigual and Marquita Harnett visited Tucumcari and Portales, and Sherri Thomas visited Farmington. Between them, they provided five separate training sessions for non-law librarians and community groups in areas outside of Albuquerque and around the state. These efforts maximize the State's investment in the Law Library by making its resources and services available to greater numbers of New Mexico citizens.

The Law librarians also continued to participate in the State Bar's Access to Justice Program, which develops standardized forms for pro se patrons to use in the local Metro court system. These forms are available to the public from the Law Library and Court Clerk offices.

TECHNICAL SERVICES, COLLECTIONS AND ARCHIVES:

The UNM Law Library continues to house the largest academic legal research collection in the State of New Mexico. In 2008-09, the Law librarians continued their collaborative development of the collection, and the Library staff continued to maintain the collection and make it available to legal researchers. The Library added 2,473 new volumes in print and microform formats to the collection. At the end of the fiscal year, the Library held 429,385 volumes in print and microform formats, placing it in the "large" library category under ABA accreditation standards.

A loan rules committee worked all summer to come up with new policies that were then implemented. The Technical Services unit and the Access Services unit together worked for the rest of the year to implement location changes brought about by a complete reworking of our loan rules.

The long-planned collection shift to move the current treatises to the upper floor finally started in earnest with the hire of Marquita Harnett. She first oversaw temporary storage of more than 15,000 volumes of law journals that are now available online, in order to clear space for the

treatises. She next oversaw the treatise moves. To assist in these endeavors, Marylin Jaramillo-Garcia was tapped to help with special collection projects. These efforts will help alleviate the lack of shelf space on the lower floor, in addition to creating an upper floor collection which is geared toward facilitating legal research instruction and convenience for lawyers and judges who use the library. All print that is updated and kept current will eventually be on the upper floor. The lower floor will house monographs, superseded and historical material, and various special collections such as international law and Indian law.

The other big change affecting technical services was the implementation of a Library Maintenance Agreement (LMA) for all print serial subscriptions purchased through Thomson West Publishing. This program significantly simplifies our payment processes. The work on the Desert States inventory of pre-statehood and primary legal materials continued. This project is now being managed by our archivist, David Myers. Rea Winters was tapped to assist with this special project as well. Processing and indexing the Utton collection got underway when Ruth Singer was hired to help with this project. In addition, David Myers set up and coordinated a panel presentation which discussed the legacy for former first lady, Alice King. The King family subsequently donated Mrs. King's personal papers to the King Archives. Processing and indexing will commence next year.

TECHNOLOGY AND ELECTRONIC RESOURCES:

The Law Library continues to be a leader among academic libraries nationally in spending on electronic legal information licenses, making 95 separate licenses available to library patrons in 2008-09. The Library continues to offer many public licenses for legal research databases, which are accessible via eight PCs for public access, in addition to providing word processing and Internet access for the public. Many of the Law Library's licenses are also listed in the University Libraries' database management system to ensure campus-wide—and in some cases branch library—access to these resources.

The Law librarians also continued to use their Faculty Research Requests Database to manage the faculty research and document delivery work reported in the Services section above. The database is an integral tool in these efforts.

The Law Library continued to promote the use of UNM's institutional repository (DSpace) as a means of preserving electronic scholarly and teaching materials created by the Law and Library faculties. The Law Library and Law School together now have a total of 844 digital items archived in this repository. A growing number of faculty members are archiving their scholarship in the repository. Librarian Ernesto Longa has been instrumental in encouraging faculty to use repositories. In 2008-09 he began helping the law faculty promote readership for their scholarship via repositories in SSRN and BePress. In total he archived nearly one hundred publications in UNM's DSpace, SSRN and BePress in 2008-09. He will also help the law school track all faculty publications for the law school's archives, annual reports and future self studies.

FACILITIES:

The library undertook a risk self-assessment and mitigation strategy to ensure eligibility for FEMA aid in the event of a natural disaster. The librarians also began working with a disaster recovery planning consultant to update our disaster recovery and business continuity plans. These efforts will continue into the next academic year. As a result of these efforts, a flood alarm was installed on the basement level of the library. It will be monitored by the Physical Plant department 24/7. Bracing for the library shelving will be installed in the coming year.

LIBRARY FACULTY PUBLICATIONS:

Ernesto A. Longa entered a publication agreement with Scarecrow Press to publish a book entitled *Anarchist Periodicals in English Published in the United States (1833-1955): An Annotated Guide* which is projected to be published November, 2009.

LAW SCHOOL SERVICE ACTIVITIES OF LIBRARY FACULTY:

Director Carol Parker served on the Art Committee, the Assessment and Teaching Committee, the Development Advisory Committee, and chaired the Library and Information Technology Committee. Associate Director Michelle Rigual served on the Academic Support Committee. Librarian Eileen Cohen served on the Natural Resources Committee. Librarian Sherri Thomas served on the Indian Law Faculty and Indian Law Certificate Committees; Ernesto Longa served on the law school's Library and Information Technology Committee, and Michelle Rigual's Mid-Probationary Tenure Review Committee. Librarian Theresa Strike served on the Building and Safety Committee, and the law library's archivist search committee.

UNIVERSITY SERVICE ACTIVITIES OF LIBRARY FACULTY:

The Law librarians continued to collaborate with the librarians at the Health Sciences Library and Informatics Center and University Libraries System, and served on various University committees. Carol Parker and Ernesto Longa, served on the Scholarly Communications committee.

OUTSIDE PROFESSIONAL ACTIVITIES OF LIBRARY FACULTY:

Carol Parker and Michelle Rigual co-chaired the local arrangements committee for the Southwest Association of Law Libraries (SWALL) annual meeting which was held in Albuquerque in March 2009. This meant that the two of them, plus Administrative Assistant Ramona Garcia, essentially planned the entire three-day conference except for the program. Michelle Rigual also served on the SWALL program planning committee. During the conference, everyone who works in the library pitched in to help. The law library also hosted a reception on the Friday evening of the SWALL meeting and the attendees commented on how nice the library looked, they admired the King Room, and were treated to a spectacular sunset overlooking the Sandias.

Carol Parker attended the AALL meeting in Portland, OR in July 2008, where she received an award from ALL-SIS for her last article. She also attended the Desert States Law Library Consortium meeting in Tucson in November 2008, and the CALI Conference in Boulder in June 2009.

Michelle Rigual attended the American Association of Law Libraries (AALL) annual meeting in Portland, OR. She continued to serve as both Secretary/Treasurer and Newsletter Editor of AALL's Research, Instruction, and Patron Services Special Interest Section.

Eileen Cohen attended and presented at the SWALL Annual meeting on the Law Library's Outreach Program. She continued to serve as a member of the Desert States Resource Sharing Committee, the New Mexico AARL Document Delivery Committee, and the New Mexico AARL Resource Sharing Committee.

Sherri Thomas continued to serve on the Federal Indian Bar's State Bar Exams Committee. She also continued to serve as the Chair of the American Association of Law Libraries' Native Peoples Law Caucus. Sherri Thomas presented a work-in-progress called, "Continual Existence: Enrollment Disputes and the Demise of Tribal Self-Determination" at the 2009 American Association of Law Schools Annual Meeting for the Law and Anthropology Panel, "Origins and Solutions to the Indian Freedmen Disputes". She was also the presenter of "Federal Indian Law: A Trip Through Indian Country" at the 2009 SWALL Annual Meeting.

Theresa Strike attended the AALL meeting in Portland in July 2008.

INFORMATION TECHNOLOGY

Information Technology Department and Media Center major accomplishments can be broken down into the following categories: Hardware, Software, Web Development, Service, and Professional Development.

HARDWARE:

Traditionally, law school faculty and staff were issued a desktop workstation on a 4-3 year replacement cycle. This past fiscal year, faculty members were given the option of selecting a laptop and docking station instead of a traditional workstation. Faculty could choose from two Dell models based on personal preference; several laptops were purchased and successfully installed. In total, the IT staff purchased and deployed 68 computers, 16 laptops (including a MacBook) and 21 flat panel monitors. Additionally, four printers were purchased and installed while the memory on all network printers was upgraded. A new hard drive was installed on the email server allowing us to split e-mailboxes into two information stores, providing double the email quota for faculty, students, and staff.

Subsequent to criticism of Bratton Hall facilities in a 2008 ABA Accreditation Report, the Provost's Office secured revenue in FY09 to physically remodel two Law School courtrooms and install instructional technology in classrooms. A summary of upgrades follows.

Clinic

A digital video recording system for recording and streaming video via the network was installed in the Clinic, and digital video cameras were added to interview rooms to record student-client interviews. Additionally, audio recording was installed in the clinic conference room. The digital content is stored locally in the Clinic to protect attorney-client privileged communications. The recordings are accessible in real time or streamed for review by Clinic faculty from any web browser.

Courtrooms

Two courtrooms were physically remodeled, reorienting the rooms by 90° to create larger courtroom wells. One courtroom was fully equipped with a built-in courtroom presentation system and also has a “portable evidence presentation system” consisting of a large monitor on a cart, PC, DVD/VCR, and space to attach a laptop and document camera to emulate low-end systems often used in local state courts by local practitioners. The cart is stored in a locked closet that was constructed in the courtroom. Its monitor can also be hooked into the built in presentation system. The built in system in 2525 is similar to that found in the local federal court, consisting of wired counsel tables for laptops and document cameras; a wired bench with flat panel monitors; ceiling-mounted speakers; and two large monitors attached to the courtroom walls for presentation display; all controlled by Crestron switches located at the bench, with components on a rack in the new closet. The rest of the room relies on the wireless network for online access. The room has the capacity for real time court reporting and includes a network-controlled digital video camera for recordings. It has the capacity for limited teleconferencing, and ideally this capacity would be expanded in the future. The second courtroom also has a portable evidence presentation system, a ceiling-mounted projector, and a motorized screen.

A variety of lecterns and instructor stations were purchased and deployed, depending on the size and seating capacity of the room. These were obtained from different vendors, allowing us to try out different styles, including some lower and wider styles providing more surface area for papers and document cameras, etc. Where smaller lecterns were necessary, they have pop up shelves on the sides to provide more work surface when in use.

Eight classrooms received dedicated IT equipment -- either a projector and screen, or a large monitor for video display. One classroom was also wired for remote audio recording. These rooms now all have some version of a locked lectern or instructor station to store and secure dedicated PCs, DVD player, etc. Four classrooms also have “Crestron” switches for activating projectors and components. The largest classroom was outfitted with a second projector and multiple screens since the room is too large for a single projector/screen. Assistant Dean for Information Technology, Cyndi Johnson, played a significant role in this project, working closely with the Library and Technology committee to prioritize needs, secure vendor quotes, schedule technology installation, and ensure the equipment functioned as specified.

Additional capacity was added to the wireless infrastructure, improving the wireless experience for students.

A significant investment was made in upgrading outdated Media Center equipment. A professional-quality PA system, complete with four stand-alone speakers (heavily used for in-house events), was purchased and used at graduation for the first time. This investment will pay for itself the first year as the law school has traditionally rented a system for these types of events. Other purchases include a 7-disk DVD duplicator, photographer's strobe, wireless handheld microphone system, portable document cameras for classroom use, analog to digital converter used to archive old VHS to DVD, a professional-quality handheld digital camera for taping classes and events, and two new projectors (including one lightweight portable projector). Updating the equipment has allowed the Media Center staff to provide a higher quality of service to the law school constituents and the public.

SOFTWARE:

The Media Center staff developed an extended Media Center multimedia server, used to host video and audio recordings. Two sites are available; a public site provides access to podcasts and streamed videos of law school events while a private site (accessible with a law school account only) contains class recordings, special events, and graduation pictures. Additionally, service and equipment request forms are available, automating the method for requesting Media Center services.

The law school upgraded to Office 2007, with all 260 workstations successfully upgraded by the fall of 2008. New computer images with Office 2007 were created for five desktop computer models and 2 laptop models.

Several custom Access databases in continuous use by the Registrar, Clinical Law Program, and IT department contained coding incompatible with Access 2007. Karen Talley, User Support Analyst, rewrote each program allowing seamless integration of the databases into the Access 2007 environment with no loss of data.

Cyndi Johnson, Assistant Dean for Information Technology and Patricia Trainor, Assistant Dean for Records and Registration, evaluated exam-taking software as the previously-used version did not support the Vista operating system or some Mac computers. A new vendor who supports all operating systems on all computers was ultimately chosen, and a deal was negotiated that provided the software free for the first year, saving the law school almost \$7,000.

The law school IT department worked with the SUB to implement Event Management System (EMS), using the SUB's server and purchasing the necessary client licenses. The system is used extensively for scheduling classes and events.

WEB DEVELOPMENT:

Media Center Graphic Designer, Tony Anderson, worked with the law school's technical writer to provide "Flash-based" features on the law school's web site. "A Day in the Life" provides a candid look at the typical life of a then second-year law student. "Faces Around the Law School" highlights features law students and alumni with specific areas for the Clinical Law Program, Mexican American Law Student Association, Native American Law Students Association, and

Natural Resources. A Flickr gallery on the school's home page provides a forum for law students to showcase their photography skills.

The Tribal Law Journal's web site was previously created and maintained by a consultant, with help from students participating in the online journal. However, the expense of continued consultant use became prohibitive and the IT department's webmaster, Janet Roupas, was asked to redo the site and provide maintenance. Other web work included work on a Law Library Faculty handbook, revising the "A" exam answers and Exams, a project for the Natural Resources Journal Symposia, the Pamela Minzner chair site, and an Admitted Students page for the Admissions department.

SERVICE:

Media Center staff Diego Romero (Multimedia Development Specialist) and Graphic Designer Tony Anderson began providing photography services for first-year student orientation, saving the law school the significant cost of hiring a professional photographer.

Diego Romero and Tony Anderson conducted a "lunch and learn" for faculty and staff, providing the opportunity to showcase new media equipment available to the law school community. They also created transitioned Professor Sherri Burr's "Arts Talk" TV show recording from analog to digital, creating opening sequences and titles as part of the project. Opening sequences and titles were also created for "Dating 101", a show produced by the Media Center for Professor Burr. Motion graphics were created for a well-received MALSA documentary. A three-hour program for Professor Nathalie Martin's Financial Literacy project, presented to high school students, was filmed then streamed for use on the Financial Literacy web site.

Karen Talley, User Support Analyst, conducted several classes and/or presentations for law school faculty and staff. These included "Features of MSPaint", PowerPoint (including time-saving method of converting from Word to PowerPoint and reverse), "Get Ready for Word 2007" talk in a faculty meeting (resulting in several faculty members volunteering to switch to 2007 immediately) and a Word presentation of Legal Practitioner techniques for Clinic faculty.

The law school's Sr. LAN Administrator, David Anstine, retired in May after 25 years of service to UNM. Also early spring 2009, Assistant Dean Cyndi Johnson and the Director of the Institute of Public Law (IPL), Paul Biderman, began discussions of merging the two IT departments under Dean Johnson's direction. The IPL System Administrator, Gabriel Baca, separated from the University during this time and the ultimate decision was made to combine the law school's Sr. LAN Administrator position and the IPL System Administrator job into a single System Administrator reporting directly to Dean Johnson. A search committee was formed to hire the System Administrator and the recruitment process began in July. Lynn Provencio, IPL LAN Administrator/webmaster, also reports to Cyndi Johnson but the personnel line remains in IPL.

PROFESSIONAL DEVELOPMENT:

IT staff participated in various committees and presentations throughout the year. Cyndi Johnson attended the national CALI (Computer Assisted Legal Instruction) conference in Baltimore in

June and was asked by the Law School Admissions Council to be one of five IT professionals to help plan the first ever LSAC Electronic Services conference held in April in New Orleans. She also co-presented a panel discussing “Who Owns Your Web Presence”. Dean Johnson is a member of the Identify Management committee and serves as Chair of the Active Directory Technical Committee (ADTC). She is an IT Agent, with membership in the Antivirus Standards subcommittee. Janet Roupas participates in Information Architects. Law School committee involvement includes staff serving on the Library and Instructional Technology (Cyndi Johnson) and Staff Advisory Committees (Tony Anderson).

FUTURE SHORT-TERM PROJECTS:

All short-term projects from the 2008 Annual report were completed. 2009 projects include further technology implementation in classrooms as funding permits, additional wireless access points in the library, and transition to use of Main Campus’ IT Enterprise Active Directory for accounts. The law school’s Exchange email server will also be migrated to Main Campus’ IT Exchange deployment. This is a significant change in how accounts are managed, with the traditional “law school” account name being replaced by use of the UNM NetID. It will also simplify account and email management for IT staff, providing more personnel resources for performing other systems work.

Both the law school and IPL hope to ‘virtualize’ file servers at Main Campus’ IT data center. The law school has several aging servers that need decommissioned and moving the data to the main data center will provide resources while eliminating the need to purchase additional hardware.

NEW MEXICO LAW REVIEW

The 2008–09 publications were the result of hard work on the part of the NMLR student members, our new administrator, Lynne Arany, our business manager, Jessica Leary, and our faculty advisor, Michael Browde.

During the 2008–09 school year, the New Mexico Law Review oversaw the publication of three issues for Volume 39: No. 1 was a special issue featuring five articles written for the NMLR relating to the life and work of the late Justice Pamela B. Minzner, plus three articles of general interest; No. 2 was comprised of articles from scholars around the country; No. 3 was a student-articles issue composed chiefly of case notes and comments analyzing recent New Mexico court decisions and issues of interest to New Mexico legal practitioners.

Law Review articles in this period covered a wide range of legal and public policy issues, including incorporating the Second Amendment against the States; suing government actors for damages for a willful violation of the Takings Clause; responding to perjury in domestic violence cases; improving access to the courts; and defending criminal defendants using the special protections of the New Mexico Constitution. Of special note for this volume, our first issue was in memory of Justice Pamela B. Minzner for her distinguished career as a New Mexico jurist.

For the student-articles issue, each Law Review staff member submitted a scholarly article of publishable quality. Working closely with two student editors and a faculty advisor, each staff member developed a theme, carried out a research plan, and completed a full-length scholarly work. These articles covered diverse topics ranging from New Mexico's proposed ethics commission to whether the U.S. Constitution protects the right to consensual sexual intercourse; several were analyses of cases decided in the state.

Additionally, we added a classroom component to assist our staff as they undertook the challenging article-writing process. This class met weekly under the tutelage of Professor Browde and various members of the Editorial Board. First-year staff members received an additional credit each semester for the time required by the class. Also, the Review organized, along with the Natural Resources Journal and the Tribal Law Journal, the third annual Journal Appreciation Reception. Finally, the UNM journals collaborated on 1L recruitment efforts, an endeavor that builds on the cooperative relationship the three journals' participants traditionally enjoy.

NATURAL RESOURCES JOURNAL

In the reporting period from July 1, 2008, to June 30, 2009, the Natural Resources Journal oversaw the publication of four issues, Volume 48, Numbers 1 through 4, as well as acquired and edited articles for Volume 49. Each current issue contains an introductory essay showcasing innovative ideas in natural resource scholarship followed by several substantive academic pieces and reviews of recent natural resource literature.

True to the NRJ's mission of bringing together natural resources scholarship from many perspectives and disciplines, content varied greatly between issues. Articles addressed topics including climate change, international environmental law, and local water resources issues. The NRJ's Land Grant Symposium issue (Volume 48, Number 4) received special attention, with the editors addressing its important contribution to the literature in that field, as well as its challenging content and unique source material.

This year marked a significant transition for the NRJ due to the retirement of Em Hall and Susan Tackman. We welcomed Professor Reed D. Benson as Faculty Editor-in-Chief in July 2008 and Lynne Arany as Director of Publications in September 2008. Additionally, Kristina Fisher, student Editor-in-Chief from 2007-08, agreed to join UNMSOL's faculty as an adjunct professor to assist with teaching the Natural Resources Journal's seminar class. The student editors committed a significant amount of time and energy to ensure that the NRJ retained its integrity and quality during this transition of leadership.

The transition period presented an opportunity to consider the future of the Natural Resources Journal as it enters its 50th year, both in terms of its content and the manner in which the Journal is produced and published. The path toward improving each members' learning experience and building on the NRJ's longstanding tradition of quality and excellence among academic natural resource publications was clear, and the student board positions were restructured accordingly. Along with Reed Benson and Lynne Arany, the student editors began a strategic-planning

discussion. The merits of establishing the Journal as an open source publication, converting the Journal to a student-run journal with a faculty advisor rather than a faculty editor-in-chief, and publishing three issues per volume instead of four were considered. A firm decision was made to publish three issues per volume beginning with Volume 50.

Additionally in 2008-09, the student editors collaborated with Reed Benson in planning a special 50th anniversary volume of the NRJ. It will include an introductory issue with academic pieces solicited from prominent legal scholars; papers from a fall 2009 symposium to be held in Berkeley, California; and, an NRJ student-run symposium to be held at UNM in spring of 2010.

Finally, in the spring of 2009 the NRJ obtained a grant from the Natural Resources, Energy, and Environmental Law Section of the New Mexico State Bar Association to sponsor a natural resources talk on water policy under the Obama Administration. The presentation, scheduled for fall 2009, is to be open to the public with CLE credit possible for attending attorneys. The presenter's remarks will be published in a future issue of the Natural Resources Journal.

UTTON TRANSBOUNDARY RESOURCES CENTER

The Utton Transboundary Resources Center, at the University of New Mexico School of Law, supports collaborative natural resource management using multidisciplinary expertise and inclusive, diverse stakeholder involvement. The Utton Center conducts research and engages in projects related to its mission of promoting equitable and sustainable management of transboundary resources. Transboundary resources are shared resources which cross political jurisdictions, and international, state or tribal boundaries. Transboundary projects take place at all levels – local, state, tribal, national and international. The Utton Center was established to honor and carry on the work of the late Professor Albert E. Utton, a visionary man of diplomacy and scholarship. The Utton Center concerns itself with all natural resources; however, due to the legacy of Al Utton, the expertise of its staff, and the pressing nature of water issues in the Southwest, the Utton Center is currently focused on water issues.

SIGNIFICANT PROJECTS AND ACTIVITIES DURING 2008-2009:

New Mexico Water Law & Policy

Appropriative Rights Model Water Code Project

On request from the New Mexico judiciary, the Utton Center proposes to organize a wide-ranging discussion of western water policy, using a 2007 model code as the starting point for the discussion. The Utton Center convened a small group of water experts in May 2009 to discuss the objectives of the project and the best way to initiate and sustain the discussion. Potential approaches include a policy research initiative, a seminar series and stakeholder meetings.

Land and Water Planning in the Middle Valley

The Utton Center held a workshop in October 2008 bringing together a diverse group of New Mexico citizens, practitioners, and government officials (including state legislators) to develop a shared understanding of critical land planning and water use issues. Presentations and breakout

sessions yielded an array of challenges to better integration of land use and water planning. Initiatives identified in the workshop are being further developed. A second workshop is planned to take place late 2009 or early 2010 to consider feasible solutions.

Upstream-Downstream Project

This project has been sponsored by the N.M. Water Dialogue with a grant from the McCune Foundation and in cooperation with the Interstate Stream Commission and the Utton Center. The Utton Center, through Susan Kelly, was active in trying to help the parties work towards consistency in the three regional plans within the Rio Grande Compact accounting region: Jemez y Sangre, Middle Rio Grande, and Socorro/Sierra. This project involves numerous water management agencies, sustainability advocates, and planners and is intended to address projected water deficits in the Middle Rio Grande Basin. The participants are continuing to explore options for basin-wide cooperation.

Joe M Stell Water Ombudsman Program

The Joe M Stell Water Ombudsman Program is a statewide program that provides information and procedural guidance about the adjudication of water rights to individual owners or claimants across the State of New Mexico. Established in 2005 with a small amount of funding from the New Mexico State Legislature, in 2007 the Program was significantly expanded and named in honor of long-time State Representative Joe M Stell. Darcy S. Bushnell is the Director of the Program.

The main purpose of the Program is to encourage non-responding claimants to participate in adjudications and to answer claimant questions about the adjudication process and progress. The Program provides Spanish and English telephone support through toll-free numbers and outreach telephone calls to designated populations. Working closely with the courts, the Program also produces and distributes thousands of instructional flyers and post cards in bilingual formats, and assists courts in editing documents, which are directed in part or in whole, to claimants. The Program is a valuable service to many English and Spanish speaking individuals who are involved in a general stream adjudication, but do not understand the process or its possible effect on their water rights. During this reporting year, the Program made almost 3,000 telephone and mail contacts.

Having started out in 2005 with the Lower Rio Grande system adjudication, the Program expanded this year to four additional adjudications in areas around New Mexico, in both state and federal courts: the San Juan system, the Nambe/Pojoaque/Tesuque (Aamodt) system, and the Gallinas River section of the Pecos River system. It provided occasional assistance to the Rio Chama, Rio Taos and Rio Jemez adjudications.

The Program continues to update and expand its website which includes a page for each major adjudication. These web pages provide adjudication information in Spanish and English, and hyperlinks to other relevant websites, forms and other resources. Working closely with the Office of the State Engineer (OSE), each adjudication page also includes instructions for understanding and completing documents sent to claimants by the OSE.

In the spring of 2008, the Ombudsman Program developed and implemented a pre-mediation service for the San Juan and Lower Rio Grande courts. To date the Program has conducted 41 pre-mediations. The Program also assists the courts in the production of procedural orders.

The Ombudsman Program supports the courts by conducting training programs for court-assigned water adjudication mediators. It worked with the court's Alternative Dispute Resolution (ADR) Department and the Ombudsman Program Director conducted three quarterly mediator training sessions.

During this reporting year, the Ombudsman Program provided community services through conducting presentations to eight professional and community groups, as well as participating in one workshop for mutual domestic water user association officers. In addition, the Program supported University of New Mexico Law School education initiatives, and graduate student adjudication projects.

Two significant projects were undertaken this reporting year. The first was the production of an educational DVD about water rights and the adjudication process which will be ready for distribution in the fall of 2009. The second project which was started the beginning of June 2008 was the development of a database for tracking Program activities which will in turn improve statistical reporting for the University and the Legislature. The database should be fully developed by early spring 2010.

Middle Rio Grande Water Assembly

Associate Director Susan Kelly presented at the annual meeting on best practices for water management in an arid climate. Director Sanford Gaines presented at an April 2009 forum on desalination.

Land and Water Connection

The Utton Center is a participant in a group of experts exploring the nexus between land use and availability of water. The group is developing proposals to strengthen state and local legislative policy.

National Projects

"The American Southwest: Are We Running Dry?" Film Screening and Panel Discussion

The Utton Center in collaboration with the UNM Water Resources Program sponsored a public screening of the documentary film, "The American Southwest: Are We Running Dry?" produced by James Thebaut of the Chronicles Group in Los Angeles. Filmed in New Mexico, Arizona and California, the film documents the limited supply of water in the Southwest, the effects of drought and climate change on the water supply in the Rio Grande and Colorado basins, and the ever-growing demand for the water. The screening was followed by a panel discussion including panelists from the UNM Geography Department, Sandia National Laboratories, and the New Mexico Interstate Stream Commission.

Winters Centennial Conference

The Utton Center and the American Indian Law Center co-sponsored a conference in June 2008 marking the 100th anniversary of the landmark Indian water rights case *Winters v. United States*. The conference reviewed the legal and cultural history of the *Winters* decision, assessed the contemporary consequences of the decision (both nationally and internationally), and projected the impact of Indian water rights settlements into the 21st century. The conference, which had a distinguished lineup of speakers from federal and state government, Indian tribes, and leading scholars and engineering firms, drew nearly 220 participants from all over the United States, including about 70 pueblo and tribal leaders. During this reporting year, the conference proceedings were made available for distribution on DVD. The proceedings of the conference with additional scholarly articles submitted in response to a call for papers are planned for publication by the UNM Press.

Model Interstate Water Compact

In this reporting year, UNM Press published the Model Interstate Water Compact which was completed during the 2006-07 reporting year. Discussions continue with academic institutions and experts around the country concerning how to use the model compact to assist in resolving interstate water controversies.

Middle Rio Grande Endangered Species Act Collaborative Program

Susan Kelly continues to represent the University of New Mexico on the Species Water Management Standing Workgroup and San Acacia Reach Ad Hoc Work Group of this Program. The Program is made up of representatives of federal, state, tribal and other interest groups. It is intended to address water supply, science, and habitat restoration in the Middle Rio Grande so that progress can be made in the recovery of endangered species while not impairing water rights and use. In April 2009, Susan Kelly helped organize and moderated a workshop in Socorro on water and restoration challenges along the 70-mile San Acacia reach of the river.

International Projects

Border Governors Water Work Table

The Utton Center represents Governor Richardson as part of a 10-state water work table of the Border Governors which deals with water issues of mutual interest to the U.S. and Mexico. Sanford Gaines participated in the planning of and attended the August 2008 Border Governors Conference held in Hollywood, CA.

Dividing the Waters Conference

The Utton Center played a major role in planning the *Dividing the Waters* November 2008 conference held in El Paso, Texas and field trip in El Paso, Texas and Ciudad Juarez, Mexico. *Dividing the Waters* is an organization for judges and special masters who are responsible for many of the water adjudication proceedings in the West. The Utton Center collaborated with *Dividing the Waters* in developing the conference program and in planning field education activities related to U.S.-Mexico issues. This project utilized the Utton Center's expertise in border affairs, and also provided an opportunity to introduce the work of the Utton Center to the western states water judges and water masters.

New Mexico/Chihuahua Commission

The Utton Center represents the State of New Mexico on the Water Work Table in developing educational programs between New Mexico and Chihuahua on water resources. One goal of the Water Work Table is to facilitate dialogue between New Mexican and Chihuahuan agricultural groups and to highlight new technologies in the hopes of improving techniques for conserving water.

Universities Partnership for Transboundary Waters

The Utton Center continues to be a member of this international consortium of universities, providing training to stakeholders regarding transboundary management issues.

Education

Water Matters!

The Utton Center compiles informative articles on a variety of New Mexico water law topics as a primer and quick reference for State legislators. The articles and maps are concise, yet illustrate the varying perspectives on New Mexico's water challenges, ranging from urban supply and demand to the issues facing rural New Mexico. The Utton Center expects to continue to update and supplement with new material this informative primer on current water issues each year. Edited by Susan Kelly, this workbook was first prepared for the New Mexico State Legislature in 2007. The first edition highlighted the many contributions to New Mexico water issues of Joe M Stell, who had retired after 20 years in the New Mexico House of Representatives. The January 2009 edition was distributed to all State legislators and other officials, approximately 300 in total. Work also began during this reporting year on the 2010 edition of *Water Matters!* The 2009 publication is available for review at http://uttoncenter.unm.edu/Water_Matters!.html.

Decision-Makers Field Guide Collaboration

In collaboration with New Mexico Institute of Mining and Technology, Susan Kelly was invited to help shape New Mexico Tech's 2009 Decision-Makers Field Guide on Albuquerque area natural resource issues and policy. Susan Kelly authored a paper on water management and moderated the May 2009 conference for legislators and water officials. Information about the Field Guide can be found on the website:
<http://geoinfo.nmt.edu/publications/decisionmakers/2009/home.cfm>.

Expertise and Outreach

The Utton Center assists in a broad array of projects concerning water and natural resources policy. The Utton Center conducts research and writing and makes presentations on water and natural resource issues, serving as a resource for elected officials, water managers, scientists, the media, faculty, students and many other people. These activities are representative of the broad services provided by the Utton Center which help promote understanding of legal and long-term sustainability issues. As examples, Susan Kelly is working on a chapter of a book concerning water policy, and Sanford Gaines worked with the Institute of Public Law and the Administrative Office of the Courts on adjudication reform stakeholder meetings.

Biography of Albert E. Utton

The Utton Center is continuing to assist with the development of a monograph on the life, career and contributions of Professor Albert E. Utton. This work is being researched and written by Michele Minnis, retired professor in the UNM Water Resources Program and former colleague of Professor Utton.

Practical Application of Water Law, UNM School of Law Course

Susan Kelly and Ombudsman Program Director Darcy S. Bushnell teach a class every other spring semester on the practical application of water law for students who have already taken Water Law. This course was offered at UNM School of Law in the spring 2009 semester. The first half of the course focuses on the complex nature of water rights and the second half focuses on the process of adjudication of water rights. This course will strengthen the UNM law school's Natural Resources Program and also provide a link to Utton Center projects on which the students may be interested in working.

New Mexico State Bar (SONREEL)

The Utton Center and the New Mexico State Bar Section on Natural Resources Energy and Environmental Law collaborate on conferences, continuing legal education programs, mentoring and externship programs. The Section regularly contributes scholarship funds to students and helps defray expenses for student activities. The Director of the Utton Center continues to serve as a member of the executive committee of the Section. Sanford Gaines advised the planning committee for an October 2008 CLE program on climate change law.

Water Policy Conferences

The Utton Center in conjunction with the New Mexico State Bar offers annual Continuing Legal Education courses regarding water policy in conjunction with the New Mexico State Bar. Topics have included institutional responses to drought; the relationship between water supply and energy development, the Model Interstate Water Compact, and the *Winters* Centennial Conference.

Rocky Mountain Mineral Law Foundation

The Utton Center Director continues to serve as the UNM School of Law trustee for the Rocky Mountain Mineral Law Foundation.

Website

The Utton Center maintains a website at <http://uttoncenter.unm.edu> which contains documentation of current initiatives and projects, past projects, conference proceedings, and resource links.

SIGNIFICANT PLANS FOR 2009-2010:

Most of the projects and activities described above for this reporting year will continue throughout the 2009-2010 reporting year.

In the upcoming reporting year, the Utton Center intends to use its expertise and preventive diplomacy in support of state and civic activities in New Mexico, studying and developing policy

recommendations for adapting the management of the State's resources to current and expected patterns of climate change, and escalating energy-water demands. This work could also profitably include collaboration with Mexico on water resources management, particularly with regard to aspects of climate change, desalination and water quality. The Utton Center will continue to represent the State on the New Mexico/Chihuahua Commission water work table and the Border Governor's water table. A meeting with Mexican officials is being planned in February 2010 in El Paso, Texas, a desalination conference in San Diego, California, and a surface water quality conference in South Padre, Texas.

Security in future water supply is critical to sustainable growth and economic stability in the region. The Utton Center will continue to cooperate with the New Mexico Interstate Stream Commission, the New Mexico Water Dialogue, and other Basin participants in efforts to coordinate water-planning activities in the Middle Rio Grande Basin. This will most likely be a long-term effort. It includes representation from most of the major water managers and jurisdictions in the Middle Rio Grande Valley.

Susan Kelly will continue to work closely with the Middle Rio Grande Endangered Species Program, representing the University of New Mexico on the Coordinating Committee and alternating on the Executive Committee, and will collaborate with the UNM Water Resources Program and law faculty to plan a one day symposium on the Program's research and activities.

The Utton Center has a number of proposals pending for the upcoming reporting year and is pursuing grant and foundation funding. One is the development of a scholarly study of the Appropriative Rights Model Water Code. The second is a pending proposal to work with a researcher at NMSU and other experts on developing a system of science advisory councils for U.S. and Mexican sub-basins of the Rio Grande.

Susan Kelly will complete a chapter of a book on water conservation and give presentations on Land Use and Water Planning at the annual WRI conference, the American Planning Association, and Continuing Legal Education.

The Utton Center also has a pending proposal for a follow-on workshop building from the Utton Center's October 2008 Land and Water Planning workshop. The second workshop to take place in late 2009 or early 2010 will move the discussion from the identified challenges to better integration of land use and water planning towards consideration of feasible solutions. In collaboration with UNM School of Law professor Denise Fort, a Bureau of Reclamation river restoration assessment project is being proposed by the Utton Center to consider how the BOR will advance restoration in the West's river basins. Finally, due to the need to diversify its funding sources, the Center is pursuing a variety of sources and hopes to participate in a major National Science Foundation proposal.

The Joe M Stell Ombudsman Program of the Utton Center continues to expand its services, as funding allows, meeting its constituents' needs. Most of the projects and activities described above for this reporting year will continue throughout the 2009-2010 reporting year. The Program does not anticipate adding any other major adjudication cases. However, several events are slated for the upcoming reporting year which will require significant Ombudsman Program

involvement: the Lower Rio Grande court plans a mailing to all the claimants; the San Juan court plans to open the adjudication of the mainstem of the San Juan River and adjudication activity stemming from the Navajo Settlement; and the courts of the Aamodt, San Juan and Rio Gallina section of the Rio Chama adjudications anticipate conducting *inter se* proceedings. To support its continued services in multiple adjudications, the Ombudsman Program will continue to work with its constituents and the State Legislature to identify funding needs and resources.

UNM Press will publish the proceedings of the *Winters* Centennial Conference, with additional scholarly articles submitted in response to a call for papers.

The Utton Center advisory board will meet in November 2009 and provide guidance to future projects.

The Utton Center participates fully in the Natural Resources Committee at the UNM School of Law, reviewing curriculum, making recommendations and working with students.

APPOINTEMENTS TO/SEPARATIONS OF FACULTY/STAFF:

Susan Kelly, who has been Associate Director of the Utton Center since 2003, will serve as Interim Director commencing July 1, 2009.

The Utton Center had been operating under director Sanford E. Gaines since July 2007. Mr. Gaines stepped aside as Director of the Utton Center, effective July 1, 2009 and has taken a position as a Research Professor at the University of Aarhus, Denmark.

PUBLICATIONS OF THE UTTON CENTER

Land and Water Planning in the Middle Valley October 17, 2008 workshop presentation and discussion proceedings.

Winters Centennial Conference proceedings DVD.

Water Matters!, Background on Selected Water Issues for Members of the 49th New Mexico Legislature 1st session - 2009.

Practical Application of Water Law, UNM School of Law course materials. Spring 2009.

“Urban Water Administration in the Albuquerque Urban Area” article in Decision-Makers Field Guide 2009, published by New Mexico Institute of Mining and Technology.

Model Interstate Water Compact, Jerome C. Muys, George William Sherk, and Marilyn C. O’Leary. 2009, published by University of New Mexico Press. Sponsored by the Utton Center.

“The Water Adjudication Process in New Mexico” DVD produced by the Ombudsman Program with New Mexico State University videography services.

Water Matters! will continue to be updated. Additional papers and maps are being developed for the 2010 legislative session.

OUTSIDE PROFESSIONAL ACTIVITIES OF FACULTY/STAFF

Susan Kelly, Associate Director, is an attorney and active in several professional organizations, including a member of the New Mexico State Bar, American Planning Association, American Institute of Certified Planners, American Water Resources Association, and Urban Land Institute.

Darcy S. Bushnell, Program Director, Joe M Stell Water Ombudsman Program, is an attorney and a member of the New Mexico State Bar Association.

OUTSIDE SPONSORED RESEARCH

McCune Charitable Foundation

Amount: [Per the terms of the grant, the grant amount cannot be disclosed.]

Duration: 1 year.

Purpose: Support of the *Winters Centennial* Conference held June 9-12, 2008.

CAREER AND STUDENT SERVICES OFFICE

UNM Law School Career & Student Services Office Report for July 2008 to June 2009

The Career & Student Services Office (CSSO) at University of New Mexico Law School serves the career, professional development, and academic support needs of students and graduates of the law school as well as the employment needs of law firms, government agencies and non-profit groups in the state and beyond.

Over the course of the last year, the CSSO has been involved in the lives of students and graduates in many ways. Some of the efforts of the CSSO are annual and ongoing.

Examples of such continuing activity include: One-on-one career and academic counseling of law students; designing and implementing of academic support programs for students at risk; assisting students with disabilities; a formal On-Campus-Interview program; mentoring programs, such as the State Bar Young Lawyers Division Mentorship Program; participation in local and regional career fairs; training and administrative support for student organizations and for students applying for judicial clerkships; graduation; and management of Orientation for incoming students, as well as bar exam preparedness. In addition, the CSSO continued to generate and post job opportunities for students and graduates, and to share that information with other law schools nationwide. The CSSO also has ongoing information-gathering and reporting duties for the American Bar Association, the National Association for Legal Career Professionals (NALP), and numerous organizations like the National Hispanic Bar Association, and publications like U.S. News and World Report.

UNM School of Law was named again this year the top law school in the country for Hispanic students by Hispanic Business Magazine. The CSSO was responsible for the reporting and interaction with editors of Hispanic Business before and after the rankings were made.

The figure for law graduates employed or in a full-time degree program as reported by NALP for 2008 was 92.3 for the country as a whole. The figure for UNM in 2008 was 93.3% employed or in a full-time degree program.

During the period of July 1, 2008 through June 30, 2009, the CSSO held a number of large- and small-group workshops and panels. Some dealt with career matters and others with academic success and professionalism.

Under the heading of career matters, the CSSO:

- Administered the Hugh Muir Oath Project for first year students. One hundred percent of the first year class participated in this professionalism effort.
- Designed and administered an Externship Expo in conjunction with the UNM School of Law Clinic. In this program, attorneys from approximately 50 legal entities described the opportunities they had for law students to an audience of about one third of the law school student body.
- Advertised the Seth Montgomery Fellowship at the New Mexico Center on Law and Poverty. The CSSO held an information session for students to hear from the Center's legal director.
- Managed all aspects of On-Campus Interviews from contacting and scheduling employers, to workshops for students, to arranging for interview dates, times and locations. In addition, this service of advertising postings, collecting applications and arranging for interviews on campus, was provided for judges from the state Court of Appeals and Justices from the Supreme Court. Attorneys from firms were encouraged to hold information sessions about their communities and practice areas. Despite substantial drops in attendance by national employers at job fairs and in On-Campus Interviews throughout the nation, the UNM CSSO was able to hold a robust season of On-Campus Interviews.
- Worked with the New Mexico Hispanic Bar Association on all phases of the National Hispanic Bar Conference held in Albuquerque, including planning and execution of their career fair and law student symposium. Assistant Dean John Feldman was a presenter at the symposium.
- Held a seminar on applying for judicial clerkships featuring students who had successfully obtained federal clerkships for their post graduation jobs.

The ground-work for administration of the Law School's Externship program, which will become the responsibility of the CSSO beginning July, 2009, was laid during the reporting period. The CSSO will advertise opportunities to students, and academic advising will be provided by both Deans Feldman and Stepleton to assist students with finding a match which suits their academic and career goals. Records of the location of student externships and communication with employers will be maintained by this office.

Examples of academic support and success efforts by the CSSO included:

- For the first time a comprehensive, free bar review supplemental class was offered to graduates and alumni repeat takers. The course included essay exam taking strategies as well as daily essay exam practice. In addition, students were taught multiple choice test taking skills and skills needed to take the Multistate Performance Test. This contributed to an excellent bar passage rate for first time takers and for repeat takers. Other bar support activities included having several sessions on applying for and taking the New Mexico Bar exam, including representatives from the Board of Bar Commissioners. The CSSO continued to offer students assistance to obtain fingerprints for their application at the law school. The CSSO, on behalf of the Dean, also offered coffee and food for those studying for the Bar.
- Academic support workshops were offered for current students on exam-taking techniques. This included a session for first year students in advance of their taking practice exams and midterms.
- Assistant Dean Stepleton advocated for and enabled the continuation of having a part time English grammar and writing instructor who teaches a voluntary 8 week course in writing. Dean Stepleton continued coordination of the curriculum of this class with the Legal Writing supervising instructor. In addition, Dean Stepleton worked with the writing professors to find and administer an English Grammar and Writing assessment instrument for the entire first year class.
- Training was continued for tutors working with first-year students, and tutor activities were monitored.
- Individual counseling and academic plans for students on probation continued.
- More automatic doors were installed for people with disabilities with an emphasis to allow access to various classrooms throughout the law school and the clinic. Assistant Dean Stepleton has been part of the planning committee and has input regarding planned renovations which will ensure full ADA compliance and improvement of the facilities for people with disabilities.
- Work with faculty on formalizing academic success and support programs was continued.
- Assistant Dean Stepleton attended a conference on offering a Bar Review course for Credit put on by the National Conference of Bar Examiners.

Examples of on-going duties by the CSSO included:

- Collecting and reporting data for the National Association for Law Placement, the American Bar Association, US News and World Reports, the Princeton Review, EqualJusticeWorks, and Hispanic Business Magazine.
- Interaction as requested by the Admissions Office with prospective students with career questions. Participation in Admissions Office open houses by putting on an hour long seminar to prospective applicants regarding the services of the Career and Student Services Office.
- Preparation of an annual budget.
- Administering various career fairs in which our students participate, including EqualJusticeWorks and Sunbelt and this year the NLLSO conference mentioned above.

- Assistance with recruitment efforts by military, as well as amelioration efforts by faculty and students.
- Support of 30 student organizations including helping with event planning, budgeting, meetings, dispute resolution and accounting.
- Coordinating activities of 8 moot court teams including assistance with travel, team selection and other logistics.

During the past year, the CSSO has had three full time staff members, and there has been a solidification of office duties. Coordinator Nancy Huffstutler took on additional responsibility for the administrative duties of the externship program by managing student time sheets, and all paperwork involved with registration and advertising opportunities.

Assistant Dean John Feldman continued to serve as the designee for the Dean on the committee of the New Mexico Department of Higher Education that administers the state Loan Repayment Assistance Plan (LRAP) for public interest lawyers. The LRAP provided assistance to public defenders, district attorneys and legal services lawyers. LRAP has proven to be a success for recruitment and retention of new public service lawyers. Dean Feldman also held a seminar on the new Federal Student Loan legislation, including the public service provisions, for the wide community of public interest lawyers impacted by the new laws. He designed and taught a Continuing Legal Education program to give training to attorneys serving as mentors for UNM Law Students under the umbrella of the State Bar Young Lawyer Division Mentorship Program. This allowed lawyers and students to design professionalism plans for career growth and satisfied the professionalism requirement for attorneys imposed by the state bar. He also served on various State Bar committees, and was active in supporting efforts of the State Bar to connect with law students. He participated in the Albuquerque Bar Association, and was the point of contact between the Albuquerque Chapter of American Inns of Court and the law school. He participated as a member of the Inn and assisted the Inn incorporate students as members.

Bonnie Stepleton continued to forge better working relationships with accessibility services at UNM to provide for the needs of students with physical and learning disabilities, meeting with students after their acceptance to help them from orientation forward. She also designed and managed orientation. She arranged for several students to have accommodations and met with all students on suspension. She was responsible for managing all aspects of law school graduation. She worked with student groups on organizing, fund-raising and elections issues. She worked with various outside organizations, including the Women's Bar Association and the NM Bar Committee on Law Office Management. She served on the law school Academic Support Committee, helping the faculty to tackle issues of advisement and the structure of support programming.

John Feldman and Bonnie Stepleton have both worked at assisting students, staff and faculty with interpersonal, academic and workplace problems as brought to them by individuals, student organizations, or as assigned by the Dean. Both addressed accepted applicant and open house functions as requested by the office of Admissions.

Nancy Huffstutler handled a full annual cycle of on-campus interviews, judicial clerkship applications, mock interviews, and the State Bar Summer Program. This included handling of

numerous calendars, arranging for space, assisting students and employers with recruitment, and she also posted information about jobs, fellowships and writing competitions. She assisted in the coordination of orientation, graduation, and the Honors and Awards ceremony.

INSTITUTE OF PUBLIC LAW AND INSTITUTE OF PUBLIC POLICY

The Institute of Public Law during 2008-09 continued to initiate and expand relationships with partners in government and within the university, with an emphasis on contributing to the development and implementation of sound public policy. A few highlights of the many projects conducted by IPL this year included:

- The Rozier E. Sanchez Judicial Education Center developed a robust series of videoconferences for judges to provide educational services without requiring travel time and expense;
- The Government Law Center revised regulations and legislation on petroleum storage tanks for the Environment Department, and election code regulations for the Secretary of State;
- The Center for Wildlife Law brought hundreds of students to Santa Fe to observe the working of state government and to participate by discussing a memorial on creating wildlife corridors, which ultimately passed the House of Representatives;
- The Corinne Wolfe Children's Law Center implemented a cross training program on educational advocacy for children in foster care, and a core training curriculum;
- The Traffic Safety Law Center continued its Governor's Research Forum Series on prevention of drunk driving, and intensified its monitoring efforts on behalf of consumers of traffic safety schools that failed to meet obligations;
- The Institute became a Public Policy Institute in partnership with the Kettering Foundation, conducted several seminars for University faculty, staff and students, as well as some for the broader community, on incorporating principles and techniques of collaborative governance into the development of public policy, and conducted its first training for moderators and recorders for national issues forums;
- This training was then implemented when IPL and the Institute for Public Policy undertook, in cooperation with the School of Law's Utton Transboundary Resources Center, a statewide series of forums to ascertain stakeholder reactions to suggested reforms to the water rights adjudication process. This inquiry, requested by the State Legislature in SJM 3, later culminated in a report to two legislative interim committees;
- The Institute adapted several web-based training programs for the judiciary on domestic violence and sexual assault to the needs of several other state judiciaries, under contracts with them; and
- The Institute obtained a grant to produce a family law manual for the New Mexico judiciary.

During the period of this report, the transfer of the Institute for Public Policy from the College of Liberal Arts and Sciences to the School of Law was completed, and Paul Biderman named IPP's executive director. Highlights for IPP during this fiscal year included:

- Development of a study on health care in New Mexico for the Robert Wood Johnson Center, with emphasis on the views of Hispanics in this state toward their health care (and creation of the largest known dataset on this issue);
- Conducting of a survey on the intersection between religion and science; and
- IPP's leading role in the water rights adjudication public meeting process described above.

IPL's continued growth this year led to our hiring additional staff and promoting others, while some staff moved on, as follows (there were no changes to IPP's staff, other than the numerous students hired as needed to conduct survey research):

PERSONNEL ACTIONS:

Employee Classifications as of 6/30/09

Faculty	Exempt (monthly)	Non-exempt (bi-weekly)	On-Call	Student employee	Temporary employee	Total – all employees
1	22	6	14	1	1	45

New Hires

- 2 Education Specialists: Jennifer Costas and Angela Delong Pacheco
- 1 Program Specialist Lazarita Heather Williams 1/12/2009
- 2 Student Employee: Charles Kraft and Sona Sarracino
- 1 Temporary Administrative Assistant III: Patricia Otero 6/23/2009

Promotions

- Elizabeth Norris, from Admin. Assistant 3 to Operations Specialist 7/01/08
- Danelle Callan, from Admin. Assistant 2 to Admin. Assistant 3 1/02/2009
- Cynthia Hensley, from Admin. Assistant 3 to interim Coordinator, Ed. Support 1/02/009
- Marian Chavez, from Coordinator Special Events to Events Planner 4/01/2009

Reclassifications

- Anthony Cornay, from Operations Specialist to Education & Development Manager in April 2009

Separations

- Kirt Heider, resigned 9/10/08
- Deborah Bogosian, retired 12/31/08
- Sharon Lamont, resigned 5/02/2009
- Gabriel Baca, separated 5/31/09

IPL's extensive service to government and the communities of New Mexico is provided through its centers. Examples of the work of these Centers are provided here.

CORINNE WOLFE CHILDREN'S LAW CENTER:

The Children's Law Center (CLC) was founded to provide training, education, and information services to judges, attorneys, and other professionals and volunteers who work with children and families in the abuse/neglect and juvenile justice legal systems. In addition to offering one-time programs on special topics, the CLC offers comprehensive, high quality programming on an ongoing basis.

Some of the highlights for the Children's Law Center this year were:

- Conducting cross-training programs around the state on educational advocacy for children and youth in foster care. Co-sponsored by the Court Improvement Project and the Children, Youth and Families Department, these programs were held in Albuquerque, Carlsbad, Gallup, Las Cruces, and Santa Fe, and attracted an audience of judges and attorneys, CYFD workers, CASA and CRB volunteers, counselors, educators, and foster parents.
- Developing and conducting the core curriculum training for judges and attorneys handling abuse and neglect cases in Children's Court. Provided in November 2008 and April 2009, this "core training" will now be offered annually to ensure that all dependency court judges and practitioners receive this comprehensive introduction to child welfare law and practice. In April, the CLC videotaped the live program for later distribution by DVD and streaming on the CLC website, which will allow all attorneys and judges to have timely access to training.
- Collaborating with the NM Coalition of Sexual Assault Programs on two important programs funded by the Children's Justice Act Advisory Group. The first program was a three-day trial skills program for attorneys in child welfare cases, provided by the National Institute of Trial Advocacy. The second program brought together legal professionals, law enforcement personnel, and court-appointed special advocates from the criminal justice and child protection systems for a day of training with Victor Vieth, Director of the National Child Protection Training Center.
- Expanding the CLC's programs and services for attorneys who represent children and parents in child welfare cases, maintaining active listservs for both groups of attorneys and conducting training for children's attorneys and guardians ad litem in April 2009 and parents' attorneys in June 2009.

- Commencing work on a New Mexico Juvenile Justice Handbook, a legal manual on delinquency for judges, attorneys and probation officers comparable to the New Mexico Child Welfare Handbook, now in its third edition.
- Playing a lead role in the 2009 Children's Law Institute, which this year drew nearly 1,000 participants from around the state.
- Continuing to partner with the Children's Law Section of the State Bar in hosting and taping noontime programs on topics of interest to Children's Court practitioners and court staff.

TRAFFIC SAFETY LAW LICENSING PROGRAM:

During the past year, the Licensing and Monitoring Unit of the Transportation Safety Center continued their regulatory work on behalf of the NMDOT, Traffic Safety Bureau (TSB). The Unit:

- Reviewed and processed 173 traffic safety applications for licensure and certification before the July 1st deadline. These included original and renewal applications for the driver education schools and affiliated instructors only. The DWI and Driver Safety Schools and affiliated instructors will be licensed and certified in winter of 2009.
- Reviewed and processed 458 requests from parents for their students' participation in a correspondence driver education program.
- Conducted 152 monitor site visits to evaluate traffic safety school programs and instructors, and to review TSB records for federal compliance. Site visit reports were written for each site and submitted to the appropriate staff for follow-up work with the provider.
- The proposed DWI and Driver Education school rule revisions prepared by Ms. George were published in the New Mexico Register on 2/13/09. The proposed rules for the Ignition Interlock and Driver Safety programs have not been approved, and may require additional hearings pending final decisions by the Transportation Commission.
- Contracted with NM Tourism to create a licensing program of off-highway motor vehicle training centers, instructors and guides.
- Processed 47 surety claims for reimbursement on behalf of families from the Farmington area, due to the closing of a driver education school...

GOVERNMENT LAW CENTER:

The Government Law Center (GLC) continued to provide its research and drafting service to state agencies as follows:

Environment Department

- As part of the Environment Department's multi-year effort to completely update and revise all regulations governing petroleum storage tanks, the GLC completed significant revisions to the rules addressing General Provisions, Reporting and Investigation of Suspected and Confirmed Releases, Administrative Review, Corrective Action of Storage Tank Systems Containing Petroleum Products and Other Regulated Substances,

Certification of Tank Installers, Corrective Action Fund use and Expenditures, Qualification of Persons Performing Corrective Action, and Corrective Action Fund Administration. Additionally, the GLC drafted an entirely new rule establishing requirements for Tank Operator Training. Once drafted or revised, we successfully represented the Petroleum Storage Tank Bureau (PSTB) in stakeholder meetings and rulemaking hearings before the Environmental Improvement Board and the New Mexico Environment Department.

- During the same fiscal year, we consulted with the PSTB as it began implementing the new rules, developing forms and Standard Operating Procedures for the PSTB to use.
- Continued to work with the PSTB on a bill for the 2010 legislative session that would amend the Hazardous Waste Act and the Ground Water Protection Act.
- Developed presentations for the Bureau on regulatory and legislative changes for use in stakeholder meetings and legislative committee hearings. Advised the PSTB Chief during meetings of the Radioactive and Hazardous Materials Interim Committee.
- Prepared legal memoranda for and provided advice to the Bureau and the Environment Department on various issues related to administration of the Corrective Action Fund and the Environmental Improvement Board.

Public Regulation Commission

- Completed revision of rules and forms for the Title Insurance Bureau and compiled same into a manual for electronic and print distribution.

Office of the Secretary of State

- Drafted, revised, and filed new and existing rules concerning Absentee Voting, Provisional Voting, Native American Voting, and Procedures for Recounts, Audits, Rechecks and Contests.
- Researched, prepared legal memoranda, and advised the Secretary of State on various issues arising out of the Election Code, rules, and local practices.
- Presented draft rules at Election School on behalf of the Secretary of State.

ROZIER E. SANCHEZ JUDICIAL EDUCATION CENTER OF NEW MEXICO:

The Rozier E. Sanchez Judicial Education Center of New Mexico (JEC) completed its seventeenth year as the primary source of education and training for the New Mexico judicial branch with the following activities:

- Produced or significantly supported 26 educational programs, including:
 - Annual conferences for every group of judges and court staff.
 - Annual seminars for water law judges, domestic violence commissioners and court supervisors.
 - In-depth training on high priority areas including five regional community seminars on DWI.
 - Three-day refresher training for new magistrate judges six months after their initial orientation.

- Regular video conferences for magistrate and municipal courts on key topics, including DWI sentencing, warrant procedures and probation violations.
- Sponsoring the National Judicial College to present a four-day course in New Mexico on Enhancing Judicial Bench Skills for magistrate judges, with credit offered toward NJC's Professional Certificate in Judicial Development emphasizing Special Court Trial Skills.
- As necessary, updated and distributed judicial benchbooks on topics such as DWI, domestic violence, traffic citations and judicial ethics.
- Continued to update and add resources to JEC's comprehensive web site, <http://jec.unm.edu/>.
- Provided financial support for 65 judges and court staff to attend out-of-state educational programs not offered in-state, such as courses at the National Judicial College in Nevada, as well as several in-state non-JEC programs.
- Provided financial support for 48 court staff to take Judicial Studies courses at Central New Mexico Community College.
- Continued to provide financial support for the Navajo Interpreter Certification program at the University of Arizona National Center for Interpretation Testing, Research and Policy to ensure the availability of Navajo language interpreter services in the New Mexico courts.
- Received funding from the Traffic Safety Bureau of the NM Department of Transportation to provide DWI training for the judiciary and from the Administrative Office of the Courts to produce a water law seminar and warrant enforcement conference.

CENTER FOR WILDLIFE LAW:

The Center for Wildlife Law published its sixteenth year of the *Wildlife Law News Quarterly*, as well the online Wildlife Law News Weekly Alerts. The Center for Wildlife Law wrote a number of grant proposals for projects involving climate change law and policy and the Wild Friends Youth Program.

Director Ruth Musgrave gave a presentation on "Legal Trends in Fish and Wildlife Policy" at the conference "Integrating Human Dimensions into Fish and Wildlife Management" in Estes Park, Colorado in October 2008. She authored a chapter by the same title for Island Press' book, *Wildlife and Society*, published in 2009. The book was the 2009 recipient of the Wildlife Publication Award-Outstanding Edited Book Category best wildlife policy publication from the Wildlife Society.

Musgrave edited a number of chapters for the book, *The Sportsmen's Voice: Hunting and Fishing in America*, which will be published in 2009. She attended the American Association of Fish and Wildlife Agencies' annual conference in Saratoga Springs, New York, as well as the North American Wildlife and Natural Resources Conference in Washington, DC. She gave reports to AFWA's Climate Change Committee and Legal Committee at both conferences.

Wild Friends has been a program of the Center for Wildlife Law since 1991. This statewide voluntary, pipeline education program integrates civics and wildlife science with language arts

and implements state education standards to help students in grades 4-12 understand the democratic process, develop good citizenship skills, and contribute to wildlife conservation by involving them in public policy projects of their own choosing.

Wild Friends students chose the topic of wildlife corridors for their 2009 legislation, House Joint Memorial 4, which was sponsored by Rep. Mimi Stewart. The memorial calling for a statewide information sharing workshop was passed unanimously. During the 60-day session, approximately 500 students from around the state participated in 21 field trips to the Capitol to meet legislators and other students contacted legislators by fax and phone. Several students also testified in House and Senate committee hearings.

As a result of the memorial, on August 20, 2009, the Wildlife Corridor Workshop brought together 150 people representing over 80 entities, and speakers from New Mexico, Arizona and Colorado, to share information and discuss needs. The meeting was hosted by NM Energy, Minerals and Natural Resources Department Secretary Joanna Prukop and Western Governors Association representative Madeline West.

In December 2008, ABC Online News featured a story about earlier Wild Friends legislation to protect wildlife corridors. The article outlined the success of the Tijeras Canyon Wildlife Safe Passage project in reducing wildlife-vehicle collisions on this stretch of I-40 and explained the students' significant legislative contribution in kicking off the project – their 2003 memorial requesting the state to act to reduce wildlife-vehicle collisions.

TRAFFIC SAFETY LAW CENTER EDUCATION PROGRAM:

The Institute continued a long-standing relationship with the New Mexico Department of Transportation's Aviation Division and Traffic Safety Bureau in the production of law-related publications, including the New Mexico Motor Vehicle Handbook, the Motorcycle Laws Handbook, three newsletters, and numerous other printed brochures and materials. IPL also assisted in the development and facilitation of meetings and conferences for a variety of audiences. The following are this past year's highlights of our work with the NMDOT in addition to many duties we perform annually:

- The Governor's Research Forums presented a series of speakers to provide information and research to enhance New Mexico's efforts against DWI, including Scott McKnight discussing DWI prevention among motorcyclists; South Dakota Attorney General Larry Long on that state's innovative drug court program, and a discussion by three UNM experts on New Mexico's treatment requirement for all convicted subsequent DWI offenders.
- The Institute brought motorcycle safety awareness to the annual Sandia Classic, which is attended by thousands of cyclists and others. In addition, the Institute developed and distributed motorcycle safety materials through a number of groups and agencies.
- Training classes and conferences were held throughout the year for DWI school instructors, driver safety instructors, new driver education instructors, and returning driver education instructors. A retreat for CDWI coordinators was held in May and featured a number of national speakers on youth behavior and alcohol.

- Intensive preparation also began for the “Bridging the Gap,” NMDOT Traffic Safety Summit scheduled for August, which will, for the first time, devote a full day exclusively to Native American Transportation Safety Initiatives.

STAFF PROFESSIONAL ACTIVITIES:

IPL staff contribute their time and skill to their University and local communities. A few examples of outside professional activities include:

IPL Director Paul Biderman continues to serve occasionally as a pro tem Municipal Court Judge for the City of Santa Fe and on the Supreme Court’s Advisory Committee on the Code of Judicial Conduct. During this fiscal year he served as board president for the Monte del Sol Charter School in Santa Fe, and as a board member for the Millennium Treatment Services Drug Court program.

Center for Wildlife Law Director Ruth Musgrave serves on the Board of Directors and the Executive Committee of Defenders of Wildlife, a national wildlife organization. She also continues to serve on the Board of Trustees of the Dian Fossey Gorilla Fund, an international nonprofit organization devoted to preserving the mountain gorillas of Rwanda. She serves as trustee of the Frances V.R. Seebe Charitable Trust, and is on the board of the national Conservation Registry, www.conservationregistry.org.

DEVELOPMENT & ALUMNI AFFAIRS

HIGHLIGHTS:

The Alumni’s “15th Annual Distinguished Achievement Awards Dinner” was a great success. The dinner honored three recipients, including the Gary O’Dowd, Bill Carpenter and Pamela Minzner. Over 200 people attended the dinner. The event net \$16,464.00.

The Alumni Association’s 7th annual Summer Golf Classic was held at the Isleta Eagle Golf Course in August. Approximately 100 players participated helping to raise \$6,559.00

Funds raised from these two events will be used to support the Dean’s priorities and initiatives and scholarships.

FUNDRAISING:

During FY 2008-2009, the School of Law raised \$871,400. FY 2008-2009 saw giving to the Dean’s Fund total \$93,753.50. The fundraising campaign for the Pamela B. Minzner Chair continued toward its \$1.5 million goal. The Chair is slated to be filled in the Fall of 2011.

FY 2008 – 2009 also saw changes in our development staff. Hannah Farrington joined as the Director of Development for the School of Law in January 2009.

STAFFING RECOMMENDATIONS :

Currently an additional fundraiser and Alumni Relations and/or Marketing coordinator would be ideal additions, when resources permit.

JUDICIAL SELECTION

During the 2008-2009 fiscal year, ten (10) judicial vacancies were filled through the judicial selection process. The Judicial Selection Office at the UNM School of law convened six (6) Judicial Nominating Commissions (and reconvened one [1] Commission) to recommend nominees to the Governor to fill the vacancies. The chart below shows the dates of the Commission meetings, and the persons appointed:

Date	Court	Commissioners	Vacancies	Applicants	Nominees	Appointed
10/3/08	12 th District	16	1	5	3	Sandra A. Grisham
10/15-6/08	Ct. of Appeals	17	3	40	10	Hon. Robert E. Robles Hon. Linda M. Vanzi Hon. Timothy L. Garcia
11/20/08	Metro	15	1	17	4	Briana H. Zamora
12/4-5/08	2 nd District	19	3	25	9	Alan M. Malott Gerard J. Lavelle Beatrice J. Brickhouse
12/18/08	3 rd District	17	1	12	4	Manuel I. Arrieta
1/15/09	1 st District	19	1	6	1	Reconvened
2/27/09	1 st District	19	Recon	7 add'l	2 add'l	Sheri A. Raphaelson

The Dean of the School of Law, as Chair of the Judicial Nominating Commissions, performed the following duties in carrying out the constitutional responsibilities charged to the Chair:

- Advertised vacancies, Commission meetings, applicant lists and nominee lists;
- Solicited and reviewed applications;
- Duplicated and distributed applications to Commissioners;
- Communicated with Disciplinary Counsel regarding disciplinary history of applicants;
- Convened and Chaired the Commission meetings; and
- Carried out the various Commissions' decisions by drafting and adopting new rules, and forwarding the names of recommended nominees to the Governor.

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