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Introduction

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INTRODUCTION

It is my pleasure to introduce the second issue of Volume 40 of the *New Mexico Law Review* on behalf of the 2009–2010 Editorial Board. To celebrate our fortieth year, we asked several authors who had previously published with the *New Mexico Law Review* to write short articles commemorating our anniversary in some way. Five anniversary articles are included in this issue. In addition, this issue features two traditional articles by authors who had not published with the *New Mexico Law Review* previously. The five returning authors are Institute of Public Law Director Paul Biderman; University of New Mexico Professor Emeritus Michael B. Browde; Perkins Coie LLP partner Phillip R. Higdon (joined by first-time *New Mexico Law Review* author, Perkins Coie LLP associate Abiman Rajadurai); University of New Mexico Professor Ted Occhialino; and New Mexico Court of Appeals Judge Linda M. Vanzi. Professors Mary Nicol Bowman, Catherine M. Grosso, David C. Baldus, and George Woodworth make their debut appearances in this issue.

In the first of our short anniversary articles, Director Biderman, who previously published an article with the *New Mexico Law Review* in our fourth volume—*Consumer Class Actions Under the New Mexico Unfair Practices Act*, commemorates the over forty years that the Institute of Public Law has been based out of the University of New Mexico School of Law with his article, *The Institute of Public Law: Over Four Decades of Public Service*. Next, Professor Browde updates one of his many *New Mexico Law Review* articles, *State v. Gomez and the Continuing Conversation over New Mexico’s State Constitutional Rights Jurisprudence*, published in the twenty-eighth volume of the *New Mexico Law Review*, with his article *Gomez Redux: Procedural and Substantive Developments Twelve Years On*. The third anniversary article, by authors Higdon and Rajadurai, updates Higdon’s prior article on defamation law in New Mexico, *Defamation in New Mexico*, published in the fourteenth volume of the *New Mexico Law Review*, with *A Quarter Century Later: Defamation in New Mexico*. Next, Professor Occhialino revisits one of his prior articles (co-written with Professor Browde), from volume fifteen—*Separation of Powers and the Judicial Rule-Making Power in New Mexico: The Need for Prudential Constraints*, with a commentary on its influence on New Mexico Law: *How One Law Review Article Transformed the Law of New Mexico Forever (Not!)*. Despite Occhialino’s ironic title, indicative of his dismay that the article was never a centerpiece to a New Mexico Supreme Court opinion, he concludes that writing the article improved his teaching as a civil procedure professor and assisted his work on the New Mexico Supreme Court Rules of Civil Procedure for the District Courts Committee. Finally, Judge Vanzi updates her article, *Freedom at Home, State Constitutions and Medicaid Funding for Abortions*, from the twenty-sixth volume of the *New Mexico Law Review*, with *Freedom at Home Revisited: The New Mexico Equal Rights Amendment after New Mexico Right to Choose/Naral v. Johnson*. We greatly appreciated the willingness of these five authors to write anniversary articles.

In the first of our traditional articles, Professor Bowman critiques the wisdom of giving “statements against interest” weight for their veracity in her article, *Truth or Consequences: Self Incriminating Statements and Informant Veracity*. Professor Bowman advocates a nuanced approach to giving weight to such statements, advis-



ing courts to apply greater scrutiny and to consider the context in which statements are given before deeming the statements trustworthy. In the second traditional article, Professors Grosso, Baldus, and Woodworth consider the role that the relationship between offender and victim play in military death-penalty-eligible cases in *The Role of Intimacy in the Prosecution and Sentencing of Capital Murder Cases in the U.S. Armed Forces, 1984–2005*. The three authors analyze a data set describing the disposition and characteristics of a set of capital murder cases and conclude that additional studies are advisable.

