

NEW MEXICO LAW REVIEW

Volume 41
Issue 2 *Fall*

Fall 2011

Introduction

Jennifer Duprez

D'Ontae Sylvertooth

Recommended Citation
Jennifer Duprez & D'Ontae Sylvertooth, *Introduction*, 41 N.M. L. Rev. ix (2011).
Available at: https://digitalrepository.unm.edu/nmlr/vol41/iss2/2

This Front Matter is brought to you for free and open access by The University of New Mexico School of Law. For more information, please visit the *New Mexico Law Review* website: www.lawschool.unm.edu/nmlr

INTRODUCTION

Welcome to the second issue of Volume 41 of the *New Mexico Law Review*. This issue completes our volume year and is filled with a broad range of articles written by both professional and student authors. Consistent with issue No. 1 of Volume 41, these articles primarily focus on issues that impact the state of New Mexico. It is our hope that the legal scholarship in this issue will provide pleasurable reading as well as enhance your understanding of New Mexico law.

First, in *Drug User Fee Reform: The Problem of Capture and a Sunset, and the Relevance of Priorities and the Deficit*, Margaret Gilhooley delves into the Prescription Drug User Fee Act, exploring its potential drawbacks and offering mechanisms for reform. This issue continues with Kerry E. Rodgers' article, *Identifying the Crucial Elements of States' Collaboration Over the Long Haul: The Transportation of Nuclear Waste to New Mexico*. In her article, Professor Rodgers highlights the strengths of the collaboration between state regional organizations and the U.S. Department of Energy in promoting the safe transportation of transuranic radioactive waste to the Waste Isolation Pilot Plant located in Carlsbad, New Mexico. Professor Rodgers then uses these strengths to create a model for effective state and federal collaboration in other policy areas.

Next, in *The Due Process Rights of Residential Tenants in Mortgage Foreclosure Cases*, Henry Rose examines the potential weaknesses of the Protecting Tenants at Foreclosure Act and their impact on the due process rights of tenants to receive notice and an opportunity to be heard when foreclosure threatens to terminate their tenancies. Following Professor Rose's article, Christine S. Scott-Hayward—in *The Failure of Parole: Rethinking the Role of the State in Reentry*—discusses the crucial question of whether parole is the appropriate institution for providing reentry services to people released from prison. Ms. Scott-Hayward concludes her article by offering various ways in which the reentry process may be improved.

The issue continues with a variety of student articles covering complex legal issues in New Mexico. First, in *Relieving the Tension: New Mexico's Departure from the Federal Position That There Is No Requirement to Present Exculpatory Evidence to the Grand Jury*, Brett Eaton provides an in-depth analysis of the grand jury system with an emphasis on New Mexico's approach. Following, in *To Presume or Not to Presume Prejudice?* Kilgore v. Fuji Heavy Industries *Changes the Way New Mexico Analyzes Juror Misconduct*, Catherine (Katie) Gleeson delves into the world of jury misconduct and examines the way in which courts have dealt with extraneous information reaching the jury.

Christopher McNair, in Edward C. v. City of Albuquerque: *The New Mexico Supreme Court Balks on the Baseball Rule*, explores the issue of baseball stadium operators' liability for spectator injuries and the unique rule applied in New Mexico courts. Next, in *One Person, No Vote? How State Courts After* Bush v. Gore *Ensure Uniform Interpretation of Voter Intent Statutes Without "Unnecessary Voter Disenfranchisement*," David Odegard analyzes New Mexico's method of balancing uniformity and disenfranchisement when determining voter intent and compares New Mexico's method with those employed by other states.

Our issue concludes with Lysette P. Romero's *Why English-Only Notice to Spanish-Only Speakers Is Not Enough: The Argument For Enhancing Procedural Due Process in New Mexico*. Ms. Romero contends that under New Mexico's Due Process Clause, the notice requirement as it pertains to Spanish-only speakers is insufficient when such notice is provided solely in English.

The Editorial Board and Staff are proud to publish this issue of the *New Mexico Law Review*. We have worked hard toward our goal of rededicating the journal to issues that impact New Mexico, and we hope you enjoy the following articles as much as we enjoyed working on them.

Happy Reading!

—Jennifer Duprez & D'Ontae Sylvertooth, Co-Editors-in-Chief