

THE UNIVERSITY OF NEW MEXICO SCHOOL OF LAW
ANNUAL REPORT JULY 2005-JUNE 2006
SUELLYN SCARNECCHIA, DEAN

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STAFF APPOINTMENTS AND SEPARATIONS

Faculty

Permanent Faculty:

Professor Sheryl Wolf retired from the law faculty at the end of the 2005-06 academic year. Professor J. Michael Norwood was appointed Associate Dean for Academic Affairs beginning July 1, 2005.

Visiting Faculty:

Eleven visitors taught at the Law School during one or both semesters of 2005-06: Cynthia Aragon, Gary Conine, Charles Daniels, Joseph Freedman, Eileen Gauna, Evan Hobbs, Keith Lundin, Stewart Paley, Theresa Player, Lisa Torracco, and Robert Yazzie.

Cynthia Aragon taught in the Law School's Southwest Indian Law Clinic during the fall and spring semesters. Ms. Aragon was formerly an attorney with Law Access and an Assistant District Attorney with the Bernalillo County District Attorney's Office.

Gary Conine joined the law faculty during the fall semester as the Judge Leon Karelitz Chair in Oil and Gas. Mr. Conine, who held the Karelitz Chair during the spring of 2004, formerly taught oil and gas law at the University of Houston Law Center.

Charles Daniels taught Evidence/Trial Practice during the fall semester. Professor Daniels is a trial attorney with the firm of Freedman, Boyd, Daniels, Hollander, Goldberg, and is a former tenured member of the law faculty.

Joseph Freedman, an attorney with the Environmental Protection Agency in Washington, DC, visited the Law School during the fall and spring semesters. He taught International Environmental Law, Administrative Law, and International Trade Agreements and Protection of the Environment.

Eileen Gauna visited UNM from Southwestern University School of Law where she was Professor of Law. Professor Gauna taught Environmental Law and Environmental Justice Seminar during the spring semester. Professor Gauna accepted a tenured position with the UNM Law School to begin in August 2006.

Evan Hobbs taught during the fall and spring semesters in the Law School's Law Practice Clinic, with a focus on Low-Income Taxpayer and Economic Development. Mr. Hobbs previously taught at the Law School as a visitor and adjunct faculty member. His prior law practice has included tax, estate planning, business planning, and securities law.

Keith Lundin, Judge on the United States Bankruptcy Court for the Middle District of Tennessee, visited UNM during the spring semester as the Weihofen Distinguished Visiting Professor of Law. Judge Lundin taught Basic Bankruptcy and Advanced Bankruptcy courses.

Stewart Paley visited UNM for the full academic year, teaching Commercial Transactions, Business Associations and International Business Transactions. Mr. Paley has been a commercial law attorney, specializing in finance, banking law, commercial lending, and bankruptcy.

Theresa Player, a Clinical Professor of Law at the University of San Diego, School of Law, visited UNM during the spring and summer. She taught in our clinical program's Community Lawyering Clinic.

Lisa Torraco continued as a Visiting Assistant Professor, teaching in the Clinical Law Program's D.A. Clinic. Ms. Torraco is a former assistant district attorney in the First and Second Judicial Districts of New Mexico.

Robert Yazzie, Chief Justice Emeritus of the Navajo Nation, taught Tribal Courts during the fall semester and Navajo Law and Practice during the spring semester.

Adjunct Faculty:

The Law School continued to strengthen its ties with the legal community. The following adjunct professors taught during the year: The Honorable A. Joseph Alarid, Judge, New Mexico Court of Appeals; A. Brent Bailey and Steven Scholl, Dixon, Scholl & Bailey; Mary Behm, Keleher & McLeod; Mark Bennett, Santa Fe mediation consultant; Mark Chaiken, Sutin, Thayer & Browne; Scott Davidson, Esq.; James Eads, NM Tax Research Institute; Allen R. Ferguson, Jr.,

NM Public Regulations Commission; Anthony J. Ferrara, Esq.; James F. Fitzpatrick, Arnold & Porter, Washington, DC; Tara Ford, Pegasus Legal Services for Children; Stephen Greetham, Doreen Hobson and Daniel Rey-Bear, Nordhaus, Haltom, Taylor, Taradash & Bladh; Alberto A. Leon, Bauman, Dow & Leon; David Levin, 2nd Judicial District Court; Anita Miller, Esq.; Honorable Nan Nash, Judge, 2nd Judicial District Court; Mary Pareja; Brian Pori, Inocente, PC; Edward Ricco, Rodey, Dickason, Sloan, Akin & Robb; Melissa Stephenson, NM Victims' Rights Project; Presiliano Torrez, U.S. Attorney's Office.

Staff

Herb Wright, who had been the Law School's Development Officer since August of 2000, resigned his position effective June 2006.

Staff Professional Activities:

Dr. Patricia Trainor, the school's Registrar, was executive director of the National Network of Law School Officers, and served on the Graduate and Professional Schools Committee of the American Association of College Registrars and Admissions Officers.

Bonnie Stepleton, Law School Student Services Consultant, volunteered as a mediator with the Metropolitan Court and with ARC of New Mexico on a committee that is looking at expanding their mission to include providing trust, estate planning and tax advice to people with developmental disabilities.

ADMISSIONS AND FINANCIAL AID

Admissions

Entering Students

The University of New Mexico School of Law received 1,162 applications for the class that entered Fall 2006. Of that group, 242 were admitted; 119 enrolled. For the entering class, the 25th percentile LSAT and UGPA was a 150 and 3.07; the 75th percentile was a 159 and 3.65. The median age on entry was 26. The class of 97 residents and 22 nonresidents had 45 percent women and 46 percent minority students.

The law school also enrolled 7 transfer students and 6 visiting students, including 3 students displaced by Hurricane Katrina.

Recruitment 2005-2006

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.

The law school also participated in regional recruitment through the Caravan sponsored by the Western Association of Pre-law Advisors (WAPLA). Individual visits were made to Northern Arizona University, Fort Lewis College, Colorado State University, Trinity University, Atlanta University, and Spelman College.

Prospective applicants were also recruited at Kaplan LSAT review courses and at the Law School Admission Council's Washington, DC Forum.

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

The law school also participated in UNM's outreach programs, including high school visitation days. For the tenth year, the law school participated in the Law School Admission Council's National Minority Recruitment Month initiative. This year, the law school sponsored a Minority Mentorship Mixer. 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 sent note cards to admitted applicants.

We continued to improve law school publications. Additional materials were created for high school and college recruitment, and an updated promotional bookmark was printed. The viewbook and Indian Law brochure were redesigned, and new promotional envelopes, postcards, and stationery were created. We also continued updating and redesigning the law school admissions website.

Financial Aid

In 2005-2006, the school awarded scholarships, grants, and fellowships to 82 students or 23 percent of the student body. The total amount of aid awarded was approximately \$585,000. The awards were supported primarily by law school endowment income and gifts and University Endowment Income and other funds. Need-based grant decisions were made by the law school financial aid committee and based on information provided on the Access application. All law students were asked to include parental information as a part of the need analysis. Non-need-based scholarships, fellowships and grant decisions were also made by the financial aid committee, or in some cases separate committees.

Law school tuition has increased at a rate of approximately ten percent each year and was \$8,816 for residents and \$21,394 for nonresidents. In addition, students were charged \$300 for computer and duplicating fees.

As the law school's limited funds do not meet the needs of our students, many students must depend heavily on loans. In 2005-2006, 306 law students borrowed a total of \$6,156,000 from outside sources, (Federal Perkins, Federal Direct Subsidized and Unsubsidized Loan programs, and private loan programs) to finance their law school educations. The average amount borrowed for 2005-2006 J.D. graduates was \$33,679.

REGISTRAR'S OFFICE

The University of New Mexico School of Law Registrar's Office successfully managed student enrollment and maintained student records for 360 students. This enrollment represented four percent African American's; 11% Native American's; two percent Asian; 24% Hispanic; 50% Caucasian; and nine percent undeclared. In-house digital archiving of past student records continues on an annual basis. The office certified a total of 117 third-year students for graduation (Dec. '05 = 9; May '06 = 103; July '06 = 5). The Class of 2006 turned in a 95% bar passage rate for the July '06 New Mexico bar examination, matching last year's bar passage rate. Quite a feat!

CURRICULUM COMMITTEE

In addition to designing and staffing a curriculum that supports the core program of studies at the Law School there are several other noteworthy developments:

- The one credit hour first year, first semester course entitled Practicum was reviewed by the curriculum committee to determine if it should be continued as a mandatory first year course. The committee recommended to the faculty that the course be continued for an additional year with a more cohesive structure emphasizing introduction to the profession and professionalism themes, and involving more plenary sessions that utilize guest speakers from the practicing bar. This recommendation was approved by the faculty. A new syllabus, compilation of readings, and speaker series was developed by the Associate Dean for Academic Affairs during the summer of 2006.
- An International Law Certificate Program was proposed by the international legal studies committee and the curriculum committee. The faculty responded to the proposal by recommending that the international committee continue to develop its proposal in light of comments suggesting that more attention be paid to our boarder region, and that the School develop more clarity about standards for certificate programs.
- The curriculum committee approved a modification to its policy on moot court and other competitions whereby the administration could, if necessary, impose a cap on the number of competitions that are financially supported by Law School funds.
- The Associate Dean for Academic Affairs in coordination with the curriculum committee and the faculty laid the groundwork for the law school to plan its curriculum two years ahead rather than one. A two year curriculum plan was developed and presented to the faculty, together with a strategy for ongoing two year planning.

- In coordination with the Anderson Schools of Management, the Law School agreed to implement a joint degree program in Law and Masters of Accounting.
- New clinical courses in tax disputes and economic development were initiated. They are more fully described in the Clinical report.
- The Dean and Associate Dean for Academic Affairs begin developing a plan for effective and economic use of part time instructors.

INDIAN LAW CERTIFICATE PROGRAM

Indian Law Certificate Graduates

The May 2006 graduation added seven more alumni who completed the Indian Law Certificate (ILC). With this cohort, 82 graduates have completed the program since the first class graduated in May 1995. The certificate requires 21 hours of specialized study in Indian law. Of the 82 who have earned the ILC, 55 individuals are indigenous, including American Indian, Native Hawaiian, and Chamorro from the Marianas.

American Indian Student Enrollment

In the 2005-06 academic year, 37 American Indian students representing over 20 tribal nations were enrolled at the Law School. The “critical mass” represented by these numbers facilitates a supportive climate at the Law School that promotes the success of Native American students. The relative lack of scholarship funds remains the biggest obstacle to enrolling American Indian students who are admitted to UNM, since many of these students are actively solicited for matriculation at other law schools with more generous offers of financial support.

Indian Law Scholarships

A committee consisting of representatives of the UNM Indian Alumni Council and UNM School of Law awarded 2005-06 Toby Grossman Scholarships to two first-year law students, Sunshine White Hair and John Young. Each scholarship consisted of a financial award in the amount of \$8,000.

In addition, first-year law students Francine Hatch and Laura Oropeza each received a Native American Economic Development Scholarship, which consists of two consecutive annual awards of \$5,000 plus a summer externship stipend of \$3,000.

Memoranda of Agreement with Tribal Nations

In March 2006, UNM School of Law signed a memorandum of agreement (MOA) with the Pueblo of Santa Clara. The objective of the agreement—modeled after an ongoing agreement between UNM School of Law and the Navajo Nation—is to increase the number of Santa Clara tribal members enrolling in the Law School. In addition, Professor John LaVelle and Indian Law

Program Coordinator Mitzi Vigil traveled to the Jicarilla Apache Reservation in November 2005 to continue discussions with the Jicarilla Apache Nation's Higher Education Division that are expected to culminate in the signing of yet another MOA between UNM School of Law and tribal nations in New Mexico. Representatives of other pueblos expressed interest in developing MOA's with UNM in the near future.

Indian Law Faculty and Curriculum

The core Indian law faculty members at UNM School of Law are professors Kip Bobroff, John LaVelle, Gloria Valencia-Weber, and Christine Zuni Cruz. Professor Bobroff served as chair of the Indian Law Certificate Committee in fall 2005, prior to embarking on a one-year sabbatical leave beginning in January 2006. Professor LaVelle began his tenure as chair of the Committee in spring 2006. Professor Valencia-Weber began half-time status on the UNM law faculty in fall 2005, teaching Indian Law during the fall semester as one her two-courses-per-year course load.

Professor Bobroff taught one Indian law-related course in fall 2005, Educational Equity in Law and Policy. Professor LaVelle taught Natural Resources in Indian Country in fall 2005 and both Indian Law and Conflicts of Indian Law in spring 2006. Professor Zuni Cruz taught The Law of Indigenous Peoples in spring 2005 and conducted both a Southwest Indian Law Clinic (SILC) course and a Tribal Law Journal (TLJ) course in spring 2006.

In addition to teaching by the regular Indian law faculty during the 2005-06 academic year, curriculum coverage was supplemented by visiting assistant professor Cynthia Aragon (Southwest Indian Law Clinic course), visiting assistant professor Robert Yazzie (Tribal Courts and Navajo Law & Practice) and Steven Greetham (Indian Tax).

Mitzi Vigil, coordinator 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.

Special Indian Law Events

- 12th Annual Indian People/Indian Law Convocation. The 12th Annual Convocation occurred on September 28, 2005, a ceremony bringing together Indian communities and commemorating the Law School's success in providing Indian law training to all students. Professor LaVelle delivered this year's keynote address, focusing on his work as a member of the executive committee for the board of authors and editors of the 2005 revision of *Cohen's Handbook of Federal Indian Law* and describing the seminal role of both UNM School of Law and the American Indian Law Center in the historic development of *Cohen's Handbook*.
- 3rd AILC/UNM/ASU Indian Law Symposium. On April 8, 2006, UNM School of Law hosted the third in a series of symposia co-sponsored by the American Indian Law Center, UNM School of Law, and Arizona State University College of Law, with additional one-time co-sponsorship from the University of Connecticut School of Law. The symposium—titled *Cohen's Handbook: Treatise or Brief?*—addressed implications

for the development of the field of Indian law emanating from the recent publication of the 2005 edition of *Cohen's Handbook of Federal Indian Law*. Speakers and panelists included AILC director Sam Deloria; Nell Jessup Newton, dean of the University of Connecticut School of Law and editor-in-chief of the 2005 edition of *Cohen's Handbook*; and William C. Canby, Jr., senior judge for the United States Court of Appeals for the Ninth Circuit and author of *American Indian Law in Nutshell*.

- *3rd Annual Indian Law Attorney Recruitment Program*. UNM School of Law conducted an Indian Law Attorney Recruitment Program on April 6 and 7, 2006, during the Federal Bar Association's 30th annual Indian Law Conference. The Indian Law Attorney Recruitment Program facilitates interviews of law students by potential employers from tribal, federal, and state governments as well as the private sector.
- *Honoring of New Mexico Senator Leonard Tsosie*. On April 21, 2006, UNM School of Law hosted an event honoring New Mexico Senator Leonard Tsosie for his many years of supporting the development of the Indian Law Program. Numerous speakers described examples of Senator Tsosie's exemplary leadership, and the event was followed by a buffet luncheon in the Law School Forum.

CLINICAL PROGRAMS

Clients Served

The Clinic began the 2005 summer semester with 115 open cases. During the year 178 new cases were accepted and 367 cases were closed during that time period. These cases ranged in case type from Family Law, tax disputes, Bankruptcy, Landlord tenant and non-profits, to juvenile defense representation. The students also worked on approximately 80 community-education or other projects, including research and lobbying on payday lending. Each student worked on an average of 6 cases per semester.

Strategic Planning and Staffing

The Clinic continues to perceive that the concept of creating "working groups," consisting of faculty interested in working together to maintain continuity in commitments to clients and community organizations, strengthens its competence and its reputation in the community. The process for developing this model for the Economic Development Section is currently under way. That the legislature has provided sufficient funds to hire an additional faculty member for the Southwest Indian Law Clinic has been very encouraging as this has been a major need.

When Professor Zuni-Cruz completed a five-semester continuous clinic rotation in the summer semester of last year, Cynthia Aragon was hired in the clinic as a visitor this past year. Paul Nathanson and Evan Hobbs were also recruited to teach in the clinic during the 2005 Fall semester. In addition the retirement of William MacPherson and the end of teaching eligibility for Lisa Torracco ended the D.A. clinic as structured. While the program has been a successful educational experience for many students, the faculty preferred to conduct a search for the best

clinical teacher available rather than to limit a search for someone to fill a D.A. clinic position whenever we next have a clinic position approved by the faculty. This is because the isolation of the D.A.'s office limits opportunities for collaboration among the clinic faculty and limits integration of the clinical teacher with the rest of the faculty. Further, both the isolation and the need to shield against conflicts of interest prevent the D.A. clinical teacher from sharing in discussions about our mission and teaching goals. Thus, Associate Dean Mike Norwood, John Feldman and Associate Dean Antoinette Sedillo Lopez worked to evolve the D.A. clinic into a course with a placement opportunity for students. This course was developed and will be offered this spring semester.

Two additional visiting professors joined the clinic staff last year: Terry Player from the University of San Diego and Bob Siebel from Cal Western.

Access to Justice Network

The Access to Justice Network, a group of attorneys committed to take referrals from the clinic, continued to grow over the last year. There are now 149 attorneys who are members of the network. In collaboration with Law Librarian Carol Parker, a Native American Access to Justice Network has been developed to address the legal needs of Native American communities that the clinic is unable to serve. The number of referrals made to members of the network averages over 53 a month. The network was able to offer students and our network members law school courses for CLE credit. Courses offered included Spanish for Lawyers, Law Office Management for the Solo or Small Firm Practitioner, Economic Development for the Small Business, Navajo Law and Practice and Domestic Violence. In addition, Carol Parker offered members library and data base services.

Community Lawyering Sections

The Community Lawyering Clinic has continued to thrive. Professor Suzuki developed a relationship with Comunitario Enlace, a community service organization serving the needs of immigrants who have experienced domestic violence, and with an AIDS community service group. Professors Mike Norwood and April Land continued the Child Advocacy Clinic in partnership with PB&J Community Services and with programs for families in crisis at the UNM Hospital. The Community Lawyering Clinic helped clients with some extremely challenging cases. In addition the Juvenile Ombudsman project served 145 juveniles during the period. The Clinic also made about 12 visits to the Grants Women's Prison to provide limited legal services to the residents.

Innocence and Justice Project

The structure of the Innocence and Justice Project was improved. Professor Mike Norwood developed a course to teach students about post conviction relief and to work on the convicted individuals' applications to the project. He hired two experienced lawyers to teach the course as adjuncts. The students will investigate the facts, interview potential clients and prepare memos for the Innocence and Justice Board to assign the case to private counsel. Once assigned, private

pro bono counsel will take over professional responsibility and the cases will no longer be part of the clinic caseload. This development will increase both the quality and quantity of the work on the project. It is necessary to continue to work on integrating their work with the clinic's file management system.

Law Practice Clinic/Economic Development

Professor Mathewson developed a plan for an Economic Development Section of the Clinic. Evan Hobbs, who was hired with funding from the National Taxpayer Advocate to develop a Low Income Taxpayer Clinic, and Paul Nathanson launched the fulltime Economic Development Section last fall. The section collaborated with the Small Business Institute of the Anderson Schools of Management to provide multidisciplinary services to a local start-up company. Professor Mathewson worked on his project to train law students and lawyers about the appropriate legal entity for developing unusable land parcels, particularly in Hispanic and African American Communities, and served as Acting Director of the Clinic this summer while Antoinette Sedillo Lopez directed the Summer Law Institute in Guanajuato, Mexico. Professor Martinez continued to develop and enhance the Clinic Practice Manual and supervised the Externship Program in the Spring.

The Clinic received a three year grant to fund the Low Income Tax Clinic, which operates as part of the Economic Development Section. Professors Nathanson, Mathewson and Hobbs worked on expanding and developing outreach and community contacts. Professor Sergio Pareja and Kip Bobroff have been recruited to teach in the Clinic and clinic staff and faculty look forward to their joining the working group.

Southwest Indian Law Clinic

The Southwest Indian Law Clinic received additional funds from the legislature to hire a second faculty member and the search process for that faculty member has begun. Professor Cynthia Aragon, (Navajo) taught in the clinic during the entire 12-month period of this report. SILC continues to serve native clients and tribes. It expanded its court appearances in tribal courts and completed several important research projects on indigenous issues. It continued its development of the SILC library and addressed some challenging cases, particularly in Navajo Tribal Courts.

Externships

Forty students participated in externships in a variety of settings, ranging from the U.S. Attorney's Office to the Public Defender's Office to the State Engineer's Office. Sixteen students participated in Judicial Externships in federal, state and tribal courts.

Faculty and Staff Activities

Antoinette Sedillo Lopez presented a paper on cultural competence at the UCLA Lake Arrowhead Conference. She directed the Summer Law Program in Guanajuato, Mexico and chaired the planning committee for the SE/ SW People of Color Conference in which over half

of the faculty participated. She served on an ABA inspection team in Georgia, and was appointed to serve on the GAJE Clinic Conference planning Committee. She was also appointed to the AALS Committee on Sections and the Annual meeting and worked on a project to persuade the ABA to take measures to address the fact the minority enrollment in law schools is declining despite the improvement in the qualifications of minority applicants over the last 10 years. She continues to edit her series on Latinos and the Law.

Carol Suzuki was promoted to associate professor. She updated a chapter in a book on Family Law and AIDS. Her article on post traumatic stress and appropriate interviewing techniques will be published this year. Professor Suzuki presented this paper at the Conference of Asian Pacific American Law Faculty (CAPALF) and at a faculty colloquium at Wayne state University Law School. She also facilitated a session on collaboration with community organizations at the AALS Conference on Clinical Legal Education. She served on the Executive Committee of the AALS Section on Clinical Legal Education.

Professor Mathewson presented a paper, "Economic Justice or Economic Power: Training Corporate Lawyers for the Community on the Other Side of the Tracks," at the UCLA Lake Arrowhead conference.

Professor Martin's article, which describes some of the unique issues faced by poor people in bankruptcy, was published by the Clinical Law Review.

Professor Zuni Cruz's article, *Four Questions on Critical Race Praxis: Lessons From Two Young Lives In Indian Country*, was published in the Fordham Law Review. She has spoken at several conferences on indigenous and tribal issues. She served as a commentator and a presenter at the SE/SW People of Color Conference.

Professor Mike Norwood served as Associate Dean for Academic Affairs and his paper on a "virtual clinic" was accepted for presentation at a conference on Interviewing and Counseling at UCLA.

Professor Martinez and Land's manual was posted on Dspace for improved access.

Professor Land spent her sabbatical in Granada, Spain and continued her study of juvenile justice issues.

Visiting Professors Hobbs and Aragon presented papers at the SE/SW People of Color Conference in Santa Fe. Hobbs drafted a critique of a recent, substantial addition to New Mexico trust law and is currently drafting a bill to enact substantial revisions to the current law. He also continued his role as the principal drafter of a prototype LLC operating agreement the Business Law Section of the New Mexico State Bar plans to publish for members of the bar. He presented the draft at the 2006 Annual Convention in Taos.

Gloria Gomez received her Masters Degree from the College of Santa Fe.

We are working to fill a vacancy at the receptionist position.

Future Plans for the Clinic

The clinic will continue to implement its strategic plan. As part of enhancing teaching skills, the clinic faculty is developing some teaching sessions to share insights from clinical legal education with all members of the faculty, particularly those members who will be new to the clinic.

Work will continue on the Economic Development Section of the clinic and planning meetings have been set up to develop this project. Application has been made for a continuation of the tax grant. The clinic will continue its collaboration with the Anderson Schools of Management as part of this clinic, as well as coordinating outreach and community education efforts.

We will continue to work with the law school consortium project on developing our Access to Justice Network and we anticipate working with the National Law School Consortium Project to survey our members and to offer appropriate services. We will continue to offer courses that will expand the bar's competence in meeting the legal needs of low and moderate income individuals.

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. In Summer 2006 the program enrolled 78 students. Of the students who attended the program 3 were from UNM, 14 from Texas Tech, 5 from Southwestern, 13 from the Universidad de Guanajuato and 43 were students enrolled in other U.S. law schools. In 2006 added simultaneous translation for all courses was added and extensive outreach for Mexican students was conducted. These strategies proved successful in increasing the number of Mexican law students over previous levels. Student evaluations and faculty feedback about the program were positive. Two positive articles about the program were published in local newspapers.

In addition, the 2006 Guanajuato Summer Law Institute offered a two-week externship program for students already enrolled in the four-week program. Twelve students participated, two of whom were from UNM Law School.

The Consortium deans met at the Universidad de Guanajuato, Monday, September 26 to review this year's program and to plan for next year.

The 2007 program will be held from Sunday, June 3-Sunday July 1, 2007.
The externship program dates are July 2-July 14, 2007.

The following courses will be offered:

Overview of Mexican Business Law
NAFTA and Trade in the Americas

Cross-Border Environmental Issues
Comparative Labor Law: Mexico, U.S. and Canada
Mexican Legal Systems: Dynamics and Perspectives
Comparative Constitutional Law

Future plans include augmenting the cultural components of the program and continuing and strengthening the simultaneous interpretation. UNM is going to use some of its profits from the program for scholarship support for students from UNM to attend.

LAW LIBRARY

During 2005-06, the Law Library continued to support the curricular and research functions of the Law School community and citizens of the State of New Mexico.

Personnel

Staff

Tom Huesemann retired from his LIS III position in February 2006. Also in 2006, the Law Library promoted two bargaining unit employees, Jeanette Hennie and Robert Flinkman, from LIS I to LIS II, to reflect their increased responsibilities subsequent to the reorganization the Library underwent in the prior year. The process for revising individual Law Library job descriptions and developing written standard operating procedures that reflect the reorganization also continued in the past year. The Law Library staff participated widely in training and professional/career development activities.

Faculty

With the hire of Sherri Thomas, Visiting Librarian, in October 2005, the Law Library faculty increased to 7.0 FTE. Sherri also worked for the Utton Center part of the year, developing a database of water technology law under a Department of Energy grant. In January 2006, Ronald Wheeler and Michelle Rigual were promoted to Assistant Directors, and in the spring of 2006, Ron Wheeler and Michelle Rigual moved to tenure-track status. All of the Law librarians participated widely in training and professional/career development activities.

Service, Instruction, and Outreach Activities

The Library was open to the public an average of 90 hours per week. The Library gate counted 126,757 patron visits in the past year, very similar to the 127,111 counted in the previous year. The Library checked out or renewed 19,999 items and loaned 268 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. Law student employees

also assisted patrons with their research requests. A program to provide reference service once weekly from within the Law School Clinic was continued throughout the year. The breakdown of the reference questions taken at the Reference Desk was as follows: 760 Law students (19.42%), 1,874 citizens (47.89%), 712 bar members (18.19%), and 567 other (14.49%), for a total of 3,913 questions at the Reference Desk.

Services provided to Law faculty were tabulated separately. The Law librarians completed 396 requests for faculty research assistance. Librarian-supervised Law student research assistants continued to assist the librarians in this work. The Law Library also delivered 650 books and 205 articles to Law faculty during the year.

This work was supported in part by the Law Library Interlibrary Loan (ILL) Department, which placed requests for 426 items from Law faculty and students and received 611 requests from other libraries. Overall, the ILL Department processed 1,215 requests.

Law faculty assistance, ILL work, and general reference questions totaled 6,379 instances of support provided by the Law librarians and the library staff in 2005-06.

Although the Law Library already provides many services for citizens who come to the building to use the collection and databases, the Library aggressively expanded its community outreach program in 2005-06 to increase citizen access to legal information. In the past year, librarians provided 18 training sessions for non-law librarians and community groups around the state. Communities visited in 2005-06 included: Las Cruces, Española, Tucumcari, Farmington, Crownpoint, Taos, Valencia, Gallup, Ruidoso, Alamogordo, Rio Rancho, Truth or Consequences, and Hobbs. 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 Library also continued to work closely with the UNM Clinical Law Program to provide access to licensed legal databases for the Native American Access to Justice Practitioner Network. Under this program, which began in July 2005, volunteer attorneys and tribal court advocates provide pro bono or reduced-fee representation to Native American clients whose cases the Southwest Indian Law Clinic cannot accept. In return, Network volunteers receive free access to Loislaw (an Internet-based database of federal & 50-state primary law), and four Aspen online practice libraries with forms (family law, elder law, personal injury, and general litigation). In January 2006, librarians visited the Crownpoint Institute Library and San Juan College Library to promote the program. Librarians also attended the Navajo Nation Bar Conference in June 2006 to promote the program.

In 2006, the Law librarians also participated in the State Bar's Access to Justice Program and helped develop standardized forms for pro se patrons to use in the local Metro court system. These forms are now available at the Law Library as well. The Law Library's work with the Access to Justice Program continues.

The Law Library continued to offer a range of research instruction opportunities for Law School faculty and staff and for other groups. In their role as educators, the Law Library faculty

provided a total of 139 training sessions during 2005-06, for a total of 1,890 attendees. The Law librarians taught five sections of Advanced Legal Research classes in the Law School during 2005-06. The librarians also received approval from the Law School Curriculum Committee to begin to offer classes in Specialized Legal Research beginning in the next academic year. Rotating topics will include research in Indian Law, Resources Law, and International Law. In addition, the Law Library provided research instruction on New Mexico practice and primary materials as part of the Law School Clinic orientation. 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. Michelle Rigual also taught PREPP for the Law School in July 2005. In addition, the Law librarians held a legal research education “summit” meeting in July 2005. It provided the Law librarians with a forum to exchange teaching ideas and to discuss ways in which legal research instruction services could be improved. The proposal for offering Specialized Legal Research classes was developed at this meeting. It was so successful, the librarians intend to have a similar meeting at least once each year.

Collection Development And Preservation

The UNM Law Library houses the largest academic legal research collection in the State of New Mexico. In 2005-06, the Law librarians continued their systematic and collaborative development of the collection, and the Library staff continued to maintain the collection and make it available to legal researchers. Because of a one-time special appropriation—which was made recurring in the Spring of 2006—the Library was able to purchase a significant number of legal monographs for the collection for the first time in several years. Overall, the Library added 6,839 new volumes in print and microform formats to the collection. At the end of the fiscal year, the Library held 429,740 volumes in print and microform formats, placing it in the “large” library category under ABA accreditation standards.

The Director continued to work with the Desert States Law Library Consortium to refine a plan for cooperative collection development on a regional basis. The Desert States group continued to pledge to share collection resources among the Desert States libraries.

In 2005, the Law Library and the University Libraries System cooperatively purchased the U.S. Serial Set online. Hopefully, this is the beginning of an era of cooperative collection development with the University Libraries system that will result in additional cost savings for the University and Law School.

Processing and indexing of the documents in the Gov. Bruce King Archive began in earnest in August 2005 and will continue for three years. The processing is being done under a contract with the archivists at UNM’s Center for Southwest Research.

Facilities

In 2005-06, the Law School IT Department installed wireless Internet broadcasters in the Law Library, which have been very popular with the Law students, as so many of them now have laptops. To upgrade the Library carrels, new lighting was installed. In 2006-07, the Library plans

to install power strips in the carrels as well, to further accommodate the increased student use of laptop computers. In 2005-06, the Law Library received several pieces of artwork on loan from the artists, which it now displays by the front desk, the upper floor, and the administrative suite.

In 2005-06, Room 3313 in the Law Library was converted into a classroom for teaching legal research classes, including Advanced Legal Research and Specialized Legal Research. The new classroom is near the core print collection on the upper floor and has been outfitted with a wireless Internet broadcaster and built-in projector, screen, and instructor computer—all of which greatly enhance the librarians' ability to simultaneously teach both print and electronic resources in their research classes.

In 2005-06, the Law Library received a special appropriation to establish the Gov. Bruce King Archive & Reading Room within the Library. Construction to transform the Copier Room on the upper level into a Reading Room began in September 2005. The resulting meeting space now houses photographs and memorabilia from Gov. King's three terms as New Mexico's governor. The Reading Room was dedicated on April 6, 2006, with a ceremony attended by approximately 400 political dignitaries and other guests.

In the spring, several librarian offices received new furniture and carpeting—something that was badly needed, since the carpeting was nearly 30 years old and the furniture very dated. The Library also began the planning process to replace the carpeting on the upper level of the Library in 2006-07. Additionally, the Library started making plans to remodel the Circulation Desk in 2006-07. It is believed the Circulation Desk is original to the building, and it is sorely in need of modernizing to accommodate modern electronic equipment. The renovations will be timely, as an American Bar Association inspection is scheduled for Fall 2007.

Technology And Electronic Resources

In 2005-06, the Law Library continued tweaking its recently redesigned web page, using a proxy server to provide remote access to its databases for Law faculty and students, and using its web page hit counter to generate usage statistics of the various databases and web page sections—all of which were introduced in the previous year. In 2005-06, the Law Library home page had 155,092 visits.

In 2005-06, the Law Library continued to make eight PCs available for public access to its legal research databases, for word processing, and for Internet access. The Law Library also entered into a new contract to provide printing and copying machines for members of the public. Because of the new equipment, patron copy card values are now stored on a server rather than on magnetic card strips, which prevents accidental loss of monetary value. Because the Library Copy Room was turned into the King Reading Room, the copiers are now distributed throughout the library, to place them closer to the points of need.

In 2005-06, the Law Library licensed a total of 34 different online databases, the vast majority of which were available for both the Law School community and public patrons who visited the Law Library. The Library added electronic access to 860 electronic journals and 22,217

electronic books in the past year, all of which are also available to the public. In the past year, the Law Library also began to offer a public license for Westlaw, which can be accessed from within the Law Library.

The Law Library took on a leadership role within the Law School in promoting use of UNM's institutional repository, DSpace, as a means of preserving electronic scholarly and teaching materials created by the Law faculty. To assist in this work, the Law Library purchased a color book scanner to enable digitization of work. In September 2005, the Library Director made a presentation to the Law faculty to promote the use of DSpace. The Law Library and Law School now have 67 documents archived in DSpace.

The Law librarians also continued to use the Faculty Research Requests database that it introduced to the faculty in the previous year. The custom-designed, web-based database, which the Law School IT Department helped set up, enables members of the Law faculty to initiate library service requests and monitor their status. It offers request forms that automatically route requests to Library staff for action. This tool gives all librarians access to information about pending faculty requests, facilitates teamwork, and generates statistics on the processed work requests. In 2005-06, with the help of the database to track and count the work, the librarians and research pool students were able to complete the faculty research support work described in the Services section above, and the librarians reported that the new database has become a valuable and integral part of their work process.

University Activities Of Library Faculty

The Law Library continued to collaborate with the University Libraries System and other libraries in the LIBROS consortium. Law librarians served on various University and Law School committees.

The Law Library Director served as the Law School representative on the Faculty Senate, and continued to serve ex officio on the Faculty Senate Library Committee. She also served on the Planning Committee for the 4th annual UNM Scholarly Communications Symposium, which the Law Library co-sponsored with the University Libraries System and the Health Sciences Library and Informatics Center.

Law librarian, Barbara Lah, sponsored a booth at the UNM Peace Studies Peace Fair and served on the Health Sciences Library's Tribal Services Librarian Search Committee.

Law librarian, Michelle Rigual, served as a member of the LIBROS Advisory Board and attended that board meeting in May 2006.

Law librarian, Lorraine Lester, continued to serve on the Faculty Senate Budget Committee.

Outside Professional Activities Of Library Faculty

Director Carol Parker served on the New Mexico Compilation Commission Advisory Committee through August 2005 and continued to serve on the Board of the Association of Academic Research Libraries of New Mexico. She also attended the American Association of Law Libraries (AALL) meeting in San Antonio in July 2005; a conference on the use of court records in empirical research in Kansas City in October 2005; and a conference on the open access movement and legal scholarship in Portland in March 2006. She also served on the search committee for the New Mexico Supreme Court Law Librarian. After Robert Mead was hired by the Supreme Court to be its Library Director, Carol worked with him to establish an agreement to work cooperatively with the Supreme Court Library to provide outreach services to citizens and attorneys of New Mexico.

Law librarian, Eileen Cohen, served as the Law Library representative on the Association of Academic Research Libraries of New Mexico Document Delivery and Collection Development Committees. In October 2005, she attended the NMLA Conference, where she also gave a presentation. She attended the 2005 AALL meeting in San Antonio and the 2006 SWALL meeting. She provided continuing education sessions at public and academic libraries in Ruidoso Public, UNM-Valencia, Alamogordo Public, Las Cruces Public, New Mexico State University, and Truth or Consequences Public as part of the Law Library's expanded outreach program.

Barbara Lah attended the 2005 AALL meeting in San Antonio and the 2006 NMLA conference in Farmington, where she also gave a presentation. Additionally, she served on the Board of the New Mexico Library Foundation as secretary of the Board. She visited the Rio Rancho Public Library and the San Juan Community College as part of the Law Library's expanded outreach program.

Lorraine Lester attended the Spring 2006 Federal Library Depository conference.

Michelle Rigual attended the 2005 AALL meeting in San Antonio and served on the Hospitality Committee. At that meeting, she was elected to be the first Secretary/Treasurer of the newly-founded AALL Latino Caucus. During the past year, she served as editor of the newsletter of the AALL Special Interest Section on Research Instruction. In April 2006, Michelle attended the annual meeting of SWALL, having served on its Programming Committee during the past year. While there, she presented a session, served as a program coordinator, and moderated another session. She also taught a CLE workshop for the National Business Institute in December 2005 and called on Northern New Mexico College Library in Española in August 2005 as part of the Law Library's expanded community outreach program. She represented the Law Library at UNM Day in Santa Fe in January 2006 and attended the Spring 2006 Federal Library Depository Conference.

Law librarian, Sherri Thomas, attended the Federal Indian Bar Conference, the Southwest Peoples of Color Conference, the UNM Black Indians Conference, the Energy/Water Eastern Needs Workshop, and the Energy/Water Western Needs Workshop in the past year. She served on the Planning Committee for the 2007 Southwest Peoples of Color Conference. She called on

the San Juan Community College, UNM-Gallup Branch, and Crownpoint Institute as part of the Law Library's community outreach program. She represented the Law Library at UNM Day in Santa Fe in January 2006.

Law librarian, Ron Wheeler, attended the 2005 AALL meeting in San Antonio and continued to serve as Secretary/Treasurer of the AALL Special Interest Section on Social Responsibility, as a Member-at-Large of the Special Interest Section on Research Instruction, and as a member of the AALL Placement Committee. Ron also served as the Secretary/Treasurer of the AALL Special Interest Section on Social Responsibility Standing Committee on Lesbian and Gay Issues and served as a Member-at-Large for the Special Interest Section of Research Instruction. Ron attended the annual meeting of SWALL, having served on its Programming Committee during the past year, and acted as coordinator and moderator of a session. He called on five academic libraries in outlying communities as part of the Law Library's expanded outreach program.

COMPUTER AND TECHNICAL SUPPORT

IT staff upgraded all law school computers to Office 2003 this year, which involved creating new "images" for all computer models used by faculty, students, and staff. We then deployed the images to the computers, successfully retaining all customization for our user base.

IT staff purchased and installed 51 new Dell desktop computers, 12 Dell w5300 network printers, 2 Dell 2850 rack-mounted servers, 2 rack-mounted interruptible power supplies for the server rack, 5 faculty laptops, 1 tablet computer, a new tape-backup unit, and a scanner for the law library.

The Assistant Dean participated as a panelist during a session on "Topics of the Day" at The Center for Computer-Assisted Legal Instruction Conference annual conference in Fort Lauderdale, FL. She is also the chair of the main campus Wireless Standards Committee and regularly participates in IT-UNM and IT Cabinet meetings. She served as the Staff Council representative on the University Counsel search committee.

The Senior LAN administrator was on sick leave from January 3 through July 30 due to a heart attack and a subsequent triple-bypass surgery, so much of our spring and summer was spent maintaining status quo with 25% of our department missing.

The Media Center purchased a new digital video camera, primarily used by the Clinical Law program, and began the process of converting class recording from VHS to digital. A new streaming server was installed and the Multimedia specialist began developing a system for posting the streamed video and making it available to law school students. The TV Production Tech also started working on documenting the media center environment, in anticipation of his upcoming retirement after 20 years.

NEW MEXICO LAW REVIEW

The New Mexico Law Review has had a busy year! The 2005–2006 editorial board oversaw the publication of the last issue of Volume 35 in late 2005 and then prepared their three issues of Volume 36 for publication, the last of which will be published in December of 2006. These Law Review issues included articles on topics ranging from statutes of limitations applied to minors to incorporating international norms into the Supreme Court’s constitutional jurisprudence. In March of 2006, the Law Review hosted its annual Awards Banquet, organized by Mark S. Barron, which honored New Mexico Supreme Court Justice Patricio M. Serna and University of New Mexico School of Law Professor James W. Ellis for excellence in legal jurisprudence. In addition, the NMLR hosted two CLEs, organized by Anita Kelley, for local practitioners. The first, titled “Incorporating ADR Skills into Client Management;” looked at the lawyer’s professional responsibility to use skills such as ADR to facilitate the attorney-client- relationship. The second CLE, titled “Who Let the Blawgs In (and what do I do with them now that they’re here?),” looked at issues of law in light of emerging technology. In 2006, the Law Review will publish the remaining two issues for Volume 36 while simultaneously preparing Volume 37 for publication in 2007. Professor Michael Browde continues his work as the faculty advisor for the NMLR, joined by Susan Tackman, Publication Administrator, and Jessica Leary, Business Manager.

NATURAL RESOURCES JOURNAL

In the reporting period from July 2005 to June 2006 the Natural Resources Journal published four issues, volume 45, numbers 1 through 4. Each issue followed the format now established for the Journal, opening with an essay, followed by several substantive academic pieces, and ending with reviews of natural resource literature of various lengths. Despite the regular format, the issues varied greatly. Volume 45, number 3, for example, was primarily devoted to an exhaustive article summarizing and integrating the law governing an oilfield operator’s fiduciary duty to other interested parties. By contrast, volume 45, number 4 contained seven extremely diverse articles ranging from a religious writer’s essay on Irish wells to a literary critic’s analysis of a New Mexico Supreme Court decision.

In the reporting period, the Journal continued the recently established pattern of sponsoring one conference per period. This period the Journal, in conjunction with The Utton Center, sponsored a conference that looked at issues regarding the Rio Grande and its reservoirs. Experts in river and reservoir management came to Albuquerque from around New Mexico and neighboring Texas and presented papers before a substantial audience. These papers, which address issues of water storage and usage, have been edited and will be combined in a Natural Resources Journal issue to be published in the next publishing period.

In addition, the Natural Resources Journal continues to move forward in reestablishing and maintaining its longstanding tradition of excellence among academic natural resource publications. Working with many authors across numerous disciplines, the Journal is now assembling a wide range of essays on subjects as diverse as forestry and the role of science in water management and formal articles ranging from a history of the 1916 National Park Service organic act to the future of TMDL programs.

The Journal continues to reassess its place in a rapidly changing world of academic publications with an eye toward shaping its content to an appropriate niche.

UTTON TRANSBOUNDARY RESOURCES CENTER

This year the Utton Center has overseen the completion of the Model Interstate Water Compact Project. The Compact is the culmination of a four year effort beginning with a national conference that addressed interdisciplinary approaches to interstate water issues and a second that addressed cross-cultural issues followed by almost two years of comprehensive research and drafting by Jerome C. Muys and George W. Sherk. Muys and Associates of Washington, D.C., was selected to draft the Model Compact after a nationwide search. They helped create an advisory committee of over 30 governmental and private water resource experts who were invited to a three day workshop to provide advice on the components of the model. A draft was circulated to the committee and other experts for their comments. The final version of the Compact consists of a preamble and 12 articles, each with its own commentary section explaining the rationale for the article. It is hoped that the Model Interstate Water Compact will provide a mechanism for states to manage their interstate water conflicts without litigation. The Model Compact can also be used to help manage water resources that cross international boundaries. The drafters have made presentations regarding the Compact to a number of water conferences around the country, and the Center plans its own Continuing Legal Education Conference concerning the Model Compact in May, 2007. This project was funded in large part by the Department of Energy grant which comprised the initial funding of the Center, and also by the Thaw Charitable Trust and the Healy Foundation. The Winter edition of the Natural Resources Journal will include the full compact with commentaries. The Model Compact can be accessed on the Utton Center's website at <http://uttoncenter.unm.edu>.

During this reporting year the Utton Center entered into a contract with Sandia National Laboratories to assist in the development of a roadmap for the DOE regarding the energy water nexus. The Utton Center assisted in identifying critical participants for three regional needs-based workshops and helped lead workshop sessions and make presentations regarding the role of legal and regulatory policy. The final step was the drafting of sections of the Roadmap Report related to policy issues such as integrated resource planning. The Center established a small advisory committee of national water policy experts to advise the Center on this work and provide the breadth needed for this kind of an effort. The Center also developed a database for collecting and maintaining research on the subject. A license has been obtained through UNM Libraries to establish the database with access through the UNM Libros system. The UNM Law Library is interested in carrying on with the database as a permanent part of its resources.

The Ombudsman pilot project established with funding from the New Mexico State Legislature to assist the courts by educating *pro se* parties who are claimants to the Lower Rio Grande adjudication is continuing. A video and manual have been completed in English and Spanish and will be distributed. The Center will continue to establish mechanisms to provide information to the thousands of people who are parties to this adjudication. The project is an on-going one with

expectations that the scope of the program will be expanded to include other adjudications within the state.

Marilyn O'Leary and Susan Kelly have continued to work with the Water Tables of both the New Mexico-Chihuahua Commission and the Border Governors Conference. Both entities continue to search for ways to address transboundary water issues along the U.S.-Mexico border and in particular along the border between New Mexico and Chihuahua. This year the Work Tables have been pursuing educational and information exchanges to better understand the situation of both surface and groundwater.

The third New Mexico Water Policy Continuing Legal Education program, co-sponsored by the Utton Center and the Natural Resources, Energy and Environment Section of the NM State Bar, was held in May. The topic of this CLE carried through with the Center's work with SNL addressing the interrelation between water and energy development with a focus on legal and policy implications. Susan Kelly, Associate Director of the Utton Center, was instrumental in the Natural Resources Journal's symposium on Rio Grande Reservoir Management, also held in May. Law students were actively involved in planning the symposium with the purpose of increasing understanding by all who are associated with management of the reservoirs. The Natural Resources Journal will publish material from this symposium including a history of the Rio Grande Reservoirs originally written by Professor Utton in 1979 and updated by students Josh Mann and Lara Katz working with Susan Kelly. The Center has been working closely with the Natural Resources, Energy and Environment Section of the State Bar on these programs and on providing other opportunities for UNMSOL students in the natural resources field.

The Utton Center collaborated with the Institute of Public Law in a rural water systems statutory assessment. State statutes concerning the regulatory framework for the approximately 1,500 small water utilities in New Mexico were analyzed. This project, sponsored by the Office of the State Engineer, will enable that office to assess whether such water systems have adequate statutory authority to manage the effect of drought conditions on the water systems and their sources of supply. It is following up this study with a further contract with the State Engineer to draft legislation for voluntary water and wastewater system regionalization.

Retired professor Michele Minnis continues the work of writing a monograph on the life of Albert E. Utton. She has access to extensive family records in addition to his professional materials. This work will be of interest and use to all who are interested in water and natural resources law history. It is scheduled for completion in June, 2007.

Another history project is being sponsored by the McCune Foundation. This oral history is planned to preserve the legal, political and philosophical thoughts of public figures involved in the history of New Mexico water law and policy. Chris Garcia, an economist and herself a part of that history, was going to direct this project but after her untimely death in July Susan Kelly of the Utton Center staff has taken over the project. It is anticipated that material will be ready for use by the N.M. State Legislature when it convenes in January 2007.

The Utton Center is working with the American Indian Law Center to sponsor a national symposium celebrating the centenary of the federal reserved water rights doctrine recognized by the United States Supreme Court in the landmark case, *Winters v. United States*. The symposium program will include a review of the development of the Indian reserved water rights doctrine over the past 100 years, the present situation in the western United States, and the future prospects of the doctrine and availability of water for tribes. Questions such as what has happened since the decision, how the decision has developed in the field of water law and what the future holds will be addressed. Plans are being made to video-tape all of the sessions, make them available on DVD and publish the papers in book form. We are also exploring the possibility of creating a video about the case and its effects. A planning committee is moving ahead with this program.

CAREER COUNSELING AND PLACEMENT

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 continuing.

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; several 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; and management of Orientation for in-coming 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 on-going information-gathering and reporting duties for the American Bar Association, the National Association for Law Placement, and numerous organizations like the National Hispanic Bar Association, and publications like U.S. News and World Reports.

During the period of July 1, 2005 through June 30, 2006, 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:

- Increased efforts to educate students about judicial clerkship opportunities to encourage more students to apply for clerkships generally and to expand clerkship applications to judges outside New Mexico. In this context, the CSSO created an in-house intensive workshop for those interested in finding out about Federal clerkships. A New Mexico

Court of Appeals Judge and two Federal judges worked with students to do research and to write a memo for a judge. Assistant Director Bonnie Stepleton designed the workshop and walked students through the steps of the various ways students must now use to make clerkship applications, including the electronic system required by most Federal judges. By holding this session in the spring, students were able to work over the summer and be ready to submit applications by Labor Day. A session with Federal judges was offered students in the spring, and a session with state appeals judges was held in fall. CSSO worked with the Court of Appeals to regularize the process of applying for clerkships with that court. CSSO support staff assisted students in the preparation of well over 200 clerkship applications, coordinating efforts with faculty and the office of the Registrar.

- Continued to work with students, faculty, employers and the Federal Bar Indian Law Section to host a career fair. Students from UNM hosted a table. Students from other schools could also participate in this program.
- Managed orientation for first year students. This included the week-long orientation to law school and continuing orientation. Assistant Dean John Feldman prepared a “Road Map to Law School” in the form of an actual map. Based on comments from third-year students, the map is meant to give first year students a way to visualize their time at the law school to take full advantage of opportunities while they are here. CSSO staff was enlisted to put together the 2006 graduation events.
- Collaborated with the State Bar to offer students the chance to work in the First Year Summer Clerkship Program. The CSSO also collaborated with the State Bar to offer the Young Lawyer Division-sponsored Mock Interview Program, in which approximately 40 students participated, and Mentorship program, in which approximately 50 students were matched with attorney mentors.
- Offered career sessions such as, and ABA Public Lawyer panel, a session with the New Mexico Environmental Law Center, and a session on opportunities with for work with the State Department with UNM’s Diplomat-In-Residence.
- Managed all aspects of On-Campus Interviews, from contacting and scheduling employers, to workshops for students, to arranging interviews. More than two dozen employers participated in Fall OCI.

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

- A workshop on exam-taking techniques. This session represented a request from students to enhance the hands-on aspect of the exam-taking process. A recent graduate joined Professor Barbara Blumenfeld to offer a multi-step practice exam and feedback process. The program was designed by John Feldman, Bonnie Stepleton and Barbara Blumenfeld.

- A support group for working students, facilitated by a staff member from main campus Career Services who is a licensed counselor to help students with time management issues.
- 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 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.
- Individual counseling and academic plans for students on probation.
- Offering a workshop taught by Barbara Blumenfeld on advanced legal writing.

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. (As a result of efforts to respond to the Hispanic Business survey by John Feldman and Assistant Dean for Admissions Susan Mitchell, and others, UNM during this period, the law school would be ranked number one nationally in September 2006.)
- Participation as requested by the Admissions Office in Open House events and meeting with prospective students with career questions.
- Preparation of an annual budget.
- Administering various career fairs in which our students participate, including EqualJusticeWorks and Sunbelt.

During the past year, the CSSO has had three full time staff members, though the support staff person changed a few times during this period. Assistant Dean John Feldman was able to successfully help a coalition of public defenders, district attorneys, and legal services providers obtain state funding for the Public Interest Lawyer Loan Repayment Assistance Act. He served as the designee for the Dean on the committee for the Department of Higher Education that was charged with creating an application process, and, with Assistant Dean Susan Mitchell, helped to draft the application. He worked with law school faculty and the Bernalillo County District Attorney's Office and Public Defender Office to create a class to substitute for the DA clinic as a hands-on opportunity for students. He was a member of Inns of Court, helping the Inns include third year law students. He served on various State Bar committees, including Diversity, Professionalism, Alternative Dispute Resolution, and the Intervention and Mentoring subcommittee. He participated in a state Bar CLE which he and Bonnie Stepleton helped to design on career choices for lawyers at various stages of their careers. He served on the Student Affairs Committee of the law school, helping to shape the lap-top policy for first year students and also an experiment to allow entering first semester students to work within ABA limits. He and Bonnie Stepleton were charged by the faculty to meet and counsel all students who intended to work under this policy and to track their progress. He successfully completed Global Career

Development Facilitator Training offered by UNM. He met and counseled graduates of the law school.

Assistant Director 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. She arranged for several students to have accommodations and met with all students on suspension. She designed and implemented the workshop for Judicial clerkships and served as the administrator for the electronic application process used by Federal judges, which entailed working under deadline with students, support staff throughout the law school, and faculty. She was asked to take over for executing all plans for graduation after the departure of the staff person who has done this in past years. She worked with student groups on the organizing, fund-raising and elections issues. She worked in concert with the support person and faculty members to improve the quality of the Indian Law career program associated with the Federal Bar meeting. She worked with various outside organizations, including the Women's Bar Association and the NM Bar Committee on Law Office Management. She attended the NALP national education conference. She managed the four law school writing competitions, working with students and judges from the community. 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.

The CSSO plans to apply lessons from increased interest in judicial clerkships to efforts to increase student awareness and interest in fellowships.

INSTITUTE OF PUBLIC LAW

This year was highly eventful for the Institute of Public Law's staffing and work. After twenty-two years overseeing enormous growth in the scope and funding of the Institute's public service mission, Paul Nathanson retired effective September 1, 2005. Following a national search, during several months of which time Judy Flynn-O'Brien served as acting director, Dean Scarnecchia appointed founding Judicial Education Center Director Paul Biderman to assume leadership of the Institute effective December 2005.

Other personnel changes have followed. Senior Attorney Pam Lambert replaced Biderman as Judicial Education Center Director in January. Barbara van Buskirk transferred to the Health Sciences Center to be replaced by Krista Allen, who serves as Unit Administrator. Senior Attorney Julia Heller shifted from her position in charge of the Traffic Safety Center Licensing Unit to take charge of the Government Services Center, while Yolanda Rodriguez was promoted into Julia's former role. Meg Hawkins was also hired for this unit as an administrative assistant. Karen Klett retired from the Traffic Safety Center Education Unit, and her position is now filled by Isabel Lopez.

Tim Buck has replaced David Farris as IPL's Systems Administrator, and Leslie Kryder was added as a Systems Analyst to develop web-based programs previously provided by former instructional media specialist Pam Castaldi (who also transferred to the Health Sciences Center). The administrative staff has also added Cynthia Hensley and Marian Chavez, while Jasmine Blue and Jordan Neal left the Institute to move out of state. Beth Gillia was promoted from Attorney to Senior Attorney I and shifted from JEC to Government Services Center.

The Judicial Education Center hired Senior Attorney Richard Bustamante and Special Events Coordinator Hilari Lipton. To increase our capacity to offer legal services, IPL also added two new on-call attorneys, Laura Bassein and Jennifer Bartlit.

IPL has undertaken an additional approach to fulfill its mission. By creating partnerships with other campus institutes and centers, state agencies and non-profit entities, we are also becoming increasingly active in the development of public policy for New Mexico. Some of our initial efforts have us addressing health, education, public ethics, and aging and long-term care issues. We continue to strengthen our working relationships with existing and potential partners in the hope that we can contribute to the development of sound public policy through collaborative governance.

The heart of IPL's projects continues to arise from the hard work of our Centers. The following reports will highlight those efforts during the past year.

Corinne Wolfe Children's Law Center

In July 2005, the Children's Law Center co-sponsored the last of five regional training programs on the 2005 changes to the Children's Code, to an audience of almost 400 people. The CLC also conducted a two-day training program for prosecutors and juvenile defenders on delinquency issues, co-sponsored the 2006 Children's Law Institute for over 500 people, and conducted skills-based training for attorneys who represent parents in abuse and neglect cases in the state. Two thirds of the attorneys who regularly represent parents participated in this June 2006 training.

The CLC led efforts to make New Mexico one of three states to pilot the National Association of Counsel for Children's attorney certification program in child welfare law. The CLC sponsored a review session and served as host for the certification exam. In May, twenty-six New Mexico attorneys became the first in the country to attain NACC'S ABA-approved certification.

Rozier E. Sanchez Judicial Education Center of New Mexico

The Rozier E. Sanchez Judicial Education Center of New Mexico (JEC) accomplished the following during FY 2006:

- Produced or significantly supported 35 educational programs, including annual or regional conferences for every group of judges and clerks, as well as domestic violence commissioners, court supervisors and designated water law judges.

- Continued to support mediation programs in magistrate courts by sponsoring local training for community volunteer mediators.
- Hosted three statewide videoconferences on DWI law and procedure, and two statewide videoconferences on mediation techniques for magistrate court mediators.
- Updated and distributed its eight benchbooks as necessary.
- Offered its eight-week domestic violence web course with expert online facilitators, and continued to add numerous resources to its comprehensive web site, <http://jec.unm.edu>.
- Supported judiciary attendance at national programs, with 56 judges and court staff attending courses at the National Judicial College in Reno, Nevada and elsewhere.
- Conducted an in-depth evaluation of its educational offerings for magistrate court judges and staff to improve JEC services for these courts.
- Continued its partnership with the National Highway Traffic Safety Administration and the National Association of State Judicial Educators to maintain and add resources to the National Online Resource Library for the Judiciary on Impaired Driving.
- Continued to support the Navajo Interpreter Certification program at the University of Arizona National Center for Interpretation Testing, Research and Policy.

Government Services Center

The Government Services Center was staffed by two full-time attorneys and several on-call attorneys during this year. Their research and drafting work benefited the following agencies:

Public Regulation Commission

- Completed work on the Telecommunications Quality of Service and Consumer Protection rules
- Completed work on three Pipeline Safety rules
- Worked on rules for the State Fire Marshal's Office
- Worked on a complete rewrite of Title Insurance rules
- Completed the 2006 Title Insurance amendments

Taxation and Revenue Department

- Worked on reorganizing the Motor Vehicle Code

Tourism Department on behalf of the OHMV Safety Board

- Prepared Helmet Safety rule for Off-Highway Motor Vehicles
- Wrote report on educational programs for drivers of OHMVs
- Prepared report on protective eyewear

Supreme Court Rules Committees

- Staffed committees developing rules in support of Children's Code, Civil and Criminal Uniform Jury Instructions, and others

Center for Wildlife Law

Seven hundred Wild Friends Program students researched and drafted a bill to prohibit computer-assisted remote hunting (“cyberhunting”) in New Mexico. This technology enables people to control via computer a camera-equipped firearm to kill captive live animals without physically being present. SB 157 introduced by Senator Michael Sanchez (Belen), was signed into law by Governor Richardson on March 6, making New Mexico the latest of 23 states to outlaw the practice.

Students wrote letters, visited with legislators, testified at hearings, and generated media attention to shepherd the bill to passage. In their 17 field trips to the state legislature, many of the students met with legislators and the Governor, and gained invaluable experience in understanding the legislative process.

The Wildlife Law Center is exploring creation of a Washington State Wild Friends program, and continues publishing its Wildlife Law News Quarterly and Wildlife Law News Weekly Alerts.

Transportation Safety Center Education Unit

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 newsletters, other printed brochures and materials, and program coordination. IPL also assisted in the development and facilitation of conferences for a variety of audiences. The following highlights of our work with the NMDOT occurred this fiscal year:

We conducted the Prosecutor's Workshop on July 29th in Albuquerque. This conference was sponsored by the Traffic Safety Bureau and brought together prosecutors from around the state in an effort to advance successful DWI prosecution in New Mexico.

IPL produced a four-color *2005 Annual Report* for the Traffic Safety Bureau, highlighting the bureau's successes during the previous year.

The annual Motorcycle Safety Awareness Day was held at the Sandia Motor Speedway in Albuquerque on September 17 as part of a three day event taking place September 16, 17 and 18 in Albuquerque. Thousands of people, attracted by the antique motorcycles and entertainment, attended and received safety messages and contact information.

We supported, through meeting facilitation and our participation in committee work, the Comprehensive Traffic Safety Plan development process initiated by the National Highway Transportation Safety Administration.

Transportation Safety Center Licensing & Monitoring Unit

During the past year, the Licensing and Monitoring Unit of the Transportation Safety Center continued its work under contract with the State Department of Transportation to issue licenses to and monitor the state's traffic safety-related schools. This staff ensures that DWI schools, Driver Improvement schools and Driver Education schools and their facilitators and instructors comply with licensing requirements. Staff also maintain the list of licensed providers for state agency use, and monitor the performance of these schools and instructors through on-site monitoring visits. Some 700 license application reviews and 240 monitoring visits were conducted during FY 05—06. In addition, staff reviewed over 300 requests by parents for authorization to have their children participate in correspondence driver education programs.

During the year, changes occurred in the Unit's responsibilities for the state's ignition interlock program. Licensing authority for the program reverted to the Transportation Department, although the Unit continued to provide training and technical support to that agency's staff. At the annual conference for the state's ignition interlock industry in January, proposed revisions to their rule were discussed. While Yolanda Rodriguez replaced Senior Attorney Julia Heller as program manager, Ms. Heller retained her assignment to revise the ignition interlock rule. On-call attorney Susan George assumed the legal consulting role that Ms. Heller had otherwise performed for the Unit.

Staff professional activities

IPL staff contributed their time and skill to their University and local communities. Examples of some of our outside professional activities include:

- IPL Director Paul Biderman has served occasionally as a pro tem Municipal Court Judge for the City of Santa Fe. He serves on the Supreme Court's Advisory Committee on the Code of Judicial Conduct.
- The NM Supreme Court named CLC director Judy Flynn-O'Brien chair of the Children's Court Rules Committee, effective January 2006. Ms. Flynn-O'Brien also serves on the Supreme Court's Court Improvement Project Task Force.

- JEC Director Pam Lambert served on the University Hospital Biomedical Ethics Committee and the Albuquerque Regional Hospital/Ardent Central Institutional Review Board. Meeting and events planner Victoria Garcia has served on several committees of the New Mexico chapter of the Meeting Professionals International.
- Senior attorney Beth Gillia coached a Jessup International Moot Court team for the School of Law, taught an undergraduate honors course on the death penalty, and participated in the Intimate Partner Homicide Review Team for New Mexico.
- Center for Wildlife Law Director Ruth Musgrave serves on the boards of several wildlife non-profit organizations.
- Traffic Safety Center Training Specialist Carolyn Johnson presented at the national Lifesavers Conference in Texas in April.

DEVELOPMENT & ALUMNI AFFAIRS

Highlights

The Alumni's "12th Annual Distinguished Achievement Awards Dinner" was a huge success. This year's dinner honored three recipients, including Richard Gerding, Tommy Jewell and Ruth Kovnat. Over 320 people attended the dinner which net \$13,450.

The Alumni Association's 3rd annual Summer Golf Classic was held on a beautiful July afternoon. Sixty-three players participated, helping to raise \$8,273.

Funds raised from these two events will be used to support such things as the Dean's Fund, scholarships and professional lectures.

Fundraising

During FY 2005-2006, the School of Law raised \$475,410. While this figure represents a 10% decrease in giving from last fiscal year we are optimistic with our projections for 2006-2007. Our "Dean's Circle" of giving remains strong, with membership continuing to grow each week. The circle was established so that the Dean would have resources available to fund the school's top priorities.

FY 2005 – 2006 also saw changes in our development staff. Herb Wright left the university to pursue other professional interests. Bill Uher was brought onto the staff in September of 2006 to fill Herb's role.

JUDICIAL SELECTION

During the 2005-2006 fiscal year 15 judicial vacancies were filled through the judicial selection process. The Judicial Selection Office at the UNM School of law convened 13 Judicial Nominating Commissions (and reconvened one 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
7/1/05	9 th District	16	1	4	2	Robert Orlik
7/5/05	11 th District	18	1	5	3	Robert A. Aragon
7/6/05	2 nd District	16	1	10	5	Kenneth H. Martinez
7/11/05	Bern. Cty Metro	13	2	15	5	Rosemarie L. Allred Clyde W. DeMersseman
10/17/05	2 nd District	16	2	22	7	Carl J. Butkus M. Monica Zamora
10/19/05	1 st District	16	1	15	4	Raymond Z. Ortiz
10/24/05	Bern. Cty Metro	14	1	10	4	Julie Altwies
1/19/06	5 th District	17	1	8	3	Jane Shuler Gray
1/24/06	4 th District	14	1	4	3	Abigail Aragon
2/17/06	8 th District	16	1	5	1	Reconvened
3/6/06	8 th District	16	Reconvened		0 add'1	John Miller Paternoster
4/26/06	Bern. Cty Metro	15	1	12	4	Sandra Engel
5/10/06	2 nd District	15	1	8	2	Stan Whitaker
6/19/06	3 rd District	19	1	9	3	Michael T. Murphy

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:

- Publicized vacancies, meeting details, and commission, applicant and nominee lists;
- Solicited and reviewed applications;
- Duplicated and distributed applications to Commissioners;
- Communicated with Disciplinary Counsel regarding disciplinary history of applicants;
- Convened the Commission meetings; and
- Forwarded the various Commissions' recommendations of nominees to the Governor.

FACULTY PUBLICATIONS

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- John P. LaVelle, Kip Bobroff, Christina Zuni-Cruz, and Gloria Valencia-Weber. *Cohen's Handbook of Federal Indian Law* (2005 edition) , Nell Jessup Newton, John P. LaVelle et al. eds, Executive editor: John LaVelle. Contributing Writers: Kenneth H. Bobroff, Gloria Valencia-Weber, and Christine Zuni Cruz.
- John P. LaVelle. *Implicit Divestiture Reconsidered: Outtakes From the Cohen's Handbook Cutting-Room Floor*. 38 Conn. L. Rev. 731 (2006).
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- Nathalie Martin, *Poverty, Culture and the Bankruptcy Code: Narratives from the Money Law Clinic*, 12 Clinical L. Rev. 203 (2005).
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- Nathalie Martin. *When Worlds Collide: Bankruptcy and its Impact on Domestic Relations and Family Law*. (Alexandria, Va. : American Bankruptcy Institute) 3rd ed. (2005). By Michaela M. White, Marianne B. Culhane, Nathalie Martin.
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