

Bulletin
and
Handbook
of Policies

2010-2011 (revised 4-19-11)

**University of
New Mexico
School of Law**

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BULLETIN AND HANDBOOK OF POLICIES 2010 - 2011

This **Bulletin and Handbook of Policies, 2010-2011** reflects the current policies of the University of New Mexico School of Law and is intended as a source of information for questions concerning the Rules and Regulations of the Law School and other matters pertaining to a student's law school career. **All students are held responsible for the information contained in the Handbook and for complying with all requirements, rules and regulations herein.** Students are also charged with knowledge of all School of Law and University communications when delivered through its official e-mail notices, bulletin boards, student mailboxes, websites, internet, and intranet. It is the student's sole responsibility to check these sources on a regular basis. The policies and statements contained herein are subject to continuous review and evaluation and may be changed at any time without notice by the faculty and administration of the UNM School of Law. **Any such changes will supersede the provisions set forth in this edition (August 29, 2010) and all previous editions.**

The School of Law is a unit within the University of New Mexico. As such, the School of Law follows all University policies and regulations (UNM Catalog 2010-2011) unless stated otherwise in this Bulletin and Handbook of Policies. The regulations and policies of the School of Law shall, in that case, supersede those of the University.

The provisions in this publication are not intended to be a contract between the students, the UNM School of Law, and the University of New Mexico. The information it contains was accurate at the time of publication. The UNM School of Law and the University reserves the right to withdraw or change any provisions or requirements at any time.

UNM School of Law (UNM SOL) and the University does not represent, warrant or claim that by attending or graduating from the law school an accepted applicant will pass the bar exam or be accepted to the bar in any state. In addition, UNM SOL does not represent, warrant or claim that by attending or graduating from the law school, or by subsequently being admitted to the bar of any state, that an accepted applicant to the law school will become employed in a legal position or will receive a higher average starting salary than such applicant might otherwise be in a position to receive.

2010-2011 Academic Year

FALL SEMESTER 2010

August 18-20	Friday	First-Year Orientation
August 23	Monday	Classes Begin
September 6	Monday	Labor Day (No Classes)
October 14-15	Thursday-Friday	Fall Break (No Classes)
November 25-26	Thursday-Friday	Thanksgiving Vacation (No Classes)
December 3	Friday	Last Day Classes
December 6-7	Monday-Tuesday	Reading Period
December 8-18	Wednesday-Saturday	Final Examination Period
December 18	Friday	Commencement

Spring Semester 2011

January 12	Wednesday	Law Classes Begin
January 17	Monday	Martin Luther King Day (No Classes)
March 14-18	Monday-Friday	Spring Break (No Classes)
April 27	Wednesday	Last Day of Classes
April 28-29	Thursday-Friday	Reading Period
May 2 - May 13	Monday-Friday	Final Examination Period
May 14	Saturday	Commencement

Note: Examination periods are an integral part of the academic calendar. Students are expected to be available to sit for examinations during the designated period.

2011-2012 Academic Year

FALL SEMESTER 2011

August 17-19	Wednesday- Friday	First-Year Orientation
August 22	Monday	Classes Begin
September 5	Monday	Labor Day (No Classes)
October 13-14	Thursday-Friday	Fall Break (No Classes)
November 24-25	Thursday-Friday	Thanksgiving Vacation (No Classes)
December 2	Friday	Last Day of Second- & Third-Year Classes
December 5-6	Monday-Tuesday	Second & Third-Year Reading Period
December 7-16	Wednesday-Friday	Final Examination Period
December 17	Friday	Commencement

Spring Semester 2012

January 11	Wednesday	Law Classes Begin
January 16	Monday	Martin Luther King Day (No Classes)
March 12-16	Monday-Friday	Spring Break (No Classes)
April 25	Wednesday	Last Day of Classes
April 26-27	Thursday-Friday	Reading Period
April 30 - May 11	Monday-Friday	Final Examination Period
May 12	Saturday	Commencement

Note: Examination periods are an integral part of the academic calendar. Students are expected to be available to sit for examinations during the designated period.

CLASSIFICATION OF LAW STUDENTS

Full-Time Law Student: Full-Time is defined as a student enrolled for a minimum of 12 credit hours and a maximum of 17 hours. See *Semester Course Loads* (page 25) for specific information and exceptions.

Transferring Law Student: The School of Law accepts a limited number of transfer students who have completed one full-time year at other ABA-approved law schools. Credits that have been earned at another law school, but do not meet the minimum graduation requirements of that school are not acceptable for transfer credit. Courses where the student received a grade below a C will not be accepted at the UNM School of Law.

If admitted with advanced standing to UNM, the student's right to continue in the JD program depends entirely on work done at UNM. Transfer students are ineligible for certain prizes and awards given by the law school.

Transfer of Credits: The Assistant Deans for Registration and Admissions will evaluate the transcript and determine the number of credits and courses that will be accepted towards meeting UNM graduation requirements. The School of Law can accept up to a maximum of 43 hours of credit from another approved ABA school.

Visiting Law Student: Students who have completed their second full-time year at another ABA-approved law school and who wish to receive their degree from that school but spend their final year (**a maximum of two semesters**) at UNM may be considered for admission as visiting students. Visiting students are not eligible for financial assistance from UNM, may not enroll in courses which are oversubscribed by regular UNM law school students, and may participate in on-campus interviews only if appointment times are not filled by regular UNM law students.

At the end of each semester, grades will be reported to the home institution when they become available. Special requests to meet early deadlines set by the home school cannot be accommodated.

Readmitted Law Student

Administrative Withdrawal: First-year, first semester: A student who voluntarily and administratively withdraws from the University and the law school during the first semester of their first-year has no continuing student status. Subsequent applications are made as part of the regular admission process. The student should notify the law school Associate Dean for Academic Affairs and the Assistant Dean for Registration in writing of the reasons for discontinuing their law studies prior to withdrawing. The student is also required to complete the "Application for Leave of Absence" form (hereinafter, LOA) which requires the signature of the Associate Dean for Academic Affairs, Assistant Deans for Registration, Admissions & Financial Aid, Information Technology, Student Services and the Financial Aid Officer. The written request and form will be placed in the student file.

Leave of Absence: First-Year, second semester: A first-year student in good academic standing who requests and receives a leave-of-absence from the Associate Dean of Academic Affairs during the second semester and withdraws from the University and the law school and who does not return within the specified time period stated in their request for leave but not to exceed two calendar years must apply as part of the regular first-year admission process.

It will be determined on a case-by-case basis if first-year classes must be repeated at the time of admission. Grades earned will remain on the student's academic record, and will be counted into the students' cumulative grade point average. The request for LOA must be in writing. The student is also required to execute the "Application for Leave of Absence form" which requires the signature of the Associate Dean for Academic Affairs, Assistant Deans for Registration,

Admissions & Financial Aid, Information Technology, Student Services and the Financial Aid Officer. The written request and form will be placed in the student's file.

Second and Third-year students: Students with upper-class standing must request and receive a leave-of absence from the Associate Dean of Academic Affairs. The request for LOA must be in writing. The student is also required to execute the "Application for Leave of Absence" form which requires the signature of the Associate Dean for Academic Affairs, Assistant Deans for Registration, Admissions & Financial Aid, Information Technology, Student Services, and the Financial Aid Officer. The written request and form will be placed in the student's file. Students who do not return within the specified time period but not to exceed two calendar years, must request readmission through the law school Assistant Dean for Registration 45 days prior to the semester in which they wish to enroll. The student may be required to petition the Committee on Student Suspension, Retention and Readmission for permission to return to their law studies if circumstances warrant.

Joint Degree Student: Students can earn the J.D. degree and a Master's or Ph.D. degree in an academic field at UNM. Students must satisfy the admissions and other academic requirements of both the law school and the graduate school. The School of Law accepts up to six credit hours of appropriate graduate courses toward its degree requirements, and the graduate department concerned typically accepts six hours of law courses toward its degree requirements. Credit will not be given for law school work completed in another non-law graduate program prior to matriculation in the UNM School of Law. See *Course Enrollment Outside of Law School* (page 37) for further information.

Computer Account for Joint Degree Student: Following the law school policy established for all graduating law students, once a joint degree student completes the requirements for a Juris Doctor degree, the student's computer account at the law school will be discontinued.

ADMISSIONS

Truthfulness and Disclosure: Prerequisite to Admission and Graduation:

The law school's admission of an applicant from matriculation through graduation is contingent upon the truthfulness of information contained in the application materials submitted by the applicant and/or persons on the applicant's behalf, including letters of recommendation; correcting any misinformation provided to the college; and disclosure of information required by the rules or regulations of the college. **Students have a duty to immediately disclose to the Assistant Dean for Admissions, new incidents and events relating to their character and fitness to study and practice law that occur subsequent to their admission.** Discovery of false information and nondisclosure, whether given directly or indirectly, prior or subsequent to admission, is grounds for withdrawal of the offer of admission, immediate dismissal at any point in the student's course of study, or revocation of a J.D. degree if already conferred. Such dismissal shall result in forfeiture of all charges paid and academic credits earned.

Admission Changes

Amending/Updating Law School Admissions Application: Students should immediately set up an appointment with the Assistant Dean for Admissions if they become aware of any information, either before or after entering law school, applicable to questions on the admissions application requiring amendment or updating. Prior to that scheduled appointment, the student is required to furnish the Assistant Dean for Admissions with a letter fully explaining the omitted information and the reason for such omission. The letter will be placed in the student's file. The Assistant Dean of Admissions will alert the Assistant Dean of Registration and Records that the file has been updated.

THE JURIS DOCTOR DEGREE

Full-Time Law Program

The UNM School of Law offers a full-time course of study leading to the degree of Juris Doctor (J.D.) Applicants for admission to the School of Law are required to take the Law School Admission Test (LSAT), to register for the Law School Data Assembly Service, **and to have a baccalaureate degree from an accredited college or university before time of registration.** Beginning law students will be admitted at the opening of the fall semester only. The normal period for a full-time law student to complete requirements for a J.D. degree is two and one half to three years.

The maximum period for a full-time law student to complete requirements for a J.D. degree is five years from the date of matriculation. Failure to complete the requirements for the Juris Doctor degree within five years will result in immediate dismissal from the law school and without any financial reimbursement from the School of Law or the University of New Mexico.

Orientation

All Fall Semester courses for first-year students begin during orientation and **attendance is required.** Orientation is designed to assist new students in making a successful transition to the law school. The orientation program includes an overview and introduction of the first-year courses, information about the curriculum, computer instruction, the first meeting of faculty and staff, familiarity with the Law Library, student organizations, the Mentor Program, and the Student Honor Code.

Flexible-Time Legal Education Program

The Flexible-Time Legal Education Program (FTLEP), after completion of all first-year courses, allows upper-class law students by permission of the Associate Dean for Academic Affairs to take less than the minimum of 12 credit hours currently required each semester. FTLEP students may take as few as 8 credit hours in any semester, but must complete the J.D. degree in five academic years. Students enrolled in the Flex Program are not bound by the "work rules" which limit the work hours of full-time law students (see Employment During Law School page 46).

FTLEP is not a true part-time program in that the existing pattern of classes shall be followed (i.e., essentially all will be scheduled throughout the day, Monday - Friday between 8:30 a.m. and 9:00 p.m.). The FTLEP, however, will enable students who take 8 or 9 credit hours to work more than 20 hours per week.

Students interested in this program must request permission of the law school Associate Dean for Academic Affairs and the Assistant Dean for Registration to enroll in any given semester during the student's second or third year of law school. FTLEP students may re-enroll as full-time students with the permission of the Associate Dean for Academic Affairs or the Assistant Dean for Registration.

Expanded First-Year Flex Program:

An expanded Flexible Time Program is available to a limited number of first-year law students each year. Applicants who wish to be considered for the first-year Flexible Time Program should indicate their interest by checking the applicable box on the UNM law school application form. No more than 10 entering students per year will be offered admission to the Flex Program, and these students will be selected using the same criteria the Admissions Committee uses when admitting students to the full-time program. If the demand for the expanded Flex Time Program produces more qualified applicants than can be accepted into the program, those qualified applicants not admitted in the first-year Flex Program will be asked if they wish to be considered for admission to the full-time program.

Students enrolled in the expanded Flex Program will be required to take 10 credit hours (three to four classes) per semester during the fall and spring semesters of the first year. Fall classes will be Legal Reasoning, Research, and Writing, Contracts, Torts, and Practicum. Spring classes will be Advocacy, Property, and Introduction to Constitutional Law. **Whenever possible,** the first-year Flex Time classes will be scheduled in a "block" in order to best meet the needs of the students. Flex

students will complete the first-year required courses in their second-year of school by taking Criminal Law and CHLP in the Fall, and Civil Procedure I in the Spring. By completing first-year required courses in the second year of school may preclude the student from taking certain upper-class elective courses (i.e., Civil Procedure I is a prerequisite to taking Civil Procedure II). First-year flex time students will not be eligible to enroll in a summer externship program following their first-year of law school as they will not have completed the first-year curriculum which is a requirement for the externship (page 34).

First-year students wishing to continue on the Flex Program as an upper-classman must request permission from the Associate Dean for Academic Affairs and the Assistant Dean for Registration and Records.

Graduation Requirements

To graduate from UNM with a J.D degree, a student must meet all of the following requirements:

Credit Hours and Grade Point Average: The student must earn at least **86 hours** of law credit with a passing grade and a cumulative grade point average of 2.00 (C) or better within five years of the date of first enrollment. No more than 43 semester hours may be earned at other law schools. (See *“Visiting Student Status, Graduation Honors & Awards, and Transfer Credits”*).

Required Courses

All required courses must be completed in residence. The required first-year curriculum is prescribed by the law school faculty and is subject to change at their discretion.

First-Year Required Courses: The student must take the full first-year curriculum offered upon entrance. First year students will be administratively assigned to sections for all of their required courses by the law school Assistant Dean for Registration. Students will receive their class/section assignments during the first-year Orientation program. Students DO NOT ENROLL for classes until after receiving their course assignments. Students are not permitted to switch to other sections not assigned to them by the Assistant Dean for Registration. Any first-year student withdrawing from a required course without permission of the Dean or Associate Dean for Academic Affairs may be immediately suspended from law school.

Students need to complete (and receive at least a grade of “C-” in) the course **Law 506 Legal Research Reason & Writing** prior to taking the course **Law 513 Advocacy**. A grade of at least a “C-” is also required in the **Advocacy** course or it needs to be repeated. (adopted by faculty action 5/15/10)

Second-Year Required Courses: Constitutional Rights **must** be taken in the first semester of the second year.

Professional Responsibility: The student must take and pass (a grade of C or higher) a professional responsibility course, “Ethics”(Law 750). This requirement is a pre- or co-requisite with the clinic program and other selected upper-class courses. If a student receives a grade below a C, the student must repeat the course no later than the next semester the course is offered, and the student is enrolled. The lesser grade will remain on the student’s academic record and calculated into the student’s cumulative G.P.A., but the hours will not count towards the 86 credits required for graduation.

Clinic The student must participate satisfactorily in at least six hours of clinical law school credit, as prescribed by the faculty. No extern field experience courses or skills courses apply toward this requirement. There are prerequisites and/or co-requisites for some clinical courses. A student must have a cumulative law school G.P.A. of 2.00, and must have successfully completed 40 credit hours to be eligible to enroll in a clinical course. A student on academic or professional probation will not be permitted to enroll in any clinic until

removed from probation, even if it means skipping a term due to the 30 day grade deadline rule to determine academic standing. A student receiving a grade of F in a clinic must repeat the clinic. The grade of F will remain on the student's academic record and will be figured into the G.P.A., but the hours will not count towards graduation.

Advanced Writing Requirement

Statement of Purpose: The advanced writing requirement reflects faculty recognition that writing is an essential feature of a legal career. For that reason, writing should be an integral part of a law student's education and should also function as a culmination or synthesis of that education. The goal of the writing requirement is to permit each upper-class student to produce a written product demonstrating significant legal analysis. This written product should either build on comprehensive legal research or be a synthesis of information across subject matter lines. The essence of the advanced writing requirement is a **substantive and substantial analytical experience**, culminating in a significant paper that has undergone a series of systematic, thorough, and scheduled revisions. Linked to this is the faculty's commitment to provide each student with an opportunity to grow as a writer, taking his or her writing and analytical skills to a higher and more sophisticated level.

Requirement: Every upper-class Juris Doctor Degree candidate must produce and submit a substantial written work. To satisfy the writing requirement the work must be approved by a member of the full-time law faculty who supervises the work as meeting the law school's requirement for advanced writing. A review by a second full-time member of the faculty is at the discretion of the supervising faculty member. The writing requirement cannot commence until after completion of first year law studies.

Page length will vary depending on the instructor and nature of the subject matter. However, in most cases, students will be required to submit a paper of at least 20 pages.

Standards: Standards for meeting the writing requirement shall be careful topic-formulation; in-depth research; creative thesis-development; thorough analysis and presentation of relevant law and policy; precise drafting; effective organization; systematic revisions of the paper; and regular consultation throughout the process.

Means of Compliance:

1. The primary avenue in which students will fulfill their writing requirement is by enrolling in a "*writing requirement seminar*," specifically designed to fulfill the advanced writing requirement. The faculty member shall grade the seminar paper and assign it a letter grade for purposes of the seminar grade and shall also determine independent of the grade for the seminar if the paper satisfies the advanced writing requirement. If the paper does not satisfy the writing requirement, the faculty member shall promptly notify the student that it does not and provide an explanation to the student of why it does not. If the student decides that he or she wishes to resubmit the paper in order to satisfy the writing requirement and if the faculty member agrees to supervise the resubmission, the faculty member and student shall then agree on a writing schedule including a fixed deadline for completion of the resubmitted paper. A student may also decide to satisfy the advanced writing requirement by enrolling in a different seminar or through independent research as provided in this policy. Students are advised to carefully consider the deadlines for completion of the writing requirement as set out below; or
2. Satisfaction of all the requirements for academic credit for either the New Mexico Law Review or the Natural Resources Journal. All writing requirements, as stated above, must be met for any Journal article to fulfill the writing requirement.
3. In cases in which no seminar satisfies a student's interest or schedule, exceptional arrangements may be made whereby the student fulfills the writing requirement through independent research. Any such exceptions require approval from the Associate Dean for Academic Affairs in consultation with the Assistant Dean for Registration.

4. Normally, all writing requirement **seminars shall be offered as a 2 or 3 credit hour course**. Students wishing to enroll in a seminar, but who **do not wish to satisfy the advanced writing requirement in the seminar, should enroll in the seminar for 2 credit hours**. Students wishing to **satisfy the advanced writing requirement shall enroll in the seminar for 3 credit hours**. In seminars offering this option, the election as to 2 or 3 credit hours shall be made by the student. In certain advanced writing requirement seminars the professor may designate the seminar as a 3 credit hour seminar for all enrolled students. In this case, the student should notify the professor they wish to meet their writing requirement through the course.

Deadlines:

1. Students must identify with the Assistant Dean for Registration their avenue for fulfilling the writing requirement no later than the end of the first semester of their second year. Students must enroll in a seminar, Journal, or independent research by the second semester of their second year or by the first semester of their third year.
2. **Approval from the Associate Dean for Academic Affairs is mandatory for any student to elect to meet this requirement in their second semester third year**. Students should be aware that by waiting until their last semester in school to meet the writing requirement puts in jeopardy their graduating on time, given the potential that it will take more than one semester to complete the requirement. **The deadline for completion of the paper will be set by the professor, but no later than the deadline for the entire class**.
3. The deadline for completion of the advanced writing requirement shall be the date set by the writing seminar faculty member or the supervising faculty member in an independent research paper, which normally should be at **the end of the semester** in which the student is enrolled.

Deadline for Papers Not Satisfying the Writing Requirement by the End of the Enrolled Semester: For second-year students enrolled in a fall or spring writing seminar/independent research or third-year students enrolled in a fall seminar/independent research, and whose paper did not meet the writing requirement standards, and on agreement by the professor, may continue to work with the professor so that the paper will satisfy the writing requirement. If such an agreement is reached by the student and professor, the student must submit a final revised paper that, in the opinion of the supervising professor, meets the writing requirement standards. The deadline for the paper to be complete is no later than **four months** from the last day of class in the semester in which the student was enrolled in the writing seminar/independent research. **There will be no adjustment or extension granted beyond the four months deadline.**

Time Table for Completion of the Writing Requirement (Dates will vary by calendar year):

Term Paper was started	Date paper must be complete
Fall (last day of class December 4 th)	April 4 th
Spring (last day of class April 28 th)	August 28 th
Summer (last day of class July 30 th)	November 30 th

Definition of Deadline: Deadline means the reader(s) must submit the signed writing requirement form to the Assistant Dean for Registration by the above stated dates.

Responsibility for knowing about these deadlines and for complying with these deadlines is on each student. Students who do not comply with this requirement or whose final paper, as submitted, is deemed unsatisfactory by the first or second faculty reader will not be eligible for graduation until the writing requirement has been satisfactorily met.

Non-Complying Writing: Since the advanced writing requirement is intended to function as a culmination or synthesis of a law student's education, neither initial case notes nor briefs prepared in connection with Moot Court competitions satisfy the advanced writing

requirement. Written work, which satisfies general course requirements, does not meet the advanced writing requirement unless the course is a seminar as defined in this policy.

Research Paper Guidelines

1. **Appropriate Topic:** The research paper must have a legal theme broad enough to encompass a significant legal issue and narrow enough to allow comprehensive treatment of that issue. The topic must deal with a subject that has a substantial existing literature of primary and secondary sources, which can provide the point of departure for the student's work. Empirical studies and interdisciplinary work which otherwise satisfy the writing guidelines are encouraged.
2. **In-Depth Research:** The research paper must demonstrate that the student has a full grasp of the relevant existing primary and secondary authorities. At a minimum, the paper will comprehensively canvas and organize the existing authorities to provide a point of departure for the author's argument or point of view. In addition, the paper must demonstrate a mastery of the use of authority to construct and support the arguments presented.
3. **Faculty Supervision:** One purpose of the advanced writing requirement is to encourage professional interaction between the student and the supervising faculty member during the preparation of the paper. The student and faculty member shall meet periodically to discuss and agree upon a topic, to discuss and review the results of preliminary research, and to discuss and review an outline and one or more drafts of the paper prior to submission of the final draft.
4. **Significant Analysis:** The paper must be more than a narrative assemblage of the available authorities or other research data. The paper must organize the research data into a coherent structure informed by the author's consistent arguments or point of view. The author must demonstrate a marked capacity to use legal authority and other data to develop and support the author's argument or point of view.
5. **Form and Length:** The paper must be free from grammatical errors or misspellings. The writing must exceed minimum standards of effective, accurate expository prose. Footnotes must comply with Blue Book or ALWD form. The paper must be of sufficient length to address adequately the issues presented. At a minimum the paper will be 20 pages in length.

Fees & Charges: All fees and tuition charges incurred prior to graduation must be paid.

If any of the above requirements are not met by the deadline for graduation certification to main campus, the degree will not be conferred. Examples include: a grade of "incomplete" entered on the records; not fulfilling the 86 hours; incomplete writing requirement. **The degree will be conferred in the term when all requirements have been finally met.**

Once a student has met all graduation requirements in any given term, the Assistant Dean for Registration will officially notify the University of the student's pending graduation date for that term. Students that meet all graduation requirements must graduate and are not allowed to continue enrollment with the UNM School of Law.

CERTIFICATES

Indian Law Certificate: The Indian Law Certificate can be earned in the J.D. program by law students who meet the requirements for this specialized study of Indian Law. Students enroll in the certificate program in their second year and plan their studies with a faculty advisor from the certificate program. Certificate recipients must complete: 21 hours of coursework in Indian Law, including specific required courses; an experiential component available in clinical work and externship; the writing requirement for the J.D. in a study focused on an Indian Law subject; and academic performance standards in the specialty. Information on the certificate requirements is available from the Indian Law faculty advisor.

The Natural Resources and Environmental Law Certificate: Students have two options for obtaining the Natural Resources Certificate (if they graduate before the class of 2013; requirements for the class of 2013 and later follow).

Option One requires a student to become a member of the *Natural Resources Journal* through the write-on competition. The student will earn 12 credits toward graduation requirements and 10 of those credits will go toward the Certificate as an NRJ staff member and editorial board member. In addition, NRJ members must successfully complete 10 hours of elective courses in the natural resources area and fulfill their writing requirement by writing on a natural resources topic. Additionally, the student's writing requirement must be written on a natural resources topic and must have two faculty readers. However, the first reader may waive the requirement of the second reader. Students may earn the 10 additional credits in a number of ways. Most students fulfill this portion of the requirement entirely with law school courses. A list of approved classes meeting the 10 credits will be provided by the Natural Resources Committee. A student must take either administrative law or environmental law and they must take either federal public lands, natural resources law or water law. If a student can demonstrate to the program administrator that they have taken an equivalent law school class, these requirements may be waived. However, with prior approval from the Natural Resources Committee, graduate courses from other UNM departments may satisfy as many as six hours of this requirement. Credit hours from an externship in the field of natural resources or a moot court related to natural resources issues may also be used to satisfy this requirement.

Option Two for earning the Certificate requires that a student earn 21 natural resources credits. A list of approved classes meeting the 21 credits will be provided by the program Natural Resources Committee. A student must take either administrative law or environmental law and they must take either federal public lands, natural resources law or water law. If a student can demonstrate to the Natural Resources Committee that they have taken an equivalent law school class, these requirements may be waived. A portion of these 21 credits must be earned through participation in two of the following: a 2- or 3-credit externship in the field of natural resources, a graduate level class dealing with natural resources in another UNM department or school, a moot court related to natural resources, or an independent study in the area of natural resources. Additionally, the student's writing requirement must be written on a natural resources topic and must have two faculty readers. However, the first reader may waive the requirement of the second reader.

NOTE: Any courses taken outside of the Law School must be pre-approved by the Assistant Dean for Registration.

**New requirements for the Natural Resources Certificate
(effective for the class of 2013 and later).**

21 credits that include:

- **Mandatory Core Courses:**
 - Either Administrative Law or Environmental Law.
 - Either Natural Resources Law or Water Law.
- **Mandatory:** A paper on a natural resources or environmental law topic, which fulfills the "seminar paper" portion of the law school's writing requirement. The Natural Resources Committee will identify particular seminars for which any completed paper will be recognized for the certificate; a paper written for another seminar may qualify, but only with the approval of the Committee.
- **Mandatory:** satisfactory completion of at least two of the following:
 - An externship in the natural resources or environmental field.
 - *Natural Resources Journal* membership (six credits total).
 - A Committee-approved, non-law graduate level course on a natural resources/environmental topic.
 - Moot court related to natural resources/environmental issues.
 - Independent study in natural resources/environmental issues.

- Additional courses
 - See [list of courses](#) approved by the Natural Resources Committee. Introduction to Natural Resources and Environmental Law is an approved course, but not a mandatory core course. If the student can demonstrate to the committee that he/she has taken an equivalent law school class, these requirements may be waived.
 - With prior approval from the Natural Resources Committee, graduate-level courses from other UNM departments may satisfy as many as six (6) hours of the course requirements.
-

If you have questions regarding either option check with the Natural Resources Committee.

EXTRA-CURRICULAR ACTIVITIES

Student Use of Social Networking

The University and the Law School recognize that students enjoy freedom of expression and are entitled to make use of social networking systems such as Twitter and Facebook. However, students' online activities are subject to the University Student Code of Conduct and the University Law School Code of Conduct. The Law School Academic Dean will determine if an honor code violation of either code has occurred according to the Law School Honor Code policy and procedures, published at:

Law School Honor Code: <http://lawschool.unm.edu/academics/policies/bulletin-handbook-policies.pdf> , and the **University Code of Conduct**, published at: <http://pathfinder.unm.edu/policies.htm#studentcode>.

(added 10/20/09)

Student Organizations

The UNM School of Law has 30 chartered student organizations representing the diverse interests of all students and the law school community. Students are encouraged to join one or more student groups. Students wishing to organize a new student interest group should see the Assistant Dean for Student Services for the University procedures to become a recognized chartered organization. An organization must be chartered to be eligible for any type of Law School or University funding.

All chartered student organizations' officers must be registered law students at the University of New Mexico. If an officer graduates, leaves school, resigns their position or is removed from office before their term of office expires, the organization shall replace that officer with a UNM law student within 10 business days. Failure to do so could result in the organization losing its charter.

Student organizations that become inactive for a period of more than 24 months may have any funds left in an UNM account reallocated to other student related purposes at the discretion of the School of Law administration.

Journals and Competitions

Natural Resources Journal (NRJ): The *Natural Resources Journal* is internationally recognized and devoted to the examination of resource issues that is published three times a year. To become an NRJ staff member, first-year students must participate in the writing

competition held during the summer semester following the completion of their first year of law school.

Under the supervision of the faculty editor-in-chief, the managing editor, and the student editors, NRJ staff members aid in the production of the Journal in the fall semester of their second year by cite checking. In addition, NRJ staff members must take NRJ I (Advanced Writing in Natural Resources), a writing seminar directed by the faculty editor that explores the art of multi-disciplinary writing in the natural resources area. Seminar students also select a topic for their own research and begin the process of writing a natural resources thesis of their own. Students receive three credits for the combined Journal and seminar work. In the spring semester of the second year, students continue to work on the Journal as both staff members and members of the incoming editorial board. They also continue work on their seminar papers under the direction of the faculty editor-in-chief. For this combined work, the students will receive three academic credits.

As third-year editors, students participate in all aspects of the Journal production, including the selection of articles. They are also expected to complete the thesis begun in the fall of their second year by the start of the fall semester of their third year. The Journal anticipates publishing as many of the student articles as space and quality allow. Third-year editors complete their work as NRJ editors in the spring semester of their third year. For the final two semesters of work, students receive six academic credits, three per semester.

NRJ Policy Regarding Transfer Students: The Natural Resources Journal is happy to review second-year transfer student applications. Transfer students may obtain a write-on competition packet from the managing editor of the NRJ by picking up a packet in person in the Journals Suite, Rm. 1321 of the law school; by calling 505-277-4910; or by emailing to NRJ@law.unm.edu. Packets must be returned to the managing editor by 4:00 P.M. on the last day of the second full week of the fall semester. Packets will be reviewed using the same standards as the summer write-on competition for non-transfer second-year students. The NRJ will make a decision regarding acceptance by the end of the third full week of the fall semester.

New Mexico Law Review (NMLR): The *New Mexico Law Review* is a student edited general legal journal consisting of articles written by practitioners and professors. It is published three times a year. The third issue of the Law Review contains an annual survey of New Mexico law in the form of pertinent case notes written by student staff members. Students are eligible for membership beginning their second year. As a Law Review staff member, the student is involved in extensive cite-checking and proofreading of articles for publication, and the student is also required to write a case note of publishable quality during the first year on staff. After successful completion of these requirements, the student is eligible for appointment to a position on the Editorial Board for the next year. A third-year student who does not receive a board appointment has the option to become an assistant editor or to write a comment for possible publication in the Law Review.

Tribal Law Journal: The goal of the *Tribal Law Journal* is to provide a reliable forum for the discussion of internal indigenous law. The purpose of the *Tribal Law Journal* is to promote indigenous self-determination by facilitating discussion of the internal law of the world's indigenous nations. The internal law of indigenous nations encompasses traditional law, western law adopted by indigenous nations, and a blend of western and indigenous law. Underscoring this purpose is the recognition that traditional law is a source of law.

The *Tribal Law Journal* provides native peoples, practitioners, and law students an opportunity to contribute their work to the discussion relating to internal indigenous law. The contributions will include, but are not limited to, tribal court case comments, reflections on tribal systems, the development of tribal law, the value of tribal law, interviews and teachings.

An on-line forum provides free access and the opportunity for comment and discussion about journal items. The editorial working group reserves the right to edit comments for length, legality,

and appropriateness of comment. The on-line forum provides a variety of media to best capture indigenous thought and expression. See semester schedule for credit hours.

Team Competitions

The School of Law regularly sponsors student participation in team competitions (e.g., Mock Trial Competition, Philip C. Jessup International Law Moot Court Competition, and National Moot Court Competition). Information regarding specific competitions is available on the law school website, and in the Career and Student Services Office.

Policy Regulating Extra-Curricular Activities

Eligibility: Second and third-year law students in good academic standing (a minimum of a 2.00 cumulative g.p.a.) may try out for the publications staff and various trial competitions described below.

Academic Credit for Student Participation

Journals

1. *Natural Resources Journal*

- A. In the fall semester of their second year, student staff members must be enrolled in NRJ I (Advanced Writing in Natural Resources) seminar. The student shall receive two hours of academic credit for the seminar, and one hour of credit for cite checking (a total of 3 credits).
- B. In the spring semester of their second year, student staff members must be enrolled in NRJ II and shall receive three hours of credit for cite checking.
- C. Third-year students on the editorial board must be enrolled in NRJ III in the fall semester and NRJ IV in spring semester and shall receive three hours of credit per semester for Journal work.

2. *New Mexico Law Review*

- A. Student staff members shall receive two hours of academic credit per semester. These two hours include any seminar requirements of the publications.
- B. Student members of the editorial board shall receive three hours of academic credit per semester.

Moot Court Competitions.

The Law School recognizes that interscholastic competitions such as moot courts, trial advocacy, negotiation, and interviewing and counseling are valuable learning experiences for students. The purpose of this policy is to support student participation in these competitions in a manner that makes them academically rigorous, and financially feasible

- A. Selection of Competitions: The Curriculum Committee will compile a list of competitions that, in its judgment, have sufficient academic merit to award students one hour of Law School credit for their participation. This list will be completed no later than March 31 each year. If it so chooses, the Committee may rank the competitions in order of their importance to the academic mission of the Law School.
- B. Coaching of competition teams will be provided by full time professors and adjuncts to the extent allowed by the competitions. The Law School will make a good faith effort to find and fund a coach for those competitions on the list. Should there be no appropriate coach identified for the competitions, or budgetary constraints prohibit funding a coach, the competition will not be offered that academic year.
- C. Selection of Participants: The Law School expects that law students participating in interscholastic competitions will typically be selected by competing in an intra-school competition that is administered by the competitors or other student volunteers.
- D. Repeating a competition: Law Students who have received credit for participating in an interscholastic competition will not be allowed to participate for credit in the same competition in subsequent years.
- E. In order for a student to receive reimbursement for competitions, they must be enrolled in the course for credit.
- F. Students are allowed to be enrolled in only one interscholastic competition per semester.

- G. First-years students are prohibited from enrolling in or participating in any moot or mock competitions.

Mock Trial Competitions

Upper Class Students (second and third year students) may participate in Mock Trial Competition for two (2) hours of credit.

Reimbursement of Expenses: The Law School, in coordination with interested participants, will estimate the cost of supporting each competition. The Law School will advise the participants in each competition of the amount of funding it is able to provide beyond the hiring of a coach. If the amount of support that the Law School is able to provide is less than the actual cost of participation including registration fee and travel, **it will be the responsibility of the participants to secure funding for the difference.** Financial support for competitions will be prioritized in the order of favor those competitions have historically been successful and that have proven academic merit. If no financially viable means can be arranged to offer a competition, it will not be offered that academic year.

Competitions that are not on the Committee's approved list may be added during the academic year by the Committee, but the Law School will not provide financial support for the competition beyond making a good faith effort to assign a full time member of the faculty as the teams' coach or provide an honorarium for a qualified adjunct to coach the team.

Special Programs

Guanajuato Summer Law Institute

The law schools of UNM, Southwestern University, and Texas Tech, in cooperation with UNM's Latin American Institute, offer four weeks of summer law study in Guanajuato, Mexico, followed by an optional internship in a Mexican law firm. This Summer Institute features an introduction to Mexican Law and international law subjects related to Latin America. All courses are taught in English by American and Mexican law professors. The Institute has been approved by the Accreditation Committee of the ABA Section on Legal Education. A student must be in good academic standing (minimum 2.00 cumulative g.p.a.) to be eligible to attend the Summer Institute.

North American Student Exchange Program

UNM is one of three law schools in the U.S. selected to participate in an exchange program between Mexico, Canada, and the United States. The program promotes a greater understanding of the legal systems and cultures of the member countries with an emphasis on the North American Free Trade Agreement. Two to three UNM students are selected each year to study for one semester in law facilities in Mexico and Canada. The students pay UNM tuition, receive a stipend to cover part of the expense, and receive 12-15 hours of credit for successful completion of the course work. UNM students are eligible to participate after their first year of law school with selection based upon a demonstrated interest in international law. Those students attending a law school in Mexico or French Canada must have excellent language skills in Spanish and French. A student must be in good academic standing (minimum 2.00 cumulative g.p.a.) to be eligible to attend the program. Hours passed with a C or better will be brought in as credit. If a grade of "C-", "D+", "D", "D-", "F" is received, the grade will be entered on the academic record and calculated into the student's grade point average.

University of Tasmania Exchange Program

Whenever a student who has completed one year at UNM School of Law wishes to attend the University of Tasmania School of Law, at his/her own initiative, that student may request permission to do so from his/her own dean, who will then refer the request to the dean of the other law school. If both deans agree that it is in the interest of the institutions and the student to attend the other law school, permission will be granted. These occasional student-initiated

visits may not exceed one semester and they will be supervised by one faculty member at each law school. A student must be in good academic standing (minimum 2.00 cumulative g.p.a.) to be eligible to attend the program.

Any University of New Mexico student who wishes to participate in this program must comply with the requirements of the American Bar Association's "Criteria for Law School Approval of Student-Initiated Study Abroad for Academic Credit". UNM will grant 12-15 semester hours of credit for study overseas. Students visiting UNM or the University of Tasmania from the other institution will be formally registered at their home institution during the period of the visit, and continue to pay tuition and fees, and receive financial aid, as they would if they were attending classes at their home institution. Further, each law school will treat any student visiting for the semester as that law school would treat any other visiting student, and the law school will supply the student with the same student amenities that it provides all other visiting students. Hours passed with a "C" or better will be brought in as credit. If a grade of "C-", "D+", "D", "D-", "F" is received, the grade will be entered on the academic record and calculated into the student's grade point average.

Franklin Pierce Law School Exchange Program

The University of New Mexico School of Law and the Franklin Pierce Law Center have established an exchange program where students pay home institution tuition but enroll in classes at the host institution. Franklin Pierce Law Center specializes in the areas of intellectual property and patent law.

A maximum of two students from each institution will be permitted to attend the host institution in any one semester. To be eligible for the exchange program, students must have a grade point average of at least a 2.5 and entering either their second or third year of law studies. The host institution will make every effort to allow exchange students access to courses, co-curricular and extracurricular activities. Hours passed with a "C" or better will be brought in as credit. If a grade of "C-", "D+", "D", "D-", "F" is received, the grade will be entered on the academic record and calculated into the student's grade point average.

Visiting Other Law Schools

Law students who have completed their first year of legal studies and are in good standing are allowed to earn credit from other ABA-accredited law schools and apply it towards their University of New Mexico Juris Doctor degree. Common examples of such arrangements are international summer programs or relocation due to the employment situation of a spouse/partner. The approval of the Associate Dean for Academic Affairs and the Assistant Dean for Registration is required, and interested students should consult with the Associate Dean for Academic Affairs for more information. Note that only passing grades (C or better) are transferable to UNM School of Law for credit and such grades are NOT included in the calculation of the student's cumulative grade point average. However, if a grade of "C-" or less is received, the grade will be calculated into the student's cumulative grade point average.

Study Abroad Programs: Law Students who have completed their first year of legal studies and are in good academic standing are allowed, with approval from the Associate Dean of Academic Affairs, to study abroad at foreign non-ABA approved law schools.

The ABA standards mandate specific requirements be met by the student, the home institution, and the host institution when a student elects to visit a foreign school. See the Associate Dean for Academic Affairs for more information.

Commencement

Juris Doctor degrees are conferred three times per year at the conclusion of the spring, summer, and fall semesters. Commencement exercises are held once a year at the law school at the end of spring semester. Graduating students and their families are encouraged to attend.

Honors, Awards and Prizes

Academic Awards

Top Grade: A law professor has the option of noting the student who earned the top grade in each of his or her courses. Such notations are marked on the student's record.

Semester Honors: Any law student in good standing will be eligible for:

Dean's List: grade point average of 3.50 or higher during a semester in which 12 or more credit hours are earned, of which at least nine are graded;

Honor Roll: grade point average of 3.00 or higher during a semester in which 12 or more credit hours are earned, of which at least nine are graded.

Students enrolled in a formal joint-degree program shall be eligible for the School of Law's Dean's List and Honor Roll if they are enrolled in at least 12 credit hours from either school. Of these, at least nine credit hours must be at the School of Law and six of the nine credit hours must be graded. Only grades earned at the School of Law shall be included in the grade point calculation for such honors.

Scholarships: the following scholarships are awarded annually. Application information is available at the Financial Aid page of the Law School web site.

- The New Mexico Black Lawyers Association, Johnnie L. Cochran, Jr. Award
- The Rodey Merit Scholarship—established by the law firm of Rodey, Dickason, Sloan, Akin & Robb, P.A. to be awarded to a first-year student who has demonstrated the potential to make an outstanding contribution to the study of law.
- Rudolph and Betty Schware Scholarship – Labor Unions
- Judge Oliver Seth Scholarship - Mediation
- Carlos F. Vigil Scholarship
- Esteban Aguilar – Trial Skills

Graduation Awards and Honors

Students will not be eligible for any academic honors based upon rank or cumulative grade point average, including election to the Order of the Coif, unless they complete a minimum of 60 graded course hours at UNM School of Law, including no fewer than 20 graded first-year course hours at the UNM School of Law.

Transfer students must have at least 20 graded credits in first-year courses at the school they have transferred from and 40 graded credits at UNM. They must also meet the minimum GPA for honors both in work done in their first year school and when then combined with work done at UNM School of Law. (changed by faculty action of 4/20/10)

At the discretion of the faculty, a student who is ineligible for recognition under the above policy may receive special recognition for outstanding academic performance at the UNM School of Law.

Academic Excellence: The J.D. degree may, at the discretion of the faculty, be awarded with the honors indicated to graduating students who have successfully completed the

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requirements prescribed by the faculty and who have achieved the following overall grade point averages in their law school work:

- cum laude 3.40
- magna cum laude 3.60
- summa cum laude 3.80

Order of the Coif: A chapter of the Order of the Coif was established at the school in 1971. This prestigious national organization honors the top ten percent of each year's graduating class who has completed at least 75 percent of his or her law studies in graded courses. Transfer students are ineligible for this recognition.

Thesis Honors: The faculty annually may award one or more special certificates of honor to students who produce a thesis of exceptional quality. Supervising faculty may nominate a student's thesis for honors. All nominated papers will be read by a committee annually appointed by the Dean. If the Committee agrees that the student's thesis is of exceptional quality, a certificate of honor shall be awarded to the student.

Additional Awards and Prizes: The faculty recognizes outstanding academic achievement and significant contributions to the law school community by graduating students through these awards.

- ABA/BNA Award – recognizes excellence in the study of Intellectual Property Law
- ALI/ABA Award – recognizes a student who best represents a combination of scholarship and leadership.
- American Bankruptcy Institute Medal—for excellence in bankruptcy studies
- American Society of Law, Medicine & Ethics Health Law Award
- Award for Excellence in Family Law—recognizes excellence in Family Law
- Clinical Legal Education Association Outstanding Student Award – recognizes a third-year student who excelled in clinical legal education.
- Michael B. Browde Award Constitutional Law
- Honors in Clinical Law—recognizes outstanding performance in the clinical program
- Margaret Keiper Dailey Award—given in recognition of awareness of social problems, concern for people in trouble, and professional dedication to equal justice for all
- Dean's Awards—honors students for outstanding contributions to the law school community
- The Honorable Pete Domenici Award—recognizes excellence in Environmental Law
- Faculty Award—recognizes outstanding contributions to the law school community
- Freedman, Boyd, Hollander, Goldberg & Ives Prize—recognizes excellence in Criminal Law

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- The Frederick M. Hart Prize—honors students who have shown excellence in Commercial Law
- Health Law Scholar Award—presented to a third-year student who has demonstrated interest and proficiency in Health Law
- Award for Excellence in International and Comparative Law
- LexisNexis Awards—acknowledges outstanding contributions to scholarship by the top three ranked members of the third-year class
- Julia Raymond McCulloch Memorial Award—presented to a student who has shown outstanding scholarship and a demonstrated interest in the field of Constitutional Law
- McLeod Prize—presented to a third-year student who has demonstrated interest and skill in Advocacy
- Irwin Stern Moise Award in Legal and Judicial Ethics—recognizes a third-year student deemed most deserving on the basis of demonstrated scholarship, interest, and activity in the fields of Legal and Judicial Ethics
- Hugh B. Muir Award—in honor of Professor Muir, this award recognizes an outstanding third-year student who has excelled in Tax Law
- Judge Oliver Seth Award in Alternative Dispute Resolution
- Judge Oliver Seth Award in Ethics
- Sheehan, Sheehan, and Stelzner Award—pursuit of excellence award
- Lewis R. Sutin Award—in honor of Judge Sutin, formerly of the New Mexico Court of Appeals, this award is presented to an outstanding student in either Trial or Appellate Advocacy
- Tort Scholar Award—presented to a third-year student who has demonstrated interest and proficiency in Tort Law
- Albert E. Utton Natural Resources Law Award
- National Association of Women Lawyers' Award—presented to a third-year student for academic achievement, interest, and contribution to the advancement of women in society
- The Jerrold L. Walden Memorial Award—established as a memorial to Professor Walden, this award recognizes a student who has evidenced the qualities of heart that distinguished Professor Walden
- Wall Street Journal Award—recognizes students for excellence in Corporation and Business Law
- Thomson West Law Award in Domestic Relations—recognizes excellence in domestic relations.
- The Mary Beth & W. Richard West, Jr. Award for Excellence in Indian Law—established by W. Richard & Mary Beth West, this prize is for a third-year American Indian student who has shown excellence in and commitment to the area of Indian Law

STUDENT SERVICES INFORMATION

Academic Records

Official academic records are maintained by the main campus Office of the Registrar. Records and documents pertain to a student's academic standing and progress, including admissions application, college transcripts, test scores, grades and academic standing.

Educational records are also maintained by the law school Assistant Dean for Registration and Records Office and other University Offices. Officials responsible for all official educational records are identified as deans, directors, or department heads in the University catalog.

Access To and Confidentiality of Student Records

The university has an approved policy for confidentiality of student records. This policy is in accordance with the Family Educational Rights and Privacy Act of 1974 (P.L. 93-380, 513).

All enrolled and former students may have access to their educational records maintained within the University. Those individuals and agencies having access to a student's records include:

1. University faculty and staff performing their job responsibilities related to academic and educational programs
2. Parents claiming the student as a dependent on their federal income tax return
3. Scholarship and other financial aid organizations supporting the student
4. State and local officials who must, by law, receive information from UNM
5. Organizations carrying out any accrediting program offered by UNM
6. Appropriate persons in an emergency
7. Any party designated by a valid court order (since it is not generally University policy to release information based solely on an order of subpoena, such instances will be referred to the Office of University Counsel)
8. Any person with the written consent of the parent for students under age 18, or the student if over age 18

Public Information

A student's name, local and permanent addresses, telephone listing, electronic mail address, date and place of birth, major field of study, classification, dates of attendance, honors and degrees awarded, participation in officially recognized activities and sports, weight and height of members of athletic teams, and most recent previous educational agency or institution attended by the student are considered public information and is available to the general public. This information can be released unless an annual written request to withhold the information is on file in the Records Office and the law school. Such requests must be submitted within two weeks of the start of each semester. Offices maintaining educational records provide students with an opportunity to review their educational records. Students have the right to challenge the content of the record (except grades). If the student feels the information is misleading, inaccurate, or otherwise in violation of the student's privacy or other rights, specific information concerning the student's challenge of record may be obtained from the Office of the University Secretary who maintains the policy on the confidentiality of student records.

Questions regarding student records and UNM's policy concerning the confidentiality of such records should be directed to the office maintaining the specific records in question. Any dispute over the contents of the records will be handled through informal meetings or discussions in the office where the record is maintained. If informal meetings are not satisfactory, a student has the right to a formal hearing.

Social Security Number

Your Social Security Number (SSN) will not be the primary University identification number. It will not appear on your UNM Lobo identification card. UNM is required to collect your SSN in order to provide full access to services such as financial aid, to ensure an accurate academic record, and for record-keeping purposes. The University will protect the confidentiality of your SSN as required by law.

Student Address Changes

Address changes are made by the student on their Lobo Web site. Once the change has been submitted, the student is required to inform the law school Registrar's Office of such change.

Name Changes

Students who need to process a change of name for their academic records must bring appropriate documentation to the Records Office in the Student Services Center on Main Campus. Appropriate documentation includes, photo identification (driver's license or passport) and the Social Security Card showing the new name. Name changes will be processed only for currently enrolled students. The School of Law cannot make a name change on a student's law school records until the change has been made with the main campus Records Office. Students shall notify the law school Registrar's Office immediately of name changes.

Law School Academic Records

The School of Law Assistant Dean for Registration and Records issues both official and unofficial copies of School of Law academic records. These records show all law school coursework, honors, and grade point averages. (Students needing University transcripts, which show ALL work completed at UNM, regardless of college affiliation, should contact the University Registrar for a copy of their University transcript). The student's signature is required to authorize the release of their record. Academic record release forms are available in the law school reception area. There is no charge for copies of a law school academic record.

Faxing Academic Records: Although the School of Law will fax academic records in **emergency** situations, the very nature of telephone transmission renders the document "unofficial". The student or alumnus may be asked to cover any costs incurred in the faxing process.

Holds on Records

No academic records or grades will be released to the student or to any other person or institution until all of the student's outstanding obligations to the law school and university have been paid or until satisfactory arrangements have been made. These obligations include, but are not limited to, loans, library fines, duplicating fees, tuition and fees and other charges. Academic records may also be held for non-financial reasons such as, but not limited to incomplete admission status.

Residency for Tuition Purposes

All students are classified according to their residency status for tuition purposes. Any student wishing to change from non-resident to resident classification must submit a residency petition to the University Registrar's Office, Student Services Center, Room 261 before the end of the SECOND week of classes for a given semester.

Information explaining all requirements for establishing New Mexico residency is available on-line at the law school web site or for more information call 277-2125.

Registration

Academic Advisement and Support

Students at UNM School of Law are encouraged to work with all of the faculty members as mentors and advisors. First year students may look to their Practicum section instructors for guidance in matters relating to law school. In addition, students are encouraged to confer with the attorney-counselors in the Career and Student Services Office with respect to any academic or personal matters, including advisement about classes, academic performance and academic support. Students in need of a formal faculty advisor may request one at any time during their period of enrollment at the law school by contacting the Career and Student Services Office.

Support for Students with Disabilities:

The Career and Student Services Office is available to assist students with a qualified disability. In order to receive accommodation for a physical, mental or learning disability the student is required to contact the main campus department of Accessibility Resources at 277-3506. In addition, a student should inform the Assistant Dean of Student Services in the Career and Student Services office. All matters related to disability are held in strict confidence.

Students may also make an appointment with the Assistant Dean for Registration to discuss their academic progress towards meeting graduation requirements. Students may also consult with the Assistant Dean for Registration about the rotation of future curriculum offerings to assist the student in planning a two-year course of study.

Schedule of Classes: The schedule is available on the law school website and can be accessed at <http://lawschool.unm.edu/curriculum/index.php>. It is the responsibility of the student to check the web schedule for any changes and/or updates which may occur.

Limited Enrollment Courses: Prior to each new semester, a lottery will be conducted for all limited enrollment classes. Students will have a period of one week in which to indicate two limited enrollment class choices. The Registrar's Office will then draw names for each class up to the limit of the class. Such names for each class will be posted and students whose names were drawn will have two days at the beginning of the enrollment period in which to enroll in the class. After the initial restricted enrollment period for limited enrollment classes, enrollment in said classes is open on a first come, first serve basis for all students. **It is an honor code violation for any student whose name was not drawn to enroll in a limited enrollment class during the restricted enrollment period.** Once maximum course enrollment has been reached the course will be closed. If an enrolled student drops the course it will open for further enrollment. Occasionally a student may enter a closed class by permission of the instructor. Obtain a "closed class" card from the law school Registrar's Office. The card must be signed by the instructor.

Visiting Law Students: A Visiting Law Student may enroll in limited enrollment courses with permission of the law school Assistant Dean for Registration only after all participating UNM law school students have been seated.

Registration Procedures: Registration instructions for law students deviate from regular University procedures. Students will be notified by email about each semester's requirements and deadlines by the School of Law Registrar's Office. Registration information with detailed instructions, course listings, and schedules is made available by the law school Assistant Dean for Registration and on the law school web page. Please refer to the information for up-to-date guidelines for each session. It is the responsibility of the student to regularly check the web schedule for any changes and/or updates to time, day, or professor.

Failure to Enroll: Only students registered (enrolled) by the University deadline for late enrollment shall be classified as a law student and will be permitted to attend classes.

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Individuals who do not register (enroll) by the University deadline published in the main campus semester schedule of classes have no status with the law school or the University and may not attend classes.

A student who has not registered by the deadline, and who has not requested and received a leave of absence from the law school Associate Dean for Academic Affairs and in consultation with the Assistant Dean for Registration, must petition the Committee on Student Suspension, Retention and Readmission for permission to be re-admitted if they are interested in resuming their legal education.

Student I.D. Card: UNM issues photo identification cards to all students. The I.D. card is required to conduct numerous activities campus-wide such as: checking out books from the libraries, use of Student Health Center, Johnson Center facilities and admission to UNM athletic events. New students must obtain a student photo identification card in the Lobo Card Office located in the Student Union Building (SUB) on main campus after being admitted to UNM. Returning students use their existing I.D. card.

Changes in Enrollment: Once registered, students may process schedule changes through the drop/add procedures during appropriate periods.

The following information refers to **16-week courses**:

Dropping and Adding Courses: Students drop or add courses through the Lobo web using their UNM Net ID prior to the published deadline dates. Incoming first-year students must obtain a UNM Net ID prior to registering for classes by logging on to www.my.unm.edu. Enrollment instructions for using the Lobo Web will be explained by the Assistant Dean for Registration during orientation. After the deadline date, contact the law school Assistant Dean for Registration for the procedure and fees.

A full-semester law school course may be **dropped** by a student for any reason during the first six weeks of the semester. Do not expect your professor to drop you if you stop attending class. In courses scheduled for less than a full semester, i.e., half-semester or courses of a given number of weeks, a student may drop for any reason until midway through the course (a date to be determined and announced by the instructor).

Exceptions

- Students may **not** withdraw from first-year courses, Constitutional Rights Law, Ethics, or Clinic without the permission of a dean.
- The period for withdrawal from Judicial Extern, Law Office Extern and certain specifically designated special seminars, without obtaining the instructor's permission, is limited to the first two weeks of the semester.
- When the course instructor has indicated in advance that a shorter withdrawal period (or none at all) will apply in a particular course.

A full-semester law school course may be dropped with the instructor's permission from the sixth week of classes through the final day of classes. Similarly, a shorter course may be dropped with the instructor's permission after the course's midpoint through the last classroom meeting. This action requires a grade of WP/WF be assigned by the professor and appears on the student's academic record. After the last classroom meeting any law school course may be dropped only under extraordinary circumstances and only with permission of the instructor and the Dean or an Associate Dean. This action requires a grade of WP/WF be assigned by the professor and appears on the student's academic record.

Withdrawal from the University/UNM Law School: Students can withdraw from all courses on or after the first day of classes through the last day of classes prior to final exams through the website. **Students must contact the Associate Dean for Academic Affairs for advisement and approval of withdrawal prior to withdrawing from any course.** A

student must provide a letter to be on file in their student record stating the reason(s) for withdrawal from the law school.

Students who withdraw during the first six weeks of classes will not receive either a course or grade notation on their academic record. Withdrawals initiated after the sixth week of classes will be subject to grades of "W/P" or "W/F". The grade of "W/F" will be calculated as a failing grade in the student's grade point average. All withdrawal grades will be assigned by the professor upon completion of the University withdrawal process.

When students leave the University during a semester and do not complete the withdrawal process, they become liable for grades of "F" in their courses, even though they have been passing at the time of leaving.

Tuition Refund: Prior to the first day of classes, if a student registers and pays tuition and later finds he/she cannot attend, the student can cancel his/her registration and receive a full refund directly from the UNM Student Services Center. It is the **student's responsibility** to withdraw by contacting the School of Law Assistant Dean for Registration. Students who do not officially cancel or withdraw their registration prior to the start of classes will be subject to the University Tuition Refund policy (page 25 and Withdrawal from the University/Law School deadlines page 24).

Tuition and Fees: All tuition and fee charges, as well as fees for special services, are subject to change without notice. A student's readmission, registration, library or parking privileges, release of official records, and other requests may be restricted or denied unless satisfactory financial arrangements have been made for all outstanding charges. Registration is not complete until tuition and fees are paid or cleared through the Bursar's Office.

Hours: Hours for the purpose of tuition are defined as hours for credit, credit/no credit, and/or audit.

Tuition and Fees Payment: Detailed information on procedures, processes, and deadlines is made available each semester from the Assistant Dean for Registration's Office at the School of Law. Students are required to satisfy all financial obligations due the University before registering for a new semester. For detailed information and tuition schedule, check with the law school Registrar's Office, Main Campus schedule of classes on the web, or the Admissions Office.

Semester Course Loads: The *maximum* number of hours that may be taken for law credit per semester is **17 credits** (fall and spring) and **9 credits** for summer.

The *minimum* load per semester to be considered a "full-time" law student by the law school is 12 hours of work creditable toward the J.D. degree. All students (except those in their final year who need fewer to satisfy degree requirements or those students on the FLEX program) must take at least 12 hours toward the J.D. degree unless PRIOR permission to take fewer is obtained from the Assistant Dean for Registration. However, students wanting to take nine or fewer hours may be required to take more by the Veterans Affairs Office or by loan, grant, or scholarship agencies.

Summer Term: During the summer Term, three credit hours or more (up to nine credit hours) is considered full-time. Less than three credit hours is considered part-time.

Tuition and Fees Refund Deadlines: Tuition and Special Course Fees will be refunded in accordance with the dates published in the current UNM schedule of classes on the web.

Refunds: All tuition, fee, and special course fee charge adjustments are based on the date of the official drop, withdrawal, or disenrollment. To receive consideration for a refund of paid tuition and fees, students must complete drop procedures for their courses, and then complete a two-part Refund Request form available from the Bursar's Office. All refunds (except housing

deposits) are requested at the Bursar's Office by completing a Refund Request form. Immediate cash refunds are not given for withdrawal from the University or for reduction in paid credit hours. If a refund is due and overpayment was made by check, there is a 21-day hold period from the payment receipt date before the refund is processed. The refund check will be mailed to the student's current system address. Please confirm with the Bursar's Office your address when making a refund request. MasterCard and Visa card refunds will be credited to the charge card. Card number and expiration date must be provided by the student to the Bursar's Office.

Restriction of Services and Sanctions

Financial Holds: No transcripts or other information relating to any student's records at the University shall be released or delivered to the student or to any other person, entity, or institution until all student debts (including but not limited to debts existing on account of loans to the students) to the University and all of its affiliates, including but not limited to, the New Mexico Educational Assistance Foundation, have been paid, or other arrangements satisfactory to the University have been made for their payment regardless of whether the debt has been discharged in any proceeding under the United States Bankruptcy Act. However, students have the right to inspect and review educational records to the extent that such right is granted by applicable laws and regulations.

Registration Sanction: No student shall register at UNM until she/he has paid ALL past due charges.

Service Charge on Delinquent Accounts: A service charge may be assessed on a student's delinquent account.

Collection Agency: Following the end of each semester, students who have delinquent account balances may receive a series of itemized statements requesting payment. Failure to receive a Statement of Account does not relieve students of the responsibility for payment. If payments or arrangements are not made on a timely basis the account may be placed with a collection agency, with a collection fee added to the account. Should it be necessary for an outside agency to effect a collection, reasonable collection costs of at least 30% of the delinquent amount shall be added to the amount due and shall be paid by the debtor. If UNM obtains judgment from a court of competent jurisdiction, the debtor shall be liable for the collection agency fee as well as reasonable court costs and attorney's fees.

Withholding Services: Students who have had their registration canceled or have delinquent accounts will be denied privileges and services available to students enrolled in the University and in good financial standing. Students with delinquent accounts will be subject to sanctions that withhold:

1. Future registrations
2. Readmission
3. Transcripts requests
4. Installment payment arrangements
5. Future parking and library privileges
6. Bar Certification (for graduates)

Other Fees

Student Group Health and Accident Insurance: The group health and accident insurance is available only to students attending UNM and carrying six or more semester hours during a regular semester. Participation is at the student's option, except that foreign students are required to have this coverage for themselves and dependents. Please check with the Student Health Center for current rates and to complete an application and make payment.

Computer/Duplicating Fees: All enrolled law students (including all visitors/exchange students), and guests of the law school (Mexican consulate student and any guest of the clinic or

other academic area) will be charged a basic annual fee for duplicating costs and computer services. **This fee is \$300.00 for the 2010-2011 academic year. The fee will be payable in two installments—one half, \$150.00,** will be billed the first semester, and the remainder will be billed the second semester. The UNM Bursar's Office will bill students for all duplicating and computer services fees, and payments should be made directly to that office (see page 49 for Network Printing Policy on print limits).

Malpractice Insurance: New Mexico does not mandate practicing lawyers to carry malpractice insurance. The School of Law Clinic, however, believes it is a fundamental professional responsibility to protect clients from potential harm that may be caused by our negligence. The Clinic negotiates a new malpractice insurance premium each year, buying the most coverage for the most reasonable rate. To keep the cost down for each student, all students enrolled in Clinical courses are required to pay an equitable share of the cost of maintaining this insurance. This fee is approximately \$125. The malpractice fee is automatically charged to the student when they enroll in a clinic.

Student Bar Association Dues: Officers of the Student Bar Association collect one-time voluntary dues of \$100.00 during the first week of the fall semester. Payment of these dues entitles each student to a locker and allows participation in SBA-sponsored activities. SBA dues are based on six semesters, thus refunds in the case of early withdrawal are prorated to the semester of withdrawal.

Academic Regulations

Definitions of Good Standing

Professional Good Standing

Good standing in a professional school means more than just academic good standing. The University of New Mexico School of Law recognizes its responsibility to maintain a program that prepares its students for admission to the bar and for effective and responsible participation in the legal profession, including, but not limited to, the capacity to honestly and competently represent the interests of others. In conformity with the American Bar Association's Academic Standards (2008), UNM School of Law will monitor the progress of law students throughout their studies, and will not continue the enrollment of a student whose inability to do satisfactory work is sufficiently manifest so that, in the Dean's judgment, the student's continuation in school would inculcate false hopes in the student, represent a risk to the public, or detrimentally affect the education of other students.

The definition and list of "Relevant Conduct" for the Standard of Character and Fitness found in the Comprehensive Bar Admission Requirements (2008) of the National Conference of Bar Examiners and the American Bar Association Section of Legal Education and Admissions to the Bar serve as the school's guideline in assessing the professional behavior and capacity of students. (See Appendix B-1.)

On account of neglect of study, incapacity for the law, untruthfulness or nondisclosure of required information, or conduct or character not in keeping with the standards of the school or the legal profession, the University of New Mexico School of Law reserves the right to terminate the attendance of any student, to remove any student from the list of candidates for the Juris Doctor degree, or to otherwise discipline any student. Any person, by registering in the University, agrees to this reserved right of the law school to place such person on disciplinary probation or to sever his or her connection with the law school, regardless of academic standing, at any time circumstances warrant.

Any student who is not in professional good standing may be placed on probation or have their attendance terminated by administrative action. The student shall be notified in writing at their official address of any such action. A student who is placed on probation may be required to

comply with conditions of probation as determined by the Dean. Failure to comply with such conditions may result in immediate suspension. A student whose attendance is terminated for failure to be in professional good standing may petition for relief by way of the procedure set forth for suspension as explained on page 40 of this handbook. UNM School of Law reserves the right to demand reasonable proof from any student who is suspended or whose attendance is terminated that the student is capable of being in professional good standing before readmission.

Academic Good Standing: A student is considered to be in good academic standing as long as he/she maintains a minimum cumulative grade point average of 2.00. A student whose attendance is terminated for failure to be in academic good standing may petition for relief by way of the procedure set forth for suspension as explained on page 40 of this handbook.

Provisional Academic Good Standing While on Probation: A student on academic probation, who is making academic progress, is in provisional academic good standing with the law school.

Alcohol and Drug Policy

Alcohol

1. No alcoholic beverages of any type may be on University property at any time except for special events that have been administratively approved by the law school, and a liquor request form has been signed by the Provost of the University.
2. Student events approved may serve only beer, wine or champagne, and an ample supply and variety of nonalcoholic beverages must also be provided.
3. The sponsor of the event is responsible for the pick-up or removal of kegs and coolers and trash from the law school premises within 24 hours following the end of the event.
4. Any person observing abuse of alcohol by students or employees while on college property, or while representing the college, or while participating in college activities whether on or off college property should report same to any dean.

Drugs

1. The use of illegal drugs or the misuse of prescription drugs on University property is strictly prohibited.
2. "Illegal drugs" shall be defined as a substance or substances defined and regulated under the provisions of *New Mexico Statutes* and the University of New Mexico (current UNM catalog and other University publications.)
3. "Use" of a drug shall include use, possession, manufacture, sale or distribution on University property of any one or more illegal drugs.
4. Any person violating this policy will be subject to administrative disciplinary action and may result in expulsion from the law school and the University.
5. Any person observing or having knowledge of the use of illegal drugs on University property should report same to any dean.

Prevention Programs

Resources are readily available to assist any person who is having a problem with substance abuse or who is concerned with someone else's drug or alcohol use. The law school prefers to address problems concerning substance abuse through rehabilitation methods, and will encourage individuals to seek treatment. Such individuals should consult with the Assistant Dean for Career and Student Services. Students needing assistance should also be aware of the

Lawyers Assistance Program. Information about this program is available through the State Bar of New Mexico and the Career and Student Services office.

Examination Information

Scheduling

Final examination schedules are normally finalized after the add deadline for each semester. The Assistant Dean for Registration and Records will send a tentative examination schedule to students and faculty by e-mail. An official examination schedule will then be sent to students.

Reading Period

Before examinations, a period of time is devoted to study and review. Faculty will be available during this time to consult with students and to conduct optional review sessions.

Examination Procedures

The UNM School of Law uses an anonymous grading system. Every semester each student receives a unique number that is used in lieu of the student's name on all exams. Students will take their exams in designated classrooms. Students will have the option to write their exam answers or use exam taking software on their laptops. The Student Code of Conduct governs all aspects of this process (see Appendix A).

Exams are administered by the law school Assistant Dean for Registration and Records. **Students are not to ever contact a professor regarding the scheduling of their exams or any difficulties related to taking the exam; contact the Registrar's Office.**

First-Year Practice Exams

These fall semester exams are designed to familiarize new law students with testing procedures and give first-year course instructors the opportunity to give students feedback on their classroom performance to date. These exams are typically scheduled in mid-October and do not count toward final course grades unless so designated by the professor.

Mid-Term Examinations

Occasionally a faculty member may structure a course such that interim or mid-term examinations are administered and the exam grades earned are included in the calculation of the final course grade. If such mid-terms are given, regular examination procedures will be followed. It is recommended that faculty make sure that mid-terms do not conflict with other student obligations or courses.

Take-Home Examinations

1. Faculty shall be able to use take-home examinations.
2. The deadline for the decision on whether a course will have a take-home examination should be when the examination schedule is set.
3. Students shall be informed during the first week of the semester of the possibility of eventual administration of a take-home examination.

In-House Examinations

1. All in-house examinations are administered by the law school Assistant Dean for Registration and Records. Strict examination rules are followed for all examinations. These rules will be distributed to all students by email prior to the examination period. **Ignorance of any rule or procedure will not be accepted as an excuse for violations.**

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2. When a student begins an examination, they must complete it. Once a student starts an examination it is considered a "taken" exam.

If a student becomes ill during the examination, they should collect all of their items in the exam room, exit the room quietly, and notify the exam proctor immediately. After a short break and when the student is feeling better, the student will be assigned to a private examination room to complete the exam within the time remaining on the clock. If a student is unable to continue the exam, then the portion completed is the answer that will be given to the professor for grading. A note will be made of the illness in the event that the exam becomes an issue of dismissal.

3. Students may elect to write (bluebooks) or type (use of laptop computer) examinations. To qualify to use personal laptop computers, examination software will be installed on the computer, and students are required to attend a training session on the use of the software prior to the exam period. If a student fails to attend the training and installation sessions for the software, they will have to write their examination. **The law school does not provide laptop computers for examinations.**
4. No electronic devices of any type (such as, but not limited to, cell phones, I-pods, blackberries, walkman radios or tape recording equipment) are allowed in the examination rooms. Calculators will only be allowed if specified by the professor. The use of earplugs or cotton is permitted, but not headsets, earphones or earbuds.
5. No food of any type will be allowed in examination rooms. Only drinks in sealed containers will be allowed in examination rooms.
6. Students qualifying by medical documentation for special examination accommodations should see the law school Assistant Dean for Registration and Records prior to the examination period to schedule their exams.
7. Any examination not falling within the examination period will be deemed a paper. Such papers should have a completion or due date prior to the reading period or the examination period.

Procedures for Late Examinations

It is the policy of the law school that students present themselves for examinations at the scheduled time. The Assistant Dean for Registration and Records may permit a student with sufficient reason to take an examination at a later date.

The following include but not limited to reasons that will be considered in **granting relief**:

1. An absolute examination conflict,
2. Documented medical incapacity,
3. Religious observance,
4. Death or documented serious medical emergency of a close family member,
5. Automobile accident, assault, robbery, or similar traumatic experience at the time of the exam or period immediately preceding the exam,
6. Childbirth that interferes with exam or period immediately preceding the exam (applies to either parent),
7. Military commitment: written military orders required,
8. Extraordinary family circumstances.

Requests for an exam deferral must be in writing accompanied by satisfactory documentation of the reasons. Students should be prepared to provide complete documentation, which is subject to verification and approval. Documentation must be presented to the Assistant Dean for Registration and Records within three days of the granted request. If your file shows that you have previously deferred one or more examinations for reasons other than exam conflicts, another deferral examination will be granted in only extraordinary circumstances.

The following include but not limited to reasons a request to defer exams will be **denied**:

1. Travel
2. To attend a conference
3. Weddings
4. Moving
5. Personal reasons
6. Social plans
7. Employment reasons

A student who cannot take an examination on the specified date should notify the Assistant Dean for Registration and Records immediately. **DO NOT DIRECTLY CONTACT THE INSTRUCTOR SINCE THIS MAY JEOPARDIZE THE ANONYMITY OF THE EXAM PROCESS.** Notice should be given as soon as the student realizes an emergency or problem and, if possible, prior to the day on which the particular examination is given.

A student shall receive the grade of "Incomplete" for an examination that is missed after obtaining permission to do so. The examination shall be taken within 10 calendar days of the missed examination, whether or not the student has remained enrolled. In exceptional circumstances, a student may petition the Assistant Dean for Registration for a later examination date, and at which time the student and Assistant Dean will set a time for the examination to be taken by the student but the time period shall not exceed 30 days. Failure to remove the "Incomplete" by the specified time will result in the grade of "F" for the course. All late examinations are graded on a "Credit", "C-", "D+", "D", "D-", "F" basis. A student who misses an examination without first obtaining permission shall receive the grade of "F" for that course. The student shall have the right to petition the Dean or Associate Dean for Academic Affairs and to show just cause why he or she should be given the grade of "Incomplete". The Dean or Associate Dean shall decide whether the reason for missing the examination was serious enough to allow the student to receive the grade of "Incomplete" instead of "F".

Release and Reuse of Examination Questions

1. Release of examination questions: Examinations, following their administration, shall be released by the faculty member to the Law Library where they shall be compiled and made available for inspection. The faculty member, however, may decline to release their exam and in particular any multiple-choice questions.
2. Reuse of examination questions: No faculty member may use, on any subsequent examination, any question released pursuant to paragraph 1.
3. Unauthorized possession of examination questions: No student shall be in possession of or have access to any examination question that has not been released pursuant to paragraph 1.
4. Unauthorized disclosure of examination questions: No student shall disclose the contents of any examination question to any other person without the express consent of the instructor.

Retention of Examinations and Student Access

The School of Law retains all student examination materials for a period of one and a half years. Students are encouraged to review their own exams and may review them in the Registrar's Office. Please note that each individual professor determines the conditions under which the examinations for their course are made available to students (e.g., some exams may be checked out only if the student has made an appointment with the professor to go over his/her exam). In addition, some professors make prior semesters' "A" answers available for student review for a limited time before the final examination period. "A" answers released by a professor are posted on the law school library web site prior to the examination period. This process is administered by the law school library.

Grades

The grades awarded in all courses are indicative of the quality of work done. Their significance in most courses at the University is as follows:

Letter Grade Definitions

A	Excellent	4 grade points per credit hour.
B	Good	3 grade points per credit hour.
C	Satisfactory	2 grade points per credit hour.
D	Barely Passed	1 grade point per credit hour.
F	Failed	0 grade points per credit hour.
CR	Credit	Gives credit for the course but is not computed in the grade point average. CR credit is the equivalent of at least a grade of "C".
NC	No Credit	Not computed in the grade point average.
I	Incomplete	The grade of "I" is given only when circumstances beyond the student's control have prevented completion of the work of a course within the official dates of a session. Courses given a grade of "I" are excluded in the calculation of the grade point average.
AUDIT		Audit is recorded for completion of enrollment in an audited course. No credit is earned for an audit grade option
WP	Withdrawal Passing	Courses given a grade of "WP" are excluded in the calculation of the grade point average.
WF	Withdrawal Failing	A grade of "WF" will be calculated as a failing grade in the student's grade point average.
W	Withdrawal	A "W" grade is used for approved administrative withdrawals.

Computation of Grades

1. Course grades shall be recorded as letter grades in all courses except those courses designated as "CR", "C-", "D+", "D", "D-", "F" or "Credit/No Credit".
2. Each grade shall be assigned a fractionated grade point value. (see *Grade Points below*)
3. Only letter grades shall be computed in determining a student's grade point average, including non-passing grades earned in "CR/C-/D+/D-/F" courses.
4. Grade points - grade points shall be determined in each course by multiplying the numerical value of the grade earned by the number of credit hours for the course.
5. Grade point average - a student's grade point average shall be determined by dividing the total number of grade points earned in all graded courses by the number of credit hours attempted in such courses.

Grade Points: the University of New Mexico utilizes a fractionated grading system. Following are the allowable letter grades and associated grade points:

A+	=	4.33
A	=	4.00
A-	=	3.67
B+	=	3.33
B	=	3.00
B-	=	2.67
C+	=	2.33
C	=	2.00
C-	=	1.67
D+	=	1.33

D	=	1.00
D-	=	0.67
F	=	0.00

Note: "A+" became effective fall semester 1991. An "F+" is not a valid grade.

Grade Point Average: A student's academic standing is referred to in terms of a grade point average calculated by dividing the total number of grade points earned at the School of Law by the total number of graded hours attempted. Courses given a grade of "WP", "CR", "NC", or "I" are excluded in the grade point average calculation.

Grading Practices: Law professors must grade all students in a course using the same grading system. Available grading systems are:

- A. Regular fractionated grading (most law courses)
- B. "CR", "C-", "D+", "D", "D-", "F" (typically "skills" courses, e. g., mediation courses, and designated elective courses throughout the law school)
- C. "CR/NC" (examples of courses designated by the faculty as using this grading system are participation in the New Mexico Law Review, the Natural Resources Journal, and various Moot Court competitions)

Grading Options: Law students must register for courses using the standard GRADING option. Because law professors must grade all students in a course using the same grading system, students do not have the option to take a particular course on a "Credit/No Credit" basis.

Exception: By faculty policy, the only courses where a student is allowed to register using the "CR/NC" grading option are Moot Court competitions and Law Journal courses since these must be graded as "CR/NC".

Some professors, after consulting with the Associate Dean for Academic Affairs, may choose to grade an entire course on a "CR", "C-", "D+", "D", "D-", "F" basis and any necessary grading adjustments will be made at the law school Registrar's Office. This grading system is not the same as "CR/NC". In addition, a student may register for a course as an audit, without credit. The audit card must be submitted to the law school Registrar's Office not later than November 15th for the fall semester and April 15th for the spring semester.

Limited Grading Options: Students will be able, during their law school years, to take up to two designated elective courses on a "CR", "C-", "D+", "D", "D-", "F" basis.

Please note the following:

No required courses are available on this basis (i.e., first year courses, Constitutional Rights, Ethics, and Clinic).

This optional grading system may be selected only in elective courses in which the option is made available by the instructor. A list of elective courses so designated will be available by the beginning of the semester by the Assistant Dean for Registration and Records.

A student may take no more than one elective course under this option during a semester, and no more than two elective courses during the student's law school career.

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In order to exercise this option, a student must complete a grading option card, which is available from the law school Assistant Dean for Registration, and submit it to the law school Registrar's Office no later than November 15th for the fall semester and no later than April 15th for the spring semester. Submission of a grading option card is irrevocable; there will be no exceptions.

Students selecting this grading option will be expected to meet all course requirements, including class participation, examination, papers, etc.

Auditing Law Courses: Law electives may be audited. Students wishing to enroll in a limited enrollment course as auditors are allowed to enroll on a space available basis. An auditor who fails to attend class may be dropped at the instructor's request or a grade of F may be submitted. The fee for audited courses is the same as for credit courses. Audit enrollment receives no credit and is not included in the student's total course load for purposes of enrollment certification, but audited courses are included on the student's transcript. Once a student elects to audit a course, the status cannot be reversed to a grade or credit. Courses taken for audit may be repeated for credit. The deadline for auditing a class is September 17 for the fall semester and Feb. 15th for the spring semester.

Incomplete (I) Grade: According to University academic policy, no "I" grade can be outstanding for a student who is graduating from the University.

Incomplete Course Work

1. The grade of "I" is given only when circumstances beyond the student's control have prevented completion of the course work within the official dates of the semester. Request for extension of time to fulfill requirements of a course is by permission of the professor and are limited to one extension. If the request is granted, the final course grade will go to a "CR", "C-", "D+", "D", "D-", "F".

Incomplete Papers

2. For any course in which a paper is a component of the grade, the paper must be submitted by the due date established by the professor and applicable to all members of the course (which, in any event, must be no later than one week after the last day of the examination period). Requests for extensions are approved by the faculty member and are limited to one extension. If an extension is granted, the final course grade will go to a "CR", "C-", "D+", "D", "D-", "F".
3. Papers written for independent research credit, whether or not in satisfaction of the advanced writing requirement, shall be due no later than one week after the close of the examination period. An extension may be granted by the supervising faculty member, at his or her discretion, and will result in a grade of "I"

If course requirements are not completed within a five month period after receipt of an "Incomplete", credit will not be granted for the course and the Assistant Dean for Registration and Records will submit a grade of "F", unless strong justification has been made by the student to the instructor for a grade of "WP" (Withdraw Pass).

Time Table for Completion of an Incomplete Grade

Term Incomplete was received Date the work must be completed

Fall (December 17th)	May 17th
Spring (May 13th)	October 13th
Summer (July 29th)	Dec. 29th

Submission of Grades by Faculty: Faculty shall submit grades for all courses to the Assistant Dean for Registration as soon as possible but no later than:

1. For classes in which an examination is given, faculty grades will be due 30 calendar days from the day the faculty member receives his/her examinations from the Registrar.
2. If the class is a seminar with a paper, the grades must be submitted within 30 calendar days from the due date for the papers.
3. If the professor requires both a paper and a final examination, the final grades are due 30 calendar days from either the paper due date or from the date the examinations are delivered to the faculty member, whichever is later.
4. All clinic grades will be due one business day before the first day of the following semester of summer term.
5. The grades are due in the Registrar's Office no later than 5:00 p.m.

Late Submission of Grades by Faculty

(No exceptions will be made except with the approval of the Dean for good cause shown which is normally construed as circumstances unanticipated and beyond the control of the faculty member. The affected students will be notified of any exceptions permitted by the Dean and the reason why the professor has requested the extension if the Dean concludes that such action is appropriate.

Monetary fines for the submission of late grades without an extension will be \$25 per class per day or any portion of a day that grades are late. The Dean, however, may take into consideration the fact that a faculty member has not submitted grades in compliance with this policy and without obtaining an extension or has not paid fines that have been imposed when determining a faculty member's eligibility for summer research grants, reimbursement for professional travel, and any requests for course release or sabbaticals.

Grade Notification: Students log on to the Lobo web to receive their grades.

Bar Graph/Rank: The School of Law does not provide an academic rank order of students. Rather, a bar graph (numerical grouping of grade point averages) is utilized to illustrate a student's academic standing in relation to the other members of the class. The graph is updated at the conclusion of the fall and spring semesters.

Review of Grades: Students are prohibited from discussing their examination, examination number, or grade with a professor prior to the time grades have been submitted for posting. After grades have been submitted, a professor may change a grade only after he/she has determined that a mathematical, transpositional error, or other similar event not involving the exercise of discretion in grading, has occurred in the grading process and the change is approved by the Associate Dean for Academic Affairs.

Grade Change Deadline: Any change in grade must be reported within 12 months after the original grade was issued and prior to graduation. Otherwise, the grade stands as originally reported. No grades can be changed upon graduation.

Student Objection to Grade: When a student has questions about the grade he or she received on a paper or in a course, the student should first talk with the professor. If the matter is not thereby resolved, the following procedure is to be followed:

The student may confer with the Dean, who will seek to work the matter out.

After conferring with the Dean, the student may formally question a grade by filing a written notice with the Dean. On receipt of the notice, the Dean will appoint two or more faculty members as a committee to make a recommendation. The Committee may seek advice inside or outside of the faculty. If, after considering the Committee's recommendation, the Dean believes a change in grade should be made, he/she shall confer with the full faculty before acting.

Because of the position, the Dean represents both students and faculty in such matters, and he/she has a broad responsibility and authority. Any decision made pursuant to this policy shall be reviewable by the President and the Regents of UNM. Specific details on this review process may be found in the current UNM Pathfinder. Also, refer to Student Standards and Grievance Procedure on page 45.

Limitations on Repetition of Courses

In order to assure educational value in classroom courses and the clinical field experience, the following regulations have been adopted:

Classroom Courses

1. No student shall repeat the same course without the prior written permission of the Associate Dean for Academic Affairs based on a finding of substantial educational value. The Associate Dean shall inform the Assistant Dean for Registration and Records that approval has been granted.
2. No student shall repeat the same course more than once.
3. When a student is granted permission to repeat a course he/she will receive credit only once. However, **all attempts** and **all grades**, are computed in the student's Grade Point Average.

Externships: Law Practice, ADR, and Judicial externships do not fulfill the clinical requirement. A student shall be allowed to take a maximum of one externship, which has been approved by the Associate Dean for Academic Affairs. A student must complete the first-year required curriculum to be eligible to enroll in an externship. To represent clients in court, a student must have completed 30 hours of course work prior to the externship and be supervised by a New Mexico licensed attorney.

Exception: Students who have already taken one externship will be allowed to take up to three additional hours of credit for an approved second externship if they:

1. Submit a written proposal for the externship to the Associate Dean for Academic Affairs and are granted an exception to the current policy. The proposal should (a) identify the externship; (b) explain the reasons for the additional externship and demonstrate its educational benefit; (c) describe the expected academic written work product.
2. Produce, as a result of the externship, an academic written work product which will satisfy the Associate Dean for Academic Affairs.

No student shall repeat a law extern or judicial extern course under the same supervising attorney, law firm, agency, or judge.

A student may not take a second externship during his/her semester of clinical practice or in the same semester as the first externship. The Student Practice Rules apply to all externships. The Associate Dean of Academic Affairs will be available to consult throughout the program. The student's externship supervisor should meet with the student at the beginning of the semester and is responsible for collecting the externship paper at the end of the semester.

Externship Compensation: A student may not receive compensation for an externship program for which they receive academic credit.

Course Enrollment Outside of Law School

Up to six credits in 500 level courses in other colleges of this University or other fully accredited institutions of higher learning may be taken for elective law credit after enrollment in the School of Law. The "Approval Form for Course Taken Outside the Law School" must be completed and approved in advance by the Assistant Dean for Registration. If a grade of "C" or better is received in such a course, "CR" will be entered on the law school academic record, and the appropriate number of credit hours will be counted toward the law school's degree requirement of 86 hours. If a grade of "C-", "D+", "D", "D-", "F" is received, the grade will be entered on the academic record and calculated into the student's grade point average, but credit will not count toward the degree requirements.

Permission of the instructor is required for any course taken outside the law school for elective law credit, and the student must undertake the responsibility of resolving any conflict of law school class meeting or examination schedules with the class meeting and examination schedule in such an elective course.

Credit will not be given for law school work completed in another non-law graduate program prior to matriculation in the UNM School of Law.

Independent Research

A student and full-time law school faculty member may agree to an independent research project for one, two, or three hours of credit. The student will meet with the faculty member regularly during the completion of the project to review the work being done. A written product normally is expected, but its length and content shall be determined by the supervising faculty member. It is the responsibility of the student to confer with the supervisor concerning the progress of the research before the deadline.

Enrollment for independent research is completed by registration in Independent Research (Law 594) and submission of the approval form for independent research of a program approved in writing by the supervising law school faculty member. This form must be submitted to the law school Assistant Dean for Registration by the end of the second week of classes in any semester.

No student may receive more than a total of six hours of independent research credit during his or her law school career, except with permission of the Associate Dean of Academic Affairs.

The written product of independent research may satisfy the student's writing requirement for graduation as defined by the School of Law policy on the *Advanced Writing Requirement* (page 9).

Limitation: Independent research programs are not intended to serve as substitutes for courses given at the law school. Accordingly, credit may ordinarily not be earned for study in subjects that are covered in classes that have been, are, or will be available to students during their law school careers. This rule does not apply to the following circumstances: (a) the subject matter of the proposed program is not available in the law school curriculum, or (b) the student has registered in the course covering the subject matter, but has been excluded from it because of class size limitations and will not have another opportunity to enroll in that or another course covering the subject matter of the proposed program, or (c) the student has taken, or is taking, a survey or introductory course in the area, and wishes to do advanced work which is not made available in the curriculum.

No credit shall be given for previously completed work, for paid work, or for work for which credit has been or will be given by any other faculty member. Permission for any exception to this rule must be obtained from the Associate Dean for Academic Affairs. (see page 38, Dishonesty in Academic Matters)

Policies currently governing completion of examinations and papers for courses and seminars apply to independent research.

A faculty member teaching a normal load is permitted to supervise a maximum of six credits per semester of individual research, unless the Dean makes an exception. Independent research will be graded on the basis of "CR", "C-", "D+", "D", "D-", "F".

Compensation for Coursework

A student may not receive compensation for any coursework (including Independent Research and Externships) for which he or she receives academic credit.

Dishonesty in Academic Matters

Each student is expected to maintain the highest standards of honesty and integrity in academic and professional matters. The School of Law and the University reserves the right to take disciplinary action, up to and including dismissal, against any student who is found guilty of academic dishonesty or otherwise fails to meet these standards.

Academic dishonesty includes, but is not limited to, dishonesty in quizzes, tests or assignments; claiming credit for work not done or done by others; and nondisclosure or misrepresentation in filling out applications or other university records.

Students at the School of Law are governed by the *Student Code of Conduct*. Please refer to Appendix A for the complete policy statement.

Student Papers require a student's original research and writing. Without advanced approval from the course instructor(s), papers may not have been prepared for other classes, nor simultaneously submitted to another class, nor have been written in other settings. If there is any question concerning the applicability of this policy, students should fully explain the issue to the course instructor(s). When it is determined that a student has committed an act of academic misconduct, whether or not grades for that course have been turned in by the professor before the violation became known, the student shall be given a grade of "F" for the course.

If a professor suspects or discovers a student has committed plagiarism (as defined in the Student Honor Code, see Appendix A), and due to the severity of the plagiarism, should refer the matter to the Dean and Associate Dean for Academic Affairs for determination of the matter. The Dean and Associate Dean for Academic Affairs may either determine the outcome of the discovery under the Professional Good Standing policy, or conclude that the matter be referred to the SBA Honor Board.

Other sanctions may be imposed by the Dean as defined in the Professional Good Standing clause (page 27) or by the SBA Honor Board, if the matter is referred to that governing body.

Use of Journal Case Notes: No student may fulfill a seminar, individual research, or class paper requirement by submitting materials **substantially similar** to materials prepared for the *Natural Resources Journal*, *New Mexico Law Review*, or the *Tribal Law Journal*

Policy on Academic Retention and Suspension.

Maintenance of Grade Point Average

1. To be in good academic standing with the law school, a student must maintain a cumulative grade point average of 2.00.
2. Any student whose cumulative grade point average falls below 2.00 shall either be placed on probation or suspended.

Automatic Probation

1. A student whose cumulative grade point average falls within any of the following categories shall be placed on probation without further action:

<u>Credit Hours</u>	<u>Cumulative Grade Point Average</u>
0 - 16	1.67 - 1.99
17 - 38	1.84 - 1.99

2. No student whose grade point average falls below 2.00 after he or she has attempted 39 credit hours shall be granted automatic probation under this section. Such student must petition the Committee on Student Suspension, Retention, and Readmission (hereinafter "Committee") for relief from suspension in order to be granted probation.
3. A student placed or continued on automatic probation shall receive notice in writing from the Dean or the Dean's designee that he or she has been placed on continued academic probation.
4. Students on probation shall contact the Assistant Dean for Student Services to develop a plan for academic success in cooperation with the Committee on Academic Support. The Chair of the Committee on Academic Support will review and approve each student's plan for academic success. The student must follow the plan for academic success, and any other recommendations of the Committee on Academic Support, or its Chair. In addition, the Chair of the Committee on Academic Support, in consultation with the Assistant Dean for Student Services, must approve the course schedule of each student, in writing, and no changes may be made to that schedule without written approval of the Chair.
5. Any student placed on academic probation is not allowed to work.

Suspension

1. Any student whose grade point average falls below 2.00 and who does not qualify for automatic probation under the provisions, or who withdraws, or has been withdrawn by administrative action from law school, or fails to return for a new semester while on probation, shall be placed on suspension.
2. The Dean or the Dean's designee shall notify in writing any student who has been placed on suspension. Such notice shall specify the student's right to petition for relief from suspension and shall contain a copy of this policy.
3. Any student whose grade point average falls below 1.5 in the first semester is strongly discouraged from petitioning for relief from suspension in the Spring semester.
4. A student who is suspended shall contact the Assistant Dean for Student Services to develop a plan for academic success.
5. The suspension shall become effective if no petition for relief from suspension is received within the time specified herein, or upon final action of the Committee, the Dean, or the faculty as provided herein, whichever is later.

Committee on Student Suspension, Retention and Readmission

1. At the beginning of each academic year, or as soon thereafter as practicable, the Dean shall appoint a Committee on student Suspension, Retention and Readmission (hereinafter "Committee").
2. The Committee shall be comprised as follows:

- a. Five full-time members of the faculty;
- b. Two students. The Dean shall appoint the student members of the Committee after consultation with the president of the Student Bar Association, student representatives, and leaders of student organizations. A student must be in good academic standing (2.00 cumulative g.p.a.) to serve on the committee.
- c. Any student who petitions for relief from suspension as provided herein shall have the right to disqualify the student members of the Committee and to have his or her petition considered only by the faculty members of the Committee.

Petition for Relief from Suspension

1. Any student who has received notice of suspension may submit a written petition requesting that he or she be placed on probation. A student, however, who has previously filed three unsuccessful petitions for relief from suspension may not file any further petitions for relief from suspension.
2. The petition shall be submitted to the Associate Dean of Academic Affairs and the Assistant Dean for Registration and Records within ten (10) days from the date of the notice of suspension. The Associate Dean of Academic Affairs may, for good cause, extend the time for submitting the petition.
3. Any student who fails to file such a petition within the foregoing time limits may thereafter submit such a petition no later than 45 days prior to the beginning of any semester in which he or she desires to be placed on probation.
4. The petition shall set forth the following:
 - a. Any factors that the student believes may have contributed to his or her unsatisfactory performance;
 - b. The student's assessment of the likelihood that such factors will continue in the future;
 - c. Any contemplated changes in the student's study, work or extracurricular activities which might affect his or her law school performance.
5. The student shall sign the petition.
6. Any willful misrepresentations contained in the petition will be deemed violations of the Professional Good Standing policy and the law school honor code. The violation will be referred to the Committee for determination of the matter. The Committee may either determine the outcome of the discovery under the Professional Good Standing policy, or conclude that the matter be referred to the SBA Honor Board.

Consideration of Petition

1. Upon receipt of a petition for relief from suspension, the Assistant Dean for Registration and Records shall forward it to the chair of the Committee who shall convene a meeting of the Committee as soon thereafter as practicable. The chair shall notify the student in writing of the time and place of such meeting. In addition, such notice shall advise the student that he or she may:
 - (a) make a personal appearance before the Committee;
 - (b) submit any additional written or documentary evidence that he or she considers relevant to the matter; and,

- (c) bring any person before the Committee who they feel can provide relevant information concerning the matter.
- 2. A quorum of the Committee shall consist of five members, at least one of whom shall be a student, unless the petitioning student has disqualified the student members of the Committee pursuant to paragraph three under the Committee on Student Suspension, Retention and Readmission, in which case a quorum shall consist of four members.
- 3. In the event the Chair is unable to assemble a quorum for the consideration of the petition, the Chair shall appoint, on a *pro tempore* basis, as many additional members as is necessary to constitute a quorum.
- 4. Prior to the meeting the members of the Committee shall endeavor to consult with as many of the student's professors as possible in order to determine, including but not limited to: the student's classroom performance, attitude and attendance record, and the professors' general impressions of the student's probability of successful completion of law school.
- 5. The Committee shall consider the following, in addition to any other information deemed relevant by any member:
 - A. The information set forth in the student's petition;
 - B. Any additional information submitted by the student;
 - C. Any written or oral statement of any person offered by the student;
 - D. Information provided by any professor pursuant to paragraph four;
 - E. The student's grades in all law school courses attempted;
 - F. The student's submission of or compliance with his or her plan(s) for academic success.
 - G. The extent to which the student's grades have improved or declined compared to previous semesters;
 - H. Any relevant information contained in the student's application for admission to law school, including LSAT score(s) and undergraduate record.
- 6. If, at the conclusion of the presentation of the foregoing information, a majority of the Committee determines that additional information is necessary to resolve the matter, the meeting will be continued pending the receipt of such additional information.

The Committee Decision

- 1. Following receipt of all relevant information, the Committee shall meet in executive session to make its decision.
- 2. The Committee's decision shall be made by a majority of members present.
- 3. If a majority of Committee members present determines, on the basis of all the information presented, that the student if placed on probation is likely to complete law school successfully within a reasonable period of time, the student shall be placed on probation. The Committee shall specify that such probation shall be unconditional or subject to such conditions as the Committee deems appropriate.

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4. If a majority of Committee members present determines, on the basis of all the information presented, that the student if placed on probation is not likely to complete law school successfully, the student shall be suspended. The Committee shall either suspend or continue the suspension of the student indefinitely or for a specified period of time not to exceed one year.
5. In the event of a tie vote the student shall be placed on probation either unconditionally or subject to such conditions as the Committee deems appropriate.
6. The factors that have traditionally been discussed in connection with student petitions are to be considered only if they are relevant to the ultimate question of the student's successful completion of law school. The following summary of relevant considerations from past faculty deliberations on suspension questions are offered as a guide to the Committee and student petitioner:
 - A. An improvement or decline in the student's academic performance may be relevant to the extent that it indicates the cause of the student's difficulties. Improvement may in an individual case show that the student has overcome impediments in the form of inadequate preparation for law school or the adverse effects of personal difficulties encountered in an earlier semester. Conversely, a marked decline in performance from that of previous semesters may indicate that personal difficulties which are on the record were the cause in fact of the student's academic performance.
 - B. The Committee's determination of the student's successful completion of law school will require it to explore and evaluate the causes of the student's difficulties. Personal difficulties should be taken into account to the extent that the Committee is persuaded that such difficulties were a cause of the student's academic performance. The Committee must also consider whether such personal difficulties are likely to present similar problems in the future.
 - C. An explanation by the student that the inadequate performance was caused by poor study habits, poor attitude, or external commitments, presents factual questions which must be resolved by the Committee. The Committee must determine whether it is likely that such a change will be sufficient to allow the student to raise his or her grades to a passing average.
 - D. The student's academic ability is always relevant to the issue of ultimate completion of law school.
 - E. Use of preadmission predictors must be carefully circumscribed so as not to undercut the admissions policies of the law school. Those predictors may be relevant to a determination of whether the student has had sufficient time to adjust to the demands of law school.

Review of the Committee Decision

1. A student aggrieved by the decision of the Committee may appeal such decision by filing a petition for review with the Dean within five days after notification of the Committee's decision.
2. The petition for review shall allege that the Committee's decision is clearly erroneous and shall specify the manner in which the decision is clearly erroneous.
3. The Dean shall consider the decision of the Committee to be presumptively correct. If the Dean determines that the Committee's decision is not clearly erroneous, he or she shall affirm the decision as final. If the Dean determines that the Committee's decision is clearly erroneous, he or she shall either remand the matter to the Committee for reconsideration or present the matter to the faculty for decision.
4. The faculty shall apply the standard set forth in Section 5, under Consideration of the Petition, and Section 6, under the Committee Decision in making its decision.

ATTENDANCE AND CLASSROOM STANDARDS

Class Attendance Policy

The Faculty reaffirms that it is the policy of UNM School of Law that students must be in “regular and punctual class attendance” in courses in which the students are registered, including Clinic office hours. Each faculty member is authorized to enforce this rule in any manner that the faculty member deems appropriate including, but not limited to, assigning a failing grade in the course, assigning a lower grade for the course, or requiring a student to withdraw from the course with a grade of “WP” or “WF”, so long as the attendance requirements, the manner of taking attendance, and the penalties for excessive absences are clearly stated by the faculty member during the first week of class.

In the case of an illness or emergency, students should contact the law school Assistant Dean for Registration and Records, who will notify the student’s instructors. The student is responsible for arranging for missed assignments, etc.

Under certain circumstances of prolonged illness, or emergencies of a personal nature of a month or more in duration, a student, in good academic standing, is encouraged to take a leave of absence.

Weather Policy

Should the weather become bad enough to cause a delay or school closure, the University will provide information to the local media, and place on UNM’s “Snow Hotline,” 277-SNOW. During the regular semester, if the University is on a two-hour delay, then all law classes will commence on a two-hour delay. **As the law school operates on a different time schedule than main campus, a two hour delay declared by the University means that law school classes will commence two hours later according to the law school time frame.** Morning classes (a whole class or a portion of the class) affected by the two hour delay will be cancelled. Classes will begin starting at the next regularly scheduled time block on the law school schedule. For specific times on the snow day or any other announced delay, call the law school front desk at 277-2146 or check the law school web site. If a school closure should occur, all law classes will be cancelled.

Examination Period: if there is a delay or closure during examinations, the following procedures will be observed:

Delay: if on a two-hour delay, morning examinations **will begin at 10:00 a.m.** The afternoon examinations will begin at the regularly scheduled time of 1:30 p.m.

School Closure: If a school closure should occur, the exams scheduled for that day will be rescheduled as “Self Scheduled Exams”. The student will schedule the exam with the law school Assistant Dean for Registration. The exam may be scheduled during the time remaining in the examination period and/or up through the first two weeks of school of the following semester.

Road Conditions Outside Albuquerque: Given the geographic location of areas outside the city of Albuquerque that may have hazardous weather conditions occurring that are not occurring in the city, students should notify the Assistant Dean for Registration and Records that they are unable to safely travel to school for an examination. Such geographic areas include the east side of the Sandia Mountains, north to Santa Fe, south to Belen or Los Lunas, and west towards Grants. In such a case, the student will take the examination the next day or as soon as weather conditions permit the student to safely travel to school. The examination will NOT be placed on a late exam basis.

Jury Duty

Occasionally a student is summoned for jury duty. If the summons is for a time period which is inconvenient (e.g., during final exams), the Assistant Dean for Student Services may request that the

court excuse the student from that particular panel and reassign the student to a later panel at a more convenient time. See the Assistant Dean for Student Services for assistance.

Leave of Absence or Reduction in Course Load

It occasionally becomes necessary for a student to interrupt or reduce his or her legal studies because of illness, financial, or other personal problems. A student finding him/her self in such a situation should consult the Associate Dean for Academic Affairs or the Assistant Dean for Registration to identify various alternatives and possible actions which would assist the student. The permission of the Associate Dean for Academic Affairs is necessary to either reduce a semester course load below 12 hours (unless it is the student's final year) or to take a leave of absence from the School of Law.

Classroom Conduct

The instructor is responsible for all classroom conduct, behavior, and discipline. Any action that would disrupt or obstruct an academic activity is prohibited.

Classroom Use

Use of School of Law classrooms or other facilities during scheduled activities is limited to enrolled students and University personnel. Use of these facilities during nonscheduled periods should be arranged with the front desk receptionist of the School of Law. UNMSOL is a non-smoking facility.

Building Use After Hours

The School of Law maintains regular business hours that are posted at the entrance of the library as well as on the library web site (www.lawlibrary.unm.edu). Normally during the examination period there are expanded hours to afford students adequate time each day to study and to conduct research for term papers.

The doors to the law school will be locked by campus security at closing time. This is to ensure the safety all individuals using the law school facility. When the building is closed, all students must leave the law school. Staying in the building overnight is prohibited. If a student is asked to leave the building by a security officer or by law school personnel, that student shall leave immediately. Failure to comply with this policy will be dealt with by the law school administration.

Smoking Policy

Bratton Hall, the location of UNM School of Law, is a smoke-free building. There are designated smoking areas located outside of the building.

Tape Recording of Classes

A student may record a class solely at the discretion of the faculty member teaching the class. Students wishing to have the Media Center tape a class must first secure the professor's permission and then make a request with the Media Center (<http://cdlaw.unm.edu/>).

STUDENT GRIEVANCES

There are a variety of policies that address student issues. This section is designed to identify some of them. Matters of concern to students that do not fall under the provisions of the Student Honor Code or other specific processes described in this publication should be brought to the attention of the Dean or one of the Associate Deans.

Rights and Responsibilities at the University of New Mexico

The purpose of this statement is to help clarify relationships between the Regents and the Administration, Faculty, and Students of the University. It is a statement of the kinds of conduct that will lead the University into disciplinary action. This refers to behavior which adversely affects the University's educational function, disruption of community living on campus, or interference with the rights of others to the pursuit of their education or to conduct their University duties and responsibilities. This specific policy may be found in the current *UNM Pathfinder* (<http://pathfinder.unm.edu/>).

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972. The purpose of this policy is to foster dialogue, and take action to prevent, correct, or discipline behavior as delineated in the policy. This specific policy may be found in the current *UNM Pathfinder* (<http://pathfinder.unm.edu/>).

Student Employee Grievance Procedure: This policy provides a due process mechanism for all student employees when a grievance results from a violation of University policy which adversely affects a student employee (termination without correct procedure, etc.). This specific policy may be found in the current *UNM Pathfinder* (<http://pathfinder.unm.edu/>).

Student Grade Grievance Procedure: The School of Law policy describes the procedure to be followed when a student objects to a grade. See *Student Objection to Grade* (page 35).

Student Standards and Grievance Procedure: This policy is used for resolution of disputes between students and faculty or staff of the University as well as procedures for handling disciplinary matters. This includes academic disputes, disciplinary matters brought against students, academic record disputes such as grades, dishonesty, enrollment or disenrollment or withdrawal. This specific policy may be found in the current *UNM Pathfinder* (<http://pathfinder.unm.edu/>).

Exceptions: Academic dishonesty disputes involving students of the School of Law are handled either by administrative action under the Professional Code of Conduct (page 27), Dishonesty in Academic Matters (page 38), and/or by the *Student Code of Conduct* found in Appendix A.

Academic record disputes involving students of the School of Law are handled by the policy on Student Objection to Grade (page 35).

In cases of disciplinary violations that violate the law school's *Student Code of Conduct*, the law school *Student Code of Conduct* shall apply (see Appendix A).

Discrimination Complaint Procedure: provides a mechanism by which all members of the University community can have allegations of discrimination heard, investigated and resolved with fairness and objectivity and without fear of reprisal. This specific policy may be found in the current *UNM Pathfinder* (<http://pathfinder.unm.edu/>).

Additional University Policies. These additional University policies may be found in the Appendix of the current *UNM Pathfinder* (<http://pathfinder.unm.edu/>).

- Policy on Illegal Drugs and Alcohol
- Resolution on Alcohol Marketing on the Campus
- Ethics Code and Policy for Computer Use
- Demonstrations and Assemblies
- Policy on Academic Dishonesty
- Facilities Use
- I.D. Card and Student I.D. Number

Mall Use/Time, Place and Manner of Public Expression
Mall Amplification Policy
Policy on Outdoor Vendors
Student Union Building: Prohibited Conduct
Off-Campus Speakers Policy
Outdoor Entertainment
Resident Status in New Mexico
Military Withdrawal
Telephone Policy
Smoking Policy
Weapons Policy

FINANCIAL AID AND EMPLOYMENT

Sources of financial aid include **loans, grants, and work/study employment**. Most financial aid is need-based and must stay within a cost-of-education budget that is determined by the UNM Financial Aid Office. Detailed information on financial aid procedures and answers to frequent questions may be received from the UNM School of Law Financial Aid Office or the Assistant Dean for Admissions & Financial Aid.

The law school's policy regarding student financial aid and employment is as follows:

Grants

The Law school shall award grants on the basis of need.

Applications for grant assistance will be made on line at the Need Access website (www.accessgroup.org). This application requires a detailed disclosure of a student's financial circumstances. The application also requires a financial statement from the applicant's parents or a certification of financial independence form. In making financial aid awards, the Financial Aid Committee will consider parents' financial resources and ability to assist the applicant.

Employment During Law School

Law students will be permitted to hold employment during the academic year only within the following limitations:

First-Year Students: No more than fifteen hours a week per semester so long as the student is in good academic standing. Due to the intensity and importance of the first semester curriculum, UNMSOL **strongly recommends** that students refrain from any employment during this semester. Students who decide to work must attend a counseling session with Career & Student Services prior to the second week of law school. The exception to this policy is students who have been granted permission to be on the Flexible-Time Legal Education Program.

Second-and Third-Year Students: No more than twenty hours a week so long as the student is in good academic standing. Students participating in the Flexible-Time Legal Education Program are not bound by the work rules.

At the beginning of law school, all law students must file a certification form, which acknowledges their understanding of the School's employment policy. Violation of the work policy can result in administrative sanctions including a formal entry into the student record, reduction in credit hours, and suspension.

Short-Term Loans

Short-term loans are available in small amounts to meet emergency needs. If a student needs a loan or has questions or problems about any aspect of financial aid, the law school Assistant Dean for Admissions & Financial Aid, should be consulted.

LAW STUDENT SERVICES

Academic Support Programs

There are a number of academic support programs designed to help students adjust to the first year of law school. Tutorials in each substantive course are available to first-year students. Tutors are chosen from among outstanding upper-class students. Also, Career & Student Services coordinates the advisement program and assists all students with making course selections while in law school. For assistance with advisement or counseling on any aspect of your law school experience, contact one of two attorney-counselors in the Student Services office, located in the northwest corner of the Fred Hart Wing or call 277-0028.

Career & Student Services

Career & Student Services supports students and graduates of the UNM Law School with their professional development. The office does this through confidential direct, one-on-one career counseling. It also sponsors programs throughout the academic year to enhance job interviewing, resume and other writing skills. It offers opportunities for students to connect with attorneys and judges through mentoring, programs in particular legal practice areas, career fairs and on-campus interviews.

The office has information about clerkships, advanced legal education, summer programs, fellowships, moot court competitions and writing competitions. The Career & Student Services staff is also available to help students with academic concerns while in law school, and provides administrative support to student organizations.

Sometimes UNM Law Students find themselves in personal difficulties that can interfere with their law school experience. Such things as financial, emotional, legal and family difficulties can be addressed if students will approach the school to seek assistance. Students are encouraged to contact the Office of Career and Student Services whenever they have need for any type of counseling. Students can speak in confidence to Career and Student Services staff, who will assist the student directly or refer that student to the appropriate resource inside or outside the law school.

Stress Management

University Mental Health Services at the Student Health Center on Main Campus provides assistance with problems, such as stress management and anxiety that interfere with successful functioning. They also provide other psychological services. Students may make arrangements for services by calling 277-4537, Monday through Friday, 8:00 AM - 4:00 PM.

Enrollment Certification

Individuals, institutions or organizations request enrollment certifications for information related to a student's past or current enrollment. Information requested normally takes the form of validation of confirmed degrees, dates of attendance or future enrollment or whether a student is part-time or full-time.

UNM School of Law Registrar's Office will produce a standardized enrollment certification letter validating a student's status for the current semester and any past semester upon written request. UNM does not certify enrollment prospectively, but only retroactively. Courses taken in Audit status are not included in total course load for purposes of enrollment verification.

Bookstore

Booklists are prepared prior to each semester and are available on the UNM Bookstore web page: <http://bookstore.unm.edu/>. The UNM Bookstore has a Medical/Legal Branch that stocks all law textbooks and materials. The Medical/Legal Bookstore (277-5827) is located directly south of the law school on the Medical School campus. In addition to those items on hand, the Bookstore can special-order books for students. The Main Campus Bookstore (277-5451) carries additional supplies, and

non-law books. It is possible to arrange, in advance, a Bookstore charge for those students who are waiting for financial aid checks. If arranging credit, it is best to stop by the Medical/Legal Bookstore before school begins to complete a credit application.

Computer Use

Computers: Use of the law school computer equipment is subject to UNM Business and Regents' policies, New Mexico State Law and United States Federal Law. The University Business Policies and Procedures Manual, provides guidelines for computer use by students, faculty and staff. Section 2500 documents overall acceptable computer use and includes "Computer User Guidelines" (Policy 2510) and "Computer Security Controls and Guidelines" (Policy 2520). The manual in its entirety is located on the UNM web site at: <http://www.unm.edu/~ubppm>.

The following are summaries from the guidelines:

- The use of University computing services is a **privilege**. Users who have been granted this privilege must use the services in an appropriate, professional, ethical, and lawful manner. **Any use of email deemed to violate University or Law School policies by the administration may result in loss of computer privileges.**
- If a user violates federal or state law or University policy by misusing University computing services, the user may lose the privilege of computer use
- Examples of misuse include but are not limited to:
 - ★ attempting to defeat or circumvent any security measures
 - ★ using computing services for unlawful purposes including fraudulent, threatening, defamatory, harassing, or obscene communications
 - ★ invading the privacy rights of anyone
- A password is a security measure designed to prevent unauthorized persons from logging on with another person's computer account. Users should create passwords carefully and handle them with care and attention.
- Electronic communications include information in any form such as data, audio, video, and text that is conveyed or stored electronically, for example, by email, web pages, and in files. The following types of communication are prohibited:
 - ★ chain letters, pyramid schemes, and unauthorized mass mailings
 - ★ fraudulent, threatening, defamatory, obscene, harassing, or illegal materials
 - ★ non-work or non-class related information sent to an individual who requests the information not be sent
 - ★ copyright law violation
 - ★ commercial or personal advertisements, solicitations, promotions, destructive programs, or any other unauthorized use

In summary, UNM computer networks, systems and computers cannot be used for personal gain that includes spamming (sending email to get business) or creation of a web page for commercial use. Access to computing and networking resources, including email, is a privilege and not a right. The privilege can be suspended or revoked in the event of misuse or abuse of resources. Any action that is illegal without a computer is also illegal with a computer, such as harassment, copyright violations, theft or fraud.

Specific law school computer account guidelines can be found on the law school intranet:

<http://lawschool.unm.edu/lobolaw/it/accounts/index.php>.

Law School Computer Accounts: An account is created automatically for every law student upon entry into law school. It is a violation of the law school computer use policies for anyone except the authorized account holder to use a law school account. Don't use another person's account or give another person access to your account. Giving your password to anyone poses a security breach for the entire network. Such a breach may result in administrative disciplinary action, such as but not limited to professional probation, or expulsion from the law school.

Accounts are deleted upon termination of employment, graduation, or students not enrolled. Graduates are given a grace period to study for the bar. May graduate accounts are deleted on

August 1st. December graduate accounts are deleted on March 1st. Summer graduate accounts are deleted on November 1st. Dual degree students do not retain their law school accounts past these dates.

Required Laptop Computers: All incoming first-year law students are required to purchase a laptop computer. Students are required to see the Assistant Dean for Information Technology for specific information on the laptop specifications. For further information, go to: <http://lawschool.unm.edu/students/IT/Laptop-specifications.php>.

Network Printing Policy: All currently enrolled students, who have paid the Technology Fee, are given a print account credit of 600 pages per semester to the network laser printers.

Students are charged \$.05 per page for each page printed over the allotted 600 pages.

Students are not charged for poor quality print outs that are the result of printer/computer malfunction, low toner, or damaged paper. Students are not charged for printing in connection with various exemptions, such as research for a School of Law faculty member, clinic work, and similar tasks. The Information Technology department provides detailed information about policy and procedures for printing each semester.

Student Computer Workstations: Computer workstations dedicated to law student use only are located on the lower level of the Law Library. Current access information and policy statements governing use of these workstations is maintained on the Intranet.

Laptops and Network Access: Wired and wireless networking is available throughout the law school building. Students with laptops may access the law school network and shared resources such as network printers but must be running antivirus software with current virus definitions to do so. Laptops exhibiting virus activity may be blocked from use on the law school network. Instructions for accessing the law school's wireless network can be found on the lobo law intranet.

Email Quota: Students are allocated 50 MB of email storage and will be notified via an email from the system administrator when the mailbox becomes close to the email quota. If a mailbox reaches 45 MB, no email can be sent and at 50 MB, no email can be sent or received.

Email Lists

Official Law School Announcements: Students are automatically enrolled in a moderated listserv, Students, used to communicate information about official law school activities i.e., student organization event announcements, official law school notices, and law school deadlines. Email addressed to "students" will automatically be sent to the list administrator for approval. Messages are approved and sent within 24 hours if the content is appropriate for the list. Students may not opt out of the Students listserv and are responsible for reading any message originating from the Students listserv.

Informal or Unofficial Notices: An optional listserv, Student_forum, is dedicated for use by students to post commentary, publicize non-official gatherings, or make other general announcements to other students. The only non-student with access to this list is Assistant Dean of Information Technology, Cyndi Johnson, the listserv administrator. Student_forum is an "opt out" distribution list; all students are automatically enrolled and may email to the list. Students may request removal from the list. Only students may post to this list; faculty, staff, and off-campus access is restricted. University and Law School email policies apply to the student_forum listserv. (see page 48)

Emergencies

If an emergency arises and a law student must be located, the law school Assistant Dean for Registration is the appropriate person to initially contact. Please use the main law school telephone number (277-2146) as your emergency contact number. Someone in the Registrar's Office will look up the student's class schedule and attempt to locate the necessary individual as quickly as possible. Obviously, if the location of the student is already known, the caller should let us know. If we are unable to locate the student, a message will be left in the student's mailbox and an email message will be sent to the student. Please **do not** contact the Circulation Desk of the Law Library in emergency situations during business hours (8:00 AM - 5:00 PM). Law Library personnel do not have the information required to determine a student's potential location.

Health Care

The Student Health Center is located on Main Campus. For students taking over six credit hours medical visits are prepaid from an allocation from student fees. Students with fewer than six hours pay a fee for office visits. Fees for lab tests, x-rays, and procedures are less than community rates. An urgent care clinic is available, but most visits are by appointment. A student I.D. is required. The SHC is open from 8:00 am-5:00 pm, Monday-Friday, for appointments. The urgent care clinic operates from 8:00 am-8:00 pm, Monday-Friday and 10:00 am-6:00 pm on weekends. There is also a pharmacy in the Student Health Center. The pharmacy fills prescriptions from all New Mexico licensed physicians. The pharmacy will call your out-of-state physician for some prescriptions. Also in the same facility is the Student Mental Health Service. Mental Health offers counseling, psychotherapy and referral services for individuals, couples and groups. Any student taking at least six credit hours may use the services. The first two visits are without charge; additional visits are low cost. Counseling is provided on both an appointment and emergency basis. The Crisis Center at 2600 Marble NE (843-2800) may be used for emergencies past 5:00 pm and on weekends. Visits are confidential.

Law School Communication

The law school communicates with students through email and the student mailboxes. Student messages and official law school notices are distributed by email. However, student mail, and some messages and notices are placed in the student mailboxes located in the back hallway (across from classroom 2405) of the law school. Thus, it is important that students check both their email and student boxes on a regular basis. **Note:** Confidential information (such as academic records, returned class papers, returned in-class exams, and exam numbers) are **not** sent by email or delivered to student mailboxes. The student is notified that the information is available from the Registrar's Office.

Parking

All weekday University parking requires a paid UNM parking permit. A few metered spaces are also available. Permits for disabled students can be secured with a letter from the Student Health Center for special zone parking. Cars parked illegally will be ticketed and/or towed. Motorcycle permits are also available for special zone parking. It is a violation to transfer, sell or give your permit to another individual. Check with the Parking and Transportation Services web site for specifics. Additional information is available from Parking Services at 1621 Central Ave. NE (277-1938).

Veterans Affairs

UNM is approved for certification of students eligible to receive educational assistance from the Veterans Administration. If you are eligible, please report to the UNM Veterans Affairs Office, Student Services Center, Room 263 after registration is completed and you have verification of your classes so that your educational benefits can be started or continued. For more information call 277-3514.

EQUAL EDUCATIONAL OPPORTUNITY POLICY

UNM is committed to providing equal educational opportunity and forbids unlawful discrimination on the basis of race, color, religion, national origin, physical or mental handicap, age, sex, sexual preference, ancestry, or medical condition. Equal educational opportunity includes: admission, recruitment,

extracurricular programs and activities, housing, facilities, access to course offerings, counseling and testing, financial assistance, employment, health and insurance services and athletics. In keeping with this policy of equal educational opportunity, the University is committed to creating and maintaining an atmosphere free from all forms of harassment.

AFFIRMATIVE ACTION POLICY

UNM is committed to providing equal educational and employment opportunity regardless of sex, marital and parental status, race, religion, sexual preference, age, national origin or handicap. Title IX of the Educational Amendments of 1972 prohibits discrimination on the basis of sex in any educational program or activity receiving federal assistance by way of grant, contract, or loan. Title VI of the Civil Rights Act of 1964 is similar in its prohibition of discrimination on the basis of race, color, or national origin, and section 504 of the Rehabilitation Act of 1973 prohibits discrimination against qualified handicapped persons.

Appendix A

Student Code of Conduct

(Adopted March 1983, Amended 2001, Amended 2002, Amended 2011)

The student body, like the practicing bar, governs itself in matters of professional conduct. A student-authored code of conduct outlines standards of conduct UNM law students are honor-bound to follow. The code's provisions cover many phases of law school life as set forth in the following provisions

Elected student leaders constitute an honor board that reviews all charges of code infractions. When an investigation warrants it, the honor board conducts a hearing for the student who has been accused of violating the Student Code of Conduct (hereafter "the respondent"). Sanctions for code violations range in severity from verbal reprimands to permanent expulsion from the law school.

PREAMBLE

We, the students of the University of New Mexico School of Law, recognize that integrity of the highest order is expected of each of us, and as members of a self-governing student body do hereby adopt the following document, which states the minimum standards of honesty to be followed by students in this institution. Only conduct related to academic misconduct enumerated in this Code will be governed by the provisions of this Code. Issues related to a student's academic standing, which occurs when a student's grade point average falls below a required threshold will be addressed by the Committee on Student Suspension, Retention, and Re-Admission. Other disciplinary matters will be dealt with by the Law School Administration according to the procedures set forth in the UNM School of Law Bulletin and Handbook of Policies.

I. Persons Subject to this Code

Any person enrolled in the University of New Mexico School of Law is subject to the provisions of this Code. When any person is accused of violating this code while a student, but has since disenrolled, transferred, taken a leave of absence, graduated or otherwise ceased to be enrolled as a student, the accuser shall notify the Dean of this Law School. The Dean shall notify appropriate authorities for an appropriate investigation. This notification shall go to any school in which the person is enrolled. If proceedings under this Code result in a finding that there has been a violation of the Code, the Dean shall notify any State Bar Association or other relevant professional licensing organization of which the person is either a member or applying for membership if that organization so requires.

II. Standard of Conduct

Every student shall be honest and candid in his/her academic pursuits as defined in the subsequent provisions of this Code.

III. Substantive Provisions

A. Examinations

1. Every student shall abide by the principle that each examination shall be the product of his/her own knowledge, unless the instructions explicitly and unequivocally provide that students may work co-operatively, in which case every student shall abide by the limitations, if any, on cooperative work which are set by the professor.
2. Every student assumes the burden of compliance with the provisions of this Code.
3. It shall be a violation of the Code for a student:
 - a. To obtain or use prior to an examination any information concerning the content of the examination, unless such information is authorized by the faculty member concerned.
 - b. To bring into the examination room books, papers, or other materials of any sort, unless explicitly authorized by the instructor, which could be used to aid one's self or any other student in any way during the examination.
 - c. To refer to, or be in possession of unauthorized books, papers, or other materials during the course of the examination, whether inside or outside the examination room.
 - d. To communicate during the examination in any manner with another student concerning the examination.
 - e. To display one's examination with the intent to aid another student, or to look at the examination of any other student with intent to copy or use information from it.
 - f. To fail to turn in all examination materials at the appointed time.
 - g. To take more time to complete an examination than is allowed.
 - h. To have an examination in one's possession at any time or place not authorized by a faculty member.

- i. To discuss an examination already taken with another student who will take the examination at a later time.
- j. To fail to follow the instructions of the examination administrator.
- k. To prepare, to encourage, to counsel or to combine with another to violate the above provisions.

B. Written Submissions

- 1. Every student shall abide by the principle of academic honesty in all written work.
- 2. Plagiarism is a violation of the Code. Plagiarism is the knowing use of the ideas or words of another as your own without indicating such use fully and accurately.
- 3. It shall be a violation of the Code if a student fails:
 - a. To cite fully and accurately the source of an idea taken from another;
 - b. To place in quotations material used from a source and to cite fully and accurately such material; or
 - c. To cite fully and accurately material paraphrased from a source.
- 4. It shall be a violation of the Code if a student:
 - a. Represents someone else's work as his/her own; or
 - b. Uses any unauthorized research materials.
 - c. Submits work in fulfillment of any law school requirement which the student has submitted in compliance with the requisites for any other class or program at this or any other academic institution without the express consent of the present professor. This provision shall also apply to work submitted for law school credit that was previously completed in satisfaction of non-academic work requirements outside the law school.

C. Law Library

- 1. Every student shall respect the integrity of our library's collection and facilities and shall respect the rights of others in their use of the library.
- 2. It shall be a violation of the Code for a student:

- a. To intentionally damage or destroy library property (including, but not limited to: books, microforms, equipment or furniture).
- b. To hide or secrete library materials within the library.
- c. To violate library rules concerning checkout procedures for library materials with the knowledge that such violations may deprive others of those materials.
- d. To violate the library's posted access policies.

D. School Activities

- 1. Every student shall be honest in his/her every action with regard to all Law School-related activities. Such activities include, but are not limited to:
 - a. Moot Court competitions;
 - b. Client Counseling competitions;
 - c. Clinical Law programs;
 - d. Any Law Journal activity;
 - e. All other academic activities or co-curricular or extra-curricular activities related to the educational mission of this school of law.
- 2. It shall be a violation of the Code for a student to lie, cheat, steal, be dishonest, or otherwise act contrary to the provisions of this Code while participating in, or preparing for, the above-mentioned activities.

E. Property

- 1. Every student shall respect the property rights of every member of the faculty, staff, student body, and of the University and its employees.
- 2. It shall be a violation of the Code for a student:
 - a. To take University property with the intent to permanently deprive the University of the property.
 - b. To take property belonging to students, or to any member of the faculty or staff without the owner's permission with intent to temporarily or permanently deprive the owner of the property.

- c. To intentionally deface, destroy or otherwise abuse University property or property belonging to a student, faculty or staff member at the University.

F. Compliance with Code Procedures

1. An effective code depends for its enforcement on the professional responsibility and individual integrity of those functioning under it.
2. It shall be a violation of the Code for a student:
 - a. To witness, know of, or have a reasonable basis to believe that a person subject to this code has violated this code, and not to report the violation, the names of the offender(s), and all relevant circumstances of the violation, as provided in section IV herein.
 - b. To refuse to appear when requested as a witness at an Honor Board hearing.
 - c. To disclose any fact concerning an Honor Board Hearing except as provided by this Code.

IV. Confidentiality

- A. All Honor Board proceedings, records, and actions shall be considered confidential in nature. No person other than the respondent having knowledge of such proceedings or actions shall reveal anything concerning them except as provided in this Code, or as required by existing law.
- B. The Senior Officer may share information with the Investigating Officer, the Respondent, any Witnesses and other members of the Honor Board in order to effectively arrange and run the Honor Board Hearing.
- C. The Senior Officer also has the discretion to speak with the Assistant Dean of Student Services regarding procedural questions and guidance in arranging and running an Honor Board hearing. In seeking guidance, the Senior Officer must keep as many facts as to the details of the allegations as confidential as possible.

V. Procedure for Reporting an Honor Violation

- A. A faculty or staff member who has personal knowledge of an apparent violation normally should report the incident to the SBA president within 48 hours of the incident or upon gaining knowledge of the incident or as soon as possible.
- B. The SBA president, with the reporting witness, shall write a brief report of the alleged violation. The report shall include the following:
 1. The nature of the alleged violation;

2. The time and date of the alleged violation;
 3. The name of the respondent;
 4. The name of the reporting witness;
 5. The names of any other witnesses.
- C. The SBA president shall deliver a copy of this report to the Investigating Officer to facilitate the investigation.
- D. The respondent shall be notified by the SBA President that allegations against the respondent have been presented to the SBA President at the time that the SBA President completes the report described in paragraph D above. At this time, the SBA president shall provide the respondent with a copy of the applicable Code of Conduct. The SBA President shall inform the respondent that s/he must read the code prior to speaking to anyone about the matter and also that the respondent is not required to speak to the Investigating Officer if s/he does not wish.

VI. Investigation

- A. The Investigating Officer is the Third-Year Faculty Representative, unless the Third Year Representative is not available, or is involved with or reasonably potentially involved with the allegation, or reasonably may be perceived to be biased or prejudiced in the matter, in which case s/he must decline to serve as the Investigating Officer.
1. If the Third-Year Faculty Representative is not available or must decline to serve, a Third-Year class member shall be nominated to act as the Investigating Officer by the SBA President and approved by a majority vote of the SBA Executive Committee.
 2. If the Third-Year Faculty Representative requires assistance due to the breadth of an investigation or severe extenuating circumstances, s/he may petition the SBA President in writing to request assistance from the Second-Year Faculty Representative.
 3. If the Second-Year Faculty Representative is not available or must decline to serve because she is not available, or is involved with or reasonably potentially involved with the allegation, or reasonably may be perceived to be biased or prejudiced in the matter, the SBA President can appoint another student to assist.
 4. The Third-Year Faculty Representative may serve as the Investigating Officer in the Spring and Summer prior to beginning his/her third year, once elected or appointed. The Investigating Officer may ask the Executive Committee to be excused from duty, and any person under investigation may also ask the Executive Committee to excuse the

Investigating Officer from duty, and replace the Investigating Officer. The Executive Committee may consider these requests, but is not required to follow them, unless good cause for change in the Investigating Officer is shown.

- B. The Investigating Officer shall conduct an investigation and evaluate the circumstances of a case to determine whether the apparent violation should be considered by an Honor Board.
- C. An investigation should not interfere with the respondent's examinations. Measures, though, should be taken to insure a timely investigation. The Investigating Officer will have a two week time period (excluding the reading period and final examinations) in which to complete this investigation. If the Investigating Officer determines that the investigation cannot be completed before a reading or examination period or the investigation would begin within two (2) weeks of the reading or examination period, the investigation shall begin one day after the reading period or final examinations.
- D. The investigation will consist of the following:
 - 1. The Investigating Officer shall talk to the reporting witness, the respondent (if the respondent consents), any other witnesses, and all other persons, including faculty and staff, who may have relevant information. Written statements should be taken from all witnesses.
 - 2. After all witnesses have been interviewed and the investigation is complete, the Investigating Officer shall convene an Honor Board hearing, according to paragraph three if the Investigating Officer concludes that there is a reasonable probability that the respondent has violated this code as charged by the reporting witness.
 - 3. If the Investigating Officer calls for an Honor Board hearing, she shall notify the SBA President, who shall then convene it in a timely manner. If the Investigating Officer calls for further investigation by another Investigating Officer, all records shall be turned over to that second Investigating Officer. If the Investigating Officer calls for further investigation by a University or Police Authority, including the Law School administration for misconduct not falling under the jurisdiction of this Code of Conduct, the Investigating Officer shall make a report to that authority and preserve evidence for that investigation. If the Investigating Officer does not call for further investigation nor for a Board hearing, the case will be dismissed and all records generated by the investigation will be destroyed immediately by the SBA President.

4. If the Investigating Officer decides to convene an honor board hearing pursuant to paragraph 2 above, he/she shall write a detailed report consisting of the following:
 - a. The nature of the alleged violation;
 - b. The time and date of the alleged violation;
 - c. The name of the respondent;
 - d. The name of the reporting witness;
 - e. The names of any other witnesses;
 - f. A summary of the information gained from the investigation;
 - g. All written statements;
 - h. A summary of all oral statements not recorded;
 - i. The recommendation of the Investigating Officer.
- E. When the respondent is in his/her graduating semester, an Investigating Officer has determined cause for an Honor Board hearing, and the hearing will not take place until after the respondent's final exams, the Dean shall be notified of the hearing and the name of the respondent. If s/he believes it appropriate, the Investigating Officer, with the consent of the respondent, may also provide the Dean with the report. If the respondent decides to consent to the Dean's review of the report, the respondent will be given an opportunity, if s/he chooses, to discuss the allegations with the Dean.
- F. The Investigating Officer shall deliver his report to the Senior Officer (see Paragraph VII (A)). The Senior Officer shall provide the respondent with all of the information in the Investigating Officer's report.
- G. After the Senior Officer provides the respondent with the report, the other members of the Honor Board shall be notified of the hearing and given a copy of the report to facilitate scheduling of the hearing and to allow for recusal or excusal. All members receiving notification and a copy of the report shall be bound by the confidentiality provision of the code.

VII. Honor Board

- A. The SBA president is the Senior Officer and shall act as an advisor to all parties to the hearing. S/he shall preside at the hearing and make all decisions that are necessary for its proper functioning. The Senior Officer will not participate in the deliberations or determination of a sanction and will not cast a vote. In the event the SBA president cannot participate as Senior Officer, s/he shall be

replaced by the next highest ranking SBA officer. That person shall then be the acting Senior Officer. The Acting Senior Officer, if chosen before the Honor Board Hearing, shall nominate a replacement for the Honor Board from his/her class to be approved by majority vote of the remaining Executive Committee members.

- B. The Honor Board shall consist of the SBA Executive Committee, plus one faculty member. The Dean shall recommend three faculty members to the Executive Committee. The respondent may recuse one faculty member from the list of three provided by the Dean. The Executive Committee will select the faculty member who is to serve on the Board from the remaining faculty on the list.
- C. If a member of the Honor Board is excused by the Senior Officer from serving for any reason, the Executive Committee of the SBA shall approve by majority vote a replacement nominated by the Senior Officer and who shall be selected from the excused party's academic class.
- D. In the event that there is a change in personnel among the SBA Board due to election, and a possible violation has been reported to the SBA President, the Honor Board convened to adjudicate that allegation, including the faculty member, shall have the duty and the authority to adjudicate that allegation through to its completion notwithstanding the termination of that SBA Board's tenure due to election, except that for good cause shown and with the approval of the Dean, this provision need not apply. Furthermore, an SBA Board shall be bound by the confidentiality provisions of this Code from informing any member of a board-elect of the proceeding, unless that member would otherwise be properly made aware of the proceeding.
- E. The respondent and the Investigating Officer have the right to voir dire all Honor Board members and challenge any of them for cause. The Honor Board itself will make all decisions on the respondent's challenge(s) for cause. Removal as a result of a challenge for cause shall be by a majority vote of the Honor Board, excluding the vote of the person being challenged. The Senior Officer has a vote for these purposes. In the event of a tie vote, the person challenged shall be removed.
- F. The Honor Board shall not convene at the University of New Mexico School of Law.
- G. The Honor Board hearing shall never be held during a Law School reading/examination period.
- H. The Senior Officer shall notify the Honor Board members, all parties, and witnesses of the date, time, and place of the Honor Board hearing at least six days prior to the hearing.
- I. The Senior Officer shall require all members of the Honor Board to give him/her their assurance that each member supports this Code of Professional Conduct.

- J. The Senior Officer shall keep the Dean informed of the general nature of the Honor Board proceedings. The names of the reporting witness and respondent will not be revealed unless and until there has been a determination that the respondent has violated the Code.
- K. The respondent and the person reporting the alleged honor violation and all witnesses called by the respondent, the reporting witness, or the Honor Board shall appear at the Honor Board hearing.
 - 1. Witnesses called by the respondent and the reporting witnesses are required to appear and testify at an Honor Board Hearing. Failure to do so without an exemption is an honor code violation.
 - 2. Witnesses can, for good cause shown, request, in writing, an exemption from testifying from the Senior Officer.
 - 3. Incriminating testimony cannot be used against a witness in a subsequent Honor Code hearing
- L. Before the Honor Board hearing, the Senior Officer shall deliver to the respondent a copy of the report described in V (D)(4) which shall include the time, date, and place of the Honor Board hearing. The respondent shall be instructed in writing of his/her rights, which are in Section VII of this Code.
- M. The respondent may petition the Senior Officer for any documents needed in his/her defense. Once such requests are received in writing by the Senior Officer, the Senior Officer may direct the production of documents or tangible items that the Senior Officer deems relevant or necessary to the respondent's defense, and which are not privileged.

VIII. Honor Board Hearing

- A. The Honor Board hearing shall be closed to all persons except the Senior Officer, the Honor Board members, the respondent, the respondent's counsel, the reporting witness, any other witnesses called, a hearing reporter and the Investigating Officer. Witnesses may be present only when they testify.
- B. The Senior Officer shall read the nature of the alleged violation, the time and date of the alleged violation, the names of the respondent and reporting witness, and the conclusion of the Investigating Officer. The Senior Officer shall also explain to all parties the procedures to be followed in the hearing.
- C. A record of the proceeding shall be kept for the purpose of facilitating proper review by the Dean should such review be requested by the respondent. The record may be taken by a court reporter or it may be in the form of a tape-recording of the entire hearing. If a taped record is created, the Senior Officer will ensure prior to the hearing that the equipment is functioning properly and that all parties will be able to be clearly heard on the tape-recording.

- D. The proceedings shall not be conducted in the absence of the faculty member.
- E. The Investigating Officer will be responsible for presenting the alleged Honor Code violations against the respondent and will have the burden of proving by clear and convincing evidence that the respondent has committed the alleged violation(s). The procedure followed for the hearing shall consist of the following:
 - 1. The Investigating Officer shall make an opening statement.
 - 2. The respondent shall have an opportunity to make an opening statement.
 - 3. The Investigating Officer shall present all witnesses, testimony, and other information and evidence relevant to the investigation of the respondent. Formal rules of evidence shall not apply to the Honor Board hearing; however, hearsay shall normally not be admitted as evidence in the proceeding. The Investigating Officer and the respondent may object to such evidence. The Senior Officer shall rule on whether the evidence will be permitted by determining whether the evidence is likely to assist the Honor Board in making its decision.
 - 4. The respondent may cross-examine all witnesses against him/her. The Investigating Officer may cross-examine all witnesses presented by the respondent.
 - 5. The respondent shall have the opportunity to refute the testimony against him/her or to explain the circumstances which led to the charge. The respondent shall have a reasonable opportunity to present witnesses on his/her behalf including but not limited to students, faculty, staff and counselors. The respondent shall not be required to testify. The respondent has the right to confront the reporting witness and other witnesses. The respondent may be represented by counsel or a faculty member.
 - 6. The Honor Board may call witnesses and hear further evidence relevant to the circumstances under investigation. The Board may question any witnesses and review any evidence.
 - 7. The Senior Officer has the discretion to grant recesses and to stay the proceedings if the circumstances require it.
 - 8. The respondent shall have an opportunity to make a closing statement.
 - 9. The Investigating Officer shall make a closing statement.
- F. At any point before or during the hearing, the respondent may admit that s/he has committed a Student Code violation and waive the right to a hearing as to the violation. At that point, the Senior Officer shall convene a hearing as above except that such a hearing shall include only such evidence and witnesses that

are necessary to explain to the Board the factual circumstances of the allegation or facts that are relevant to the imposition of sanction.

- G. At the conclusion of the presentation of evidence the Honor Board shall retire to deliberate.

IX. Determination of a Code of Conduct Violation

- A. Before its deliberations, the Senior Officer shall instruct the Honor Board that:
1. The determination of whether the alleged violation has been proven shall be without consideration of any sanction under this Code; and
 2. The respondent shall not be found to have violated the Code unless members of the Honor Board agree by at least a two-thirds majority that there is clear and convincing proof that the respondent has done so, or the respondent admits the violation.
- B. If the respondent is found not to have violated the Code, all records of the hearing shall be destroyed immediately following the finding of no violation by the Senior Officer. The respondent may request that the records not be destroyed but sealed and preserved.
- C. If the Honor Board finds the respondent has committed the alleged violation, it shall:
1. Consider the sanction to be imposed.
 2. Notify the Dean and appropriate Law School Administrators, if the Dean so requires, of the determination that the alleged violation has been proven and the imposition of the sanction. The Dean or an appropriate Law School Administrator may keep a record of all violations and imposed sanctions for the purpose of assisting the Honor Board in imposition of consistent sanctions. The Dean or the appropriate Law School Administrator shall only release this general information to convened Honor Boards (without revealing the names of any students subject to such sanctions).
 3. Reveal the names of the reporting witness only if such a revelation is necessary for the imposition of the sanction.

X. Sanctions

- A. The sanction shall be determined by a majority vote of the Honor Board.
- B. The sanctions which may be imposed by the Honor Board include, but are not limited to, the following:
1. verbal reprimand;

2. written reprimand;
3. written reprimand to individual with copy to remain in individual's file until graduation;
4. written reprimand to individual with copy to remain permanently in individual's file;
5. recommendation to professor for grade change;
6. removal from related activity, e.g., Moot Court competition;
7. suspension from school;
8. permanent expulsion from school;
9. any combination of the above.

XI. Imposition of Sanction

- A. When the Honor Board has decided upon a sanction, it shall, in the presence of the respondent and the Senior Officer, announce its decision, informing the respondent of his/her sanction.
- B. If the sanction includes a verbal reprimand, it shall be immediately given by the Honor Board. All other sanctions will be administered within 72 hours or as soon as possible.
- C. Within 72 hours of its decision the Honor Board shall express its decision in a written statement to the Senior Officer. This statement shall be written by the First Vice President, or ranking member of the Honor Board other than the Senior Officer or faculty member. The Senior Officer shall deliver copies of the decision to:
 1. The respondent, and
 2. The Dean. The names of the respondent and/or the reporting witness will be excised before delivery to the Dean unless the First Vice President deems that such information is necessary for the imposition of any sanction. Included with the copy of this written statement to the Dean, the Honor Board shall also include the original record of the proceeding.
- D. After a majority of the Board has determined a sanction, the respondent may appeal only the sanction to the Dean. The respondent must inform the Dean of such an appeal by writing a statement petitioning such a sanction appeal, and briefly stating the reasons therefore. The statement must be received by both the Dean and the Senior Officer within 72 hours of the publication of the Board's written decision statement described in paragraph C above.

- E. Upon receiving the respondent's sanction appeal, the Dean normally shall announce a sanction appeal decision in writing within 72 hours. The Dean's decision shall be based only on the documents viewed by the Honor Board during the hearing and the taped or written transcript of the proceeding. The Dean may not increase the severity of the sanction imposed by the Honor Board, but may reduce it for good cause.

XII. Administrative and Judicial Review

- A. This Code in no way limits the availability of existing administrative and judicial review.

XIII. Review and Adoption

- A. A committee of students, faculty, and administrators should review this Code every four years.
- B. Adoption of changes to this Code shall be ratified by the faculty with the consent of the students. Consent shall be accomplished through means determined by the Student Bar Association Executive Board and may include, but is not be limited to, a ratification vote or a student forum. However, at a minimum, consent of the students shall include a vote by the Executive Board of the Student Bar Association.

Appendix B

Standard of Character and Fitness

A lawyer should be one whose record of conduct justifies the trust of clients, adversaries, courts and others with respect to the professional duties owed to them. A record manifesting a significant deficiency in the honesty, trustworthiness, diligence or reliability of an applicant may constitute a basis for denial of admission.

Relevant Conduct: the revelation or discovery of any of the following should be treated as cause for further inquiry before the bar examining authority decides whether the applicant possesses the character and fitness to practice law:

- Unlawful conduct
- Academic misconduct
- Making of false statements, including omissions
- Misconduct in employment
- Acts involving dishonesty, fraud, deceit or misrepresentation
- Abuse of legal process
- Neglect of financial responsibilities
- Neglect of professional responsibilities
- Violation of an order of court
- Evidence of mental or emotional instability
- Evidence of drug or alcohol dependency
- Denial of admission to the bar in another jurisdiction on character and fitness grounds
- Disciplinary actions by a lawyer disciplinary agency or other professional disciplinary agency of any jurisdiction

Footnote: Comprehensive Guide to Bar Admission Requirements 2007, Code of Recommended Standards for Bar Examinee: Standard 12 & 13, page viii.

Appendix C

ADMINISTRATIVE DUE PROCESS POLICY AND PROCEDURE

(faculty adopted 4-19-11)

INTRODUCTION

The University of New Mexico School of Law's Due Process Policy and Procedure is designed to guide students, faculty and staff on the course of action that may be taken when a law student fails to maintain ethical or professional standards of behavior. The role of the lawyer encompasses more than just satisfactory acquisition of knowledge in courses. The legal professional must exhibit personal and professional behaviors, including honesty, integrity, and respect for others. The School of Law is committed to both ethical and professional behavior on the part of students and a respectful learning environment in which to become a lawyer.

All conduct related to academic misconduct will be governed by the Student Code of Conduct. Issues related to academic performance will be addressed by the Law School's Committee on Student Suspension, Retention, and Re-admission. Other disciplinary matters will be dealt with by the Law School Administration according to the following procedures.

I. MATTERS SUBJECT TO DISCIPLINARY ACTION

Appropriate disciplinary procedures and sanctions may be applied to any student who commits, or attempts to commit, or aids any of the following acts of misconduct:

1. Unlawful conduct.
2. Actions which have great potential for physically harming the person or property of others, including that of the University, or which actually result in physical harm, or which cause reasonable apprehension of physical harm.
3. Acts involving dishonesty, fraud, deceit or misrepresentation, including but not limited to, making false statements or omissions on law school applications and failing to report arrests or convictions that occur during law school.
4. Willful misconduct in Law School employment.
5. Conduct that evidences current mental or emotional instability or drug or alcohol dependence or abuse that may impair the ability to successfully complete law school.
6. Violation of professional standards while a clinical law student.
7. Willfully refusing or failing to leave the property of or any building or other facility owned, operated, or controlled by the University when requested to do so by a

lawful custodian of the building, facility or property if the person is committing, threatens to commit or incites others to commit any act which would disrupt, impair, interfere with or obstruct the lawful mission, processes, procedures or functions of the University.

8. Violation of published or posted University regulations or policies that are not covered by the Student Code of Conduct, including but not limited to regulations prohibiting discriminatory activity.
9. Action(s) or conduct which hinders, obstructs or otherwise interferes with the implementation or enforcement of this disciplinary procedure, or its sanctions, including failure to appear before any of the Law School's disciplinary authorities and to testify as a witness when reasonably notified to do so by an appropriate Law School officer.
10. Any other acts or omissions which adversely affect University functions or University-sponsored activities, disrupt community living on campus, interfere with the rights of others to the pursuit of their education, or otherwise adversely affect the processes of the University.

II. SANCTIONS

A student who is found to have violated any of the provisions set forth in Part I above, may be subject to adverse actions,¹ including but not limited to any of the following:

1. "Written warning" is a written reprimand that is placed in the student's file.
2. "Disciplinary probation" means the establishment of a time period during which further acts of misconduct may or will result in more severe disciplinary sanctions depending on the conditions of the probation. Conditions of probation can include community service, attendance at workshops and/or seminars including but not limited to alcohol, drug or safety workshops and/or seminars, mandatory mental health evaluation and/or counseling or other educational sanctions.
3. "Suspension" means losing student status for a period of time specified in the terms of the suspension. A suspension may commence immediately upon a finding of a violation or it may be deferred to a later time.
4. "Expulsion" means losing student status for an indefinite period of time. Readmission may not be sought before the expiration of two years from the date of expulsion, and it is not guaranteed even after that time.
5. "Dismissal" means termination of student employment, either for a stated time period or indefinitely.

¹ A verbal reprimand or warning is not considered an "adverse action."

The sanction imposed shall be set based upon numerous factors, including the severity of the offense, the amount of harm created, the student's record, and sanctions imposed in recent years for similar offenses. In considering the harm created, there shall be taken into account whether any harm or injury was targeted against a person or group because of that person or group's race, color, religion, national origin, physical or mental handicap, age, sex, sexual preference, ancestry, or medical condition. If it is found that the harm or injury was targeted because of any of these factors, the disciplinary consequences may be more severe.

III. PROCEDURES

A. Emergency Procedures

The Dean or Associate Dean for Academic Affairs² may immediately suspend a student on an emergency basis if, based on information received about the student's conduct, the Associate Dean finds that the student's behavior may endanger him/herself or others, or threatens disruption of the learning environment. Generally, an emergency suspension may be imposed only in response to an acute incident or pattern of student conduct that raises a significant question as to the student's ability to function safely and effectively in classroom and/or clinical settings.

A student who has been placed on emergency suspension may request a meeting with the Dean or Associate Dean ("official") who issued the suspension. The official shall hold the meeting no later than three (3) working days after the student's request. At this meeting, the student will have the opportunity to explain his/her position and request that the suspension be lifted or modified. The student may offer evidence for the official's consideration. If, after meeting with the student, the official finds that the student's continued presence at the Law School may endanger him/herself or others, or threatens disruption of the learning environment, the official will continue the suspension. Otherwise, the suspension must be lifted or appropriately modified, as determined by the official. The official will inform the student of his/her decision within three working days after this meeting. If the emergency suspension is continued, the matter shall be referred for a formal investigation by the Disciplinary Committee as described in Section B below.

If the Dean or Associate Dean lifts or modifies the emergency suspension, the student will be permitted to return to the Law School curriculum immediately, as appropriate. The matter may be referred for further investigation (informal or formal) as described in Section B.

B. General Procedures

Any student, staff, or faculty member who is concerned that a student's behavior may constitute a violation of the matters subject to disciplinary action listed in Part I above may bring that concern to the attention of the Associate Dean for Academic Affairs. If the Associate Dean believes that an investigation is warranted, the Associate Dean will inform the student ("respondent") of the allegations within forty-eight (48) hours or as soon as possible if good

² All references to the Dean or Associate Dean for Academic Affairs, by title, in this Code shall also include that person's designee(s).

reason requires a longer period of time and explain that the matter may be handled in either of two ways. The respondent will be given the choice of which of the following alternative procedures will be utilized. If the respondent fails to make a choice, the Associate Dean will decide which of the following alternatives will be utilized.

Alternative One (Informal Investigation):

The Associate Dean for Academic Affairs will conduct an informal investigation, including interviewing individuals with relevant information if the Associate Dean concludes that such inquiries would be helpful. The respondent will be given an opportunity to be heard and to respond to the allegations. The Associate Dean will then decide what, if any, adverse action is appropriate. If an adverse action is imposed, the Associate Dean will inform the respondent of that action in writing.

Alternative Two (Formal Investigation):

The matter will be investigated and decided by the Disciplinary Committee ("Committee"). The Dean of the Law School will designate a pool of six (6) faculty members who will be available to serve on the Committee. The Committee will consist of two (2) faculty members (selected from the pool by the Dean or designee) and one (1) student (selected by the SBA Executive Board). If the respondent objects that one or more selected member(s) may be biased against the respondent or otherwise may not be a fair Committee member, the Associate Dean for Academic Affairs will review the respondent's objections and decide whether or not to remove the member. The Associate Dean's decision is final. If a Committee member is removed for cause, the Dean will appoint a new member if one is available from the pool. If the pool of faculty members is exhausted, the Dean shall designate another faculty member to serve on the Committee. Any vacancy created by the removal of a student member for cause will be filled by another student selected by the SBA Executive Committee. The respondent will also have the right to exercise one peremptory strike against any of the faculty members. A vacancy created by the use of a peremptory strike will be filled by the Dean with another faculty member from the pool. If the pool of faculty members is exhausted, the Dean shall designate another faculty member to serve on the Committee.

The Committee will select one of its faculty members to serve as Chair. The following rules shall apply to formal hearings conducted by the Committee:

1. The Committee will conduct the hearing and its deliberations in private.
2. The respondent is entitled to be present for the hearing.
3. The respondent is responsible for presenting his or her case; advisors (including attorneys) may be present but are not permitted to present arguments or evidence or otherwise participate directly in the hearing.
4. Members of the Committee may question the respondent or any of the witnesses.

5. The respondent has the right, within reasonable limits set by the Chair of the Committee, to question all witnesses who testify. The Chair may also permit the party alleging misconduct to question the respondent, within reasonable limits.
6. The respondent can submit any evidence that he or she wants considered at least three business days before the hearing.
7. The Committee may proceed independently to secure evidence for the hearing. The respondent shall have an opportunity to review any such evidence at least three business days before the hearing.
8. The hearing will be recorded and the Committee Chair will keep the recording. The recording is the property of the University. No typed record will be made.
9. The proceeding is not subject to the rules of evidence.

Based on its investigation and review, the Committee will decide whether or not to impose sanctions by a simple majority vote of its members. The Committee may impose any of the sanctions that are described in Part II above. The Committee also has the right, on a case-by-case basis, to design other adverse actions as it deems necessary.

The Committee has five (5) working days from when it determines that it has concluded receiving evidence to issue its decision, and within that five-day timeframe, the Committee shall take one of two actions. If no adverse action is taken, the Committee will notify, or make reasonable efforts to notify, the respondent of its decision. If the Committee votes to impose an adverse action, the Chair of the Committee will send a certified letter to the respondent setting out the Committee's conclusions and the adverse action it has taken. As discussed below, the respondent may appeal the Committee's decision to take an adverse action. Pending final resolution of an appeal, the Committee's decision may take effect in the interim if the Committee so decides. In deciding whether its decision will take effect immediately, the Committee will consider the seriousness of the respondent's violation, the nature of the adverse action and whether the respondent poses any danger to him/herself or others.

C. Appeal to the Dean

The respondent may appeal the decision of the Associate Dean for Academic Affairs or the Committee to the Dean of the Law School. The request for an appeal must be made in writing to the Dean, stating the reasons why the respondent disagrees with the decision, and must be received by the Dean within fourteen (14) calendar days after the respondent receives notification of the decision. The Dean will review the decision and may meet with the respondent. If the respondent fails to notify the Dean in writing of his/her appeal within fourteen (14) calendar days, this shall be considered a waiver of his/her right to an appeal and the decision shall become final.

The Dean's decision after an appeal is final for the School of Law. The Dean's decision is subject to discretionary review by the President of UNM and the Board of Regents. The

President and the Regents will normally accept review only in extraordinary cases, such as where proper procedures have apparently not been followed, where the decision appears to be unsupported by the facts, or where the decision appears to violate University policy.

IV. GENERAL PROVISIONS

Minor deviations from these procedures are permitted so long as they do not adversely impact the due process rights of the respondent. For good cause, the time limits for Committee decisions to be made can be extended. Good cause includes the fact that a deadline falls during school holidays, vacations or summer session if parties or decision makers are absent from the School of Law. Any such time extension will be communicated in writing to all interested parties and the decision will be made thereafter as expeditiously as possible.

The University of New Mexico School of Law reserves the right to make changes to any of the policies, procedures, codes, standards, requirements or services included in this handbook as it deems necessary, with the changes applicable to all students in attendance at the School of Law.

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