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REQUIRING A LIVE CLIENT, IN-HOUSE CLINICAL COURSE: A REPORT ON THE UNIVERSITY OF NEW MEXICO LAW SCHOOL EXPERIENCE*

J. MICHAEL NORWOOD**

In their appraisal of the state of professional skills training in American law schools, the speakers and participants at the National Conference on Lawyer Competence, Professional Skills and Legal Education held at the Law School of the University of New Mexico in October 1987, described a broad range of pedagogical goals, methods of instruction, and unresolved institutional questions. The variety and diversity of approaches to professional skills training in American law schools which were displayed and explored, both in and out of the conference's many meetings and gatherings, was astonishing. The conference included twelve formal presentations which described specific programs and courses relating to professional skills training at various law schools. This article is the progeny of one of those twelve reports, "New Mexico's Professional Skills Program."

The diverse assortment of approaches to skills training which surfaced at the conference is delineated in no small measure by each law school's unique response to a collection of issues necessarily raised by the insertion of skills education into American law schools. Prevalent among these issues are: What are the fundamental goals of professional skills training? Should skills training be taught through simulation, supervised real client representation, or a combination of both? What should be the status or faculty rank within the law school academy of those who teach professional skills? What is clinical scholarship?

*This report is intended to be a neutral, objective factually accurate description of the clinical experience at the University of New Mexico School of Law. To some readers, including my colleagues, who, because of firsthand knowledge, may believe I should know better, portions of this report will appear to be biased, opinionated, and factually inaccurate. I wish to acknowledge in advance that all bias, opinion, and factual inaccuracies contained in this article are my own, and not to be attributed to any of my colleagues at the University of New Mexico or anywhere else.

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1. The terminology "professional skills training" begs for definition. In virtually all law school courses the dispensing of legal knowledge is only a portion of the enterprise, and professional skills training plays a significant role in any law course. The American Bar Association in its survey questionnaire relating to its study of contemporary law school curricula attempted a definition of professional skills courses. The questionnaire stated, "The term 'professional skills' covers a wide variety of courses which teach the student not only to think like an attorney, but to develop the skills used by attorneys in the practice of law." For the purposes of this report on the New Mexico professional training program this definition will suffice. See W. Powers, A Study of Contemporary Law School Curricula II: Professional Skills Courses, ABA (1987) (unpublished manuscript).

2. In their responses to a recent survey conducted by the ABA, 143 ABA-approved law schools listed 2,500 professional skills courses. W. Powers, A Study of Contemporary Law School Curricula II: Professional Skills Courses, ABA (1987) (unpublished manuscript).


4. This question resulted after years of debate in the adoption of ABA Law School Accreditation Standard 405(e). However, because the standard provided that professional skills faculty be given status "reasonably similar" to tenure track faculty, the issue continues to engender debate as to the meaning and interpretation of the term "reasonably similar."
and what is its role in the legal profession and the academy? What is the proper emphasis to be placed on skills training within the context of the overall curriculum? How much, and what type of professional skills training is financially feasible? If experience with real client representation is an important component of professional skills training, should it be provided through a law school operated law office or by placing students with law offices and agencies outside the law school’s control? How should skills training be integrated into the curriculum and educational mission of the law school? This article explores the University of New Mexico’s response to these predominant issues.

The University of New Mexico has its own distinctive answer to these issues. A reasonably complete description of New Mexico’s professional skills training program is presented by viewing the program in historical perspective from seven vantage points. These are: the clinical course requirement, the clinical course structure, the professional skills faculty, the goals of professional skills training, the Law School’s fiscal commitment, professional skills training program’s relationship to the School’s academic program, and the program’s future.

I. THE CLINICAL COURSE REQUIREMENT

The foundation of the program is a “live client” clinical course which the students are required to complete for graduation. New Mexico has a long history of requiring practice experience for graduation. Prior to 1970, the Law School required its students to log at least forty hours of work with the Albuquerque Legal Aid Society. In 1970, the New Mexico Supreme Court approved a new student practice rule that permitted students to give legal advice, negotiate cases, and appear in all New Mexico state courts. Armed with this new rule, the Law School hired a Director for its Clinical Law Program, William T. MacPherson, who began to take in cases to be handled by students under his supervision. The forty hours with Legal Aid was replaced by work in the Law School’s new clinical program.

5. The concern over the educational efficacy of extern placements of law students is the subject of the ABA Law School Accreditation Standard 306. The interpretation of this standard continues to be the subject of debate.

6. No clear consensus has emerged as to the best responses to these issues. This is explained, in part, because the best responses depend on the local conditions of each law school, and each law school has different “best” responses. The lack of consensus is further explained by acknowledging that every law school’s efforts in professional skills training represents its own best compromise between the ideal and the possible. A final explanation for the diversity of responses to these predominant issues for professional skills training in American law schools is that skills training remains in its formative years, and no law school is satisfied that it has found and implemented the best skills training program possible, including the University of New Mexico.

7. Of 161 law schools listed in THE OFFICIAL GUIDE TO U.S. LAW SCHOOLS PRELAW HANDBOOK (1987-88 ed. published by the Law School Admissions Council in cooperation with the American Bar Association and the American Association of Law Schools) six law schools indicated that completion of a clinical course is a requirement for graduation. These are Antioch, Catholic University of Puerto Rico, University of Dayton, University of Montana (all students are required to complete a course in clinical training or law review), University of New Mexico, and City University of New York.


9. Professor MacPherson, who continues to work in the University of New Mexico Clinical Program, was director of the Clinic during its formative years from 1970 to 1983.
In 1971, the Dean of the Law School, Frederick M. Hart, recognizing the potential value of the Clinic in training competent lawyers, and in consultation with the Director of the Clinical Program, determined that the then "experimental" clinical program, to be given a reasonable chance at successfully demonstrating its worth, should be required of all students. He further reasoned that the Clinic courses should be fairly credited according to the demands placed on the students. The pre-1970 requirement of forty hours with Legal Aid was rearticulated as a requirement that students complete six credit hours in clinical courses.

At that time all clinical courses offered by the Law School were three credit hour courses. The six credit hour requirement meant that each student was required to spend at least two semesters in a clinical course. Students were not required to repeat the same course in back-to-back semesters, and they rarely did so. The clinical courses were generally specialized, and students preferred to rotate to a new specialty supervised by a different faculty advisor in a subsequent semester.

Clinical courses were divided into two basic types: in-house and extern. In-house courses were defined by the Law School as courses directly managed by the Law School in which students assumed the professional responsibility for representing actual clients under the supervision of Law School personnel. Extern courses were those in which students were placed with lawyers in law firms or agencies outside of the Law School's managerial control, and the student's work assignments on actual cases, and completion of those assignments, were under the direction and control of the placement lawyer, not Law School personnel. Placements with judges and New Mexico Supreme Court Justices also qualified for clinical extern credit. Under this system, approximately one-third of the clinical credits earned by students were in extern courses. Given the resources available to the Clinic in its early years, the generation of sufficient credit hours to meet the graduation requirement without extern courses would have been impossible.

The Law School had mixed experiences with the extern courses. It was difficult to be certain of the extent and quality of the supervision provided to students. The assignment of professional responsibility for actual cases to students was generally far more restrictive in the extern placements than in the in-house clinics, relegating students to clerking roles. There were a few occasions where great responsibility was assigned and little or no supervision accompanied the assignment of responsibility. Supervision within the same office was inconsistent from semester to semester. Where a placement would work well in one semester, a placement with the same supervisor would fail the next semester, either because

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10. Professor Hart, who continues to teach at the Law School, was Dean of the University of New Mexico School of Law from 1970 to 1978.
11. Students received no course credit for completing the 40 hours with Legal Aid requirement. Students participating in law review or on the national moot court team were exempted from the 40 hour Legal Aid requirement. No student was exempted from the new six credit hour clinical course requirement.
12. A single semester stay in a clinical course presents educational difficulties of its own. There is an argument that the period of 14 weeks of exposure to clinical practice may be insufficient to accomplish all the ambitious goals of a mandatory clinic. Sufficient continuity of case coverage is another, not insignificant problem presented by this approach.
the supervisor could not or would not devote sufficient teaching time and effort. Over time it became clear that the Law School’s professional teaching faculty brought significantly more time, energy, thought, structure, coherence, planning, and commitment to the enterprise of clinical training than the volunteer field placement supervisors. The only clear value of the field placements in apposition to the in-house clinics was the opportunity provided to students to be exposed to types of office or agency practices which could not be duplicated by the Law School, such as working in a medical malpractice insurance defense firm, or working in the Office of University Counsel.

The Law School’s experience with the judicial extern placements has been generally quite positive. Law students are given the opportunity to work closely with a judge, and receive a firsthand view of the judicial decision-making process. The pressures and influence of the forces which drive the judicial decision-making process is completely opened to the students, from the courthouse administrative structure, to a judge’s personal values, to the quality of the presentations of lawyer’s in individual cases. However, because law students do not have personal professional responsibility for cases or clients, the assumption that judicial extern placements are clinical is problematic.

For several years after the implementation of the clinical course requirement, the efficacy of the clinical program as a mandatory component of lawyer competency preparation and the educational mission of the Law School were repeatedly subjected to faculty scrutiny. Nevertheless, the requirement remained in force unchanged until 1984. In 1984, after years of growth and development of the human, fiscal, and intellectual resources of the clinical program, the Law School clinical requirement was amended by the law faculty. Students now are required to complete six credit hours in a clinical course or courses for graduation from the University of New Mexico School of Law. The six hours will be completed after students have earned at least forty hours of course credit.

A clinical course incorporates the clinical method of instruction as a significant educational component. In the clinical method of instruction, students are confronted with actual problems of the sort that lawyers encounter in practice. The students deal with these problems as lawyers. They bear the professional responsibility for decision and action. In solving the problems, the students must interact with people. The student’s performance in all these activities (analysis, planning, decision-making, implementation of action, and their interactions with people) is subjected to intensive and rigorous critical review.

All clinical courses must be taught by a member of the Law School faculty. The direct supervision of the student’s performance on the actual problems they encounter must be done by a member of the Law School faculty. Although both the judicial and law office extern courses continue to be offered, the clinical requirement can no longer be met through an extern placement course. Additionally, only courses which incorporate student responsibility for actual cases meet the clinical course requirement. Skills courses using simulation as the primary teaching methodology are excluded.

II. CLINICAL PROGRAM COURSE STRUCTURE

In the 1970’s, the Clinic was establishing its roots at the University of New Mexico. It was the new and different approach to legal education. The Clinic
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itself was a grand experiment. There was little hesitation to try new technologies such as video, to take on new kinds of cases, to vigorously represent unpopular clients, to examine the lawyer's work with fresh theories, and to bring new subject matters to legal education. The faculty's willingness to experiment and to assume the burdens attendant to making new things happen became ingrained in the concept of the clinical program. The Clinic became a laboratory in which to safely experiment. Those things which worked well were retained and repeated, those which failed were discarded.

Infused with the spirit of experimentation, the clinical program offered a broad assortment of clinical courses during the 1970's. Many of these courses revolved around a specialized case type or lawyering experience. Included in the list of courses were Misdemeanor Defense, Misdemeanor Prosecution, Felony Defense, Felony Prosecution, Juvenile Law, Public Interest Law, General Civil Practice, Public Interest Litigation, Prisoner Representation, Advanced Litigation Program, Mental Disability, Employment Discrimination, Elderly Law, and Tax Clinic. The clinical program grew rapidly during its first ten years. Some of the financial resources to support this growth were from grants of contracts which included a commitment to provide services to clients. Although these grants provided the Law School with added resources with which to generate course credits for its mandatory clinical requirement, the attendant commitment to provide client services constantly threatened to swamp the educational content and goals of the clinical requirement. The need to generate revenues through service commitments led, in part, to the creation of the numerous specialty clinics mentioned above. By the end of the seventies, the pressure to generate revenue through service to clients had been dissipated by the University's assumption of the cost of the Clinic as a significant educational component of the Law School.

The Law School's experience with specialty clinics was mixed. The advantage was that a faculty supervisor could become immersed in the substantive knowledge and practice milieu of a specific case type. This allowed for the advancement of sophisticated techniques of case management and supervision of specialized types of cases. The faculty were confident of their knowledge and comfortable in their supervisory roles.

There were several disadvantages of the specialty clinics. It was difficult to rotate different faculty in and out of the specialty clinics. The clinics tended to bear the unique marks of the faculty supervisors assigned to teaching responsibilities. The substantive nature of the specialty clinics tended to dominate the clinical experience at the expense of the broader goals of the mandatory clinic requirement. A student may conclude a specialized clinic with confidence in her ability to handle a specific case type such as a misdemeanor case in Metropolitan

13. In its early years the clinical program was used to sponsor most of the experimental courses at the law school whether the courses involved client contact or not. Included in these courses were Spanish for lawyers, substantive "mini courses," Pre-Trial Practice, Intersession Trial Practice, and first year Advocacy.

14. The cardinal safety rules for a clinic should always be: 1) Don't do harm to clients; and 2) Don't do harm to students.

15. The clinical program was so willing and prepared to create new clinics based on specialized subject matter by the end of its first decade, that when a basketball scandal involving accusations of both NCAA rule violations and criminal activity broke in 1979, the obvious solution to the players' need for legal representation was to hastily create a basketball clinic. To be exact, it was actually an intersession basketball clinic. The scandal broke out at the end of the fall semester.
Court, but may not have a clear concept that professional skills which could be transferred to other types of cases had been developed. The faculty teaching the specialty clinics tended to work independently of each other, resulting in inefficiency and redundancy. Each clinic included some instruction in basic skills such as negotiation, interviewing and fact investigation, but there was little effort to develop a team teaching approach to basic skills training in order to take full advantage of the clinic's faculty resources. The unique insights and skills each faculty brought to the teaching effort were exposed only to the small number of students assigned to that faculty's specialty clinic and were constrained to the context of the specialized subject of that clinic. Not all the specialized clinics offered students the full panoply of lawyering experiences which were available in the clinical program as a whole. One student may be exposed to a course emphasizing a litigation practice, and another to office practice and planning. The nature of some specialized clinics, such as public interest litigation and employment discrimination, resulted in some students being exposed to only a segment of the lawyering necessary to complete a case during his or her stay in the Clinic. The specialty clinic courses were generally assigned three credit hours, and generally demanded much more of students than any other three credit hour course offered by the Law School.

The first decade's experience with a clinical course requirement led to the beginning of a shared understanding among the faculty, including both those who taught in the Clinic and those who did not, as to the fundamental goals and content of a successful clinical course. A common perception of the basic concepts of effective supervision, case assignments, file maintenance, office management, class subject coverage, and theories of practice began to emerge. The change in the clinical course graduation requirement in 1984 meant that the Law School assumed the responsibility to increase its in-house clinical course credits by one-third. An efficient structure for generating sufficient clinical course credits for each graduating class of approximately 105 students needed to be found. The maturing of the mandatory Clinic, combined with the additional emphasis on in-house clinical training, provided the impetus to search for a new structure for the in-house Clinic.

A course structure that would accommodate the demands of this new requirement, as well as incorporate the best components of the clinical methodology that had been learned during the Clinic's first decade, needed to be found. The new mandatory course design needed to respond to the demands of at least eight criteria. First, the course must insure that no student be deprived of the minimum shared educational experience included in the fundamental goals of a mandatory clinic. Second, the course must be capable of accommodating a diversity of students with different levels of preparation and skills, as well as different interests in practice experience.16

16. The University of New Mexico is strongly committed to affirmative action and has a very diverse student population in terms of ethnicity and gender. Its students also come to the law school experience with divergent levels of preparation. Because the Clinic is a graduation requirement, it must be prepared to pitch the clinical methodology to all its students. Beyond the first year courses there are no prerequisites for enrolling in a clinical course. This adds to the diversity of levels of preparation.

Because the Clinic is a required course, a few students are enrolled in the course involuntarily, and the
Fourth, the course must accommodate a diverse assortment of faculty with differing backgrounds, experience, talents and interests, and take maximum advantage of each faculty member’s potential contribution to the Clinic. Fifth, the course must be capable of continuing to allow for experimentation with new teaching techniques and case experiences without damaging or disrupting the overall structure of the Clinic or the basic quality of education provided to the student. Sixth, the Clinic must be capable of adapting a new and better approach to legal practice and clinical education. Seventh, the course must be amply supported by Law School resources, yet operate in a lean and efficient manner so as to not swamp the capacity and will of the Law School and University to provide support. Finally, the course must be capable of including both simple and complex cases in its mix, and provide students with the broadest possible clinical practice experience.

The clinical course which was designed to fulfill the demands of these criteria is Law Practice Clinic. Law Practice Clinic is a six credit hour, one semester clinical course offered to students in their second or third year. The course is taught each semester by a team of faculty supervisors and consists of a clinical field experience and a classroom component.

The field experience integrates the former specialty clinics which were organized around special case types into a single, unified clinic. Students are assigned a mix of case types, including civil, misdemeanor criminal, appellate, administrative, and non-litigation. A student’s blend of assigned cases is designed to provide a complete range of legal experience which enables the students to generalize the skills of client representation, and avoids problems of premature specialization and boredom which may stem from a redundant caseload.

In order to maximize the assumption of personal professional responsibility, students are accountable for a range of eight to fifteen cases during a semester. A case is defined as any client situation in which the student has conducted an initial interview, regardless of whether the Clinic assumes responsibility for follow-up work for the client beyond the interview. After the initial assignment of cases, as the circumstance occurs, students may be paired to work on a case in order to share the educational experience, to develop team working skills, or to insure that the client’s best interests are served. The caseload volume assigned to students is strictly monitored, based on type, quality, intensity of the cases, the individual capacity of the student, and the time available to the faculty.

To the extent it is educationally sound and administratively possible, students’ caseloads are individualized to accommodate their personal goals and interests.

17. The two major dangers of insufficient institutional support is that the Clinic will not be able provide students with an "ideal" office practice environment, and the Clinic will become so dependent on service commitments for revenue that the educational mission of the Clinic will suffer significant degradation.

18. The Law School continues to offer an in-house clinic in misdemeanor prosecution which fulfills the graduation requirement. Approximately 10% of the required clinical course credits are earned by each graduating class in this Clinic. The District Attorney Clinic is supervised out of the District Attorney’s misdemeanor offices, away from the Law School, by a member of the Law School faculty.
For example, if a student's primary interest is family law, tax, criminal law, natural resources, immigration, or business law, this interest is reflected in their assigned cases. When students sign-up for the Clinic, they fill out a questionnaire regarding what courses they have completed and what areas of practice experience they are interested in receiving while enrolled in the Clinic. Students are matched with a faculty supervisor having similar interests. They are assigned a set of transferred cases based on their responses to this questionnaire. An effort is also made to match the student's new case intake to his or her expressed interests.

Cases for Law Practice Clinic are referred from a variety of sources, including financially eligible members of the University of New Mexico community of staff and students, elderly citizens who cannot afford legal assistance, the Bernalillo County Public Defender's Office, the Internal Revenue Service, and local lawyers and judges who see indigent clients in need of assistance. The Clinic has a commitment to serve needy clients who would not otherwise benefit from legal services. All cases are screened for educational value. Cases are accepted only with the approval of the supervising faculty based on an evaluation of the case made by the student after the initial interview.

In the field experience component of the law practice system, regardless of individual student case type assignments or the individual nuances of faculty supervisor practice styles, students are introduced to a unified, coherent system for case processing, file maintenance, record keeping, and office management. This office practice system is created, controlled, and designed by the Clinic's faculty for the express purpose of training students in handling client cases competently. Introducing students to a basic structure for managing and processing all clinic cases, regardless of case type, affords students the opportunity to acquire basic skills and knowledge about legal practice. These office practice skills are designed to be applicable in the students' future practices even though

19. A computer program was designed by the author to assist in the management of information storage, sorting, and retrieval. The computer system keeps track of information about clients, students, and their activities. Tracking case assignments by case type is one of the computer system's features, and assists in the case type assignments and monitoring.

20. Information retrieved from the Clinic's office management computer system indicates that the case types presented by clients applying for clinic services during the period from June 1, 1987 through December 31, 1987 fell into the following categories: See Appendix A.

21. The pressures of running a legal practice for profit are removed from the Law Practice Clinic which frees the faculty to concentrate on competency training. This is not to say that representing a client competently and profitably are necessarily antithetical, but the training of law students in good practice habits and skills by having them represent clients under close supervision of experienced law professors does introduce an element of inefficiency which would make profit making difficult.

This lack of profit making pressure also may cause controversy where one of the parties to a dispute is paying private counsel for legal representation. The Clinic stresses to its students that competent representation involves the use of problem-solving skills leading toward quick and early problem resolution whenever possible. The client's best interests are always placed ahead of a student's educational experience. To this end, in 1988 the Law Practice Clinic adopted the following policy statement:

The University of New Mexico Law Practice Clinic is devoted to resolving its clients' legal disputes effectively and efficiently. To this end, it is the policy of the Clinic to consider a wide range of dispute resolution processes and to encourage the use of nonlitigation options whenever appropriate. Clients of the Clinic are advised that before the Clinic engages in full-scale litigation on behalf of a client or at any time during the litigation process, it may recommend that the client participate in one or more nonlitigation procedures.
the nature of their future cases may be quite different from the ones they encounter in the Clinic.

Beyond the basic structure of the Law Practice Clinic, with its focus on generally applied principles of competent client problem-solving and practice management techniques, the Clinic must be sufficiently flexible to accommodate a diversity of students, faculty, and case experiences, and must be adaptable to change. After establishing itself as the principal vehicle for providing the required in-house clinical experience, Law Practice Clinic began to explore the introduction of new components to the experience. In 1986, partly through the assistance of a grant from the U.S. Department of Education, natural resources and immigration cases were brought into the Clinic. In 1987, a grant was funded to assist the Law Practice Clinic in introducing training in alternative dispute resolution techniques to all students in Law Practice Clinic. Here the challenge is to adapt the basic case processing structure, which is taught to all students, to include an alternative dispute resolution, problem-solving component. This effort is ongoing, but has already resulted in improving the case intake and case evaluation portions of the basic clinic case processing structure.

At the heart of the educational experience in the Clinic is frequent, one-on-one, and small group supervision by a member of the law faculty. The faculty supervisors form a close teaching relationship with the students so that the maximum educational benefit can be derived from their live-case experiences. Student/faculty ratios are never greater than one faculty to ten students, and the ratio is only this high when the faculty member has no other responsibilities except clinic teaching. When a faculty member is teaching for one-half a semester’s teaching load in the Clinic, the student faculty ratio is no greater than one to five. A total of approximately thirty to thirty-five students are enrolled in the Clinic each semester.

The Law Practice Clinic classroom component is designed to introduce all clinic students to the theoretical framework of key lawyer skills such as interviewing, counseling, fact development, legal drafting, case and planning, negotiation, mediation, discovery, management, advocacy, and legal research. The class is also intended to organize small group efforts to bear on live client problem-solving. The class meets four times each week. Once or twice each week, the Law Practice Clinic meets in a plenary, large group session. The remainder of the class meetings are in the small groups assigned to the faculty supervisors team teaching in the Clinic. Occasionally, two or more of the five or six small groups in the Clinic each semester will meet together for a small group meeting. The material covered in the large group sessions usually is of

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22. The grant was funded under the U.S. Department of Education, Title IX, Clinical Experience Program.
23. This was accomplished at little risk to the overall educational mission of the required Clinic. Students handled natural resources cases and immigration cases as a portion of their case mix, not as an exclusive diet. The students were supervised by professors Charles DuMars and Antoinette Sedillo Lopez, who had a special interest in these areas of law. Both remained and continued to consult on, or supervise the cases which were begun under this new component of the Clinic. The experience with these cases proved valuable and cases of this type continue to be developed by the Clinic.
24. This is a U.S. Department of Education, Title IX, Clinical Experience Program grant.
general applicability, and the small group sessions are in the nature of staff meetings. In the small group sessions, the students may explore one of the clinical practice skills through role play,\textsuperscript{25} may brainstorm a problem from a live client case, or may discuss in more depth the subject raised in the large group session. To the extent possible, the live client cases are related to the theories of practice being covered in the classes. During the semester, guest lecturers, judges, or practitioners, are invited to attend a class to give a presentation about a specialized area of practice. These lectures are videotaped and kept in a video library for future reference.

III. PROFESSIONAL SKILLS FACULTY

The first person recruited to work in the Clinic in 1970 was the Program’s first director, William T. MacPherson. After his first year, he received a tenure track faculty appointment, and because it was perceived that he would need assistance in pursuing the mandatory clinic experiment, a staff attorney, the author, was hired to assist him. The assumption was that both the Director and staff attorney would contribute to the Law School’s educational program primarily, if not exclusively, in the Clinic. In 1973, in order to make the clinical teaching positions more attractive and more reflective of their importance in the educational mission of the Law School, the staff attorney position was reclassified as a tenure track position. After that point all new faculty who were hired to teach in the Clinic on an indefinite basis were given tenure track appointments.\textsuperscript{26} Staff attorneys continued to be utilized by the Clinic, but were hired for determinate periods of time using “soft” grant money, or funding which expired with little or no chance for continuation. Now, even when soft money is used to hire for a teaching position in the Clinic, a temporary “academic” appointment is made.

During the first decade of the mandatory Clinic, faculty were recruited for their special talents and interest in clinical teaching. As the Law School grew, six faculty, of a total faculty size of thirty, were hired for clinical teaching duty. The faculty hired to teach in the Clinic soon developed interests in teaching more traditional non-clinic courses as well as interests in developing and teaching new skills courses. Clinical faculty began teaching Evidence, Trial Practice, Pre-Trial Practice, Criminal Law, Criminal Procedure, Advanced Trial Practice, Labor Law, first year Advocacy, and many other courses besides Clinic. As these faculty began to spice their teaching responsibilities with non-clinic courses, other faculty not originally hired for clinical teaching duties became interested in clinical teaching. Thus, when teachers who normally taught in the Clinic were outside the Clinic, they were replaced by more traditional teachers.

In 1984, with the new assumption of responsibility for providing all students with in-house clinical training, a crossover policy for clinical staffing was es-

\textsuperscript{25} The faculty make a conscious effort to design role plays based on the live client problems students in the group are confronting.

\textsuperscript{26} Although the clinical hires were granted tenure track appointments, they were for 10-month terms instead of the normal nine-month terms for faculty not teaching in the Clinic. After several years, this distinction was eliminated and all faculty were placed on nine-month contracts.
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established. The policy is designed to maintain a core of six to eight faculty whose interest in clinical teaching is high enough to motivate them to spend fifty percent of each teaching year in the Clinic. The Law School also has a second group of eight to twelve faculty who enjoy an occasional, approximately once every second or third year, teaching stint in the Clinic. Each semester a teaching team consisting of a mix of core clinical faculty and occasional clinical faculty is assembled. This mix results in a constant influx of fresh ideas and insights while assuring continuity of teaching quality, course coverage, and clinical methodology goals. Clinical faculty are given the opportunity to develop scholarship and teaching interests outside the Clinic. Non-clinical faculty have the opportunity to develop teaching techniques and gain practice experience in the Clinic, which can be used to enhance their scholarship or teaching activities.

In addition to the faculty assigned to the Clinic as a regular part of their teaching load, law faculty not assigned teaching responsibilities in the Clinic willingly provide expert consultation on clinic cases. This easy access to specialized legal expertise is an invaluable contribution to the case analysis process practiced by the students. The use of non-clinic teachers also frequently results in the teacher who has been consulted on an interesting legal issue using the Clinic case as a teaching vehicle for his or her class. Both the student and professor benefit from these consultations.

The Law School's ability to draw on its faculty resources was further enhanced in 1986 when the New Mexico Supreme Court adopted a rule granting to all full-time faculty at the Law School the privilege to practice law to the extent necessary to supervise in the clinical program.27 This privilege extends to permanent and visiting professors who have passed a bar exam in another state besides New Mexico or in the District of Columbia. The Clinic's educational program can now be enhanced by the addition of distinguished visiting professors.

The Law School's eighteen years experience in operating a mandatory clinical program has resulted in a blurring of differentiation between clinical and non-clinical faculty. In 1980, the law faculty adopted a detailed policy on promotion and tenure. The policy makes it clear that all tenure track faculty are subject to the same standards of review for scholarship, teaching, service, and collegiality. The policy requires scholarship published in the traditional form, but is also designed to encourage and recognize scholarship associated with clinical work.

IV. GOALS OF THE CLINICAL GRADUATION REQUIREMENT

In the Clinic, students are introduced to the theoretical framework of knowledge about basic lawyering skills. In the Clinic’s supervised practice environment, students critically analyze the values, roles, systems of justice, ethical standards, and technical processes contained within the legal institutions they encounter. Students develop problem-solving skills which require them to synthesize separate components of their legal education, and they gain the confidence to make the transition from law student to self-educating practicing lawyer.

The fundamental goals of the Clinic are to instill in law students the behavioral

habits of competent and ethical legal problem solvers, and to stimulate in students a strong commitment of professional responsibility for clients, community, and the institutions of law and lawyers. Toward this end, and subsumed within these goals, the training students receive in the Law Practice Clinic expands their knowledge and understanding of initial interviewing, client counseling, case evaluation and planning, fact development through investigation and formal discovery, negotiation, alternatives to litigated dispute resolution, legal research, legal drafting, applied substantive and procedural law, case management, law office management, applied professional ethics, and trial advocacy.

Clinical legal studies is the study of the expertise and relationships of the practice of law. It does not occur in the absence of the study of legal doctrine, but is to be distinguished from the study of legal doctrine. The subject matter of clinical legal studies is legal practice. A course in clinical law involves understanding, critiquing, shaping, influencing, and leading practitioners of law.

In no small measure, the message of clinical education is its methodology. Just as the teaching methodology of the Socratic dialogue, in the hands of a master teacher, is central to training in legal analysis, the clinical method, in the hands of a competent teacher, is central to training in legal practice. Educational success in imparting knowledge through the clinical method is marked by the proficient application of the method itself. Successful use of the clinical method means that its distinct attributes must be conscientiously cultivated.

The Law School's Clinic is, first, a working law office. It is a law office subject to greater public scrutiny than a private law office. It should be a model of the state of the art of legal practice, and it is responsible for advancing the state of legal practice. The style, method, and compassion of its Clinic is central to the Law School's image and mission. The Law School's choice of clientele, measured in terms of both who it represents and who it refuses to represent, and the manner of its representation of its clients, in no small scale, contributes to its image in the community. A clinic is a Law School's law office, and the quality of its practice is of paramount importance.

Client problem-solving in the Clinic is a collaborative effort between student and faculty. There is little educational, "hide the ball," game playing. The total commitment in a clinic setting is to represent the best interests of the client. Students in a clinical environment encounter dissimilar client problems, yet their experience is shared. The common ground of student experience is in the practice and management techniques applied to dissimilar client problems. Clinical practice is subject to the uncontrollable influences of clients, courts, opponents, and

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28. One of the original justifications for clinical education was to instill in law students an appreciation for the special obligations of American lawyers to provide access to legal counsel and to courts for the poor and needy. This goal of clinical education has in no way diminished over time.

29. This is not to say that a faculty advisor will not withhold giving answers to a student's questions even though the advisor may have useful information or opinions concerning the questions. This is justified as a teaching technique to encourage students to develop basic research habits, to engender in the students a personal sense of professional responsibility for decision-making, and to build students' confidence. Frequently, in the classroom, law professors leave the impression that they are withholding answers to legal issues because there are, in fact, no "correct" answers. In the clinical method, case demands of most legal questions require an answer whether it is correct or not. The faculty and student work in collaboration to find answers which are in the best interest of their clients, and within the ethical bounds of the law.
the milieu of legal institutions. The education is in the methodology of managing an effective law office despite these influences.

In a clinical setting, a student’s intellectual, analytical, and behavioral skills are challenged. Professional behavior in the role of a lawyer is critical. It is insufficient to be smart enough to perform on the day of an exam. A student’s personal moral values are challenged, and the role of personal values in functioning as a lawyer are explored.

In the clinical methodology, students are required to assume responsibility for others as well as themselves. Student responsiveness to fiduciary responsibility is critical to success. Problem-solving skills beyond the ability to analyze a court fashioned solution become important. Problem-solving skills are holistic and frequently creative.

Students must interact with others outside the confines of the law school community. They must test the knowledge, skills, and theories of practice learned within the confines of the academy against the realities of daily practice. An appreciation and understanding of realities of practice becomes part of the student’s academic training.

Clinical students are required to integrate the substantive knowledge, skills, and legal process learned in the Law School classroom. Students are required to develop and create facts. They create their own action deadlines and set their own priorities. The clinical methodology is distinct from other educational methods employed in law school. The message of competent, ethical practice is in the clinical method: actual client representation in a carefully controlled law office environment.

V. THE CLINICAL FACILITY

The key to the success of the “in-house” clinical course graduation requirement is the operation of a working law office adequately supported by staff and facilities. In the early days of the Clinic, faculty were given individual offices, and students worked out of trailers parked near the Law School. The program was supported by two secretaries who worked at desks in the hallway near the faculty offices. The Law School also received funding for a few years to operate a satellite office near the courthouse in downtown Albuquerque. Lack of adequate facilities hindered the rendering of legal education through the Clinic method. The working environment is, in many ways, intrinsic to the course content.

In response to the need to support the mandatory clinical course requirement, a new clinical facility was designed. The design was driven by three basic principles: First, because the Clinic is the Law School’s window to the public, and because the students and faculty in the Clinic must work in an atmosphere of commitment to professionalism, the Clinic should have the best facilities in the building. Second, the Clinic design should emphasize the collaborative relationships between students and faculty. Finally, the Clinic should be housed inside the Law School to stress its integral role in the School’s educational mission.

The clinical wing of the Law School was added in 1978. The core of the facility consists of an open area of approximately 4,500 square feet. There is
space for four secretary work stations and an office for the office manager. The space contains seven faculty offices formed by the use of custom designed oak bookshelves. Adjacent to the faculty offices are thirty-eight work carrels for students. This is designed to encourage high accessibility between students and faculty. Each student carrel is equipped with a telephone and dictation equipment. There are three private offices equipped with personal computers and dot matrix printers exclusively for student use. Four interview rooms, two conference rooms, a small library, a client waiting room, and a file room complete the clinical facility.

The clinical wing is located within the Law School building where there is immediate access to the main floor of the Law School Library. A New Mexico collection, a tax collection, practice manuals, and other frequently used reference materials are shelved in the clinical law library. The main Law School Library is located adjacent to the clinical wing. There is a seminar room in the clinical area and an audiovisual classroom/courtroom on the floor beneath it.

Each interview room is equipped with a videotape camera and microphone to permit videotaping of interviews or conferences in any of the interview rooms. Videotaping interviews, with the client's consent, is a highly effective means of developing student's lawyering skills and offers quality service to the client. Students review these tapes with their faculty advisors during the semester.

Each faculty office in the Clinic is equipped with a personal computer and a dot matrix printer. All staff secretaries and the office manager are provided a personal computer and dot matrix printers. There are two letter-quality printers and a laser printer in the Clinic. All personal computers in the Clinic are nodes on the Law School's local area network which features a Microvax II minicomputer (located in the Clinic) running sophisticated expert systems and shared databases. All the personal computer stations in the Clinic can access LEXIS through the network. The Law Practice Clinic's docket control system and custom office management software runs on this system. The Law School endeavors to introduce students to state of the art computer applications in law within the framework of the live client Clinic.

Among other tasks, the Clinic's computers are used to monitor students' caseloads. Weekly printouts provide the faculty with current data on each student's caseload. In addition to identifying the client name and file number for each case assigned to a student, the printouts quantify the total number of cases which have been assigned to the student up to that point in the semester, the number of currently active cases, and the case mix by case type. The computer also periodically quantifies all the activities by type of activity as reported on the students' time sheets. This time accounting is also available to faculty for any given case during any given period of time.

The Clinic employs sophisticated word processing on its computer system. Use of this system allows easy revisions of the students' work. Law Practice Clinic is supported by a staff of three word processing operators, a file clerk, a receptionist, and an office manager. The goal of the staff is to insure that students spend their time on lawyering and learning skills rather than on clerical tasks.
VI. THE MANDATORY CLINIC IN THE CONTEXT OF THE LAW SCHOOL PROFESSIONAL SKILLS CURRICULUM

The faculty brought to the Law School to teach in the professional skills curriculum had an abiding interest in skills training. They contributed to, and continue to contribute to, the development of skills courses which are taught through simulated role plays. These courses are supplemental to the skills training which takes place in the Clinic, and are not designed to replace the clinical experience.

Beyond the first year curriculum, there are no prerequisites for the Clinic. Included in the first year curriculum are two courses which emphasize skills development without substantive law titles. These are Law and Advocacy. Law is offered in the first semester. Students are taught in small groups of sixteen to eighteen students. The faculty of the Law course train the students in legal writing, legal analysis, and legal research. Advocacy is offered in the second semester. The students are again taught in small groups. In the Advocacy course, students are presented with a simulated case beginning with the initial client interview, and including demand letters, pleading practice, discovery, negotiations, motion practice, legal memorandum, and an oral argument. Half the class serves as counsel for each side of the simulated case. The case culminates in an oral argument before a three judge panel on a dispositive point of law. In the Advocacy course, students are introduced to the work of a lawyer and continue to hone their skills in research, writing, and oral advocacy.

In the second and third years students are introduced to a variety of professional skills courses which make extensive use of simulation of lawyers' tasks. These courses include Trial Practice, Pre-Trial Practice, Alternative Dispute Resolution, Interviewing and Counseling. The faculty have endeavored to bring the same spirit of creativity, innovation, and experimentation to the simulation courses as they brought to the Clinic.

An example of this innovation is in the variety of formats in which trial practice is offered. The formats include a six hour course in Evidence/Trial Practice, a traditional semester long course, and an intensive intersession course. In the Evidence/Trial Practice course, pioneered at the University of New Mexico by Professor Leo Romero, training in the interrelated subjects of evidence and trial practice is carefully coordinated. The course instructor introduces the theoretical groundwork for the subjects of evidence and trial practice, and is assisted in the trial practice workshops by distinguished practitioners. Thus, the course, coordinated by a single instructor, can be made available to thirty-six students. The traditional Trial Practice course is taught during a regular semester, sometimes by a full-time faculty member, sometimes by an adjunct, and sometimes by a combination of a faculty member and an adjunct. This course is limited to twelve to sixteen students. The intersession course is taught for two intensive

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weeks between the fall and spring semesters. The New Mexico version of this course was originally developed by Professor Michele Hermann. The students meet for long hours during the day and evening to practice trial skills exercises, to have their work reviewed on video, or to watch expert demonstrations followed by skills analysis. Many distinguished trial lawyers and judges in the community volunteer their time to assist in this course. The course is open to thirty-six students, and is now entirely coordinated by adjunct faculty.

The common features of all the trial practice formats are small student/faculty ratios, intensive workshops where students simulate trial tasks, and a concluding simulated jury trial handled by the students. There are sufficient trial practice offerings each year to accommodate the student demand (although not all students get their first choice in format). The bulk of New Mexico’s students have completed a trial practice course before graduation. 31

In addition to the simulation courses, the presence of a mandatory clinic in the building has influenced the faculty to take advantage of clinical methodologies in several other ways. Some faculty have experimented with role plays as a technique in teaching substantive law courses such as Products Liability and Ethics. Several faculty regularly bring facts, pleadings, briefs, and judgments from actual cases handled in the Clinic for analysis and discussion in substantive law classes such as Property, Torts, Civil Procedure, and Criminal Law. When this is done, of course, special care is taken to protect client privacy and confidences, but the faculty employing this technique report that the use of these live cases brings an extraordinary dimension of excitement and immediacy to their classroom discussions. Finally, sharing of the clinical learning experience also takes place in many conferences between faculty not currently teaching in the Clinic and students assigned a clinic case involving complexities within the faculty consultants’ expertise.

VII. THE FUTURE OF NEW MEXICO’S CLINIC

The clinical program at the University of New Mexico has undergone years of development to arrive at its present state. Much has changed, but the core elements remain intact. Live client representation continues to provide the basic material from which the clinical method emerges, and the fundamental goals of the methodology are enduring. These are the primary building blocks of the Clinic, and they are unlikely to change. However, the Clinic will not remain static, but will continue to evolve. Future changes in clinical legal education at the University of New Mexico are likely to anticipate trends in the legal profession, the practice of law, and the legal academy.

The practice of law is becoming increasingly complex. The knowledge and skills necessary to provide competent representation in many formerly routine cases is rapidly escalating. In response to these demands of complexity, as well

31 Students’ preparation for the clinical experience is a cause of common concern for those who teach in the Clinic. From time to time, certain subjects are suggested as prerequisites. Among these are Trial Practice and Evidence. The concept of prerequisites for a required clinic means the addition of more curriculum requirements. The general sentiment of the faculty to date favors maintaining as many electives in the curriculum as possible. Thus, neither Trial Practice nor Evidence is a prerequisite to the Clinic.
as market forces, many lawyers are turning to specialization. The allure of specialization is not lost in the Clinic. A traditional modality for successful academic careers has almost invariably included the development of specialized knowledge over a long period of time, and the more knowledgeable and skilled a clinical professor becomes in a specific field of law, the more competent he or she becomes in supervising cases within that field. In spite of these strong forces favoring specialization, New Mexico has deliberately developed a general practice clinical experience for its students. This general practice approach is based on a belief that a mix of case types assigned to students is more compatible with the goals of the clinical method as applied to law students in the introductory stage of their law career.32

The forecast for the future modifications in the structure of the clinical method at New Mexico is likely to include some type of accommodation between faculty specialization and the use of a reasonably broad mix of case types to which students are exposed in their clinical experience. The accommodation to specialization that appears to be evolving is shared or cross supervision of students. This means that instead of a supervisor being responsible almost exclusively for the supervision of a group of assigned students, the supervisory responsibility shifts toward more supervisory responsibility for certain case types, regardless of whether the supervisor's own assigned student is handling the case.

Supervisors are now increasingly finding themselves cross supervising students assigned to other supervisors. Fewer and more complex cases are beginning to find their way into the Clinic. Faculty members are beginning to follow-up on the supervision of the more complex cases over periods of time when they are not in the Clinic. Faculty with specialized knowledge are willing to provide back up supervision to faculty who are more inexperienced in handling a particular case type. Cross supervision is a structure for accommodating faculty specialization within the context of a general practice clinic is beginning to emerge, but remains extremely informal. In the future, techniques for effective cross supervision may find their way into the formal structure of the Clinic.

Cross supervision as an accommodation to faculty specialization brings with it some unsolved problems, both educational and administrative. Educationally, a supervisor who loses close contact with a student on some, but not all, cases assigned to the students may not observe a sufficiently broad range of the students abilities to provide the same quality of evaluative feedback to a student as would be the case where the supervisor had exclusive access to all of the student's work in the Clinic. Additionally, a cross supervised student may have difficulty in handling mixed messages about managing his or her time when the time demands of cases supervised by different supervisors demand prioritization. Further, mixed messages from multiple supervisors jointly supervising the same

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32. This belief is not universally shared by all who teach in the Clinic at New Mexico, and, of those who do ascribe to it, some are more agnostic than others. Another possible scenario of the future would be a return to specialty clinics as an accommodation to faculty specialization, in addition to the educational disadvantages of the specialty clinic approach described earlier in this article. The approach presents administrative problems involving equalizing work loads, accommodating student preferences for one specialty or supervisor over another, continuity of case coverage, and continuity of faculty participation in the Clinic.
case about proper course of action in important case decisions can paralyze a
student into inaction, usually the worst possible decision. Administratively, the
assignment of clear ultimate professional responsibility for handling a client’s
case and the equalization of the Clinic’s work load becomes more complex. The
form for an accommodation to specialization is unclear, but it is clear that the
power of the forces favoring faculty specialization will leave a mark on the
Clinic.

Clinical legal education is expensive in comparison to the cost of classroom
instruction. Most of the overhead of a fully functional law office is present in a
clinic, especially a clinic such as New Mexico’s which espouses to utilize the
clinical method within the context of a model law office setting. At the same
time, New Mexico’s Clinic is devoted to representing clients who cannot afford
access to legal services. These realities of clinical legal education place the Clinic
under constant financial pressure. Where there is a demonstrable need to add
new staff support, new computer equipment, or a new copy machine, there is
not always the financial resource readily available to fill the need. This financial
pressure is not new, but the costs of the model law office approach to clinical
education are increasing, and the pressure to explore innovative and creative
ideas for revenue creation is mounting. Donations, research grants, sliding fees,
public service cases, such as civil rights cases, which generate fees, continuing
legal education programs, publication of practice materials, and other revenue
sources may become more consciously included in the Clinic’s future.\footnote{New Mexico’s Clinic is now almost wholly dependent on law school funding. The Clinic has been successful at obtaining grants from the U.S. Department of Education Clinical Experience Program. Most of the Clinic's civil clients also pay a $5.00 initial interview fee and a $20.00 administrative fee if their case is accepted by the Clinic. Clients pay their own case costs.}

The Clinic’s one semester format leaves little time to prepare law students for
productive work, as lawyers, on their actual cases. As the complexity of the
case loads assigned to students increases, the lack of preparation for the tasks
of practicing law becomes more evident, and the need for better preparation
more urgent. Addressing the need for better pre-clinic preparation calls for a re-
examination of the Clinic’s structure in relation to the Law School curriculum.
This may not involve an expansion of the amount of credit awarded students for
the Clinic, but may spread the students’ contact with the Clinic over a longer
period of time.

One concept for enhancing the students’ preparation is to have the students
preselect the semester in which they will be enrolled in the Clinic so that during
the semester preceding their enrollment they will be required to participate in a
clinical “apprentice” semester. In this “apprentice” semester, students would be
required to “second chair” a fellow student’s case load. They would inherit from
this case load any cases not concluded at the semester’s end. They would attend
selected client conferences, court appearances, and faculty supervision confer-
ences. In this “apprentice” semester, they would also participate in a classroom
component in which they would be introduced to the theoretical framework for
professional skills such as interviewing, counseling, fact development, case
evaluation and planning, negotiation, and alternative dispute resolution. This
enhancement in the students’ preparation for the Clinic would place increased
pressure on the faculty resources devoted to the Clinic, but arguably, this pressure could be relieved by having better prepared students to supervise in the actual case work and by creating an advanced clinical course in which students having already completed the live client field component could assist the supervisors. Whether this or some other concept for enhanced pre-clinic preparation is employed, the structure of the Clinic is likely to be altered in the future to meet this need.

Problems stemming from the complexities of the Clinic's cases and the demands of clinical training are compounded by a scarcity of written resource materials. Practice and training aids for use in the Clinic are essential to the instruction of competent lawyers. The insights into legal practice which are gleaned by clinicians from first hand observation of practice are compelling and rich. The need for increased clinical scholarship, research, and writing for and about legal practice, is clear. More emphasis on the need and importance of this type of scholarship to the University of New Mexico is likely to play a role in the Clinic's future.

The emphasis will come in the form of providing faculty with time and resources for scholarship. Some time can be created by developing a more formal structure for cross supervision so that each clinical professor can count on at least one day each week when his or her supervisory duties will be covered by a colleague. Students will be carefully instructed to not interrupt the professor on his or her research day. Resources in the form of research assistants, travel money, computers, and editorial staff also need to be made available by the Law School.

The Clinic is, by its very nature, more closely allied with the practicing bar and judiciary than any single component of the Law School. The bar, the judges, and the Clinic have a unifying common interest in providing competent legal services to clients. The relationship between the Clinic and legal practitioners is likely to become closer in the future. The bar has untapped resources which can be used to good advantage in the Clinic, and the Clinic is likely to endeavor to return the bar's contribution by enhancing its scholarly contribution to the practice of law.

VIII. CONCLUSION

New Mexico's approach to professional skills training is necessarily organic. It has grown over many years, and continues to evolve. The professional skills training model employed at the University of New Mexico is influenced by many factors. It is the only law school in the State. The Law School has a mission to

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34. The term clinical scholarship as distinguished from scholarship is somewhat artificial. For the purpose of this article, the term refers to the subject matter being the practice of law. Also for the purpose of the discussion of scholarship in this article, the published form of the scholarship is not limited to law review articles, but includes practice manuals, model pleadings, memorandum, briefs, computer software, checklists, and other practice aids.

As further encouragement for clinical scholarship, the University of New Mexico Law School in its tenure and promotion policy considers scholarship to include published research other than that published in the traditional law review article or book format. The policy does require evidence of ability to publish in the traditional format, but allows for serious consideration of other indicia of scholarship.
train competent lawyers who are likely to remain in New Mexico. The faculty have a strong commitment to teaching and professional skills training, and the student faculty ratio is favorable for professional skills training.

There are many approaches to legal education and professional skills training, and a single model does not fit the circumstances at every school. The National Conference of Lawyer Competence, Professional Skills and Legal Education held at the University of New Mexico in October of 1987 made this clear. This article describes the current model for professional skills training at New Mexico. New Mexico does not have the definitive solution to professional skills training in American law schools. The sharing of information by clinical faculty about professional skills training programs at national conferences and in published articles has contributed substantially to New Mexico's skills training program. This Article is presented in an effort to participate in the dialogue about professional skills.

Appendix A

TOTAL CASES SORTED BY CASE TYPE
June 1, 1987 through December 1, 1987

<table>
<thead>
<tr>
<th>CASE TYPE</th>
<th>DESCRIPTION</th>
<th>NUMBER</th>
<th>PERCENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABUSE</td>
<td>Neglected/Abused/Dependent</td>
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<td>0.4%</td>
</tr>
<tr>
<td>ADOPT</td>
<td>Adoption</td>
<td>5</td>
<td>1.8%</td>
</tr>
<tr>
<td>AT</td>
<td>Auto Tort</td>
<td>14</td>
<td>5.0%</td>
</tr>
<tr>
<td>BANK</td>
<td>Bankruptcy/Debtor Relief</td>
<td>6</td>
<td>2.1%</td>
</tr>
<tr>
<td>CHCUS</td>
<td>Child Custody</td>
<td>13</td>
<td>4.6%</td>
</tr>
<tr>
<td>CONS</td>
<td>Other Consumer Problems</td>
<td>10</td>
<td>3.5%</td>
</tr>
<tr>
<td>CONT</td>
<td>Contracts/Warranties</td>
<td>8</td>
<td>2.8%</td>
</tr>
<tr>
<td>CRED</td>
<td>Credit Access</td>
<td>1</td>
<td>0.4%</td>
</tr>
<tr>
<td>DIV</td>
<td>Divorce</td>
<td>47</td>
<td>16.7%</td>
</tr>
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<td>EDISC</td>
<td>Employment Discrimination</td>
<td>2</td>
<td>0.7%</td>
</tr>
<tr>
<td>EDU</td>
<td>Education</td>
<td>4</td>
<td>1.4%</td>
</tr>
<tr>
<td>EXP</td>
<td>Expungement</td>
<td>1</td>
<td>0.4%</td>
</tr>
<tr>
<td>FCRM</td>
<td>Miscellaneous Felony Crimes</td>
<td>9</td>
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<tr>
<td>FDRUG</td>
<td>Felony Drug Crime</td>
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<tr>
<td>FPROP</td>
<td>Felony Property Crime</td>
<td>4</td>
<td>1.4%</td>
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<tr>
<td>FVIOG</td>
<td>Felony Violent Crime</td>
<td>2</td>
<td>0.7%</td>
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<tr>
<td>GUARD</td>
<td>Guardianship/Conservatorship</td>
<td>3</td>
<td>1.1%</td>
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<tr>
<td>HOUS</td>
<td>Other Housing</td>
<td>2</td>
<td>0.7%</td>
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<tr>
<td>IMM</td>
<td>Immigration/Naturalization</td>
<td>2</td>
<td>0.7%</td>
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<tr>
<td>INC</td>
<td>For Profit Business</td>
<td>3</td>
<td>1.1%</td>
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<tr>
<td>IT</td>
<td>Intentional Tort</td>
<td>5</td>
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<tr>
<td>LISC</td>
<td>License (Auto/Other)</td>
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<tr>
<td>LOAN</td>
<td>Installment Purchases/Loans</td>
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<tr>
<td>LT</td>
<td>Landlord/Tenant</td>
<td>5</td>
<td>1.8%</td>
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## Appendix A, continued

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<thead>
<tr>
<th>CASE TYPE</th>
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<th>PERCENT</th>
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<tr>
<td>MCRIM</td>
<td>Miscellaneous Misdemeanor Criminal</td>
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<td>MVIOL</td>
<td>Misdemeanor Violent Crime</td>
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<td>NC</td>
<td>Name Change</td>
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<td>3.5%</td>
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<tr>
<td>NONPR</td>
<td>Not For Profit Business</td>
<td>3</td>
<td>1.1%</td>
</tr>
<tr>
<td>OE</td>
<td>Other Employment</td>
<td>4</td>
<td>1.4%</td>
</tr>
<tr>
<td>OH</td>
<td>Other Health</td>
<td>3</td>
<td>1.1%</td>
</tr>
<tr>
<td>OIM</td>
<td>Other Income Maintenance</td>
<td>1</td>
<td>0.4%</td>
</tr>
<tr>
<td>OIR</td>
<td>Other Individual Rights</td>
<td>8</td>
<td>2.8%</td>
</tr>
<tr>
<td>OT</td>
<td>Other Tort</td>
<td>2</td>
<td>0.7%</td>
</tr>
<tr>
<td>PAT</td>
<td>Paternity</td>
<td>2</td>
<td>0.7%</td>
</tr>
<tr>
<td>PROB</td>
<td>Probate</td>
<td>1</td>
<td>0.4%</td>
</tr>
<tr>
<td>RP</td>
<td>Real Property Ownership/Quiet T</td>
<td>12</td>
<td>4.3%</td>
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<td>SUPP</td>
<td>Child/Spouse Support</td>
<td>15</td>
<td>5.4%</td>
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<td>TAX</td>
<td>Tax Audit/Tax Court</td>
<td>27</td>
<td>9.6%</td>
</tr>
<tr>
<td>TRAF</td>
<td>Traffic, Including DWI</td>
<td>3</td>
<td>1.1%</td>
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<tr>
<td>UNIV</td>
<td>University</td>
<td>4</td>
<td>1.4%</td>
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<td>VA</td>
<td>Veterans Benefits</td>
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<td>WCOMP</td>
<td>Workers Compensation</td>
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<tr>
<td>WILL</td>
<td>Will/Estate Planning</td>
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<td>WL</td>
<td>Water Law</td>
<td>1</td>
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<td>TOTAL CASES</td>
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<td>282</td>
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