Report of Assessment and Teaching Committee for 2012-2013

May 21, 2013

Submitted by Chris Fritz, Chair

The other members of the Committee were:

Bach, George
Bergman, Barbara (until made Interim Dean and replaced by Eileen Gauna)
Longa, Ernesto
Minzner, Max
Organick, Aliza
Renzo, Anthony

The charge of the Committee was as follows:

Revisit the issue of a mandatory grading curve for 1L courses or all courses; review student evaluation forms of faculty and propose new models, including whether summary data should be provided to students; respond to central university requirements related to teaching assessment; create and manage a professional development program for faculty to improve our teaching and to promote teaching innovation, including a review of our current means of assessing student performance; provide metrics for teaching to satisfy the university.

Thus, the two broad areas of the Committee's work entailed examining our grading practice and policy as well as evaluating our teaching effectiveness. Initially, the Committee began by focusing on grading, but soon simultaneously took up the issue of teaching effectiveness when it became clear this was a priority of the Main Campus.

In anticipation of the Committee's first meeting, the Chair circulated a memo dated October 8, 2012 (see attached file "Cover memo for Oct. 25 memo." That memo referenced Appendices A-F, which are attached separate files). The memo identified a series of questions about grading that were grouped around two sub-issues. The first was: Are we currently grading appropriately? (Too high? Too low? Too much grade variation between mandatory courses and other courses?) And how might our grading have unintended and adverse impacts on our students in terms of their ability to compete with peer law schools for job placement, clerkships, or otherwise putting them at risk of losing scholarships? The second sub-issue raised the question of how to deal with variations in grades among multiple sections of mandatory courses.

As a background to the question of grading, the history of grades given, particularly for required first year courses, was compiled for the past 25 years. Additional data, extending back some 10 years was compiled for upper division "B" courses (normally offered at least once a year) as well as courses with enrollments with 12 or less students. [This information is attached Excel file "GPA by course by Time"]

One major accomplishment of the Committee is that it permits successor Committees to have access to the hard data that illustrate what grade inflation, if any and in what form, has occurred at the Law School over time. In addition, the Committee gathered data of grading curves and grading policies of schools either regarded as our regional competitors or law schools drawing from student pools comparable to our own. The committee discussed the idea of increasing our first year "de facto" grading curve through the means of a grading "range" for first year courses, but came to no firm decision or recommendation for the faculty due to having to shift attention to teaching assessments.

When the Committee re-directed its attention to teaching effectiveness, one initial step was to canvass the faculty as to what assessment tools they currently use in their courses that went beyond a single end of semester exam. The Chair solicited this information and received over 25 responses from faculty—full time as well as adjunct faculty. It is clear that many additional mechanisms to evaluate student performance and acquisition of skills/training/knowledge are employed beyond end of semester exams. The various responses and description of what evaluative tools are currently being employed by many of our colleagues is collected in an attached file ("Responses to Request about Courses Taught"). In addition, faculty in the Clinic were polled as to how they set out their goals for their students, what feedback they provide their students, how they structure their weekly supervision meetings with students, and whether and how they schedule end of semester exit interviews with students. These response are collected in an attached file ("Responses from Clinical Faculty")

Apart from this initial effort to identify what the Law School faculty were already doing, the Committee, through the Chair and Associate Academic Dean Eileen Gauna, sought to identify the Law School's role in complying with the objectives of the Provost's Committee on Assessment. After meeting with Tom Root, charged with overseeing the teaching assessment process for the University, it became clear that the ultimate objective sought was for the Law School to be in the position to develop "metrics" or "rubrics" by which we will be able to test how well our students are learning or acquiring what we have identified as being crucial to satisfy the conferral of the J.D. (To date, the only basic measure the Law School could point to was the bar passage rate.) Before additional "metrics" can be developed, however, the initial step of identifying Student Learning Objectives (SLOs) must be taken. In discussions with Tom Root, he observed that developing SLOs as a collaborative process within a given unit might easily take a semester or even a year to accomplish.

Nonetheless, it appears that the Clinic already has what amounts to SLOs for its program (see attached file, "Clinic SLOs). Moreover, Associate Dean Gauna developed both a sample SLO and a metric for writing seminars. (see attached file, "Seminar SLO and Rubric"). It was our sense that a broad consensus could be found in terms of identifying 4 to 6 objectives that we as a faculty would see as central to the successful completion of the law degree. Much of the work on "best practices" in law school teaching provide additional sources for identifying a "core" of skills, knowledge, and training for law students.

Much more challenging, and frankly accompanied with some degree of skepticism, is the development of "metrics" or "rubrics" that our colleagues will feel adequately and appropriately test our success in teaching these student learning objectives.

While the Chair attended a number of meetings of the Provost's Committee on Assessment during the year, the Committee was not able to meet to advance the process of developing a series of SLOs that might be shared with the Faculty at large. (The press of the Chair's commitments as Chair of the Faculty Retention, Promotion, and Tenure Committee slowed down this progress.)

After consultation with Tom Root of the Outcome's Assessment Office of the University it would appear that the highest priority immediate assessment task of the Law School is the creation of those leaning outcomes, to be followed by a written plan for assessment of those SLOs. As Tom put it in a recent e-mail, "The SLOs don't have to be perfect right out of the box; just get them on paper. Much like a course design, the SLOs will be refined over time as necessary."

As noted above, we already have some text to draw from for SLOs pertinent to the Clinic and for legal writing seminars. As such, it is anticipated that next year's Assessment and Teaching Committee should be position to make considerable progress along the lines suggested by the Outcome's Assessment Office.

TO: Members of the Assessment and Teaching Committee (George Bach, Barbara Bergman, Ernesto Longa, Max Minzner, Aliza Organick, Anthony Renzo)
FROM: Chris Fritz, Chair
DATE: October 8, 2012
RE: First Meeting and the Work of the Committee

Dear Colleagues,

Prior to our first meeting on the 25th of this month, I thought I would share some information I have been gathering that might prove useful as we move forward with the work of this Committee. As you may know, the somewhat ambitious charge to our Committee is to examine: 1) our past and current grading practice and policy; and, 2) how we have traditionally evaluated our teaching effectiveness. Our review may include recommending changes in both these areas to the Faculty.

Dean Washburn composed this Committee to take advantage of the fact that many of you have experience with both these issues as they play out at other law schools and thus can bring comparative perspective of potential benefit to our considerations. I look forward to working with all of you.

While we have much work to do in dealing with the issue of teaching effectiveness, I would suggest that as a Committee we focus initially on the grading issue.

The grading question appears to break down into two sub-issues. The first is: Are we currently grading appropriately? (Too high? Too low? Too much grade variation between mandatory courses and other courses?) And how might our grading have unintended and adverse impacts on our students in terms of their ability to compete with peer law schools for job placement, clerkships, or otherwise putting them at risk of losing scholarships? The second sub-issue raises the question of how to deal with variations in grades among multiple sections of mandatory courses.

Grading in General

Initially, it is worth noting that at for many years the law school has not had a mandatory curve nor, indeed, any formal grading policy in place. The closest we have to a grading "policy" is a suggested guideline employed by the legal writing instructors that each writing section GPA should be between 3.33 (B+) and 2.67 (B-) with adjustments as necessary after consultation among the teachers. (See **Appendix A** for Barbara Blumenfeld's description of this guideline and how and why it is applied by the writing instructors.)

The practice for the other required first year courses and for Con Rights in the second year has been for the instructors to confer informally before submitting their grades, with the objective of achieving a degree of consistency. As the historical data illustrates sometimes that consultation has resulted in precise uniformity and in other instances with a degree of variation, but rarely of a dramatic nature.

Appendix B tracks all the grades given for the first year required courses (with the exception of legal writing) in the 25+ years from Fall 1986 to Spring 2012. If the process of informal consultation by section instructors has produced a **"de facto" curve**, it will be seen that such a curve **has risen from a *low of 2.47* (Fall 1986) to a *high of 2.91* (Spring 2012), with a mean GPA of 2.72.**

As a basis for comparison, **Appendix C** also tracks selected upper division courses that our curriculum describes as "B " courses (normally offered at least once a year), many of which have been taught for 25 years. Invariably these course have an enrollment of more than 12 students and most often considerably more. **The fifteen courses selected also illustrate a grade inflation over time, from a *low mean GPA of 2.59* (Fall 1986) to a *high of 3.23* (Fall 2011), with a mean GPA of 2.98.**

Finally, **Appendix D** tracks the grades given for courses with enrollments of 12 or fewer students (excluding moots and clinics, but including seminars) for the past ten years. All the courses are listed, but for a semester by semester summary from 2002-2012 of the mean GPA for courses, see pages 7, 14, and 21. These courses with smaller enrollments (taught by adjuncts and full-time faculty) along with the seminars offer insight into the trend of the ever-growing numbers of students who are making Honor Roll (3.0 GPA or higher in a semester) and Dean's List (3.5 GPA or higher in a semester). You will note that **for the past decade (2002-2012) courses with small enrollments and seminars have mean GPAs between 3.40 (Fall 2005) and 3.62 (Spring 2004) with a mean GPA of 3.55.** You will also note **increasing enrollments in these Appendix D courses.**

Significance of UNM-SOL's Grading

The ultimate significance of the grade data we've collected really hinges on how our grades compare with peer institutions, and particularly those that constitute our regional competitors in the context of our students getting jobs and clerkships. A potential adjustment of grades through a grading policy or curve would most likely not significantly alter the distribution of rank among the students, but it might nonetheless have a consequence of some import.

Although most large law firms and judges probably use class rank as the key hiring criterion rather than GPA, if a significant number of employers are using a strict GPA cut-off and it turns out that our grading is significantly lower than comparable regional competitor law schools, our grading practices may be placing our students at an unintended disadvantage. (It is worth noting that the current practice in the Law School's Registrar's office is *not* to include a bar graph indicating a student's rank unless the student sending a transcript requests the inclusion of the bar graph.)

Regional Competitors and Schools with Comparable Admissions

To make a meaningful comparison about the grades we assign, we should look at the mean GPAs of schools similar to us in ranking and admissions. I have asked Peter Winograd to help in identifying law schools who might provide appropriate comparisons and William Jackson

is in the process of requesting first year grades from the Registrars of those institutions. (If other schools occur to you please let me know.) The schools suggested are:

Regional competitors: Arizona State University [160 (25%)-162(median)-165(75%]
University of Arizona [158-161-163]
Colorado University [158-164-165]
University of Denver [155-159-161]
Texas Tech [152-155-158]

Schools with similar LSATS: McGeorge Law School [155-158-160]
University of Oklahoma [155-158-161]
University of Oregon [157-159-160]
UNLV [157-159-161]
University of Kansas [154-157-159]
Seattle University [154-157-159]
University of Nebraska [153-157-159]

UNM-SOL's comparable LSATs for the same year were 152-157-161. Our spread tends to be greater than at other schools, so some of the "comparables" have only two very close numbers, with the third (usually the 25%) higher than ours.

UNM-SOL's Experience With a Grading Curve

Although informal consultation among instructors of multiple sections of a course has been the approach taken to assigning grades, such was not always the case--at least not on paper. Nineteen years ago, after an Ad Hoc Committee examined the issue of grades and after considerable debate, the Faculty approved a grading curve on December 4, 1995. (See **Appendix E**) Essentially the curve called for a GPA between 2.60 and 2.70 for all sections of mandatory courses (except clinic); a GPA between 2.9 and 3.10 for all other non-mandatory courses, including clinic, but excluding seminars; and a GPA for seminars between 3.20 and 3.40. [Ironically, the historical data shows that the average GPA for mandatory first year courses in the years before the curve was instituted was *already in compliance* with the proposed curve; some, but not much, adjustment would have been required with the non-mandatory courses, but it is likely the real adjustment would have been required for seminar grades.]

On September 26, 1996 Faculty members teaching in the clinic sought have the GPA for seminars extended to cover grades in clinic, which motion was approved. One year later, on September 15, 1997 the Curriculum Committee was charged to review the grading curve and its - operation and it reported back to the Faculty on December 16, 1997 with a recommendation to abolish the curve. Minutes indicate a division over the continuation of the curve and that student input indicated "that they wanted to be judged against a standard rather than be compared to each other." The vote on abolishing the curve was postponed until the next Faculty meeting on January 26, 1998, when the recommendation of the Curriculum Committee was accepted and the curve abolished. Immediately thereafter, a motion was passed, "that in all classes with more than one section taught by different faculty members, it be mandatory that the faculty consult with

each other on grading." In effect, this has been the only Faculty policy regarding grading since that time.

A final irony is worth noting. The short-lived experiment with a mandatory curve was motivated by a perception of grade **inflation**. If we end up recommending a curve or other formal grading policy it will likely be based on the belief that the absence of a curve has led to the undue **depression** of grades--though perhaps only in the first year and required courses.

Survey of Grading Curves

In the event that we end up exploring the possible implementation of a grading curve I attach an 8 page summary of a survey conducted by the AALS to ascertain various approaches law schools were taking. (See **Appendix F**).

Of the 145 law schools that responded, **115 law schools**(79.3%) **reported they had a formal grading policy** and 30 (20.7%) reported not having a formal grading policy. Of those not having a formal policy, five schools reported using "peer pressure" as a method, consisting of sharing with faculty each semester a summary of grade distributions for required classes, elective classes, and elective seminars along with mean and median information so that faculty can "gauge whether they are grading appropriately."

The main forms or examples of grade curves appear to be by mean, median, and percentage (examples of each of these appear on p. 8 of Appendix E). Attached to the survey as an appendix of some ninety pages, is a more complete description of the grading policy of all of the law schools that responded (but without their institutional identity). I'll send each of you a PDF of the survey with the appendices. I've only skimmed some of them, but there seem to be no end of variations and combinations of approaches, so we should have plenty to draw upon.

Potential UNM Policy Obstacle to a Mandatory Grading Curve

At the time the grading curve was proposed in 1995, the Faculty's representative to the Faculty Senate asserted that a proposed mandatory curve violated the academic freedom of faculty members in term of their capacity to assign grades as set out in the Faculty Handbook. The provision referenced then has not been changed. **UNM Faculty Handbook D-125** reads:

> **Grade Weighting**. The relative value a faculty member assigns to any given evidence of class learning such as an examination, quiz, paper, etc., is a matter of the faculty member's choice. The selection of standards, whether relative to class performance on a distribution curve or to some absolute based on the subject matter itself, is also a matter of individual faculty determination. The only requirement is that whatever the relative weights or however standards are set, results should be given in letter grades expressing the levels of quality described in the General Catalog.

In 1995 the Faculty's Senate representative suggested a mandatory grading curve might require approval of the Faculty Senate and the Regents. The Faculty never responded to this

issue. Perhaps the path of least resistance would be make the grading curve or mandated range advisory but with the hopeful expectation that faculty members would abide by the range.

It would also be useful to us to know how some of the 115 law schools set a formal grading policy within their own universities' Faculty Handbook requirements.

Consistency in Grades Across Sections

The basic issue is fairness or its perception: If we establish mandatory courses taught in multiple sections is there an expectation of grade consistency across the sections, particularly when students are evenly distributed utilizing reliable "predictors?"

Our sections of required classes are not random: the Registrar seeks to strike a rough equivalence in the age, gender, and ethnicity of students in each section. In addition, LSAT scores are the principle criterion of predicted performance (GPAs tend to vary too widely to be useful). And in the second semester--to the extent first semester grades are turned in on time--the ranking of students will be available and that, too, can be equalized among the sections.

As the historic data shows, our informal consultation among instructors of multiple sections has worked well to maintain a degree of consistency--many times out to an exact GPA to two digits. On occasion this process is driven by who is first to complete their grading; a rough range is established that tends to serve as a magnet for the other teacher(s) of the course. It seems far less to be the practice that instructors talk about a grade range *before* the grading. The very gradual grade inflation of required first year classes over 25 years seem more likely to be the result of new people coming into the teaching of courses and evolving dynamics of who is in the "mix" for teaching given courses.

One possibility for establishing a range to achieve consistency is to adopt something akin to the guideline or grade range used by the writing instructors.

In any event, these are just a few thoughts I wanted to share with you before our meeting. I also have the grade distribution in an excel format and will be happy to send any of you who would like that file.

Appendix A

Hi Chris.

Following up on yesterday's faculty meeting announcement, I just wanted to share some thoughts with you about grade curves and how they relate to legal writing classes. First, here is what we do now in our 1L writing courses: We do not have a curve, but do have a guideline that says that each section average should be between 3.33 (B+) and 2.67 (B-). Thus, generally, each section averages around a B. Because the sections are small, a couple students with very high or very low grades can mess up the averages, so if someone finds they are going outside that guideline that instructor and I discuss it. While we have had a few of those discussions in the past, I think maybe only once has a section been outside that average. This allows us to check ourselves – if we were to consistently have a class average above or below the guideline, we would need to re-examine our own grading to insure that it is in line with the other ELA faculty. This guideline works for the students in much the same way as a curve – insuring that grades are fairly distributed across all the sections.

There is a reason why we use this method rather than a curve. Potential employers get to know our grades and know for example that a student who gets an A or a B or a C from me will perform at a certain level of competency. They depend on that and if we curved the grades what is a B one year might be an A or a C another year, which would not be helpful to employers. Moreover, in my opinion what is an A (outstanding) memo or a B (above average) or a C (average) memo does not change from year to year. I have objective criteria for what is outstanding and that doesn't change. But a curve could require me to give an outstanding assessment to a less than outstanding memo or to similarly lower a memo from the objective criteria which it meets. That would not be fair to students, nor would it give accurate/useful information to employers.

I also want to address the perception that because the sections are created equal the ultimate grades should also be equal. First, I am not convinced that the writing sections are as equal as we think, but even assuming that they are, equality of ability does not necessarily translate into equality of performance. That is, I have had very bright students who for one reason or another have chosen to blow off the writing class and hence have not received the high grade that they were capable of achieving. Similarly, I have students whose predictors would suggest a lower grade, but because of a strong work ethic or other factors they perform better than anticipated. Thus, there are going to be variations among the sections, even if they are stocked with students with identical predictors. (As you know, the lure of LRRW is stronger for some students than for others).

Finally, now that we have four LW instructors, our sections are smaller. As you know, it is hard to have a perfect curve in a small section because even one student can skew that curve.

So, the bottom line of my thoughts is that while I think there does need to be some form of guideline among teachers of the same subject so that students assigned to one teacher do not have a clear advantage or disadvantage in final grade, I do not favor a mandatory curve. I think that within subject areas the professors can come up with a system that best suits their classes, as we have done with our ELA section average guideline.

Thanks for reading this. Let me know if you'd like to discuss any of my thoughts or the ELA grading criteria in more detail.--Barbara

	Sec #	S-2012	F-2011	S-2011	F-2010	S-2010	F-2009	S-2009	F-2008	S-2008	F-2007	S-2007	F-2006	S-2006	F-2005	S-2005	F-2004	S-2004	F-2003	S-2003
CHLP/Hist Intro	1		2.84		2.96		2.77		2.84		3.16		2.89		2.93		2.94		2.82	
CHLP/Hist Intro	2		2.81		2.80		2.87		2.84		2.96		2.83		2.91		2.89		2.78	
Civ Pro I	1	2.97		2.72		2.67		2.71		2.72		2.77		2.88		2.72		2.60		2.71
Civ Pro I	2	2.88		2.82		2.68		2.75		2.66		2.78		2.64		2.74		2.65		2.67
Civ Pro I	3	2.97								2.72										
Con Rts	1		2.90		2.70		2.94		2.95		2.83		2.96	2.93		3.09		2.86		2.82
Con Rts	2		3.21		3.01		3.04		2.93		2.83		2.93							
Con Rts	3		3.11		2.80		2.79		2.85				2.81							
Contracts	1		2.92		2.91		2.78		2.83		2.74		2.73		2.78		2.75		2.84	
Contracts	2		2.96		2.80		2.83		2.80		2.75		2.90		2.83		2.86		2.80	
Contracts	3		2.97		2.80		2.91		2.84		2.76		2.69		2.85		2.77		2.79	
Contracts	4																			
Crim Law	1		2.82		2.80		2.74		2.81		2.70		2.78		2.77		2.94		2.76	
Crim Law	2		2.84		2.77		2.80		2.83		2.70		2.72		2.78		3.12		2.69	
Crim Law	3		2.85		2.80		2.83		2.94				2.79		2.78		3.08		2.75	
Intro Con Law	1	2.91		2.67		2.76		2.76		2.79		2.71		2.73	2.76		2.75		2.67	
Intro Con Law	2	3.10		2.77		2.75		2.76		2.78		2.71		2.73	2.73		2.74		2.73	
Intro Con Law	3	3.11		2.80													2.69			
LAP	1															3.03		2.79		2.81
LAP	2															2.73		2.78		2.96

Appendix B

	Sec #	S-2012	F-2011	S-2011	F-2010	S-2010	F-2009	S-2009	F-2008	S-2008	F-2007	S-2007	F-2006	S-2006	F-2005	S-2005	F-2004	S-2004	F-2003	S-2003
Property I	1	2.78		2.78		2.84		2.88		2.79		2.86		2.84		2.91		2.83		
Property I	2	2.68		2.72		2.63		2.88		2.77		2.86		2.63		2.91		2.85		
Property I	3	2.75																		
Property I	4																			
Torts	1		2.71		2.80		2.67		2.67		2.70		2.87		2.67		2.86		2.69	2.75
Torts	2		2.72		2.80		2.67		2.73		2.70		2.66		2.66		2.96		2.68	2.72
Torts	3		2.71								2.70		2.87		2.65		2.84		2.79	
Sum		26.15	40.37	19.28	36.75	16.33	36.64	16.74	36.86	19.23	33.53	16.69	39.43	19.38	36.10	20.13	40.19	19.36	35.79	19.44
Count of Sections		9	14	7	13	6	13	6	13	7	12	6	14	7	13	7	14	7	13	7
Mean GPA		2.91	2.88	2.75	2.83	2.72	2.82	2.79	2.84	2.75	2.79	2.78	2.82	2.77	2.78	2.88	2.87	2.77	2.75	2.78
Summary:		Lowest to highest value range: 2.47 (F1986) to 2.91 (S2012)																		
		Rising trend.																		
		Mean GPA for all courses for all years: **2.72**																		

	F-2002	S-2002	F-2001	S-2001	F-2000	S-2000	F-1999	S-1999	F-1998	S-1998	F-1997	S-1997	F-1996	S-1996	F-1995	S-1995	F-1994	S-1994	F-1993
CHLP/Hist Intro	2.93		2.84		2.81		2.69		2.58		2.81		2.69		2.69		2.78		2.77
CHLP/Hist Intro	2.89		2.63		2.80		2.81		2.65		2.62		2.68		2.72		2.81		2.93
Civ Pro I		2.70		2.62		2.82		2.78		2.75		2.71		2.71		2.71		2.58	
Civ Pro I		2.69		2.55		2.78		2.79		2.60		2.78		2.73		2.56		2.63	
Civ Pro I																			
Con Rts		2.63		2.70				2.69		2.76		3.04		2.71			2.67	2.67	
Con Rts																			
Con Rts																			
Contracts	2.87		2.81		2.67		2.74		2.71		2.70		2.67		2.65		2.62		2.56
Contracts	2.87		2.83		2.79		2.74		2.74		2.75		2.70		2.71		2.55		2.75
Contracts	2.66		2.81		2.70		2.79				2.65								
Contracts							2.72												
Crim Law	2.72		2.75		2.64		2.63		2.66		2.66		2.65		2.61		2.48		2.62
Crim Law	2.72		2.75		2.75		2.57		2.68		2.61		2.62		2.74		2.48		2.52
Crim Law	2.73		2.67		2.69								2.39		2.13				
Intro Con Law	2.81		2.77		2.64		2.65		2.67		2.83		2.66		2.67		2.56		2.51
Intro Con Law	2.79		2.81		2.67		2.69		2.61		2.70		2.78		2.66		2.61		2.61
Intro Con Law	2.79																		
LAP		2.75		3.01		2.76		2.77		2.73		2.67		2.71		2.51		2.52	
LAP		2.94		2.81		2.87		2.85		2.73		2.68				2.67		2.49	

Req'd 1st Yr Courses (except writing) and Con Rts: GPA by Course by Yr (Fall 86 - Sp 2012)

	F-2002	S-2002	F-2001	S-2001	F-2000	S-2000	F-1999	S-1999	F-1998	S-1998	F-1997	S-1997	F-1996	S-1996	F-1995	S-1995	F-1994	S-1994	F-1993
Property I	2.88		2.52		2.63		2.76		2.98		2.70		2.64		2.73		2.74		2.50
Property I	2.80		2.57		2.65		2.77		2.90		2.71		2.61		2.69		2.71		2.88
Property I									2.95								2.66		
Property I									2.96										
Torts		2.73		2.68		2.80		2.75		2.67		2.66		2.62		2.69		2.78	
Torts		2.67		2.64		2.72		2.73		2.70		2.71		2.62		2.58		2.69	
Torts																			
Sum	36.46	19.11	32.76	19.01	32.44	16.75	32.56	19.36	33.09	18.94	29.74	19.25	29.09	16.10	29.00	15.72	31.67	18.36	26.65
Count of Sections	13	7	12	7	12	6	12	7	12	7	11	7	11	6	11	6	12	7	10
Mean GPA	2.80	2.73	2.73	2.72	2.70	2.79	2.71	2.77	2.76	2.71	2.70	2.75	2.64	2.68	2.64	2.62	2.64	2.62	2.67
Summary:																			

	S-1993	F-1992	S-1992	F-1991	S-1991	F-1990	S-1990	F-1989	S-1989	F-1988	S-1988	F-1987	S-1987	F-1986	Sum	Subtotal	Count	Mean GPA
CHLP/Hist Intro		2.97		2.94		2.52		2.56		2.65		2.60			69.98		25	
CHLP/Hist Intro		2.94		2.86		2.68		2.50		2.44		2.68			69.33		25	
																139.31	50	2.79
Civ Pro I	2.65		2.53		2.46		2.50		2.36		2.46		2.52		69.33		26	
Civ Pro I	2.52		2.64		2.59		2.54		2.50		2.92		2.53		69.62		26	
Civ Pro I															5.69		2	
																144.64	54	2.68
Con Rts	2.71		2.98		2.67		2.61		2.69		2.57		2.76		69.84		25	
Con Rts									2.67						20.62		7	
Con Rts															14.36		5	
																104.82	37	2.83
Contracts		2.58		2.57		2.54		2.63		2.53		2.33		2.37	69.83		26	
Contracts		2.60		2.51		2.54		2.61		2.58		2.42		2.34	70.56		26	
Contracts															38.99		14	
Contracts															2.72		1	
																182.10	67	2.72
Crim Law		2.72		2.60		2.52	2.69		2.68		2.88		2.48		70.11		26	
Crim Law		2.53		2.50		2.54	2.57		2.63		2.56		2.49		69.51		26	
Crim Law															35.43		13	
																175.05	65	2.69
Intro Con Law		2.71		2.63		2.58		2.63		2.59		2.65		2.61	72.68		27	
Intro Con Law		2.88		2.94		2.50		2.74		2.61		2.56		2.62	73.58		27	
Intro Con Law															11.39		4	
																157.65	58	2.72
LAP	2.49		2.55		2.57		2.50		2.59		2.67		2.59		51.02		19	
LAP	2.56		2.59		2.53		2.64		2.60		2.50		2.48		48.41		18	

Req'd 1st Yr Courses (except writing) and Con Rts: GPA by Course by Yr (Fall 86 - Sp 2012)

	S-1993	F-1992	S-1992	F-1991	S-1991	F-1990	S-1990	F-1989	S-1989	F-1988	S-1988	F-1987	S-1987	F-1986	Sum	Subtotal	Count	Mean GPA
																99.43	37	2.69
Property I		2.79		2.39		2.71		2.73		2.59		2.42		2.40	70.62		26	
Property I		2.67		2.37		2.82				2.70		2.61		2.43	67.82		25	
Property I		2.58		2.67		2.91									16.52		6	
Property I															2.96		1	
																157.92	58	2.72
Torts	2.58		2.52		2.80			2.33		2.57		2.41		2.36	69.34		26	
Torts	2.59		2.93		2.76			2.54		2.37		2.62		2.66	69.83		26	
Torts															16.56		6	
																155.73	58	2.69
Sum	18.10	29.97	18.74	28.98	18.38	28.86	18.05	23.27	20.72	25.63	18.56	25.30	17.85	19.79	1316.65	1316.65	484.00	2.72
Count of Sections	7	11	7	11	7	11	7	9	8	10	7	10	7	8	484.00			
Mean GPA	2.59	2.72	2.68	2.63	2.63	2.62	2.58	2.59	2.59	2.56	2.65	2.53	2.55	2.47	2.72			
Summary:																		

Non-Required Courses: GPA by Course by Year (Fall 1986-Spring 2012)

	S-2012	F-2011	S-2011	F-2010	S-2010	F-2009	S-2009	F-2008	S-2008	F-2007	S-2007	F-2006	S-2006	F-2005	S-2005	F-2004	S-2004	F-2003	S-2003
Bankruptcy						3.07		2.89			3.03		3.09		3.01			3.02	
Bus Assn I		3.08	3.24	3.13		2.63		3.14		2.98	3.09	2.98		3.09		2.87	3.00		
Civ Pro II	2.43		2.89		2.38		2.87			2.49	2.60			2.77	2.92			2.80	
Comm Trans I										2.97		3.54		3.21	2.97				
Crim Pro		3.00		3.14		3.09		3.11	2.76		2.78	3.20	2.96			3.09		3.02	3.01
Environmental		2.98	2.86		3.52		3.39			3.30		2.86	2.92			3.50		3.57	3.67
Evidence		3.85		3.09		2.85		2.91		2.99		2.91	2.88		2.96			2.79	
Family Law		3.31		3.04		3.40		3.38		3.01		2.98		3.31	3.16		3.19		
Fed In Tax		3.33		3.02		3.32		2.96		3.08		3.05		3.15	3.23			3.12	
Fed Jur	3.43		2.89		2.92		3.09		2.87		2.79		2.88		3.02		2.74		2.70
Indian Law	3.26	3.11	3.18	3.17	3.07	3.02	3.01	3.52	2.67	2.81	3.16	3.01	3.13	3.12		2.88		2.68	
Intl' Law	3.59		3.62		3.04		3.26		3.15			3.09		3.77				3.52	
Prop II	2.94		3.79		2.90		2.87			3.00		2.85		3.08		2.95	3.10		2.75
Water Law		3.20		3.19		3.26		3.03			3.39		2.97		3.07			3.13	3.17
Wills & Trusts	3.26		2.98		3.32		3.12		3.22		3.14		2.85		3.04		3.02		
Sum	18.91	25.86	25.45	21.78	21.15	24.64	21.61	24.94	14.67	26.63	23.98	30.47	23.68	25.50	27.38	15.29	15.05	27.65	15.30
Count	6	8	8	7	7	8	7	8	5	9	8	10	8	8	9	5	5	9	5
Mean GPA	**3.15**	**3.23**	**3.18**	**3.11**	3.02	3.08	3.09	**3.12**	2.93	2.96	3.00	3.05	2.96	**3.19**	3.04	3.06	3.01	3.07	3.06
Summary:	Lowest to highest value Range: 2.59 (F1986) to 3.23 (F2011)																		
	Rising trend. Semesters with > 3.1 GPA noted.																		
	Mean GPA for all courses for all years: **2.98**																		

Appendix C

Non-Required Courses: GPA by Course by Year (Fall 1986-Spring 2012)

	F-2002	S-2002	F-2001	S-2001	F-2000	S-2000	F-1999	S-1999	F-1998	S-1998	F-1997	S-1997	F-1996	S-1996	F-1995	S-1995	F-1994	S-1994	F-1993
Bankruptcy	2.99	2.97			3.08		3.01		2.81	2.72		2.95		2.78		2.63		3.27	
Bus Assn I	2.77		3.13		3.11		3.09	2.90	3.03		2.89		2.94		2.69		2.73		2.84
Civ Pro II	2.74		2.63		2.72		2.55		2.99	2.66		3.00			2.97		2.68		2.66
Comm Trans I	2.91		3.11		3.06		2.66		2.74		3.08		2.95		2.87		2.51		2.62
Crim Pro	2.92	3.15	2.87	2.94	2.74	2.83			3.06	2.91		2.85		3.22		2.79		3.30	
Environmental			3.19	3.22		3.37			2.15		3.04		2.97		3.33		3.43		3.11
Evidence	2.82		2.87		2.88		3.01		2.85		2.93	3.08			3.05		2.66		2.97
Family Law	3.20		3.03	3.44		3.08			2.99	2.92		3.03		2.77		2.58		3.42	
Fed In Tax	2.94		2.86		3.00		3.05		3.18		3.09		3.13		2.91		3.03		
Fed Jur		2.83		2.80		2.82		2.97		2.91		2.90		2.90		2.81		2.77	
Indian Law	2.66		2.77		2.93		3.33		2.92		2.94				2.80		2.75		3.08
Intl' Law	3.02		3.30	3.50			3.36	3.53			3.50		3.05		3.25		3.67		3.21
Prop II		2.83		2.78		2.82		2.86		2.92			2.98	2.93	2.90	2.92		3.28	2.44
Water Law		3.64		3.71		3.18			3.44		3.33		3.15		3.44		3.09	3.11	
Wills & Trusts	3.06	3.40			2.99		3.20	2.89			3.16	2.91		3.00		2.65		3.13	2.59
Sum	32.03	18.82	29.76	22.39	26.51	18.10	27.26	15.15	32.16	17.04	27.96	20.72	21.17	17.60	30.21	16.38	26.55	22.28	25.52
Count	11	6	10	7	9	6	9	5	11	6	9	7	7	6	10	6	9	7	9
Mean GPA	2.91	**3.14**	2.98	3.20	2.95	3.02	3.03	3.03	2.92	2.84	**3.11**	2.96	3.02	2.93	3.02	2.73	2.95	**3.18**	2.84
Summary:																			

Non-Required Courses: GPA by Course by Year (Fall 1986-Spring 2012)

	S-1993	F-1992	S-1992	F-1991	S-1991	F-1990	S-1990	F-1989	S-1989	F-1988	S-1988	F-1987	S-1987	F-1986	Sum	Count	Mean GPA
Bankruptcy		3.53		3.85	3.60		3.49		3.13		2.45		2.86		70.23	23	3.05
Bus Assn I		2.61	2.60		2.67	2.85	2.83	2.74	2.72	2.78	2.42	2.58	3.00	2.61	97.76	34	2.88
Civ Pro II		2.57		2.81		2.62		2.44		2.56		2.38		2.28	69.41	26	2.67
Comm Trans I		2.87		3.06		2.55		2.65		2.63		2.55		2.55	60.06	21	2.86
Crim Pro	3.10		3.02		2.94				2.70			2.74	2.72		85.96	29	2.96
Environmental	3.18		3.15			2.93				3.10	3.42		2.84		79.00	25	**3.16**
Evidence		2.45		2.93		2.90	2.96	2.69		2.80		2.39	2.71		78.18	27	2.90
Family Law		2.78		3.14		3.49	3.06		3.12			2.48	3.34		80.65	26	**3.10**
Fed In Tax				3.22		2.67		2.81		3.11		2.59		2.59	72.44	24	3.02
Fed Jur			2.90		3.12		2.50			2.82	2.77		2.80		71.95	25	2.88
Indian Law		3.11		3.16		3.52		3.40		3.25		4.00		2.80	98.22	32	3.07
Intl' Law		3.24		3.30		2.89		3.04	3.14			3.14			79.18	24	**3.30**
Prop II	2.95	3.29	3.08	2.56	2.72	2.64	2.67	2.73	2.83	2.63	2.62	3.00	2.87	2.26	100.74	35	2.88
Water Law	3.52		3.18		3.09		3.05		3.13		2.87			2.93	80.27	25	**3.21**
Wills & Trusts	2.93		3.32		2.68		2.44	2.72	2.33	2.62	2.33	2.71	2.26	2.66	89.93	31	2.90
Sum	15.68	26.45	21.25	28.03	20.82	29.06	23.00	25.22	23.10	28.30	18.88	30.56	25.40	20.68	1213.98	407	**2.98**
Count	5	9	7	9	7	10	8	9	8	10	7	11	9	8	407		
Mean GPA	**3.14**	2.94	3.04	**3.11**	2.97	2.91	2.88	2.80	2.89	2.83	2.70	2.78	2.82	2.59	**2.98**		
Summary:																	

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007
Adv Evidence & Trial Prac	3.67	11			4.00	11													
Adv Legal Research															3.80	10	3.78	12	4.19
Adv Legal Research															3.19	9			3.70
Adv Legal Research															3.66	11			
Adv Legal Writing	3.30	9							3.24	11			3.67	8					
Adv Tort Litigation									3.43	11									
Amer Con History																			
Animal Rights/Welfare																	3.50	8	
Antitrust Law I					3.62	7													3.53
Arbitration									3.56	9									
Bioethics											3.58	11			3.67	10			
Business Asso II Topics																	3.57	7	
Business Planning	3.54	9			3.75	6							3.56	7					
Children's Law																	4.05	9	
Church & State	3.34	9																	
Commercial Trans IIE-Sales																			
Community Property			3.79	9			3.80	7					3.83	9			3.70	11	
Comparative Law																			
Computer Law																			
Conflicts Indian Law	3.53	5			3.17	9			3.56	11			3.52	8			3.67	9	
Construction Law																			
Economic Dev in Indian C	3.17	7							3.44	9									
Employment Law																			
Endangered Species																	3.50	5	
Energy Law																			
Environmental Pro																			
Estate Retirement Planning													3.67	7					
Federal Estate & Gift Tax			3.42	8									3.61	7					
Federal Public Land & Resrce																			
First Amendment Rights																			
Human Rights Law																	3.73	10	
Immigration Law			3.24	8									3.43	7					

Appendix D

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007
Indian Gaming							3.17	6											
Indian Land Claims			2.27	7															4.00
Indian Tax					2.84	8							3.48	7					
Indian Water Rights															2.89	9			
Information Technology &																			
Insurance	3.67	11																	
Intellectual Property Law													3.17	8					
International Business Law									3.40	6									
International Criminal Law					3.63	8							3.33	10					
International Property Law					3.79	12													
Interview, Counsel & Neg	3.81	11																	
Intl Law																			
Intro to ADR							3.94	12			3.61	7							
Jurisprudence																			
Labor Law	3.67	6			3.42	8							3.3	12					
Land Use Regulation							3.70	10									3.83	10	
Law of Indigenous People											3.58	12			3.70	12			
Law Office Management									4.07	6							3.47	12	
Mental Disability in Crim													3.71	11			3.50	6	
Native American Rights											3.67	8							
Natur Resour: Indian Cou			3.56	8			3.75	5			3.33	11							
Natural Resources							3.63	8					3.63	11			3.21	11	3.76
Oil & Gas			3.30	10	2.96	10					3.40	10							2.93
Patent Law			3.09	8							3.54	11							
Payment Systems							3.00	4											
Pre-Trial Practice	3.92	9			3.63	11			3.58	11			3.72	12					
Real Estate Planning											4.00	12							
Refugee & Asylum Law	3.37	9									3.75	8							
Remedies	3.11	7																	
Sales of Goods									3.06	12			3.17	9					
Sem: Immigration Law																			
Sem: Art Law															3.94	12			
Sem: Employment Discrim																			
Sem: Indian Law			3.11	6															

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007
Sexual Orientation & Law					3.48	9											3.71	10	
Spanish for Lawyers I			3.77	11			3.67	7			3.56	12							
Spanish for Lawyers II	3.63	8			3.84	2			3.48	9									
Specialized Legal Resear			3.00	7			3.95	9			3.95	9	3.75	4					
Specialized Legal Resear													3.61	11					
Sports Law			3.61	12															
State & Local Tax											3.53	5							
State: Con Law															3.37	8			
Supreme Court Decision					3.50	8							3.52	8			3.37	9	
T: Jurisprudence	4.00	9																	
T: Ad Bankruptcy																			
T: Admin Law																			
T: Adv Con Law Seminar					2.77	10													
T: Adv Immigration in Pra	3.76	7			3.75	8													
T: Adv Innocence & Justice	3.71	7	3.40	5	3.67	4	4.00	8			3.84	2							
T: Adv Legal Writing																	3.67	10	
T: Adv Oil & Gas	3.54	8																	
T: Adv Problems in Ethics																			
T: Adv Torts	3.63	10			3.72	7													
T: AIDS and the Law																			
T: Animal Welfare																			
T: Appellate Decision Mak	3.44	12			3.50	12			3.27	12									
T: Appellate Law & Practi	3.67	8	3.79	8	3.91	11	3.79	11	3.86	7	3.76	8							
T: Arbitration	3.41	9			4.00	3													
T: Argue & Persuasive Wr					3.67	10													
T: Business & Tax Clinic															3.63	8			
T: Business Asso II									2.93	9									
T: Business Law													2.8	5					
T: Child Advocacy													3.33	9					
T: Child Dev & Legal Syst																			
T: Children Law Drafting			3.94	6															
T: CHLP Revisited									3.54	8									
T: Clemency Law/Practicum													3.62	7					
T: Climate, Law & Energy							3.00	6											

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007
T: Climate, Law & Energy							3.00	2											
T: Community Property B			4.00	4															
T: Complex Lit - Class Act	3.75	9																	
T: Conflicts Indian Law																			
T: Constitutional Law Topics													3.61	6					
T: Copyright Law																			
T: Corp Governance																			3.73
T: Corp. Response Smr					3.58	8													
T: Criminal Law Indian Co	3.74	10											3.38	9					
T: Cultural Property																			3.50
T: Disabilities Law																			
T: Documentary Films &																			3.67
T: DWI-DV Prosecution	3.63	8	3.83	8	3.09	4	3.88	8											
T: Education Law					3.67	8													
T: Election Law															4.00	9	3.75	9	
T: Employee Benefits																			
T: Employment Discrim	3.56	10			3.57	12													
T: Endangered Species																			
T: Env Global																			
T: Env Justice, Energy, Cli			3.46	10															3.20
T: Env. Litigation Drafting	3.46	8																	
T: Estate & Gift Tax									3.58	5									
T: Estate & Retirement Pla			3.22	12															
T: Ethics of Bus Law																			
T: Family Law Drafting	2.00	5																	
T: Federal Motion Practic	3.44	6	3.67	12	3.53	7	3.67	9	3.71	9	3.67	12	3.57	11	3.67	11	3.70	9	
T: Gender and the Law																			3.45
T: Health Law & Ethics																			3.83
T: Healthcare Financing																			
T: Human Rights II	4.11	6			3.90	12													
T: Immigration & Civil Rig									3.46	8									
T: Immigration Law Practi							3.67	7			3.72	6	3.75	7	3.89	9			
T: Indian Appellate Advoc							3.00	6											
T: Indian Child, Youth & Fam									3.67	9									

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007
T: Indian Ed & Equity																			
T: Indian Gaming															4.11	9			
T: Indian Law Appellate A																	3.50	6	
T: Innocence & Justice									3.76	11	3.70	10	3.72	12					
T: Innocence & Justice Pr	4.11	3	3.70	10	3.50	6	3.67	7	4.00	1									
T: Interg Gbl War on																			
T: Intl Business Ethics																			
T: Intl Criminal Law																			
T: Intl Environmental Law					3.89	6													
T: Intl Law & Indigens Pe													4	3					
T: Intl Law/War & Peace																			
T: Intl Litigation & Arbitr																			
T: Intl Natural Resources																			
T: Intl Petroleum Trans															2.84	9			3.33
T: Intl Trade & Environ																			
T: Intl Water Law																			
T: Intl Wildlife Law																			
T: Intro Mexican Law																			
T: Judging																			
T: Juris: Crit Rac															3.46	8			
T: Law and Economics																	3.27	5	
T: Law and Film																			
T: Law and Literature									3.66	6									
T: Law of Indigenous People																			
T: Lawyers New & Old																			3.10
T: Legal Hermeneuti																			
T: Legal Research I											3.34	9	3.4	11	3.89	4			
T: Legal Research I											3.90	11	3.7	10					
T: Legal Research I													3.67	10					
T: Legal Research II							3.96	8			3.47	6							
T: Legal Research II							3.87	10											
T: Legis Process Ad																			4.00
T: Legislation															4.04	9			
T: Legislative Drafting			3.27	5															

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007
T: Licensing for Intell Prop																	3.43	10	
T: Media & Community																			
T: Mex Americans &																			
T: Military Law																			
T: Nat Resources in Ind C															3.67	7			
T: Native American Rights	3.71	8																	
T: Natural Resources Mgmt	4.00	2							4.08	4									
T: Natural Resources Sem													3.87	5					
T: Natural Security Law																			
T: Navajo Law & Practice																			
T: Oil & Gas Contracts																			
T: Partnership Taxation																			
T: Patent Law																	3.54	8	
T: Peace & Conflict																			
T: Planning & Environment			3.71	8	3.61	11			3.94	6									
T: Predatory Lending Sem							3.71	8											
T: Predatory Lending Sem							3.22	3											
T: Prob in Commercial Trans																			
T: Problems Natural Reso	3.61	11																	
T: Public Law											3.17	4							4.00
T: Race & Law in Americ																	3.13	6	
T: Reading & Applying Ca																	2.97	12	
T: Real Estate Drafting					3.20	12													
T: School Law																			
T: Spanish for Lawyers II																			
T: Specialized Legal Research																	4.00	1	
T: Specialized Legal Research																	3.73	6	4.10
T: State & Local Tax																			
T: State & Tribal Relation					2.78	9							3	7					
T: State Con Law																			
T: Tax Exempt Org																			
T: Terrorism & Law																			
T: Theory of Conflict																			
T: Trademark Law															3.27	11			

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007
T: Transboundary Water																			
T: View From Appellate Br			3.50	3	3.38	8	3.67	2											
T: Weather in the US															3.67	6			
T: Welfare, wk, ec justice																			
T: West Water Policy																			
T: White Collar Crim																			
T: Wildlife Law																			
T: Women in the Law					4.00	6													
T: Workers Comp																			
Tax Exempt Org															3.42	11			
Taxation-Bus Enterp	3.25	8											3.62	9					
Trademark Law					3.54	8													
Trial Practice	4.06	12			4.04	8			4.00	10									
Trial Practice Workshop													4	9			4.00	12	
Trial Practice Workshop																			
Tribal Courts																			3.58
Western Water Policy							3.50	6											3.47
Sum	125.32	287	79.65	185	127.90	299	86.22	169	86.28	200	76.07	184	120.72	286	75.78	192	93.28	223	69.07
Count of courses	35		23		36		24		24		21		34		21		26		19
Mean GPA or Class Size	**3.58**	8	**3.46**	8	**3.55**	8	**3.59**	7	**3.60**	8	**3.62**	9	**3.55**	8	**3.61**	9	**3.59**	9	**3.64**
Count of students		287		185		299		169		200		184		286		192		223	

Summary: Lowest to highest value Range: 3.40 (F2005) to 3.62 (S2004)

Stable Mean GPA trend of ~ 3.5. However, there is increasing enrollment in these courses (see Count of students).

Mean GPA for all courses for all years: **3.55**

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003
Adv Evidence & Trial Prac																			
Adv Legal Research	12	3.97	10	3.55	6	3.83	12	3.52	7			3.42	12					3.78	12
Adv Legal Research	9	4.05	8	3.89	12														
Adv Legal Research																			
Adv Legal Writing		3.37	11																
Adv Tort Litigation		3.40	10															3.55	11
Amer Con History		3.62	10							3.44	12								
Animal Rights/Welfare								3.76	12							3.93	5		
Antitrust Law I	7					3.67	5							4	3				
Arbitration		2.50	9																
Bioethics										3.33	10								
Business Asso II Topics						4.00	3											3.39	7
Business Planning		3.03	11																
Children's Law																			
Church & State				3.40	7													3.09	7
Commercial Trans IIE-Sales						3.44	6			3.33	4								
Community Property												3.7	12						
Comparative Law						3.26	9							3.17	7				
Computer Law														3.82	10			3.72	7
Conflicts Indian Law		3.45	4																
Construction Law																		3.3	11
Economic Dev in Indian C														3.62	7				
Employment Law										3.33	12								
Endangered Species																			
Energy Law		3.29	9															3.47	8
Environmental Pro																			
Estate Retirement Planning																			
Federal Estate & Gift Tax						3.48	11												
Federal Public Land & Resrce		3.60	5											3.5	6				
First Amendment Rights				3.56	7											3.24	8		
Human Rights Law										3.67	9								
Immigration Law																			

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003
Indian Gaming																			
Indian Land Claims	4											3.47	11						
Indian Tax								3.2	6					3.42	12				
Indian Water Rights		3.00	8									3.42	4					3.38	8
Information Technology &				3.78	10														
Insurance																		3.24	12
Intellectual Property Law		3.27	12			3.37	12												
International Business Law						3.14	8											3.5	8
International Criminal Law																			
International Property Law																			
Interview, Counsel & Neg																			
Intl Law										3.24	12								
Intro to ADR																3.2	5		
Jurisprudence										3.75	8								
Labor Law																			
Land Use Regulation														3.84	4	3.5	6		
Law of Indigenous People																			
Law Office Management																			
Mental Disability in Crim																			
Native American Rights						3.87	7											3.67	5
Natur Resour: Indian Cou																			
Natural Resources	9	3.67	1	3.67	7			3.71	12										
Oil & Gas	10													3.15	10				
Patent Law																			
Payment Systems																			
Pre-Trial Practice																		3.5	11
Real Estate Planning																			
Refugee & Asylum Law						3.73	10							3.74	10				
Remedies																			
Sales of Goods																			
Sem: Immigration Law																		2.79	9
Sem: Art Law																			
Sem: Employment Discrim				3.59	8														
Sem: Indian Law																			

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003
Sexual Orientation & Law																			
Spanish for Lawyers I																			
Spanish for Lawyers II																			
Specialized Legal Resear																			
Specialized Legal Resear																			
Sports Law												3.42	10						
State & Local Tax																			
State: Con Law																			
Supreme Court Decision		3.78	9											3.33	9				
T: Jurisprudence																			
T: Ad Bankruptcy						3.56	7												
T: Admin Law						2.20	9												
T: Adv Con Law Seminar																			
T: Adv Immigration in Pra																			
T: Adv Innocence & Justice																			
T: Adv Legal Writing																			
T: Adv Oil & Gas																			
T: Adv Problems in Ethics				3.33	4														
T: Adv Torts																			
T: AIDS and the Law				3.73	6							3.78	11						
T: Animal Welfare								4	1										
T: Appellate Decision Mak																			
T: Appellate Law & Practi																			
T: Arbitration																			
T: Argue & Persuasive Wr																			
T: Business & Tax Clinic																			
T: Business Asso II																			
T: Business Law																			
T: Child Advocacy																			
T: Child Dev & Legal Syst		3.75	8																
T: Children Law Drafting																			
T: CHLP Revisited																			
T: Clemency Law/Practicum																			
T: Climate, Law & Energy																			

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003
T: Climate, Law & Energy																			
T: Community Property B																			
T: Complex Lit - Class Act																			
T: Conflicts Indian Law						3.42	8			3.63	9								
T: Constitutional Law Topics																			
T: Copyright Law																		3.23	11
T: Corp Governance	12																		
T: Corp. Response Smr																			
T: Criminal Law Indian Co																			
T: Cultural Property	9																		
T: Disabilities Law														3.44	8				
T: Documentary Films &	3																		
T: DWI-DV Prosecution																			
T: Education Law																3.57	10		
T: Election Law																			
T: Employee Benefits								3.52	8										
T: Employment Discrim																			
T: Endangered Species																		4	8
T: Env Global				3.33	4														
T: Env Justice, Energy, Cli	11					3.73	6												
T: Env. Litigation Drafting																			
T: Estate & Gift Tax																			
T: Estate & Retirement Pla																			
T: Ethics of Bus Law				3.75	4														
T: Family Law Drafting																			
T: Federal Motion Practic																			
T: Gender and the Law	12					3.59	8												
T: Health Law & Ethics	9																		
T: Healthcare Financing																			
T: Human Rights II																			
T: Immigration & Civil Rig																			
T: Immigration Law Practi																			
T: Indian Appellate Advoc																			
T: Indian Child, Youth & Fam																			

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003
T: Indian Ed & Equity								3.83	10										
T: Indian Gaming																		3.47	9
T: Indian Law Appellate A																			
T: Innocence & Justice		3.62	7																
T: Innocence & Justice Pr																			
T: Interg Gbl War on						3.67	11												
T: Intl Business Ethics								2.96	10										
T: Intl Criminal Law						3.22	9			3.21	12								
T: Intl Environmental Law								3.05	7									3.3	9
T: Intl Law & Indigens Pe										4	2					3.47	5		
T: Intl Law/War & Peace								3.48	7										
T: Intl Litigation & Arbitr																3.27	6		
T: Intl Natural Resources												3.83	4						
T: Intl Petroleum Trans	6																		
T: Intl Trade & Environ						3.50	2												
T: Intl Water Law														3.63	8				
T: Intl Wildlife Law														3.89	12				
T: Intro Mexican Law						3.50	6												
T: Judging										3.13	8								
T: Juris: Crit Rac																			
T: Law and Economics																			
T: Law and Film						4.00	9												
T: Law and Literature																			
T: Law of Indigenous People				3.33	4			3.5	9			3.11	10						
T: Lawyers New & Old	10																		
T: Legal Hermeneuti						3.76	7												
T: Legal Research I																			
T: Legal Research I																			
T: Legal Research I																			
T: Legal Research II																			
T: Legal Research II																			
T: Legis Process Ad	12																		
T: Legislation																			
T: Legislative Drafting																			

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003
T: Licensing for Intell Prop																			
T: Media & Community																		3.22	6
T: Mex Americans &								3.58	7										
T: Military Law		3.28	6																
T: Nat Resources in Ind C																			
T: Native American Rights																			
T: Natural Resources Mgmt																			
T: Natural Resources Sem																			
T: Natural Security Law		3.57	11																
T: Navajo Law & Practice						4.00	6			4.08	8								
T: Oil & Gas Contracts				3.56	7									3.78	3				
T: Partnership Taxation																		3.39	6
T: Patent Law								3.21	11							3.47	10		
T: Peace & Conflict								2.67	3										
T: Planning & Environment																			
T: Predatory Lending Sem																			
T: Predatory Lending Sem																			
T: Prob in Commercial Trans																2.91	11		
T: Problems Natural Reso																			
T: Public Law	1																		
T: Race & Law in Americ																			
T: Reading & Applying Ca																			
T: Real Estate Drafting																			
T: School Law																			
T: Spanish for Lawyers II						3.75	8	3.6	10										
T: Specialized Legal Research		3.78	3	3.94	11														
T: Specialized Legal Research	10																		
T: State & Local Tax								2.96	8			3.08	12						
T: State & Tribal Relation																			
T: State Con Law																		3.23	10
T: Tax Exempt Org										3.47	12								
T: Terrorism & Law										3.72	6								
T: Theory of Conflict						3.73	11			3.23	10					3.6	11		
T: Trademark Law		3.33	8																

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003
T: Transboundary Water				2.95	10														
T: View From Appellate Br																			
T: Weather in the US																			
T: Welfare, wk, ec justice														3.52	8				
T: West Water Policy												3.24	7			3.83	5		
T: White Collar Crim																			
T: Wildlife Law																			
T: Women in the Law																			
T: Workers Comp				3.11	7														
Tax Exempt Org																			
Taxation-Bus Enterp		3.57	10			3.89	7					3.21	11						
Trademark Law																			
Trial Practice																			
Trial Practice Workshop		4.05	6							4.03	11			3.78	10			3.73	10
Trial Practice Workshop														3.94	11				
Tribal Courts	9							3.33	9										
Western Water Policy	10																		
Sum	165	76.95	176	56.47	114	89.31	197	57.88	137	56.59	145	37.68	104	61.57	138	37.99	82	71.95	185
Count of courses		22		16		25		17		16		11		17		11		21	
Mean GPA or Class Size	9	**3.50**	8	**3.53**	7	**3.57**	8	**3.40**	8	**3.54**	9	**3.43**	9	**3.62**	8	**3.45**	7	**3.43**	9
Count of students	165		176		114		197		137		145		104		138		82		185

Summary:

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2002	Size F-2002	S-2002	Size S-2002	Total
Adv Evidence & Trial Prac					
Adv Legal Research	3.3	12			
Adv Legal Research					
Adv Legal Research					
Adv Legal Writing					
Adv Tort Litigation					
Amer Con History					
Animal Rights/Welfare					
Antitrust Law I			3.26	9	
Arbitration					
Bioethics					
Business Asso II Topics					
Business Planning			3.52	7	
Children's Law					
Church & State					
Commercial Trans IIE-Sales	3.44	12			
Community Property					
Comparative Law					
Computer Law					
Conflicts Indian Law	3.76	9			
Construction Law					
Economic Dev in Indian C			3.93	5	
Employment Law					
Endangered Species					
Energy Law					
Environmental Pro			3.46	8	
Estate Retirement Planning					
Federal Estate & Gift Tax					
Federal Public Land & Resrce			3.2	5	
First Amendment Rights			3.13	9	
Human Rights Law					
Immigration Law					

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2002	Size F-2002	S-2002	Size S-2002	Total
Indian Gaming					
Indian Land Claims			3.78	5	
Indian Tax			3.94	12	
Indian Water Rights			3.42	8	
Information Technology &	3.89	3	3.41	7	
Insurance					
Intellectual Property Law					
International Business Law					
International Criminal Law					
International Property Law					
Interview, Counsel & Neg					
Intl Law					
Intro to ADR					
Jurisprudence			3.67	4	
Labor Law					
Land Use Regulation			3.67	4	
Law of Indigenous People	3.66	5			
Law Office Management					
Mental Disability in Crim					
Native American Rights			3.5	2	
Natur Resour: Indian Cou					
Natural Resources					
Oil & Gas	3.61	11			
Patent Law					
Payment Systems					
Pre-Trial Practice					
Real Estate Planning	3.48	12			
Refugee & Asylum Law					
Remedies					
Sales of Goods					
Sem: Immigration Law					
Sem: Art Law			3.55	11	
Sem: Employment Discrim	3.86	8			
Sem: Indian Law					

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2002	Size F-2002	S-2002	Size S-2002	Total
Sexual Orientation & Law					
Spanish for Lawyers I					
Spanish for Lawyers II					
Specialized Legal Resear					
Specialized Legal Resear					
Sports Law					
State & Local Tax					
State: Con Law					
Supreme Court Decision					
T: Jurisprudence					
T: Ad Bankruptcy					
T: Admin Law					
T: Adv Con Law Seminar					
T: Adv Immigration in Pra					
T: Adv Innocence & Justice					
T: Adv Legal Writing					
T: Adv Oil & Gas					
T: Adv Problems in Ethics					
T: Adv Torts					
T: AIDS and the Law					
T: Animal Welfare					
T: Appellate Decision Mak					
T: Appellate Law & Practi					
T: Arbitration					
T: Argue & Persuasive Wr					
T: Business & Tax Clinic					
T: Business Asso II					
T: Business Law					
T: Child Advocacy					
T: Child Dev & Legal Syst					
T: Children Law Drafting					
T: CHLP Revisited					
T: Clemency Law/Practicum			3.78	4	
T: Climate, Law & Energy					

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2002	Size F-2002	S-2002	Size S-2002	Total
T: Climate, Law & Energy					
T: Community Property B					
T: Complex Lit - Class Act					
T: Conflicts Indian Law					
T: Constitutional Law Topics					
T: Copyright Law					
T: Corp Governance					
T: Corp. Response Smr					
T: Criminal Law Indian Co					
T: Cultural Property					
T: Disabilities Law					
T: Documentary Films &					
T: DWI-DV Prosecution					
T: Education Law					
T: Election Law					
T: Employee Benefits					
T: Employment Discrim					
T: Endangered Species					
T: Env Global					
T: Env Justice, Energy, Cli					
T: Env. Litigation Drafting					
T: Estate & Gift Tax					
T: Estate & Retirement Pla					
T: Ethics of Bus Law					
T: Family Law Drafting					
T: Federal Motion Practic					
T: Gender and the Law					
T: Health Law & Ethics					
T: Healthcare Financing	3.62	7			
T: Human Rights II					
T: Immigration & Civil Rig					
T: Immigration Law Practi					
T: Indian Appellate Advoc					
T: Indian Child, Youth & Fam					

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2002	Size F-2002	S-2002	Size S-2002	Total
T: Indian Ed & Equity					
T: Indian Gaming					
T: Indian Law Appellate A					
T: Innocence & Justice					
T: Innocence & Justice Pr					
T: Interg Gbl War on					
T: Intl Business Ethics					
T: Intl Criminal Law					
T: Intl Environmental Law					
T: Intl Law & Indigens Pe	3.44	7			
T: Intl Law/War & Peace					
T: Intl Litigation & Arbitr			3.41	10	
T: Intl Natural Resources					
T: Intl Petroleum Trans					
T: Intl Trade & Environ					
T: Intl Water Law					
T: Intl Wildlife Law					
T: Intro Mexican Law					
T: Judging					
T: Juris: Crit Rac					
T: Law and Economics					
T: Law and Film			3.43	10	
T: Law and Literature					
T: Law of Indigenous People					
T: Lawyers New & Old					
T: Legal Hermeneuti					
T: Legal Research I					
T: Legal Research I					
T: Legal Research I					
T: Legal Research II					
T: Legal Research II					
T: Legis Process Ad					
T: Legislation					
T: Legislative Drafting					

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2002	Size F 2002	S-2002	Size S 2002	Total
T: Licensing for Intell Prop					
T: Media & Community					
T: Mex Americans &					
T: Military Law					
T: Nat Resources in Ind C					
T: Native American Rights					
T: Natural Resources Mgmt					
T: Natural Resources Sem					
T: Natural Security Law					
T: Navajo Law & Practice					
T: Oil & Gas Contracts					
T: Partnership Taxation					
T: Patent Law	3.58	5			
T: Peace & Conflict					
T: Planning & Environment					
T: Predatory Lending Sem					
T: Predatory Lending Sem					
T: Prob in Commercial Trans					
T: Problems Natural Reso					
T: Public Law					
T: Race & Law in Americ					
T: Reading & Applying Ca					
T: Real Estate Drafting					
T: School Law	3.58	12			
T: Spanish for Lawyers II					
T: Specialized Legal Research					
T: Specialized Legal Research					
T: State & Local Tax					
T: State & Tribal Relation					
T: State Con Law					
T: Tax Exempt Org					
T: Terrorism & Law					
T: Theory of Conflict					
T: Trademark Law					

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2002	Size F-2002	S-2002	Size S-2002	Total
T: Transboundary Water					
T: View From Appellate Br					
T: Weather in the US					
T: Welfare, wk, ec justice					
T: West Water Policy					
T: White Collar Crim			3.54	11	
T: Wildlife Law	3.73	11			
T: Women in the Law					
T: Workers Comp					
Tax Exempt Org					
Taxation-Bus Enterp			2.53	5	
Trademark Law					
Trial Practice					
Trial Practice Workshop			3.86	12	
Trial Practice Workshop			3.84	6	
Tribal Courts					
Western Water Policy					
Sum	46.95	114	73.83	154	1607.46
Count of courses	13		21		453
Mean GPA or Class Size	**3.61**	**9**	**3.52**	**7**	**3.55**
Count of students		114		154	

Summary:

Appendix E

Grading Curve Adopted by UNM-SOL Dec. 4, 1995

The grade point average for all students in any section of any mandatory first-year course offered at this Law School as well as mandatory second and third-year courses, except clinic (currently Constitutional Law and Ethics), shall be between 2.60 and 2.70, which equates to an average grade of B-Minus; individual faculty may provide any range of grades in his or her course so long as the overall average is 2.60 to 2.70, though faculty teaching first-year courses are encouraged to meet and to seek voluntary agreement on the range of grades to be assigned in each section.

The grade point average for all students in any course, including Clinical courses, other than mandatory courses, offered at this Law School, except as noted in the next paragraph, shall be between 2.90 and 3.10, which equates to an average grade of B.

The grade point average for all students enrolled in a seminar with a substantial writing requirement and an enrollment limited to sixteen or fewer students at this Law School shall be between 3.20 and 3.40, which equates to an average grade of B+.

Any program for which grades are given outside of normal scheduled classes (such as independent research) shall be graded only on a "Cr/C-/D+/D-/F" basis.

Any faculty member teaching a non-mandatory second or third-year course who is of the opinion that this grading policy is not appropriate for that course may, with the consent of the Dean obtained prior to the beginning of the course, grade that course on the basis "Cr/C-/D+/D-/F."

In all classes in which the "Cr/C-/D+/D-/F" grading system is used, the professor shall write a letter for inclusion in the student's permanent file, assessing in detail the work of the student, unless the student requests that such a letter not be written. Faculty members are encouraged to write letters assessing in detail the work of any student in any course when the faculty member is of the opinion that the grade assigned to a student does not fully reflect the performance of that student. The Registrar shall include each such letter in the student's permanent file.

This Motion shall be effective for all grades received for courses and programs begun after August 1, 1996.

Appendix F

Law School Grading Curves

Prepared by Andy Mroch, NCBE
3/30/2005

Overview

March 2003 the Association of American Law Schools (AALS) sent a memorandum to deans and academic associate deans of member and fee-paid schools to solicit information regarding grading curves that faculty members are asked to follow in assigning course grades. The request was prompted by questions that arose at a planning session of the Joint Working Group on Bar Admission held earlier that month. Copies of memoranda, policy statements, or summaries of policies that schools adopted were requested. The AALS sent copies of these responses to the National Conference of Bar Examiners (NCBE) to analyze. This report contains the analysis completed by NCBE.

Schools that responded to the AALS memorandum provided information in a wide variety of formats and varying levels of detail. Some schools sent copies of entire grading policies, some sent excerpts of student handbooks, and some summarized their grading policies in their reply. To consolidate this diverse information, an attempt was made to (a) establish a procedure for classifying each grading policy and (b) summarize each grading policy. The original memorandum sent to schools and an examination of a subset of grading policies was used to identify questions that might be useful for classifying the grading policies. Based on this examination, the following questions were identified to classify the grading policies and grading curves used at schools that responded to AALS:

1. Is grading policy information available? (Yes/No)
2. Does a policy exist? (Yes/No)
3. Is the policy mandatory (and at what level)? (Yes, All Students/Yes, First Year/Yes, First Year and Upper Level/Yes, Upper Level/No)
4. Type of Grade Curve? (Mean/Median/None/Peer Pressure/Percentage)
5. Does policy apply to some or all courses? (All/First Year/First Year and Upper Level/Upper Level)

Detailed explanation of each category follows in Appendix A and examples of types of grade curves follow in Appendix B. Summaries of each school's grading policy (and corresponding grading curve, if it existed) were created by summarizing the data provided to AALS. Because different schools provided different types of information (from a brief statement or summary of the policy to a copy complete grading policy) and schools had different types of policies, these summaries varied somewhat in length and detail. An attempt was made to summarize the core grading policy at each institution. Appendix C provides classifications and summaries of grading policies for each respondent school.

To allow for an examination of whether specific school characteristics were related to the type of grading policy, additional data were extracted from the Law School Admission Counsel (LSAC) website (on 2/24/04). These data included information about students, undergraduate GPA, LSAT scores, student-faculty ratio, and tuition cost for ABA-approved law schools.

Sample

Of the 188 law schools identified, 145 (77%) schools reported their grading policy back to AALS. Using data from LSAC, characteristics of those schools that responded to the memorandum were compared with those for which no data were available. Table 1 displays the means and standard deviations on these characteristics for the two groups. For example, for schools without policy information available, the mean of 25th Percentile LSAT scores was 154.28 (with a standard deviation of 7.84) and for schools with policy information available, the mean 25th Percentile LSAT scores was 152.61 (with a standard deviation of 5.44). Comparisons of the means between schools with and without policy information available indicated that schools responding to the survey had about the same general characteristics as the remaining 43 schools. This similarity suggested that the sample of schools that responded to AALS was representative of the 188 law schools.

Table 1. Means (and standard deviations) of several school characteristics based on whether or not information was available regarding their grading policies.

	Is grading policy information available?			
	No (n = 43)		Yes (n = 144*)	
	Mean	SD	Mean	SD
25th Percentile LSAT	154.28	7.84	152.61	5.44
75th Percentile LSAT	159.47	7.97	158.13	4.83
25th Percentile GPA	3.13	0.32	3.06	0.23
75th Percentile GPA	3.59	0.22	3.58	0.16
# Full Time Students	622.84	289.95	597.20	267.73
Percentage Men	50.35	4.99	51.78	5.74
Percentage Women	49.65	4.99	48.22	5.74
Percentage Minority	26.60	22.56	19.64	13.48
Resident Tuition	19514.09	9167.80	17566.35	8284.88
Student-Faculty Ratio	16.07	3.97	17.20	3.45

* One school that sent a grading policy to AALS did not have data listed on the LSAC list of ABA approved law schools at the time of data extraction from the LSAC web site.

Grading Policies

Of the 145 schools reporting back to AALS on their grading policies, 115 (79.3%) reported having a formal grading policy and 30 (20.7%) reported not having a formal grading policy. Of those without a formal grading policy, 5 schools reported "peer pressure" as a method they used informally. (See Appendix A for a description of this category). For example, one of these schools reported, "We do not have any official policy on grading standards. Each semester, however, we send to each faculty member information on the distribution of grades in each course the prior semester (that is, for each course, how many grades of A, A-, and so on). Some faculty use this information to gauge whether they are grading appropriately."

Schools with a formal grading policy did not differ from those without a formal grading policy across LSAC variables (i.e., LSAT, GPA, number of full time students, percentage of men, percentage of women, percentage of minority, resident tuition, student-faculty ratio). That is, no significant differences were observed in the LSAC variables comparing schools with and without a formal grading policy.

Grading policies were mandatory for 81 (70.4%) schools with a formal grading policy, not mandatory for 34 (29.6%) schools with a formal grading policy, and unclear if the policy was mandatory for 2 (1.7%) schools with a formal grading policy. Summaries of these data are displayed in Table 2 and are further broken down into courses for which the policy is mandatory (e.g., first year courses only).

Schools where the grading policy was mandatory for some courses were generally similar to those where the grading policy was not mandatory across the LSAC variables (specifically, LSAT, GPA, number of full time students, percentage of men, percentage of women, percentage of minority, and student-faculty ratio). However, mean resident tuition was greater for those schools with mandatory grading policies (mean = $19943.13, sd = 7808.45) than for those schools with non-mandatory policies (mean = $14531.24, sd = 7900.72).

Table 2. Summary of whether or not the grading policy is mandatory for schools with grading policies.

Is the Policy Mandatory?	Frequency	Percent
No	34	29.6%
Yes, All*	63	54.8%
Yes, First Year Only	15	13.0%
Yes, Upper Level Only	1	0.9%
Unclear	2	1.7%
Total	115	100.0%

*Note that "Yes, First Year and Upper Level" category (26 schools, 22.6%) was combined with the "Yes, All" category.

Schools with formal grading policies had a range of different types of grading curves in place (See Appendix A for details about these types of curves). 73 schools had a single type of grading curve and 42 schools had multiple types of grading curves. Table 3 displays counts of the frequency of each type of grading curve across all schools (note that schools could have more than one type of curve in this table). Setting specific percentages of each grade was the most common method to define the grading curve followed by using a mean grade to define the grading curve. For example, one school had the following policy that used percentages of each grade as their grading curve:

First-Year and Upper-Level Sectioned Classes:

Grade	Norm	Range
4.0	10%	5-12%
3.5	15%	10-18%
3.0	25%	20-30%
2.5	25%	20-30%
2.0	15%	15-20%
0.0-1.5	10%	0-15%

In addition, one school had no type of grading curve; the grading policy was as follows "The law school does not impose a standard or required curve." For two schools, the type of grading curve was unclear based on the policy provided to AALS.

Table 3. Classifications of grading curves for 115 schools with reported grading policies.

Type of Curve	Frequency	Percent
Percentage	72	45.0%
Mean	52	32.5%
Median	28	17.5%
Peer Pressure	5	3.1%
None	1	0.6%
Unclear	2	1.3%
Total*	160	100.0%

*Note that schools could have more than one type of grading curve.

Table 4 displays the classifications of grading curves for the 73 schools with a single type of grading curve. Again, percentage of grades was the most frequently used type of grading curve followed by mean grades.

Table 4. Classifications of grading curves for 73 schools with a single type of curve.

Type of Curve	Frequency	Percent
Percentage	34	46.6%
Mean	25	34.2%
Median	8	11.0%
Peer Pressure	3	4.1%
None	1	1.4%
Unclear	2	2.7%
Total	73	100.0%

Of the 42 schools that used multiple types of grading curves in their policies (for example, requiring an overall mean grade and also specifying percentages of specific letter grades), 39 schools had two types of grading curves listed in their grading policies, and 3 schools had three types of grading curves listed in their grading policies. Summaries of the types of grading curves these schools used are listed in Table 5. Most of the schools (37 out of 42) using more than one type of grade curve tended to favor using percentages with either means or medians to define their grading curves.

Table 5. Classifications of grading curves for schools with multiple types of curves.

Types of Curves	Frequency	Percent
Percentage-Mean	21	50.0%
Percentage-Median	13	31.0%
Percentage-Peer Pressure	1	2.4%
Median-Mean	3	7.1%
Median-Peer Pressure	1	2.4%
Percentage-Mean-Median	3	7.1%
Total	42	100.0%

Table 6 lists the courses to which grading policies apply for the 115 schools reporting that they had a formal grading policy. Policies applied to all courses for the majority of schools with a policy (84% of schools). Also, it was not specified to which courses policies applied for 3 schools.

Table 6. Type of courses to which grading policies are applied.

Policy applies to … courses.	Frequency	Percent
All*	97	84.3%
First Year Only	14	12.2%
Upper Level Only	1	0.9%
Not Specified	3	2.6%
Total	115	100.0

*Note that "First Year and Upper Level" category (40 schools, 34.8%) was combined with the "All" category.

Summary

Based on the results presented above, it appears that most law schools had some form of grading policy in place, although about a fifth of schools reported not having a formal grading policy. For those schools with policies, the majority of policies were mandatory and were required for all law school coursework. In addition, the most popular methods for defining grading curves were percentages of grades or mean grades. Appendix C provides the classifications and summaries of policies for each school that responded to the request for information from AALS.

Recommendation

Responses to the memorandum sent to law schools by AALS yielded some interesting and useful results regarding law school grading policies. However, one of the challenges with the data that were received was the variety of information that was returned when schools responded. This reflects different levels of breadth and specificity in school grading policies, but may reflect the open-ended nature of the memorandum. If future surveys of law schools were to be pursued, it might be beneficial to identify a specific set of questions or items that could be put on a standardized survey that law schools would complete and return. This would ensure that respondent schools provide information in a similar form and at a similar level of specificity, and would assist with analyzing information that was returned. The disadvantage of a standardized survey is that schools might be less likely to respond if the survey required a lot of time to complete. So, a simple, relatively short survey addressing specific questions of interest, perhaps including space for additional open-ended responses, might be a good balance between response rate and specificity of response information.

Appendix A
Descriptions of Classification Categories

Was grading policy information available?
- **Yes:** Information was available for AALS.
- **No:** Information was not available for AALS.

Does a policy exist?
- **Yes:** The school has a formal grading policy.
- **No:** The school does not have a grading policy.

Is the policy mandatory?
- **Yes, All Students:** The policy is mandatory for all students.
- **Yes, First Year:** The policy is mandatory for first year students.
- **Yes, First Year and Upper Level:** Separate mandatory policies exist for first year and upper level students.
- **Yes, Upper Level:** The policy is mandatory for upper level students.
- **No:** The policy is not mandatory.

Type of Grade Curve?
- **Mean:** A mean grade is specified as the grading curve in the policy.
- **Median:** A median grade is specified as the grading curve in the policy.
- **None:** No grade curve is specified as the grading curve in the policy.
- **Peer Pressure:** Grade distributions and/or summaries are distributed and/or discussed among faculty and the dean (this grade curve may or may not be part of a formal policy).
- **Percentage:** A percentage of specific grades are specified as the grading curve in the policy.

Does policy apply to some or all courses?
- **All:** Policy applies to all courses.
- **First Year:** Policy applies to first year courses only.
- **First Year and Upper Level:** Policy explicitly applies to first year and upper level courses.
- **Upper Level:** Policy applies to upper level courses.

Additional notes:
- Many policies specify that grading curves do not apply to small courses, legal writing courses, and/or seminars.
- Many policies specify that dean approval may override the grading policy.

Appendix B
Examples of Grade Curves

Mean:

The faculty has established a maximum grade mean for all courses as follows:

All first year required courses	2.3 +/- 0.1
Upper division course	2.5 +/- 0.1
Research and writing courses	2.6 +/- 0.1

Median:

Courses should have medians in the following ranges:

Required Courses:	
First Year	78-80
Second and Third Year	79-81
Elective Courses:	80-83

Peer Pressure:

"We provide to all faculty each semester, a summary of grade distributions for required classes, elective classes, and elective seminars along with mean and median information."

Percentage:

First-Year and Upper-Level Sectioned Classes:

Grade	Norm	Range
4.0	10%	5-12%
3.5	15%	10-18%
3.0	25%	20-30%
2.5	25%	20-30%
2.0	15%	15-20%
0.0-1.5	10%	0-15%

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006
Adv Evidence & Trial Prac	3.67	11			4.00	11																				
Adv Legal Research															3.80	10	3.78	12	4.19	12	3.97	10	3.55	6	3.83	12
Adv Legal Research															3.19	9			3.70	9	4.05	8	3.89	12		
Adv Legal Research															3.66	11										
Adv Legal Writing	3.30	9							3.24	11			3.67	8							3.37	11				
Adv Tort Litigation									3.43	11											3.40	10				
Amer Con History																					3.62	10				
Animal Rights/Welfare																	3.50	8								
Antitrust Law I					3.62	7													3.53	7					3.67	5
Arbitration									3.56	9											2.50	9				
Bioethics											3.58	11			3.67	10										
Business Asso II Topics																	3.57	7							4.00	3
Business Planning	3.54	9			3.75	6							3.56	7							3.03	11				
Children's Law																	4.05	9								
Church & State	3.34	9																					3.40	7		
Commercial Trans IIE-Sales																									3.44	6
Community Property			3.79	9			3.80	7					3.83	9			3.70	11								
Comparative Law																									3.26	9
Computer Law																										
Conflicts Indian Law	3.53	5			3.17	9			3.56	11			3.52	8			3.67	9			3.45	4				
Construction Law																										
Economic Dev in Indian C	3.17	7							3.44	9																
Employment Law																										
Endangered Species																	3.50	5								
Energy Law																					3.29	9				
Environmental Pro																										
Estate Retirement Planning													3.67	7												
Federal Estate & Gift Tax			3.42	8									3.61	7											3.48	11
Federal Public Land & Resrce																					3.60	5				
First Amendment Rights																							3.56	7		
Human Rights Law																	3.73	10								
Immigration Law			3.24	8									3.43	7												
Indian Gaming							3.17	6																		
Indian Land Claims			2.27	7															4.00	4						

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006
Indian Tax					2.84	8							3.48	7												
Indian Water Rights															2.89	9					3.00	8				
Information Technology &																							3.78	10		
Insurance	3.67	11																								
Intellectual Property Law													3.17	8							3.27	12			3.37	12
International Business Law									3.40	6															3.14	8
International Criminal Law					3.63	8							3.33	10												
International Property Law					3.79	12																				
Interview, Counsel & Neg	3.81	11																								
Intl Law																										
Intro to ADR							3.94	12			3.61	7														
Jurisprudence																										
Labor Law	3.67	6			3.42	8							3.3	12												
Land Use Regulation							3.70	10									3.83	10								
Law of Indigenous People											3.58	12			3.70	12										
Law Office Management									4.07	6							3.47	12								
Mental Disability in Crim													3.71	11			3.50	6								
Native American Rights											3.67	8													3.87	7
Natur Resour: Indian Cou			3.56	8			3.75	5			3.33	11														
Natural Resources							3.63	8					3.63	11			3.21	11	3.76	9	3.67	1	3.67	7		
Oil & Gas			3.30	10	2.96	10					3.40	10							2.93	10						
Patent Law			3.09	8							3.54	11														
Payment Systems							3.00	4																		
Pre-Trial Practice	3.92	9			3.63	11			3.58	11			3.72	12												
Real Estate Planning											4.00	12														
Refugee & Asylum Law	3.37	9									3.75	8													3.73	10
Remedies	3.11	7																								
Sales of Goods									3.06	12			3.17	9												
Sem: Immigration Law																										
Sem: Art Law															3.94	12										
Sem: Employment Discrim																							3.59	8		
Sem: Indian Law			3.11	6																						
Sexual Orientation & Law					3.48	9											3.71	10								
Spanish for Lawyers I			3.77	11			3.67	7			3.56	12														

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006
Spanish for Lawyers II	3.63	8			3.84	2			3.48	9																
Specialized Legal Resear			3.00	7			3.95	9			3.95	9	3.75	4												
Specialized Legal Resear													3.61	11												
Sports Law			3.61	12																						
State & Local Tax											3.53	5														
State: Con Law															3.37	8										
Supreme Court Decision					3.50	8							3.52	8			3.37	9			3.78	9				
T: Jurisprudence	4.00	9																								
T: Ad Bankruptcy																									3.56	7
T: Admin Law																									2.20	9
T: Adv Con Law Seminar					2.77	10																				
T: Adv Immigration in Pra	3.76	7			3.75	8																				
T: Adv Innocence & Justice	3.71	7	3.40	5	3.67	4	4.00	8			3.84	2														
T: Adv Legal Writing																	3.67	10								
T: Adv Oil & Gas	3.54	8																								
T: Adv Problems in Ethics																							3.33	4		
T: Adv Torts	3.63	10			3.72	7																				
T: AIDS and the Law																							3.73	6		
T: Animal Welfare																										
T: Appellate Decision Mak	3.44	12			3.50	12			3.27	12																
T: Appellate Law & Practi	3.67	8	3.79	8	3.91	11	3.79	11	3.86	7	3.76	8														
T: Arbitration	3.41	9			4.00	3																				
T: Argue & Persuasive Wr					3.67	10																				
T: Business & Tax Clinic															3.63	8										
T: Business Asso II									2.93	9																
T: Business Law													2.8	5												
T: Child Advocacy													3.33	9												
T: Child Dev & Legal Syst																					3.75	8				
T: Children Law Drafting			3.94	6																						
T: CHLP Revisited									3.54	8																
T: Clemency Law/Practicum													3.62	7												
T: Climate, Law & Energy							3.00	6																		
T: Climate, Law & Energy							3.00	2																		
T: Community Property B			4.00	4																						

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006
T: Complex Lit - Class Act	3.75	9																								
T: Conflicts Indian Law																									3.42	8
T: Constitutional Law Topics													3.61	6												
T: Copyright Law																										
T: Corp Governance																			3.73	12						
T: Corp. Response Smr					3.58	8																				
T: Criminal Law Indian Co	3.74	10											3.38	9												
T: Cultural Property																			3.50	9						
T: Disabilities Law																										
T: Documentary Films &																			3.67	3						
T: DWI-DV Prosecution	3.63	8	3.83	8	3.09	4	3.88	8																		
T: Education Law					3.67	8																				
T: Election Law															4.00	9	3.75	9								
T: Employee Benefits																										
T: Employment Discrim	3.56	10			3.57	12																				
T: Endangered Species																										
T: Env Global																							3.33	4		
T: Env Justice, Energy, Cli			3.46	10															3.20	11					3.73	6
T: Env. Litigation Drafting	3.46	8																								
T: Estate & Gift Tax									3.58	5																
T: Estate & Retirement Pla			3.22	12																						
T: Ethics of Bus Law																							3.75	4		
T: Family Law Drafting	2.00	5																								
T: Federal Motion Practic	3.44	6	3.67	12	3.53	7	3.67	9	3.71	9	3.67	12	3.57	11	3.67	11	3.70	9								
T: Gender and the Law																			3.45	12					3.59	8
T: Health Law & Ethics																			3.83	9						
T: Healthcare Financing																										
T: Human Rights II	4.11	6			3.90	12																				
T: Immigration & Civil Rig									3.46	8																
T: Immigration Law Practi							3.67	7			3.72	6	3.75	7	3.89	9										
T: Indian Appellate Advoc							3.00	6																		
T: Indian Child, Youth & Fam									3.67	9																
T: Indian Ed & Equity																										
T: Indian Gaming															4.11	9										

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006
T: Indian Law Appellate A																	3.50	6								
T: Innocence & Justice									3.76	11	3.70	10	3.72	12							3.62	7				
T: Innocence & Justice Pr	4.11	3	3.70	10	3.50	6	3.67	7	4.00	1																
T: Interg Gbl War on																									3.67	11
T: Intl Business Ethics																										
T: Intl Criminal Law																									3.22	9
T: Intl Environmental Law					3.89	6																				
T: Intl Law & Indigens Pe													4	3												
T: Intl Law/War & Peace																										
T: Intl Litigation & Arbitr																										
T: Intl Natural Resources																										
T: Intl Petroleum Trans															2.84	9			3.33	6						
T: Intl Trade & Environ																									3.50	2
T: Intl Water Law																										
T: Intl Wildlife Law																										
T: Intro Mexican Law																									3.50	6
T: Judging																										
T: Juris: Crit Rac															3.46	8										
T: Law and Economics																	3.27	5								
T: Law and Film																									4.00	9
T: Law and Literature									3.66	6																
T: Law of Indigenous People																							3.33	4		
T: Lawyers New & Old																			3.10	10						
T: Legal Hermeneuti																									3.76	7
T: Legal Research I											3.34	9	3.4	11	3.89	4										
T: Legal Research I											3.90	11	3.7	10												
T: Legal Research I													3.67	10												
T: Legal Research II							3.96	8			3.47	6														
T: Legal Research II							3.87	10																		
T: Legis Process Ad																			4.00	12						
T: Legislation															4.04	9										
T: Legislative Drafting			3.27	5																						
T: Licensing for Intell Prop																	3.43	10								
T: Media & Community																										

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006
T: Mex Americans &																										
T: Military Law																					3.28	6				
T: Nat Resources in Ind C															3.67	7										
T: Native American Rights	3.71	8																								
T: Natural Resources Mgmt	4.00	2							4.08	4																
T: Natural Resources Sem													3.87	5												
T: Natural Security Law																					3.57	11				
T: Navajo Law & Practice																									4.00	6
T: Oil & Gas Contracts																							3.56	7		
T: Partnership Taxation																										
T: Patent Law																	3.54	8								
T: Peace & Conflict																										
T: Planning & Environment			3.71	8	3.61	11			3.94	6																
T: Predatory Lending Sem							3.71	8																		
T: Predatory Lending Sem							3.22	3																		
T: Prob in Commercial Trans																										
T: Problems Natural Reso	3.61	11																								
T: Public Law											3.17	4							4.00	1						
T: Race & Law in Americ																	3.13	6								
T: Reading & Applying Ca																	2.97	12								
T: Real Estate Drafting					3.20	12																				
T: School Law																										
T: Spanish for Lawyers II																									3.75	8
T: Specialized Legal Research																	4.00	1			3.78	3	3.94	11		
T: Specialized Legal Research																	3.73	6	4.10	10						
T: State & Local Tax																										
T: State & Tribal Relation					2.78	9							3	7												
T: State Con Law																										
T: Tax Exempt Org																										
T: Terrorism & Law																										
T: Theory of Conflict																									3.73	11
T: Trademark Law															3.27	11					3.33	8				
T: Transboundary Water																							2.95	10		
T: View From Appellate Br			3.50	3	3.38	8	3.67	2																		

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	S-2012	Size S-2012	F-2011	Size F-2011	S-2011	Size S-2011	F-2010	Size F-2010	S-2010	Size S-2010	F-2009	Size F-2009	S-2009	Size S-2009	F-2008	Size F-2008	S-2008	Size S-2008	F-2007	Size F-2007	S-2007	Size S-2007	F-2006	Size F-2006	S-2006	Size S-2006
T: Weather in the US															3.67	6										
T: Welfare, wk, ec justice																										
T: West Water Policy																										
T: White Collar Crim																										
T: Wildlife Law																										
T: Women in the Law					4.00	6																				
T: Workers Comp																							3.11	7		
Tax Exempt Org															3.42	11										
Taxation-Bus Enterp	3.25	8											3.62	9							3.57	10			3.89	7
Trademark Law					3.54	8																				
Trial Practice	4.06	12			4.04	8			4.00	10																
Trial Practice Workshop													4	9			4.00	12			4.05	6				
Trial Practice Workshop																										
Tribal Courts																			3.58	9						
Western Water Policy							3.50	6											3.47	10						
Sum	125.32	287	79.65	185	127.90	299	86.22	169	86.28	200	76.07	184	120.72	286	75.78	192	93.28	223	69.07	165	76.95	176	56.47	114	89.31	197
Count of courses	35		23		36		24		24		21		34		21		26		19		22		16		25	
Mean GPA or Class Size	**3.58**	8	**3.46**	8	**3.55**	**8**	**3.59**	**7**	**3.60**	**8**	**3.62**	**9**	**3.55**	**8**	**3.61**	**9**	**3.59**	**9**	**3.64**	**9**	**3.50**	**8**	**3.53**	**7**	**3.57**	**8**
Count of students		287		185		299		169		200		184		286		192		223		165		176		114		197

Summary: Lowest to highest value Range: 3.40 (F2005) to 3.62 (S2004)

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003	F-2002	Size F-2002	S-2002	Size S-2002	Total
Adv Evidence & Trial Prac																	
Adv Legal Research	3.52	7			3.42	12					3.78	12	3.3	12			
Adv Legal Research																	
Adv Legal Research																	
Adv Legal Writing																	
Adv Tort Litigation											3.55	11					
Amer Con History			3.44	12													
Animal Rights/Welfare	3.76	12							3.93	5							
Antitrust Law I							4	3							3.26	9	
Arbitration																	
Bioethics			3.33	10													
Business Asso II Topics											3.39	7					
Business Planning															3.52	7	
Children's Law																	
Church & State											3.09	7					
Commercial Trans IIE-Sales			3.33	4									3.44	12			
Community Property					3.7	12											
Comparative Law							3.17	7									
Computer Law							3.82	10			3.72	7					
Conflicts Indian Law													3.76	9			
Construction Law											3.3	11					
Economic Dev in Indian C							3.62	7							3.93	5	
Employment Law			3.33	12													
Endangered Species																	
Energy Law											3.47	8					
Environmental Pro															3.46	8	
Estate Retirement Planning																	
Federal Estate & Gift Tax																	
Federal Public Land & Resrce							3.5	6							3.2	5	
First Amendment Rights									3.24	8					3.13	9	
Human Rights Law			3.67	9													
Immigration Law																	
Indian Gaming																	
Indian Land Claims					3.47	11									3.78	5	

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003	F-2002	Size F-2002	S-2002	Size S-2002	Total
Indian Tax	3.2	6					3.42	12							3.94	12	
Indian Water Rights					3.42	4					3.38	8			3.42	8	
Information Technology &													3.89	3	3.41	7	
Insurance											3.24	12					
Intellectual Property Law																	
International Business Law											3.5	8					
International Criminal Law																	
International Property Law																	
Interview, Counsel & Neg																	
Intl Law			3.24	12													
Intro to ADR									3.2	5							
Jurisprudence			3.75	8											3.67	4	
Labor Law																	
Land Use Regulation							3.84	4	3.5	6					3.67	4	
Law of Indigenous People													3.66	5			
Law Office Management																	
Mental Disability in Crim																	
Native American Rights											3.67	5			3.5	2	
Natur Resour: Indian Cou																	
Natural Resources	3.71	12															
Oil & Gas							3.15	10					3.61	11			
Patent Law																	
Payment Systems																	
Pre-Trial Practice											3.5	11					
Real Estate Planning													3.48	12			
Refugee & Asylum Law							3.74	10									
Remedies																	
Sales of Goods																	
Sem: Immigration Law											2.79	9					
Sem: Art Law															3.55	11	
Sem: Employment Discrim													3.86	8			
Sem: Indian Law																	
Sexual Orientation & Law																	
Spanish for Lawyers I																	

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003	F-2002	Size F-2002	S-2002	Size S-2002	Total
Spanish for Lawyers II																	
Specialized Legal Resear																	
Specialized Legal Resear																	
Sports Law					3.42	10											
State & Local Tax																	
State: Con Law																	
Supreme Court Decision							3.33	9									
T: Jurisprudence																	
T: Ad Bankruptcy																	
T: Admin Law																	
T: Adv Con Law Seminar																	
T: Adv Immigration in Pra																	
T: Adv Innocence & Justice																	
T: Adv Legal Writing																	
T: Adv Oil & Gas																	
T: Adv Problems in Ethics																	
T: Adv Torts																	
T: AIDS and the Law					3.78	11											
T: Animal Welfare	4	1															
T: Appellate Decision Mak																	
T: Appellate Law & Practi																	
T: Arbitration																	
T: Argue & Persuasive Wr																	
T: Business & Tax Clinic																	
T: Business Asso II																	
T: Business Law																	
T: Child Advocacy																	
T: Child Dev & Legal Syst																	
T: Children Law Drafting																	
T: CHLP Revisited																	
T: Clemency Law/Practicum															3.78	4	
T: Climate, Law & Energy																	
T: Climate, Law & Energy																	
T: Community Property B																	

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003	F-2002	Size F-2002	S-2002	Size S-2002	Total
T: Complex Lit - Class Act																	
T: Conflicts Indian Law			3.63	9													
T: Constitutional Law Topics																	
T: Copyright Law											3.23	11					
T: Corp Governance																	
T: Corp. Response Smr																	
T: Criminal Law Indian Co																	
T: Cultural Property																	
T: Disabilities Law							3.44	8									
T: Documentary Films &																	
T: DWI-DV Prosecution																	
T: Education Law									3.57	10							
T: Election Law																	
T: Employee Benefits	3.52	8															
T: Employment Discrim																	
T: Endangered Species											4	8					
T: Env Global																	
T: Env Justice, Energy, Cli																	
T: Env. Litigation Drafting																	
T: Estate & Gift Tax																	
T: Estate & Retirement Pla																	
T: Ethics of Bus Law																	
T: Family Law Drafting																	
T: Federal Motion Practic																	
T: Gender and the Law																	
T: Health Law & Ethics																	
T: Healthcare Financing													3.62	7			
T: Human Rights II																	
T: Immigration & Civil Rig																	
T: Immigration Law Practi																	
T: Indian Appellate Advoc																	
T: Indian Child, Youth & Fam																	
T: Indian Ed & Equity	3.83	10															
T: Indian Gaming											3.47	9					

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003	F-2002	Size F-2002	S-2002	Size S-2002	Total
T: Indian Law Appellate A																	
T: Innocence & Justice																	
T: Innocence & Justice Pr																	
T: Interg Gbl War on																	
T: Intl Business Ethics	2.96	10															
T: Intl Criminal Law			3.21	12													
T: Intl Environmental Law	3.05	7									3.3	9					
T: Intl Law & Indigens Pe			4	2					3.47	5			3.44	7			
T: Intl Law/War & Peace	3.48	7															
T: Intl Litigation & Arbitr									3.27	6					3.41	10	
T: Intl Natural Resources					3.83	4											
T: Intl Petroleum Trans																	
T: Intl Trade & Environ																	
T: Intl Water Law							3.63	8									
T: Intl Wildlife Law							3.89	12									
T: Intro Mexican Law																	
T: Judging			3.13	8													
T: Juris: Crit Rac																	
T: Law and Economics																	
T: Law and Film															3.43	10	
T: Law and Literature																	
T: Law of Indigenous People	3.5	9			3.11	10											
T: Lawyers New & Old																	
T: Legal Hermeneuti																	
T: Legal Research I																	
T: Legal Research I																	
T: Legal Research I																	
T: Legal Research II																	
T: Legal Research II																	
T: Legis Process Ad																	
T: Legislation																	
T: Legislative Drafting																	
T: Licensing for Intell Prop																	
T: Media & Community											3.22	6					

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003	F-2002	Size F-2002	S-2002	Size S-2002	Total
T: Mex Americans &	3.58	7															
T: Military Law																	
T: Nat Resources in Ind C																	
T: Native American Rights																	
T: Natural Resources Mgmt																	
T: Natural Resources Sem																	
T: Natural Security Law																	
T: Navajo Law & Practice			4.08	8													
T: Oil & Gas Contracts							3.78	3									
T: Partnership Taxation											3.39	6					
T: Patent Law	3.21	11							3.47	10			3.58	5			
T: Peace & Conflict	2.67	3															
T: Planning & Environment																	
T: Predatory Lending Sem																	
T: Predatory Lending Sem																	
T: Prob in Commercial Trans									2.91	11							
T: Problems Natural Reso																	
T: Public Law																	
T: Race & Law in Americ																	
T: Reading & Applying Ca																	
T: Real Estate Drafting																	
T: School Law													3.58	12			
T: Spanish for Lawyers II	3.6	10															
T: Specialized Legal Research																	
T: Specialized Legal Research																	
T: State & Local Tax	2.96	8			3.08	12											
T: State & Tribal Relation																	
T: State Con Law											3.23	10					
T: Tax Exempt Org			3.47	12													
T: Terrorism & Law			3.72	6													
T: Theory of Conflict			3.23	10					3.6	11							
T: Trademark Law																	
T: Transboundary Water																	
T: View From Appellate Br																	

Graded Courses with Enrollments of 12 or less (excluding Moots and Clinic, but including Seminars): (S 2002 - S 2012)

	F-2005	Size S-2005	S-2005	Size S-2005	F-2004	Size F-2004	S-2004	Size S-2004	F-2003	Size F-2003	S-2003	Size S-2003	F-2002	Size F-2002	S-2002	Size S-2002	Total
T: Weather in the US																	
T: Welfare, wk, ec justice							3.52	8									
T: West Water Policy					3.24	7			3.83	5							
T: White Collar Crim															3.54	11	
T: Wildlife Law													3.73	11			
T: Women in the Law																	
T: Workers Comp																	
Tax Exempt Org																	
Taxation-Bus Enterp					3.21	11									2.53	5	
Trademark Law																	
Trial Practice																	
Trial Practice Workshop			4.03	11			3.78	10			3.73	10			3.86	12	
Trial Practice Workshop							3.94	11							3.84	6	
Tribal Courts	3.33	9															
Western Water Policy																	
Sum	57.88	137	56.59	145	37.68	104	61.57	138	37.99	82	71.95	185	46.95	114	73.83	154	1607.46
Count of courses	17		16		11		17		11		21		13		21		453
Mean GPA or Class Size	**3.40**	**8**	**3.54**	**9**	**3.43**	**9**	**3.62**	**8**	**3.45**	**7**	**3.43**	**9**	**3.61**	**9**	**3.52**	**7**	**3.55**
Count of students		137		145		104		138		82		185		114		154	

Summary:

Fritz, Chris

From: Stout, David
Sent: Thursday, November 08, 2012 1:16 PM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Good afternoon Fritz. I can give you my experience as an adjunct in two classes ethics and insurance law.

Insurance Law

Maureen Sanders and I use two short memos (8 pages), an 20 minute oral presentation of a topic and a final 20 to 30 page paper for the class. We use each of those assignments as both assessment and teaching tools.

Ethics

I had a final exam as part of the class, but also used short written assignments and assigned groups of students to research and present in class one of the particular problems from the casebook.

I would be happy to supply additional details if you need them.

Best wishes,

David

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

Dear Colleagues,

I write as the Chair of the Assessment and Teaching Committee with a simple request about your teaching (excepting Clinic and writing courses): Can you let me know if you do *anything* in your classes beyond an end of semester exam? (That includes anything ranging from offering a model exam answer, quizzes, in class assignments, papers, reflections, utilization of panels or designated students, practice exams, graded mid-terms or *any other* feedback or means you employ that helps assess how well your students are learning what you've tried to teach.)

This information is needed to document what we do in terms of teaching assessment. The stimulus for gathering this data comes from an initiative from the main campus that will, Interim Dean Bergman assures me in no uncertain terms, have a important future impact on our budget as a unit of the University in the light of changes in administration that are currently underway. So I appeal for your cooperation.

If you would be willing to detail what you do in given courses, that would be great. But if you don't have the time currently, just letting me know that you're doing other things beyond the single exam will do—either I or Max Minzner will seek you out in person. Thank you very much.

All the best, Chris

Christian G. Fritz
Henry Weihofen Chair in Law and
Professor of Law
University of New Mexico
School of Law
1117 Stanford NE
MSC 11 6070
Albuquerque, NM 87131-0001
Phone: 505.277.5437
American Sovereigns: The People and America's Constitutional Tradition Before the Civil War

Fritz, Chris

From: Parnall, Ted
Sent: Thursday, November 08, 2012 11:47 AM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Chris
In Business Assoc I, I give the sudents a business formation problem, which counts for about 25% of their final grade. It is usually optional, with about half the class doing it. It involves both research and drafting, and I meet with each of the students after they do a first draft.
In Business Assoc II, the students have the option of either taking the exam or drafting a Registration Statement---which process is usually pretty gruelling, involving several drafts and many meetings with me.
Of course, the above is for historical purposes only!
Best regards
Ted

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:17 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

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All the best, Chris

Christian G. Fritz
Henry Weihofen Chair in Law and
Professor of Law
University of New Mexico
School of Law
1117 Stanford NE
MSC 11 6070
Albuquerque, NM 87131-0001
Phone: 505.277.5437
American Sovereigns: The People and America's Constitutional Tradition Before the Civil War

Fritz, Chris

From: Suzuki, Carol
Sent: Thursday, November 08, 2012 11:22 AM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Torts:

Midterm practice exam; discussion in class after the exam and paper copy of an outline of model answer given to each student.

During the semester, we do work in class on problems in the book, assigned in advance. Once or twice during the semester, I split the room up in advance and assign roles or questions for problems in the book to answer as large panels (roughly 13 students each); they usually meet in the interim in separate panels to plan their answers.

Refugee and Asylum Law class (has final exam):

Four short paper assignments (3 pages) during the spring 2012 semester.

Quiche

Carol M. Suzuki
Professor of Law
University of New Mexico School of Law
MSC11-6070
1 University of New Mexico
1117 Stanford NE
Albuquerque, NM 87131-0001
suzuki@law.unm.edu
505.277.5265

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

Dear Colleagues,

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assignments, papers, reflections, utilization of panels or designated students, practice exams, graded mid-terms or *any other* feedback or means you employ that helps assess how well your students are learning what you've tried to teach.)

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All the best, Chris

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Albuquerque, NM 87131-0001
Phone: 505.277.5437
American Sovereigns: The People and America's Constitutional Tradition Before the Civil War

Fritz, Chris

From: Pareja, Sergio
Sent: Thursday, November 08, 2012 9:10 AM
To: Fritz, Chris
Cc: Minzner, Max
Subject: RE: Request about courses you teach

Check course offerings

I handle virtually all of my classes the same way.

I give daily written homework assignments (nearly every day throughout the semester). They must be typed and turned in before the end of each class. Students receive credit or no credit on each assignment.

I also give pop quizzes at the start of some classes. They always consist of 10-20 multiple choice questions. They are graded. In fact, I am thinking about giving the fifth one of this semester in Fed. Income Tax tomorrow (mums the word). If students miss a quiz, they get a zero. This tends to to encourage students to never miss or be late to class.

In addition, I give graded midterm exams as well as graded final exams. All of my exams (and quizzes) are completely closed book.

Please let me know if you need more details. Thanks, Sergio

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:17 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

Dear Colleagues,

I write as the Chair of the Assessment and Teaching Committee with a simple request about your teaching (excepting Clinic and writing courses): Can you let me know if you do *anything* in your classes beyond an end of semester exam? (That includes anything ranging from offering a model exam answer, quizzes, in class assignments, papers, reflections, utilization of panels or designated students, practice exams, graded mid-terms or *any other* feedback or means you employ that helps assess how well your students are learning what you've tried to teach.)

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All the best, Chris

Christian G. Fritz
Henry Weihofen Chair in Law and
Professor of Law
University of New Mexico
School of Law

1117 Stanford NE
MSC 11 6070
Albuquerque, NM 87131-0001
Phone: 505.277.5437
American Sovereigns: The People and America's Constitutional Tradition Before the Civil War

Fritz, Chris

From: Hart, Fred
Sent: Thursday, November 08, 2012 10:33 AM
To: Fritz, Chris; Martin, Nathalie
Subject: RE: Request about courses you teach

Ask Nathalie re other courses she teaches – including Bankruptcy/Consumer

Chris,

This semester, Nathalie and I are teaching a course entitled Payment Systems. The book we are using has problems at the end of each chapter and we spend much of the class time on them. We also require that the students turning in written answers to each of the problem prior to class. We do not return all of them with corrections, but Nathalie does answer any questions a student poses when he or she turns in the answer and we do go over all the problems in class. Hence, I think that the students can get a pretty good idea of how they are doing by comparing their written answers to the classroom discussion.

Fred

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

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Fritz, Chris

From: Martin, Nathalie
Sent: Thursday, November 15, 2012 9:37 AM
To: Fritz, Chris
Subject: FW: Payments
Attachments: Problem Sets (Darius Jackson).doc

For your curricular study, I believe that Fred told you we assign homework in Payment Systems. Here is an example of a homework log.

As you can see, it is a LOT of work! We are very proud of them. I send back written feedback on these but do not correct them line by line unless they interpose a question in their log.

be well!

Nathalie

From: Jackson, Darius
Sent: Monday, November 12, 2012 2:06 PM
To: Martin, Nathalie; Hart, Fred
Subject: Payments

Note - Some 25 pages single-spaced!!

Professors,

My payments problems for today are attached. See you soon in class!

Darius

Darius Jackson
Citation Editor, Natural Resources Journal
UNM School of Law
Class of 2013

Fritz, Chris

From: Martin, Nathalie
Sent: Thursday, November 15, 2012 9:35 AM
To: Fritz, Chris
Attachments: Charter paper - Rebecca's and professor Martin's comments.doc

HI Chris:

I know this may be too late, but in my writing seminar class, Consumer Law, students write a 30 or so page paper and then they must provide written and oral comments on someone else's paper.

As an example, I have attached Matt Bernstein's paper on on-line charter schools, with my and his commenter, Rebecca Mnuk's, comments. Today they begin presenting the papers. How exciting!! I will not give him this round of my comments (this is my third time commenting) until he has done his presentation, so as not to overwhelm him, but he has received Rebecca's.

Nathalie

Fritz, Chris

From: Robert J. Desiderio
Sent: Thursday, November 08, 2012 8:46 AM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Chris,

There will not be a final exam, or any exam, in State and Local Taxation. Insead, the students are drafting (model) New Mexico Gross Receipts and Compensating Tax and Corporate Income Tax Acts. There are 8 students in the class; four students, each, will draft the GRT and 4 students, each, will draft the CIT. Two outside experts, one for each tax act, are meeting with and are avialabe as a resource, to the students. There is a chance that the a some senators will review there students products for possible tax reform.

Desi

From: Fritz, Chris [mailto:FRITZ@law.unm.edu]
Sent: Wed 11/7/2012 5:17 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

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Fritz, Chris

From: Blumenfeld, Barbara
Sent: Thursday, November 08, 2012 8:41 AM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Hi Chris. I am attaching my policy statements from ELA-1 this semester and ELA-2 from last spring, both of which include a section that shows the assignments given and their portion of the grade. I am also attaching my syllabus from the last time I taught my advanced class which also indicates assignments and portion of grade. Let me know if you have any questions.

-Barbara


Blumenfeld Policy Statement EL...


Blumenfeld Policy Statement EL...


SYLLABUS adevanced 2011.pdf

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Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

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1. **Contact Information and Office Hours:**

My office is in the lower faculty triangle, room 1121. My office phone is 277-7813. I will post specific office hours by my office door during which I will make every effort to be available to you. Additionally, I am generally available in my office throughout the week and by appointment; I am also regularly available by email. Please feel free to stop in or email me at any time with short questions or concerns. If you need to have a lengthy conference I suggest you make a specific appointment so that we will have an uninterrupted time in which to meet.

2. **Syllabus:**

This class will follow the general syllabus/course outline posted on TWEN. I may make alterations or additions to this outline which I will announce in class and for which you will then be responsible. When necessary I will post additional weekly details under my announcements on TWEN.

3. **Grades:**

There will be six graded assignments in this course. Their point values and tentative due dates are as follows:

- Critical Case Reading (due 8/23) – 5
- Closed Predictive Document (due 9/25) – 35
  - Note, this assignment may include prewriting assignments related to the final document.
- Closed Persuasive Presentation (due 10/2) - 10
  - Note, this assignment may include prewriting assignments related to the final document.
- Concept Quiz (due 10/4) – 10
- Oral Presentation on Open Research problem (during week of 11/5) – 5
  - Note, this assignment may also include your assessment of other oral presentations
- Open Research Memo with written Argument (due 11/15) – 60
  - Note, this assignment may include prewriting assignments related to the final document.

Final grades will be based on your percentage of the total 125 points available as follows:

- Over 90% will receive a grade in the range of A- to A+
- 81%-90% will receive a grade in the range of B- to B+
- 71%-80% will receive a grade in the range of C- to C+
- 61%-70% will receive a grade in the range of D- to D+
- Below 61% will receive a failing grade.

No papers or assignments will be accepted after the last day of classes unless you have received an appropriate extension. All returned papers that have not been picked up by students will be shredded at the start of the following semester.

4. **Class attendance and participation**:

I expect you to come to class and to be prepared for class. I encourage you to participate in class discussions and to ask appropriate questions. You are responsible for everything said in class. If you must miss class, please get the notes from a classmate.

I do not permit recording of my class without my prior consent.

Some classes may be replaced by conferences or small group meetings; you are expected to attend these just as you would attend regular classroom meetings. You are also expected to attend all scheduled research meetings with library faculty.

You will lose ½ point from your final course point score for each missed class or meeting for which attendance is required, regardless of the reason for the absence. In extraordinary circumstances I may waive this provision for a limited number of classes.

5. **Late papers and papers significantly deviating from format requirements**:

Unexcused late papers or oral presentations may lose up to 4% of their above listed point value for each 12 hours or portion thereof that they are late. If there is a possibility that your paper or presentation may be late, you should contact me as soon as possible. I will grant extensions in appropriate circumstances, but only following a specific request for an extension; you should not assume that you will receive an extension without a specific request for one. Not all requests for extensions will be granted. Computer failures generally are not an excuse for late assignments.

I may treat papers that significantly deviate from any format requirements as late papers. If papers exceed the maximum page or word limit you will lose 1% of the points available for every 100 words or portion thereof that you are over the word limit or 2% of the points available for every page or portion thereof over the limit when a page limit is given.

6. **Environmental concerns and electronic submission of assignments**:

Unless otherwise instructed you should submit written assignments to me electronically in the following manner: Save your document as a Word file and include your last name and first initial as the first words in the file name of the document. Following your name you are free to name your document whatever you wish. Email the document to me as an email attachment. If you want to confirm that I received it you should use your email option to request a delivery receipt. I will add my comments to the text of your document and return it to you electronically.

In some instances you may be required to also submit a paper copy of the assignment: such requirements will be announced in class. Any papers that you are required to submit in hard copy may be printed on both sides of the paper.

Computer failures generally are not an excuse for late assignments.

Barbara Blumenfeld
Advanced Legal Writing – Persuasive Writing
Spring, 2011

"However great a person's natural talent may be, the art of writing cannot be learned all at once."
-Jean Jacques Rousseau

Course Description:

This course is for those students who want to refine their basic persuasive writing skills and become more sophisticated in writing persuasive legal documents. The course assumes a solid grasp of the basic skills taught in LRRW and Advocacy; those skills will not be directly addressed in this course. Students will, however, be expected to use those basic skills competently within the context of this course.

The class will generally address identifying, building and then writing legal arguments. While the focus is primarily on arguments written for briefs, discussion will include how to adapt basic argumentation techniques to other documents for both legal and non-legal audiences.

Class will take the form of a hands-on workshop and will generally include one or more of the following:

- Discussion and evaluation of actual briefs that have been filed with the courts;
- Discussion of assignment due in class involving continuing "out of class case file" and based on prior week's class topics;
- Discussion of reading and short exercises due in class that involve current class topics;
- Use of continuing "in-class problem" to illustrate and practice class topics;
- Other in class writing.

By the end of the course students will have written a complete trial-level brief based on the "out of class" case file and will have written two in-class briefs.

Books:

- James A. Gardner, *Legal Argument: The Structure and Language of Effective Advocacy*, second edition LexisNexis
- Kenneth F. Oettle, *Making Your Point; A Practical Guide to Persuasive Legal Writing*, ALM Publishing

TWEN Page:

There will be a TWEN page for this class titled *Argumentation and Persuasive Writing.* I will post information from our in class work on that page as well as additional reading and other information relevant to our class.

Barbara Blumenfeld
Advanced Legal Writing – Persuasive Writing
Spring, 2011

Assignments and Grades:

Reading and any accompanying exercises when assigned are due in class as indicated on the following syllabus. I will also from time to time have additional reading handouts that will be provided to you or posted on TWEN prior to the class in which they are discussed. These assignments will form a basis for class discussion and combined with your class participation will count as 10% of your grade. There are 10 other assignments, written either in or out of class, each of which will count as 10%. You will note that with the class participation, this totals 11 grades, each worth 10%. I will drop the lowest of these so that your final grade will be based on your best 10 scores.

Assignments written outside of class should be submitted via email attachment as a Word document and will be returned via email. They are due by the start of class time on the date indicated; you should have a copy (electronic or paper) available to you for class discussion purposes.

Class attendance:

This class is in the nature of a workshop. Each student is both responsible for his/her own learning and, through meaningful class participation, to some extent responsible for the learning of everyone in the class. Thus, class attendance is important. Unexcused absence of three classes will result in your withdrawal from the course.

Weekly syllabus:

1/12/11, week 1: Argumentation and Rhetoric: background, history, psychology, science; Class logistics

Reading due in class: Please read and be prepared to discuss the following: Oettle, Introduction, pp xi-xvi; Additional Short Readings on Rhetoric and Persuasion (available electronically on TWEN or in hard copy at Prof. Blumenfeld's office).

New Assignment (1): Read two briefs (distributed in class) and determine which is more persuasive; for that brief explain which of the basic concepts of persuasiveness it exemplifies and why they make this brief effective.
Case file for In-class and Out-of-class problem will be distributed.

1/19/11, week 2: Determining the argument and its form: the syllogism is the argument and the so what, the analogy is the support

Assignment (1) due in class: Written discussion of effectiveness of one of two briefs. (10%)

Reading due in class: Gardner (G) chapters 1-4; read in class problem & be prepared to discuss determination of positions and syllogisms necessary to succeed with motion for in class problem.

New Assignment (2): For out of class problem determine positions, syllogisms, and grounded premises.

Barbara Blumenfeld
Advanced Legal Writing – Persuasive Writing
Spring, 2011

1/26/11, week 3: Building the Argument
Return/comment on last week's assignment.
Assignment due in class (2): Determination of positions, syllogisms, grounded premises for out class problem (10%)
Reading due in class: Gardner chapters 5-8; Oettle pp 47-70; be prepared to discuss and work through building major premise (rating and selecting authority); building minor premise (facts, evidence and inferences, analogies for in class problem.
New Assignment (3): Build your premises for the out of class problem

2/2/11, week 4: Writing the Argument – organization and presenting the law
Return/comment on last week's assignment
Assignment (3) due in class: Built premises for out of class problem (10%)
Reading due: Oettle pp. 90-92, 180-85, 194-96, 203-205,236-38, 276-278; Gardner chapter 9 and chapter 10 to 10.2.3. Be prepared to work with the class to outline arguments and collaboratively write law for in class problem
New Assignment (4): Outline arguments and write law for out of class problem

2/9/11, week 5: Writing the Argument – Proving the conclusion using analogy
Return/comment on last week's assignment
Assignment (4) due in class: Outline arguments and write the law for the out of class problem (10%)
Reading due: Gardner 10.2.3 to end of chapter 10; Oettle 128-130, 134-136, 256-258, 288-290. Review completed motion briefs and be prepared to discuss adequacy of proofs. Be prepared to collaboratively work on writing analogies for in class problem
New Assignment (5): Write analogies/proof for out of class problem

2/16/11, week 6: Putting together and revising the argument
Return/comment on last week's assignment
Assignment (5) due in class: analogies/proofs for out of class (10%)
Reading due: Gardner chapter 11; Oettle pp. 8-22, 29-34, 81-83, 113-115, 122-127, 137-158, 177-179, 200-202, 206-232, 247-275, 282-287.
Be prepared to work on revising in class problem
New Assignment (6): Put together and revise argument for out of class problem.

2/23/11, week 7: No class (writing); optional conferences
Graded assignment 5 returned

Barbara Blumenfeld
Advanced Legal Writing – Persuasive Writing
Spring, 2011

3/2/11, week 8: Specific Audiences
Assignment (6) due in class: Argument for out of class problem (10%)
Reading due: Handout will be provided

3/9/11, week 9: In class writing
In class assignment (7): MPT (10%)

3/14-3/18: SPRING BREAK

3/23/11, week 10: Specific sections of a brief
Reading due: Handout will be provided
Be prepared to discuss and collaboratively work on specific sections of brief (Questions and point headings, facts, introductions, summaries) for in class problem
New assignment (8): Write other sections for out of class problem

3/30/11, week 11: More on rhetoric and writing techniques
Assignment (8) due in class: other sections for out of class problem (10%)
Reading due: Gardner chapters 13, 14; Oettle 99-104; 291-340; handout. Be prepared to discuss reading and various special and "magic" techniques in the context of revising in class problem.
New Assignment (9): Full brief for out of class problem.

4/6/11, week 12: No class – writing (optional conferences)
Graded assignment 8 returned via email.

4/13/11, week 13: In Class Writing
In class assignment (10): MPT (10%)

4/24/08, week 14: Review and wrap-up; evaluations
Assignment (9) due in class: Full out of class brief (10%)
Reading due: Gardner chapters 15, 16

Fritz, Chris

From: Occhialino, Ted
Sent: Thursday, November 08, 2012 7:17 AM
To: Fritz, Chris
Subject: RE: Request about courses you teach

In Civ Pro I, I give a MidTerm exam worth 25%. Students get detailed written feed back and get access to actual answers that range from very good to marginal to compare to their own.

In "Reading Appellate Cases" co-taught with former Justice Ransom, there is a writing assignment each week (students read one or two opinions by Ransom and then solve a simulated exam-type fact pattern in a short memo). I grade them and return them at the next class. At that class Justice Ransom hands out his own sample answer and we spend the entire class breaking down the Ransom opinions, the problem, and the best way to read the cases to get to a sound resolution of the simulated problem.

Only a final exam in Civ Pro II to date.

Ted O.

P.S. Thanks for the grading information. I have managed in the past to get prior agreement in the Civ Pro I and Torts grade average with B- (2.67) as the target. Last year, as you note can happen, we did not set an average in consultation before the exam and Max finished Civ Pro I first and turned his higher grades to which I (and presumably Norwood) consented to serve as the average.

My views are no longer relevant, but I was one who wanted a grade curve and pushed for it successfully (pro tem). I still think it is important to have one. I've counseled weak students through the years and am well aware of the tactic of studens to take courses based on historical high grades given in those courses rather than on relevance of content, or rigor or excellence in teaching.

Best of luck in trying to make sense of this grading issue.

Ted O.

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:17 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
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Fritz, Chris

From: Lopez, Antoinette Sedillo
Sent: Wednesday, November 07, 2012 9:00 PM
To: Fritz, Chris
Cc: Minzner, Max
Subject: RE: Request about courses you teach

other courses

Hi Chris, I offer students the opportunity to write a paper in Community Property and I have them do several in class problems and I have students write a Petition, do child support guideline problems, they visit family court and write a one page paper about their observations. Antoinette

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Fritz, Chris

From: Fort, Denise
Sent: Wednesday, November 07, 2012 7:47 PM
To: Fritz, Chris
Cc: Minzner, Max
Subject: RE: Request about courses you teach

Hi, Chris and Max. To give one example- last year in LAP in addition to the written final, I included several written assignments (short memoranda) and one oral presentation. Best, Denise

Professor Denise D. Fort
University of New Mexico School of Law
Director, Utton Center

SSRN: http://ssrn.com/author=623383

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Fritz, Chris

From: William Slease
Sent: Wednesday, November 07, 2012 6:54 PM
To: Fritz, Chris
Subject: Re: Request about courses you teach

Prof. Fritz:

In Ethics, each student is responsible for taking the lead for class discussion on three problems from our text. They are required to discuss the the facts and identify the applicable Rules of Professional Conduct and demonstrate application of the Rules of Professional Conduct to the facts. That is worth 15% of their grade. We also spend one class session on sample MPRE questions. This semester I gave them about 15 questions to answer. I timed it based on the average time they will have for each question on the real MPRE but didn't grade them. We went through the answers together to clarify areas they might be having trouble applying. I also have the last semester exam and top grade available for them online and we will go through it together during our review for the final.

Hope that is what you wanted to know about but please email or hunt me down if you have additional questions.

Bill Slease

This message is intended only for the individual or entity to whom it is addressed. This message may contain information that is confidential or privileged. If you received this message in error, please delete it from your system without copying, printing, saving or forwarding it, and immediately notify the sender so that our address record can be corrected. Thank you.

On Nov 7, 2012, at 5:17 PM, "Fritz, Chris" <FRITZ@law.unm.edu> wrote:

> Dear Colleagues,
>
> I write as the Chair of the Assessment and Teaching Committee with a simple request about your teaching (excepting Clinic and writing courses): Can you let me know if you do *anything* in your classes beyond an end of semester exam? (That includes anything ranging from offering a model exam answer, quizzes, in class assignments, papers, reflections, utilization of panels or designated students, practice exams, graded mid-terms or *any other* feedback or means you employ that helps assess how well your students are learning what you've tried to teach.)
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single exam will do—either I or Max Minzner will seek you out in person. Thank you very much.

All the best, Chris

Christian G. Fritz
Henry Weihofen Chair in Law and
Professor of Law
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American Sovereigns: The People and America's Constitutional Tradition Before the Civil War

Fritz, Chris

From: Olsi Vrapi
Sent: Wednesday, November 07, 2012 6:49 PM
To: Fritz, Chris
Subject: Re: Request about courses you teach

Prof Fritz,

I teach two courses at the law school. The spring course is advanced immigration in practice. I treat this class like a law firm (akin to what you used to do in property 2 with the case studies). I cover about 10 different cases over the semester. For each case/topic students receive a case study complete with facts and supporting docs. Their homework is to go home and draft a filing packet or pleading based on that particular client much like they would do in practice. I even bring in a fake client for every case so students can interview the "client" to solicit relevant info much like a real world consult. This sharpens their interviewing skills.

I don't like panels. I think they are an excuse for students to blow 13 out of 14 weeks of class reading. My rule is that every student gets to speak at least once in class.

The grade is 80% assignments and 20% attendance. No final exam. My philosophy is that no lawyer helps a client by taking exams; practice is homework in perpetuity.

In the fall I co-teach a class at the PDs office. We call it crimmigration. It's the intersection between criminal law and immigration law. We go through a series of mini lectures and students work on real cases advising PDs on consequences of crimes.

The grading of that is also based on memos students wrote and a reflection paper at the end.

If you need more info let me know.

Olsi Vrapi
Noble & Vrapi, P.A.
Abq: 505-352-6660
SF: 505-466-6127
www.noblelawfirm.com

Adjunct Professor
UNM School of Law

Check out my blog: noblelawfirm.blogspot.com

Sent from my iPhone

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Fritz, Chris

From: Bach, George
Sent: Wednesday, November 07, 2012 6:43 PM
To: Fritz, Chris
Cc: Minzner, Max
Subject: P.S. Request about courses you teach

I should add that, with regard to all quizzes in all classes, I contact any student who did not do well on a quiz and request to set up an individual meeting with them to review it.

Thanks for your work on this!

George

From: Bach, George
Sent: Wednesday, November 07, 2012 6:32 PM
To: Fritz, Chris
Cc: Minzner, Max
Subject: RE: Request about courses you teach

Chris and Max, Here is the requested info for the courses I have taught. The quizzes are graded and scored. Let me know if you need anything else. (I have not figured out how I will do Externships just yet - although I can send you what Barbara has done in the past).

Con-Rights
Take-home Quiz (1 worth 15%)
Panel Participation (2 panels (each worth 10% - good faith effort only))

Evidence

2 Quizzes (1 in-class multiple choice worth 15%; 1 take-home essay worth 10%)
Panel Participation (2 panels, each worth 7.5%)

Intro to Con-Law

2 Take-home Quizzes(essay quizzes; each worth 10%)
Panel Participation (2 panels, each worth 10%)

Fed Jur
2 Take-home Quizzes (essay quizzes; each worth 10%)
Panel Participation (2 panels, each worth 10%)

Employment Law

1 Discovery drafting Exercise (worth 10%- graded for good faith effort)
Panel Participation (2 panels, each worth 7.5%)

George Bach
Assistant Professor of Law
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Phone: (505) 277-5664

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:17 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

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Fritz, Chris

From: Allison, Grace
Sent: Wednesday, November 07, 2012 6:17 PM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Dear Chris:

I am in the planning stages for my Nonprofit Institutions course in the spring. It will include drafting exercises (bylaws, policies and procedures, etc.) as well as short writing assignments randomly spaced which relate to the required reading. On at least one or two occasions, the class will convene as the Board of a nonprofit to sort through a problem based on real-life issues. This is a drafting course, so I may be telling you more than you want to know. Best-g.

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To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

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American Sovereigns: The People and America's Constitutional Tradition Before the Civil War<http://www.cup.cam.ac.uk/us/catalogue/catalogue.asp?isbn=9780521881883>

Fritz, Chris

From: Ritchie, Alex
Sent: Wednesday, November 07, 2012 6:01 PM
To: Fritz, Chris
Cc: Minzner, Max
Subject: RE: Request about courses you teach

Oil and Gas:

Homework problems due each class
2 group drafting exercises (one involving provisions in an oil and gas lease and the other involving a deed of a nonparticipating royalty interest).
Midterm exam review
Graded midterm exam
Additional sample problems
Mapping exercise (township, range, section, etc.)
Powerpoints used in every class
Final exam review sessions
Supplementary New Mexico specific materials for each class

Business Associations:

Homework problems due each class
2 group drafting exercises (one involving the formation of a corporation and the other involving drafting fiduciary duty provisions in an LLC operating agreement)
Midterm exam review
Graded midterm exam
Class trip to NM business law section annual meeting to hear NM securities law and LLC talks
Review of model form LLC Agreement
Powerpoints used in every class
Final exam review sessions
Supplementary New Mexico specific materials for each class

Thanks,

Alex

Alex Ritchie
Office: 505.277.1772
Cell: 303.475.7318
ritchie@law.unm.edu

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

Dear Colleagues,

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Fritz, Chris

From: Moore, Jennifer
Sent: Wednesday, November 07, 2012 5:54 PM
To: Fritz, Chris
Cc: Minzner, Max
Subject: RE: Request about courses you teach

Dear Cris and Max,

Thanks for reaching out about assessment. Here's an overview of what I do in my classes:

Contracts: final exam (60%), midterm (20%) [I return the exams to the students, along with an evaluation "rubric"/outline), 8 short problems (20% total) (1-2 pp. each, of which 6 are graded on a good faith bases, and two are graded on a 10-point spread).

International law: final exam (40%), class participation and regular short writing assignments (20%), two graded essays (20% each).

Human Rights I: a combination of short and longer essays (two longer essays, and 3-4 shorter assignments).

Human Rights II: one significant paper (grade includes required submission of paper topic, annotated outline, partial draft, complete draft and final draft).

Refugee Law: similar to HR II.

Let me know if you need more details! Yours, Jenny

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:17 PM
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Cc: Minzner, Max
Subject: Request about courses you teach

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Fritz, Chris

From: Rahn, Gordon
Sent: Monday, November 12, 2012 9:31 AM
To: Fritz, Chris
Cc: Minzner, Max
Subject: RE: Request about courses you teach

Chris,

The Basic and Advanced Innocence and Justice Project Seminar does *not* use an end of semester exam. We are quite different from other seminars and classes in that students are assigned actual cases to review in addition to the classroom component of the seminar. Students grades are based upon the following:

Classroom participation
Field work
Monthly written reports
Final paper due at the end of the semester

Please let me know if you need any additional information.

Gordon Rahn
Research Professor
Innocence and Justice Project
University of New Mexico School of Law
505-277-2671

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From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

Dear Colleagues,

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Fritz, Chris

From: Daniel Rey-Bear
Sent: Wednesday, November 07, 2012 5:37 PM
To: Fritz, Chris
Cc: Minzner, Max
Subject: RE: Request about courses you teach

During the fall semester, I teach Indian Law Appellate Advocacy, which satisfies the drafting requirement, but not the writing requirement. During the spring semester, Rodina Cave and I coach the NALSA moot court team.

In the former, over the course of most of the semester, students draft outlines and then briefs for a pending Supreme Court case. Each week I give specific feedback to help students improve their final work product before submission. At the end of the semester, I give students feedback regarding a practice oral argument, and they then argue against each other before local federal and state judges who also provide feedback.

For moot court, we work with students to help outline their oral arguments and then give feedback in practice moot court sessions. Then, shortly before the competition, we hold two days of practice sessions with feedback from local judges and attorneys.

Please let me know if you have any questions. Thank you.

Reminder to include experience of Moots, law journals, externships

Dan Rey-Bear, LEED AP BD+C
Certified Specialist in Federal Indian Law
by New Mexico Board of Legal Specialization

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drey-bear@nordhauslaw.com
www.nordhauslaw.com

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From: Fritz, Chris [mailto:FRITZ@law.unm.edu]
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
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Fritz, Chris

From: Stepleton, Bonnie
Sent: Monday, November 12, 2012 1:28 PM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Hi Chris:

I teach Bar Strategies Seminar in the fall (1 Cr 3Ls only cr/c-,d,f). The enrollment this semester is 29 students.

I administer 4 past NM bar exam essays (evidence, civil procedure, family law and remedies). Students write their answers under time pressure (30 minutes each). I provide detailed feedback on the essays and provide a rubric for them to evaluate their ability to use IRAC.

In addition, I administered 20 MBE multiple choice questions in class over two class meetings. The questions were provided in advance and in class the students used clickers to "vote" for the correct answer. When the group was wrong, the students were asked to do a pair share with their neighbor to convince each other of why their choice was correct.

Finally, the students did an actual past MPT which is a 90 minute essay. Again, detailed feedback on every essay with a rubric is provided so that students will know where they need to improve for their bar studies after they graduate.

The class also encourages the students to complete reflection type exercise in the text "Pass the Bar!" by Michael Hunter Schwartz.

I can provide the syllabus if you like.

It is a privilege to teach this class and a lot of fun.

Best regards,
Bonnie

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Sent: Wednesday, November 07, 2012 5:18 PM
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Cc: Minzner, Max
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Fritz, Chris

From: Tu, Kevin
Sent: Wednesday, November 14, 2012 2:51 PM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Hi Chris. Sorry for the delayed reply in both my Secured Transactions Class and Regulation of Banking Class, I primarily utilize the following:

- Assigned homework/problem sets which are to be submitted to me prior to class. We then go over the problems in class via a variety of methods including, large group discussion, small groups and pair shares. Model answers are provided for some (but not all) of the homework/problem sets after class.
- Small group in-class drafting exercises, which are then analyzed and discussed in a large group
- Designated students for in-class presentations on assigned topics
- I also provide sample exam questions towards the end of the semester, which are discussed during a course review session

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Email: tu@law.unm.edu
Web Profile: http://lawschool.unm.edu/faculty/tu/index.php
SSRN Author Page: http://ssrn.com/author=1414229

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

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Fritz, Chris

From: Benson, Reed
Sent: Thursday, November 15, 2012 1:27 PM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Chris, I do a short paper assignment in both my Administrative Law course and my Intro to Natural Resources & Environmental Law course. I've done the Admin Law paper for a long time and that's a pretty well-established assignment. The Intro course was brand new last year, and I am likely to modify that assignment for this year.

I also grade on class participation in every course—either 12 or 15 points out of 100 for the semester.

admin12paperreqs.docx INREL12paper.docx

Reed

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

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All the best, Chris

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1117 Stanford NE

THE RULEMAKING PAPER ASSIGNMENT
ADMINISTRATIVE LAW, FALL 2012
PROF. BENSON

Overview and Purposes. Your firm will prepare a paper on the development of a rule that has been enacted by a federal agency. Your firm will choose a particular rule, and the paper will explain the legal background of that rule, review the rulemaking process, and discuss the agency's handling and resolution of one or two key issues in the rulemaking.

The major purposes of the assignment are to enhance your understanding of the law and process of federal agency rulemaking, and to familiarize you with the form and content of *Federal Register (FR)* notices for the publication of proposed and final rules. You do not need to do research for this paper beyond the proposed and final *FR* notices.

Choosing a rule. Your firm may choose any rule promulgated by a federal agency, subject to the following conditions:
1. The rule must have been adopted through a notice and comment process, including publication of *FR* notices of proposed rulemaking and final rulemaking.
2. The rule must be currently "on the books," having been published in final form in the *FR* and not revoked or superceded by a later rulemaking.
3. The rule must not be the focus of a problem or major case in the Funk casebook.

To find rules in your area of interest, one place to start is www.regulations.gov, where you can search for final rules by topic; you will also find a link to an electronic version of the Code of Federal Regulations (CFR). You can also look for rules on individual agency websites (such as www.fda.gov), or search for rules using the index of the paper version of the CFR. If your firm has questions about choosing a rule, I would encourage one or more members to stop by my office and discuss them with me. *I can be most helpful if you bring the final FR notice for the rule(s) you are considering.*

Once your firm has selected a rule, ***e-mail me at benson@law.unm.edu and send me the citation to the final FR notice.*** No two firms can write on the same rule, so if your choice has already been taken by another firm, you will need to pick a different one.

Elements of the paper. Your paper will have either three or four sections, one for each member of your firm. Each section will deal with a different aspect of the rulemaking:

Section 1: Legal Background. This section must address the following issues:
a. What agency developed the rule?
b. What statute provides authority for this rule? Please identify a general statute, *e.g.* Reclamation Reform Act of 1982, and cite a specific section, *e.g.* 43 U.S.C. § 390ww(c).
c. Does this statute direct the agency to adopt this particular type of rule, specifically authorize the agency to adopt this type of rule, or just provide general rulemaking power?
d. What problem(s) was the agency trying to address with this rule, and why did it believe this rule was necessary for that purpose?

Section 1 may also address the following issues, along with any others you believe are relevant to the legal background of your rule:
e. What are the purposes of the statute that provides the rulemaking authority?
f. Did the agency have rules on the same subject(s) before it enacted this rule, and if so, how does this rule differ from them?

Section 2: Rulemaking Process. This section must address the following issues:

a. How was the rulemaking initiated?

b. What activities preceded the Notice of Proposed Rulemaking? For example, was there an agency investigation of some sort? A negotiated rulemaking? A federal advisory committee? An Advance Notice of Proposed Rulemaking?

c. What length of time did the agency allow for public comment, and what sort of comment opportunities (*e.g.* public hearings or meetings) did it provide?

d. Approximately how many comments did the agency receive, and what major interest(s) provided comments to the agency?

Section 2 may also address the following issues, along with any others you believe are relevant to the process of developing your rule:

e. What alternative(s) to the proposed rule did the agency identify, and what reasons did it give for not selecting it (them)?

f. Did the *FR* notice of proposed rulemaking identify any significant impacts the rule might have, such as effects on the economy or on state, local or tribal governments?

g. Did the agency make any changes in response to concerns raised by OMB, either at the proposal stage or the final rulemaking?

h. How long did the rulemaking take, from the earliest agency action to the effective date?

(*Note: do not discuss judicial review of the rule, if any.*)

Section 3 (and Section 4, for four-person firms): Key Issue in the Rulemaking. Three-person firms must identify one key legal or policy issue that was addressed in the rulemaking and cover this issue in Section 3, while four-person firms must identify two key legal or policy issues and cover one each in Section 3 and Section 4. Each section must start by explaining the issue, and then must discuss the following points:

a. What history does the proposed rulemaking *FR* notice provide on this issue?

b. What position did the agency take on this issue in the proposed rulemaking *FR* notice, and what were the legal, policy and factual reasons for this position?

c. What sort of interests commented on this issue, and what did the comments say?

d. How did the agency respond to these comments?

e. Did the agency change its position at the final rulemaking stage, and if so, why?

Each section may also address any additional points that you believe are relevant to a key issue addressed in the development of your rule.

Paper requirements. Your paper must meet the following requirements:

1. Each section must be at least 2 pages long, but no more than 3 ½ pages *double-spaced.*
2. All sections must be integrated into a "seamless" final document with uniform font, formatting and page numbering, and appropriate internal cross-references.
3. The paper must have a cover sheet that states the name of your firm and its members, and identifies the rule that is the subject of your paper. DO NOT attribute specific sections of the paper to individual members; the whole firm must "own" the whole paper.
4. The main text must be in 12-point font, with single-spaced *footnotes* (not endnotes!) in 10-point font.
5. Citations must be in Bluebook format for law reviews.
6. The paper will be due at the start of class on Monday, Oct. 15 (right after Fall Break).

If you have questions, please feel free to stop by my office, e-mail, or ask in class.

INTRODUCTION TO NATURAL RESOURCES & ENVIRONMENTAL LAW
PAPER ASSIGNMENT FOR SPRING 2012

This paper will explain and analyze a single federal court case dealing with environmental or natural resources law. The main goal of the assignment is to ensure that you understand how environmental law governs agency decisions, the kinds of arguments involved in judicial challenges to agency action, and the factors that influence judicial decisions in such cases. It is not intended to be a research assignment, although you will need to do some research to identify and select the case on which your paper will focus.

Solo or duo project. You have the option of writing this paper on your own or with one partner. If you and a partner write the paper together, you will both earn the same grade.

Choosing a case. The case you select for the paper must meet several requirements. Specifically, the case must:

1. Deal with an issue relating to environmental or natural resources law;
2. Involve a challenge to the legality of an action taken by a federal agency;
3. Reach and decide the merits of the case (no dismissal on reviewability grounds);
4. Be a reported decision by a federal District Court or Court of Appeals from 1992 or later; and
5. Not be the subject of a decision (other than *certiorari* denial) by the U.S. Supreme Court.

No two pairs or individual students can write on the same case. If your chosen case has already been selected by someone else, you will have to find another one.

Discussion regarding case selection. Once you have found a case that might work, you (and your partner, if you are writing as a pair) must discuss the case with me before you can select it as the subject of your paper. The best approach is for you to bring a printed copy of your case to my office (3237 in the Mountain Wing). I want to be sure you have a suitable case for your paper, and if you bring me one that fits the criteria stated above, we can keep the conversation brief.

Notifying me of your choice. Once we have discussed your case and determined that it is suitable for the paper, you can tell me in person which case you have selected, or you can e-mail me the name and citation of your case. At the time you select a case, you will also need to let me know which two students will team up on the paper, or if you will be writing it individually. You will need to make these choices **at least three weeks before the paper is due**.

Changing your topic or partner. Once you have made your choice of case and partner (if any), I strongly encourage you to make no changes. **Up to one week before the due date**, however, you may do any of the following: (1) you may choose a different case; (2) if you originally chose to write individually, you may choose a partner who also chose to write individually, and must let me know which case your new pair will use for the paper; or (3) if you originally signed up to work with a partner, you may choose to write individually, but both you and your erstwhile partner will need to come up with a new case; neither of you can keep the original one.

Content of the paper. Organize the paper into the following five sections, addressing the questions presented for each section. Feel free to include other information regarding the case that you believe may be relevant to that section.

The basics (1.5 to 2 pages): what is the agency? What statute is it implementing, and which specific statutory provision(s) are involved? What agency action is being challenged? What is/are the basic issue(s) on which the parties disagree?

The litigation (1 to 1.5 pages): who are the plaintiffs? What do they claim is illegal about the agency's action? What relief do they seek? Are there any intervenors, and if so, who are they?

The arguments (2 to 2.5 pages): what are the key arguments of the plaintiffs, the agency, and any intervenors? Are there arguments against the court reaching the merits of the case? Are the parties primarily arguing about law, facts, policy, procedure, or some combination?

The outcome (2 to 2.5 pages): what did the court hold, and what was its rationale? If the court ordered a remedy, what was it, and why did it choose that remedy?

The meaning (1 to 1.5 pages): what is the potential significance of this case in terms of precedent or policy? Why do you see it that way?

Scoring. The paper is worth a total of 35 points. The score for each section is roughly proportional to the page lengths given above. I will score each section based primarily on whether it answers the questions clearly, fully, and accurately. In addition to the scores for each of the sections, I will also give you a score (on a 6 point scale) for overall writing quality, attention to detail, and compliance with formatting requirements (see below).

Minimize quotations. Your score will suffer if your paper contains a large number of quotes from the case and/or if the quotes are very long. Thus, try to minimize quotes, using them primarily where the specific words chosen by the court are particularly significant. In other words, quotes are sometimes good and appropriate, but like any good thing, they can be abused. I will mostly be evaluating your ability to explain and analyze the case in your own words.

Paper requirements. Your paper must meet the following requirements:
1. Each section may be longer or shorter than the *suggested* page lengths stated above. The finished paper, however, must be **no shorter than 7 and no longer than 11 pages. (**If you hand in a paper longer than that, I will base your score only on the first 11 pages.)
2. All sections must be integrated into a "seamless" final document with uniform font, formatting and page numbering, and appropriate internal cross-references.
3. The paper must have a cover sheet that gives a title, a proper Bluebook citation to the subject case, and states the name(s) of the author(s). If written by a pair, the paper must NOT attribute specific sections to individual authors; both must "own" the whole product.
4. The main text must be *double-spaced* in 12-point font, with *single-spaced footnotes* in 10-point font.
5. All footnotes must be in Bluebook format for law reviews, but I encourage you to use footnotes sparingly. Do not feel the need to use one for each sentence, or even each paragraph.
6. The paper will be due in April, but I will talk with you in class before setting a specific date.

If you have questions, please feel free to stop by my office, e-mail, or ask in class.

Reed D. Benson
February 9, 2012

Fritz, Chris

From: Romero, Leo
Sent: Monday, November 19, 2012 3:55 PM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Hi Chris:

Sorry for the delay in responding. In Criminal Procedure II, besides the final examination (all essay), I require a reflective paper that counts for 25% of the final grade. The reflective paper must describe the student's observations, impressions, and reactions to four proceedings the student must observe in light of the class readings and discussions. The students must observe three required proceedings and one that they can choose from a list I provide. I use a problem method for this course and assign panels of students to work on each problem, one taking the prosecution side and the other taking the defense side.

Hope this helps.

Leo

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

Dear Colleagues,

I write as the Chair of the Assessment and Teaching Committee with a simple request about your teaching (excepting Clinic and writing courses): Can you let me know if you do *anything* in your classes beyond an end of semester exam? (That includes anything ranging from offering a model exam answer, quizzes, in class assignments, papers, reflections, utilization of panels or designated students, practice exams, graded mid-terms or *any other* feedback or means you employ that helps assess how well your students are learning what you've tried to teach.)

This information is needed to document what we do in terms of teaching assessment. The stimulus for gathering this data comes from an initiative from the main campus that will, Interim Dean Bergman assures me in no uncertain terms, have a important future impact on our budget as a unit of the University in the light of changes in administration that are currently underway. So I appeal for your cooperation.

If you would be willing to detail what you do in given courses, that would be great. But if you don't have the time currently, just letting me know that you're doing other things beyond the single exam will do—either I or Max Minzner will seek you out in person. Thank you very much.

All the best, Chris

Christian G. Fritz
Henry Weihofen Chair in Law and
Professor of Law
University of New Mexico

School of Law
1117 Stanford NE
MSC 11 6070
Albuquerque, NM 87131-0001
Phone: 505.277.5437

Fritz, Chris

From: Carey, Camille
Sent: Thursday, November 29, 2012 3:24 PM
To: Fritz, Chris
Subject: RE: Request about courses you teach

Hi Chris,

I am just now realizing that I never responded to this email. I'm very sorry.

Torts is the only course I teach other than clinic and my writing seminars. In Torts, I have a case briefing assignment at the very beginning of the semester. I have an ungraded midterm. I provide written feedback on each student's midterm and encourage every student to meet with me one-on-one to discuss the midterm. I also provide a model exam answer outline for the midterm and spend time in class discussing that. I provide all of my previous midterms and finals to the class and encourage students to take these exams for practice and then meet with me to review their performance. I also offer students an opportunity to meet with me one-on-one to review their final exam answers. I think that's about it. Please let me know if there's any other information I can provide. Again, I'm terribly sorry about the tardiness of my response.

Best,
Camille

From: Fritz, Chris
Sent: Wednesday, November 07, 2012 5:18 PM
To: Faculty; Faculty-Adjuncts
Cc: Minzner, Max
Subject: Request about courses you teach

Dear Colleagues,

I write as the Chair of the Assessment and Teaching Committee with a simple request about your teaching (excepting Clinic and writing courses): Can you let me know if you do *anything* in your classes beyond an end of semester exam? (That includes anything ranging from offering a model exam answer, quizzes, in class assignments, papers, reflections, utilization of panels or designated students, practice exams, graded mid-terms or *any other* feedback or means you employ that helps assess how well your students are learning what you've tried to teach.)

This information is needed to document what we do in terms of teaching assessment. The stimulus for gathering this data comes from an initiative from the main campus that will, Interim Dean Bergman assures me in no uncertain terms, have a important future impact on our budget as a unit of the University in the light of changes in administration that are currently underway. So I appeal for your cooperation.

If you would be willing to detail what you do in given courses, that would be great. But if you don't have the time currently, just letting me know that you're doing other things beyond the single exam will do—either I or Max Minzner will seek you out in person. Thank you very much.

All the best, Chris

Organick, Aliza

From: Organick, Aliza
Sent: Friday, December 14, 2012 9:52 AM
To: Fritz, Chris; Minzner, Max
Subject: Student Assessment and Feedback Information - Clinic

Dear Chris and Max,

Before I leave for break, I wanted to follow up with you both regarding our sub-committee tasks on Student Assessment and Feedback.

Before the Thanksgiving break I asked my clinic colleagues to answer the questions below. I sent the request to all of the full time clinicians (I think there are eight of us). I received a total of six responses, two of them contained attachments.

I would be happy to provide hardcopy of the responses if you need them. Otherwise, I'll bring them to our next meeting. I haven't missed any meetings have I???

Have a wonderful and restful break! Aliza

1. Do you provide written educational goals for clinic students in your section at the beginning of the semester? If yes, do you review those goals, either individually or with the group at the beginning of the semester? Are these goals posted in electronic form somewhere in the clinic so they can review it over the course of the semester? Do you review these goals over the course of the semester?

2. Do you provide feedback to your students on how well they are achieving those educational goals at some point before the end of the semester? If yes, please describe how that feedback is provided, e.g., in writing or in a formal meeting? If in writing, would you please provide an e-copy of the form you currently use.

3. Please describe how you structure your weekly supervision meetings with students. For example, do you ask them to provide written summaries of their cases in advance of those meetings? Do you ask them to set weekly, bi-weekly, or monthly goals? How do you follow up with them to ensure they are meeting those goals?

4. Do require end of the semester exit interviews with students? If so, do you provide assessment of their work at that time? Is this done in written or oral form? If in written form, please provide an e-copy of the form you currently use. If end of the semester assessment is provided orally, please describe what you go over with the student.

Organick, Aliza

From: Cannon, Yael
Sent: Wednesday, December 05, 2012 1:54 PM
To: Organick, Aliza
Cc: Cannon, Yael
Subject: RE: Student Assessment and Feedback Information

Hi Aliza,

Please see below for my answers in bold and italics. Thanks and sorry this is late!

-Yael

1. Do you provide written educational goals for clinic students in your section at the beginning of the semester?
   Yes, I provide my students with the Objectives, Goals, and Grading Criteria Memo that was developed by previous faculty members.

   If yes, do you review those goals, either individually or with the group at the beginning of the semester? Are these goals posted in electronic form somewhere in the clinic so they can review it over the course of the semester? Do you review these goals over the course of the semester?

   I review the Objectives, Goals, and Grading Criteria Memo and more detailed information about my expectations of my students in my first small group seminar. I also email this memo to my students, and my understanding is that it is also available to them on the shared Clinic Wiki website. I return to these goals in mid-semester evaluations (see below) and at the end of the semester. I also ask my students to submit a short written statement about their personal goals for themselves for clinic at the start of the semester, and we reference those personal statements at our mid-semester evaluation meetings (see below) and end-of-semester evaluation meetings (see below).

2. Do you provide feedback to your students on how well they are achieving those educational goals at some point before the end of the semester? If yes, please describe how that feedback is provided, e.g., in writing or in a formal meeting? If in writing, would you please provide an e-copy of the form you currently use.

   I have my students complete a mid-semester written evaluation of their performance, based on the criteria in the Objectives, Goals, and Grading Criteria Memo. My instructions to them are as such:

   "Mid-term Self Evaluation: Also 24 hours before your self-evaluation meeting, you will need to submit via email to me a self-evaluation memo. Your self-evaluation memo should address each of the criteria and questions posed on the attached Objectives, Goals and Grading Criteria document that you were provided at the start of the semester. Under each criteria category in the memo, there are a series of subheadings with questions that you should address in your mid-term self-evaluation memo. Discuss your performance for each criteria by addressing the questions asked and reference for each sub-section based on the questions posed and your understanding of that sub-section the areas in which you would still like to improve during the remainder of this semester and in which ways. You should organize your memo to follow the headings in that document, such as:

   I. PERSONAL AND PROFESSIONAL RESPONSIBILITY

   A. Learning about learning
   In paragraph format, your answers to the questions posed in this sub-section, discussing both your performance thus far and your goals for yourself for the rest of the semester in this sub-section

   B. Self-Initiative

C. **In paragraph format, your answers to the questions posed in this sub-section, discussing both your performance thus far and your goals for yourself for the rest of the semester in this sub-section etc....**

I will consider these questions and your responses in my overall evaluation of your work. In your self-evaluation reflection memos, you should think of and provide specific instances from your cases and other clinic work in which these issues arose, and avoid overly general assessments (e.g., "I was reflective. I was well-organized.") Consider your performance not only in your cases, but also in seminar, on your projects, and in all aspects of your clinical work. There may be some questions (i.e. those posed in the "Courtroom and Administrative Hearing Performance" sub-section on page 3) that aren't relevant to some of you. If any questions or any sub-section isn't relevant to you, please state as much in your memo. We will use your memo as a jumping-off point to discuss your performance thus far and your goals for the rest of the semester in our evaluation meetings."

Then I meet with the students one-on-one for an hour-long mid-semester meeting. I use their mid-term self-evaluation reflection memos as a jumping off point for a conversation about their performance, in which I comment on their self-evaluations and provide additional feedback about their performance. We set goals together for them to work on for the remainder of the semester.

3. Please describe how you structure your weekly supervision meetings with students. For example, do you ask them to provide written summaries of their cases in advance of those meetings? Do you ask them to set weekly, bi-weekly, or monthly goals? How do you follow up with them to ensure they are meeting those goals?

I meet with each of my students once a week one-on-one for about an hour. I ask them to submit to me 24 hours in advance of that meeting a pre-meeting memo in which they update me on accomplishments in each case over the past week and propose next steps to work on in each case in the coming week. With these weekly memos and the conversation that follows about their progress over that week in each case, we work together to ensure they are meeting their weekly case goals. I also ask them to write a mid-semester summary for each case on what they've accomplished thus far and their goals for concrete achievements they hope to accomplish in each case during the second half of the semester. We review those summaries verbally in our mid-semester meeting as well, and those summaries help to guide their work during the remainder of the semester.

3. Do require end of the semester exit interviews with students? If so, do you provide assessment of their work at that time? Is this done in written or oral form? If in written form, please provide an e-copy of the form you currently use. If end of the semester assessment is provided orally, please describe what you go over with the student.

Yes, I meet with each student one-on-one for an hour at the end of the semester, in which I provide them an assessment of their work orally. To prepare for the meeting, I ask the students via an email to do the following:

"1) You do not need to submit to me a written self-eval in advance. However, you should look at your initial personal statement with clinic goals you submitted at the beginning of the semester, your mid-semester self-evaluation you submitted to me, and the clinic grading criteria. Make a list of the areas in which you feel you've progressed the most this semester and looking forward, the things you still want to work on going into your law practice. Take into account the goals you set for yourself at the start of the semester and mid-semester and be prepared to discuss your progress in those specific areas. Be prepared to reflect verbally in our meeting on each area in the grading criteria. Don't come in saying "I don't know" about any area in which you will be graded. You need to be thoughtful and reflective in our meeting, and come in with notes for yourself that will help you be insightful and detailed in our conversation.

2) Come prepared to discuss where you are on each of your cases, both substantively and in the transfer/closing process. Be prepared to tell me when you will get me your files for review. Ideally, I should

get your files by Wednesday, but the earlier, the better! (You may need to make additional changes after submitting your files to me, which is why I want them earlier than Friday!)"

In preparation for the meeting, I review the grading criteria in the memo I distributed, their initial personal goals statements they wrote at the beginning of the semester, their mid-semester evaluations, and my notes from our mid-semester meetings (including the feedback I gave them and the goals we jointly set for the second half of the semester). I prepare notes for myself, which I share with them verbally, about their performance over the semester, the areas in which they've grown, their progress on the goals we set mid-semester, and areas of improvement I suggest they continue to work on in practice. I start off the conversation in each of these areas by asking for their self-evaluation verbally on these areas, and then I provide them with feedback. I aim to have them understand their strengths, the areas in which they've progressed and grown, and goals for things to continue to work in when they get into practice. I try to get them to be as concrete as possible with specific examples and I try to do the same in the feedback I provide.

Yael Zakai Cannon
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University of New Mexico School of Law
1117 Stanford NE
MSC11 6070
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-0620
cannon@law.unm.edu

From: Organick, Aliza
Sent: Friday, November 30, 2012 7:54 AM
To: Cannon, Yael
Subject: RE: Student Assessment and Feedback Information

Sure, Monday will be fine. Thanks!

From: Cannon, Yael
Sent: Friday, November 30, 2012 6:56 AM
To: Organick, Aliza
Subject: RE: Student Assessment and Feedback Information

Aliza,

With all of the craziness today, is it ok if I get you this info on Monday? Sorry about that!

Yael Zakai Cannon
Assistant Professor of Law
University of New Mexico School of Law
1117 Stanford NE
MSC11 6070
1 University of New Mexico
Albuquerque, NM 87131-0001
cannon@law.unm.edu

From: Organick, Aliza
Sent: Monday, November 26, 2012 10:27 AM
To: Clinic-Current-Faculty

Cc: Carey, Camille; Suzuki, Carol; 'Christine Zuni'
Subject: Student Assessment and Feedback Information

Dear Colleagues:

I am following up on my email from earlier this month on student assessment and feedback in the clinic. The Teaching and Assessment Committee is trying to compile information for main campus on how we provide assessment and feedback across the law school. I have been charged with finding out what we do in the clinic.

I have compiled a preliminary list of questions for your review and answers below. Please send back your answers ***via email by Friday, November 30th.***

1. Do you provide written educational goals for clinic students in your section at the beginning of the semester? If yes, do you review those goals, either individually or with the group at the beginning of the semester? Are these goals posted in electronic form somewhere in the clinic so they can review it over the course of the semester? Do you review these goals over the course of the semester?

2. Do you provide feedback to your students on how well they are achieving those educational goals at some point before the end of the semester? If yes, please describe how that feedback is provided, e.g., in writing or in a formal meeting? If in writing, would you please provide an e-copy of the form you currently use.

3. Please describe how you structure your weekly supervision meetings with students. For example, do you ask them to provide written summaries of their cases in advance of those meetings? Do you ask them to set weekly, bi-weekly, or monthly goals? How do you follow up with them to ensure they are meeting those goals?

4. Do require end of the semester exit interviews with students? If so, do you provide assessment of their work at that time? Is this done in written or oral form? If in written form, please provide an e-copy of the form you currently use. If end of the semester assessment is provided orally, please describe what you go over with the student.

If there is any other information about your process that you believe would be helpful to share with the committee, please feel free to do so. I would like to provide share your answers with the sub-committee early next week and I look forward to your receiving your answers.

Cheers,

Aliza

Alizabeth's

Dear Colleagues:

I am following up on my email from earlier this month on student assessment and feedback in the clinic. The Teaching and Assessment Committee is trying to compile information for main campus on how we provide assessment and feedback across the law school. I have been charged with finding out what we do in the clinic.

I have compiled a preliminary list of questions for your review and answers below. Please send back your answers ***via email by Friday, November 30th.***

1. Do you provide written educational goals for clinic students in your section at the beginning of the semester? If yes, do you review those goals, either individually or with the group at the beginning of the semester? Are these goals posted in electronic form somewhere in the clinic so they can review it over the course of the semester? Do you review these goals over the course of the semester?

   Yes, on the first day of class I provide my students written educational goals using the form titled, Objectives, Goals and Grading Criteria, which is on the wiki (electronically) in the clinic. This set of goals is divided into three sections. Each section is further divided describing certain specific goals and requirements in the clinic.

   This semester I did not go through the form with the students either in class or individually. However, I do provide an overview of clinic goals and I refer the students to the form if they have questions.

2. Do you provide feedback to your students on how well they are achieving those educational goals at some point before the end of the semester? If yes, please describe how that feedback is provided, e.g., in writing or in a formal meeting? If in writing, would you please provide an e-copy of the form you currently use.

   I have a mid-semester evaluation and file review session with each student. I have adopted the Objectives, Goals and Grading Criteria form so that it allows for written feedback (see attached). I let each student know how well they are doing at the mid-term on a scale from poor-to-excellent performance.

3. Please describe how you structure your weekly supervision meetings with students. For example, do you ask them to provide written summaries of their cases in advance of those meetings? Do you ask them to set weekly, bi-weekly, or monthly goals? How do you follow up with them to ensure they are meeting those goals?

   I meet with my students bi-weekly in one hour case review and planning sessions. I write down what was accomplished that week and what their case plan is for the next week. We set short term and longer term goals at these meeting. I typically do not provide those to the student directly but they are aware that I am writing it down. I often refer to the preceding week's goals when I am reviewing their work for the week.

In addition to the bi-weekly, one hour meeting, I make "rounds" at their clinic carrel once each morning and afternoon where I respond to their questions and concerns. I also use this time to do side-by-side letter and document drafting. I encourage students to ask questions but I try different pedagogical models depending on the circumstances. For instance, I will often follow up with a number of questions of my own, I will ask what they have done to find answers on their own, I will often model behavior, e.g., if they have a question about a rule or statute I will pull out the books and go over the language with the student together.

4. Do require end of the semester exit interviews with students? If so, do you provide assessment of their work at that time? Is this done in written or oral form? If in written form, please provide an e-copy of the form you currently use. If end of the semester assessment is provided orally, please describe what you go over with the student.

   I try but do not always succeed in having formal exit interviews each semester. This is usually done when we are in the process of closing or transferring cases. I typically will review the work that the student was able to accomplish on behalf of their client as an overview. I will tell them what I thought went well in their representation. I will not typically focus on what didn't go well because we talk about that as we are working on each case over the course of the semester.

If there is any other information about your process that you believe would be helpful to share with the committee, please feel free to do so. I would like to provide share your answers with the sub-committee early next week and I look forward to your receiving your answers.

Cheers,

Aliza

Mid-Semester Evaluation and File Review
Fall 2012

Name _____ **Date** _____

The evaluation of your efforts in the Clinic considers the criteria provided to you in your first week in clinic and includes the factors set out below. This set of criteria involves both professionalism and competence. The purpose of the mid-semester review is to aid you in thinking about your work in the clinic thus far and to encourage you to continue to work towards these goals as you move into the final weeks of the semester.

Please note that grading with respect to these items will be based on those activities in which you actually engage on your cases. The goal is to identify areas of strength and also in which you might need improvement.

I. PERSONAL & EDUCATIONAL RESPONSIBILITY

A. Learning about learning: Poor Fair Good Very Good Excellent

_____

_____

_____

B. Self-initiative: Poor Fair Good Very Good Excellent

_____

_____

_____

C. Contribution to the Clinic: Poor Fair Good Very Good Excellent

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II. PROFESSIONAL RESPONSIBILITY

A. Professional Ethics: Poor Fair Good Very Good Excellent

B. Interpersonal Relations: Poor Fair Good Very Good Excellent

C. Effort at Competent Representation: Poor Fair Good Very Good Excellent

D. Reliability and Responsibility: Poor Fair Good Very Good Excellent

E. Responsibility to the Community: Poor Fair Good Very Good Excellent

III. LAWYERING SKILLS/RESPONSIBILITY

A. Interviewing and Counseling: Poor Fair Good Very Good Excellent

B. Fact Investigation: Poor Fair Good Very Good Excellent

C. Theory of the Case. Poor Fair Good Very Good Excellent

D. Communication: Poor Fair Good Very Good Excellent

E. Writing: Poor Fair Good Very Good Excellent

F. **Negotiation**: Poor Fair Good Very Good Excellent

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G. **Pre-hearing Preparation**: Poor Fair Good Very Good Excellent

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_____

H. **Courtroom and Administrative Hearing Performance**:

Poor Fair Good Very Good Excellent

_____

_____

_____

The above list is not an exhaustive list of skills necessary to develop in striving to be a good lawyer. A more exhaustive list is presented in the Macrate Report. http://www.abanet.org/leqaled/publications/onlinepubs/maccrate.html

Excellent performance in virtually all aspects of practice deserves an A.

Excellent performance in most aspects of practice and satisfactory performance in the other aspects merits a B.

Acceptable achievement in all areas will merit a C.

Any performance which is less than acceptable achievement in any of the above areas will receive a D or an F, depending on the level of unacceptability

ANY KNOWING, INTENTIONAL, OR RECKLESS VIOLATION OF ANY OF THE RULES OF PROFESSIONAL CONDUCT,OR ANY CLINIC RULES, OR OF A COURT ORDER WILL RESULT IN A FAILING CLINIC GRADE (F). A GROSS FAILURE IN PROFESSIONALISM WILL ALSO RESULT IN A FAILING CLINIC GRADE

We realize that the issue of grades is a difficult one. We encourage you to discuss your performance with us at any point in the semester.

Objectives, Goals and Grading Criteria

TO: **Clinical Students**

FROM: **Clinic Facility**

SUBJECT: **Objectives, Goals, and Grading Criteria**

Our primary objective in supervising your clinical experience is to encourage your development as a member of a professional community. To that end the clinical experience helps develop your sense of professional responsibility and your competence in lawyering skills. Increasing your sense of professional responsibility is vitally important at this stage of your legal career because as a professional, you will be called upon to take tremendous responsibility for the interests of your clients. Thus, in the Clinic you will be pressed to accept real responsibility for controlling cases, making thoughtful and informed case decisions, and promptly communicating with your clients.

In addition to helping you with your understanding of the role of the lawyer as a professional, we want to help you develop technical lawyering skills which will serve to further your competence as an attorney. Thus, we will use simulation exercises, seminar discussions, assignments, critiques, staff meetings and other assorted approaches to building lawyer competence.

We encourage you to discuss with your supervisor, either in staff meetings or on an individual basis, any personal goals you would like to set for yourself and which the Clinical experience might help you achieve.

Our evaluation of your efforts in the Clinic will entail a consideration of criteria, including the factors set out below, which involve both professionalism and competence. We hope these questions will aid you in thinking about your clinical experience and encourage you to strive to maximize this educational opportunity.

Grading with respect to these items will be based on those activities in which you actually engage on your cases. We endeavor to identify areas in which you might need improvement and improvement will be taken into account.

I. PERSONAL & EDUCATIONAL RESPONSIBILITY

A. **Learning about learning:** Do you take advantage of opportunities in the Clinic to study how you are best able to learn? Do you pursue methods of self-improvement that will be applicable in your future professional life?

B. **Self-initiative:** Do you take the time and effort necessary to think through the ethical, strategic and interpersonal issues which arise in the Clinic? Do you address these issues as learning opportunities, consider alternatives, develop a plan of action, and follow through?

C. **Contribution to the Clinic:** Do you enrich the clinical experience by your participation in it? Do you attend all class sessions? Do you contribute to discussions, participate in simulations, and contribute to a meaningful way to others' clinical experiences? Do you collaborate effectively with your colleagues to further meaningful representation of clinic clients or development of meaningful projects. Do you contribute to the development of clinic materials by sharing pleadings, forms and information with the clinic, through the wiki or other formats.

II. PROFESSIONAL RESPONSIBILITY

A. Professional Ethics. Do you thoroughly familiarize yourself with the Rules of Professional Conduct? Are you alert to ethical issues as they arise? Do you initiate discussions of those issues and resolve them appropriately? Are your pending cases passed on to succeeding students in an organized manner, facilitating continuation of service? Are your files, both electronic and paper, well documented and well organized? Do you use the clinic office managements system consistently?

B. Interpersonal Relations. Do you seek supervision appropriately? Do you actively engage your supervisor in the management of your work? Do you work effectively with your colleagues, your supervisors, and the staff? Do you maintain appropriate relationships with your clients, opposing counsel, and the court? Are you too passive in accepting--or too rigid in rejecting suggestions or critiques? That is, do you take criticism thoughtfully? Do you consider the role of the lawyer in society and reflect on the implications of that role?

C. Effort at Competent Representation. Is work done in representing your clients in a timely manner? Do you make a zealous attempt to represent your clients' interests in the most effective manner? Do you work hard and seek assistance to ensure that your efforts are of the best quality? Have you ensured that your supervisor has thoroughly reveiwed your work?

D. Reliability and Responsibility. Are you punctual with regard to appointments? Are you diligent in keeping office hours? Are you dependable? Can you be counted upon unconditionally? Do you understand your professional responsibility to your client?

E. Responsibility to the Community. Are you aware of the myriad needs of the community? Do you try to understand the needs of the community. Do you strive to work with members of the community to find solutions? Are you thoughtful about community based approaches to addressing specific problems? Are your projects responsive to community needs, well-thought out and executed well.

III. LAWYERING SKILLS/RESPONSIBILITY

A. Interviewing and Counseling. Are you appropriately interested and supportive? Did you elicit all relevant information? Do you help your clients define their problems and help them expand their options? Do you help them choose from among their options? Do you adequately answer your clients' questions and concerns? Are you sensitive to their full range of needs? Do you take every opportunity to learn about your client, including background and culture, as well as the client's objectives of the representation? Do you approach all of your clients with respect and humility?? Do you listen carefully to your clients and seek assistance when you feel you don't understand your client's perspective?

B. Fact Investigation. Are you thorough and imaginative in eliciting facts? Do you make sufficient attempts to elicit necessary information? Are you aware of cultural issues that might affect the investigation and understanding of the cases. Do you base your investigation on facts and alternative theories rather than assumptions? Do you research all relevant issues including those involving the client's culture and background?

C. Theory of the Case. Do you develop a theory and strategy for each case, including appropriate interpretation and application of evidence, statutes, and case law in order to develop a case plan for using the facts and the law for the benefit of your clients? Do you work to develop a strategy and make adjustments as appropriate?

D. Communication. Do you develop effective communication skills? Do you work on understanding yourself as a cultural being to better understand differences between others and yourself. Do you check

your reactions to events and tor to identify any stereotypes or bias, so that you can ensure that your representation is based on facts and not assumptions? Do you explore alternative explanations for differences as part of enhancing effective communication. Do you seek to understand differences between your client and you and seek to communicate effectively across those differences?

F. Writing. Are your documents accurate, well written, thoroughly researched, concise, and well organized? Was the intended audience taken into account? Is the tone appropriate for the context? Is it convincing in content and structure? Did it further your theory of the case?

G. Negotiation. Do you develop a thorough negotiating strategy? Do you understand the strengths and weaknesses of your case? Do you present your clients' cases in a convincing manner? Do you adequately discuss the scope of your settlement authority with your clients? Do you effectively counsel your client about available options and the risks and benefits? Are you prepared to respond to counter offers?

H. Pre-hearing Preparation. Do you expend the necessary time and effort to prepare properly? Do you prepare your clients and other witnesses well? Do you practice sufficiently? Do you make arrangements with your supervisor to attend the hearing? Is your trial notebook prepared well in advance and reviewed by your supervisor? Is it well organized and adequate to meet your needs at trial?

I. Courtroom and Administrative Hearing Performance. Do you respond to the adjudicators' questions cogently? Do you demonstrate familiarity with the file, the law and regulations, the rules of evidence and procedure and the facts of the case? Is your demeanor appropriate? Does your direct examination and cross examination serve to elicit relevant information that furthers your theory of the case? Do you present your case effectively at all stages of the proceedings?

The above list is not an exhaustive list of skills necessary to develop in striving to be a good lawyer. A more exhaustive list is presented in the MacCrate Report.

http://www.abanet.org/legaled/publications/onlinepubs/maccrate.html

We will discuss and present more skills and aspects of professionalism in our plenary and staff meetings.

As guidance, the following are the grading standards we will apply:

Excellent performance in virtually all aspects of practice deserves an A.

Excellent performance in most aspects of practice and satisfactory performance in the other aspects merits a B.

Acceptable achievement in all areas will merit a C.

Any performance which is less than acceptable achievement in any of the above areas will receive a D or an F, depending on the level of unacceptability.

ANY KNOWING, INTENTIONAL, OR RECKLESS VIOLATION OF ANY OF THE RULES OF PROFESSIONAL CONDUCT, OR ANY CLINIC RULES, OR OF A COURT ORDER WILL RESULT IN A FAILING CLINIC GRADE (F). A GROSS FAILURE IN PROFESSIONALISM WILL ALSO RESULT IN A FAILING CLINIC GRADE.

Organick, Aliza

From: Butler, James
Sent: Sunday, December 02, 2012 12:56 PM
To: Organick, Aliza
Cc: Pareja, Mary
Subject: RE: Student Assessment and Feedback Information
Attachments: Template for weekly case action plans fall 12.doc

1. Do you provide written educational goals for clinic students in your section at the beginning of the semester? If yes, do you review those goals, either individually or with the group at the beginning of the semester? Are these goals posted in electronic form somewhere in the clinic so they can review it over the course of the semester? Do you review these goals over the course of the semester? We provide B&TC students with an outline of class expectations during the first week of class, and we review most of the outline in class. We email them this outline so that they can refer to it throughout the semester. The portions of this outline that pertain most directly to educational goals are copied in below. The grading criteria (part D) are probably the most consistently repeated educational goals.

   We have not compiled a list of more specific task-related goals (e.g., "prepare and file a significant pleading," "draft a contract," "write an opinion letter") with the intent of requiring each student to complete each item during the semester. We do have these kinds of goals in mind and try to allocate cases so that each student gets as broad an experience as possible.

2. Do you provide feedback to your students on how well they are achieving those educational goals at some point before the end of the semester? If yes, please describe how that feedback is provided, e.g., in writing or in a formal meeting? If in writing, would you please provide an e-copy of the form you currently use. Mary and I meet with B&TC students mid-semester to evaluate how well they are doing. We specifically review conformity with grading criteria in these mid-term meetings. For what it's worth, Mary and I have decided that we are going to do 5-week and 10-week reviews next semester instead of mid-term reviews. We have concluded that these five-week intervals better represent critical nodes in the semester when student progress should be expected to change qualitatively. Any student who is falling behind what we call the "Baseline B" with respect to any of the grading criteria gets direct feedback on the problem and what needs to be done to correct it as quickly as possible.

3. Please describe how you structure your weekly supervision meetings with students. For example, do you ask them to provide written summaries of their cases in advance of those meetings? Do you ask them to set weekly, bi-weekly, or monthly goals? How do you follow up with them to ensure they are meeting those goals? Students are required to submit their time reports and a "Case Action Plan" ("CAP") by close of business every Friday. The CAP template is attached. Students are required to revise their CAPs throughout the semester to reflect developments in their thinking about client goals and plans for achieving those goals. The CAPs require statements of both recently-completed actions and planned actions for the coming week. Mary and I are considering revising the CAP template for next semester, particularly beginning with week six, to state specific accomplishments that must be achieved by semester's end (or by other fixed dates in the semester). Mary requires each student to meet with her for a scheduled visit each week. I do not (with the exception of certain weeks during the semester). My student visits are more ad hoc, in part because I office directly in their midst.

4. Do require end of the semester exit interviews with students? If so, do you provide assessment of their work at that time? Is this done in written or oral form? If in written form, please provide an e-copy of the form you currently use. If end of the semester assessment is provided orally, please describe what you go over with the student. We do not require end-of-semester interviews. During my first two semesters here, I offered voluntary

end-of-semester evaluations with the understanding that these evaluations would be to discuss a student's demonstrated strengths (and how to leverage them) and areas of possible concern (and how to de-leverage or compensate for them). I had virtually no response to this offer (one or two accepted each semester), so I have not renewed the offer the last two semesters.

Written educational goals (class expectations outline):

A. General Perspective on the Clinic

1. We are a law firm. Our primary goal is advancing our clients' interests efficiently, effectively and within the boundaries of law and ethics.

2. A private law firm's second priority is earning enough profit to make a living. Our law firm's second priority is to help you become practicing lawyers.

a. Note that, perhaps for the first time, your personal advancement is no longer the primary purpose of your environment.

b. Note that, perhaps for the first time, the quality of your performance affects someone other than you.

3. When you walk down the hall from the Forum to the clinic, you change from being a law student to being a professional.

a. I prefer to be called "Jim" or "Mr. Butler" (if the age difference makes "Jim" too difficult).

b. I prefer not to be called "Professor," because it invokes a student-teacher relationship, not a professional relationship.

4. Mary and I are in charge of the firm (or at least our section of it—the "firm" is all the clinical sections combined); you're in charge of the clients. The intended relationship is pretty close to the one between senior associates and partners in a law firm.

5. Some firm rules:

a. We never disparage or belittle our clients.

b. We refer to our clients as "our" clients.

c. We treat staff with courtesy and respect.

d. We treat each other with courtesy and respect.

e. We dress appropriately.

f. Anyone can refuse an assignment that they believe is unethical or immoral.

B. The Transition from Law Student to Lawyer

1. The practice of law is a problem resolution (or goal achieving) service business grounded in human relationships. The basic paradigm from start to finish is more or less the same across all such businesses (e.g., an all night garage, a medical practice):

a. Establish a good working relationship with the client.

i. Mutual respect.

ii. Trust.

iii. Confidence.

iv. Openness.

v. Shared responsibility.

b. Understand the problem that the client wants you to address and/or the goal that the client wants to achieve.

c. Probe what the client believes would be a satisfactory outcome. Perhaps counsel on realistic outcomes.

d. Understand the factual context in which the problem or goal must be addressed.

e. Be alert for impending deadlines and, if present, address them in a timely manner.

f. Identify the alternatives for resolving the client's problem or achieving the client's goal.

g. Evaluate the costs, risks and benefits of the alternatives.

h. Counsel the client on the costs, risks and benefits of the alternatives, and develop a course of action.

i. Implement the chosen course of action.

2. Most of your law school training to date has been focused on making you "analysts."

3. Clients by and large don't want analysts—they want problem solvers (or goal achievers).

a. Analysis (identifying relevant law and facts, applying fact to law to reach conclusions) is usually at the core of legal problem solving/goal achievement, but it's only part of the process. Clients assume that your analysis is good.

b. A great lawyer has the client's goals in front of her/him at every turn in the representation process.

4. A major part of your clinical development will be making the transition from issue identifier/analyst to problem solver/goal achiever.

C. How are we going to do this?

1. You're going right into the deep end of the pool. You have primary responsibility for our clients. Mary and I are here primarily to coach:

a. Help you analyze your cases and decide on a path forward. That's the primary function of file reviews.

b. Review your process and keep you "within the navigational beacons" while giving you all the rope we can (the "legal judgment" rule).

c. Critique (not criticize) your performance.

2. Mary and I can only do our jobs if you involve us. Part of learning to be a lawyer is learning how to take responsibility for your cases while still keeping us involved.

3. Your growth is a critical part of our grading. You will only grow if you partner with us and accept and respond to critique.

D. Grading Criteria—Short Version (there's a longer version to come)

1. The baseline grade is B. Getting a B requires:

a. Strict compliance with the "process" requirements of clinic:

i. Establishing and adhering to office hours (and letting staff and us know when you won't be meeting them or are switching them around);

ii. Attending class, participating in class and being on time;

iii. Maintaining paper and electronic files properly;

iv. Submitting time and CAPs timely each week.

2. Compliance with the following substantive requirements:

a. Unstinting devotion to clients' interests;

b. 100% mental commitment (going through the motions doesn't count).

c. Partnering with your supervisors.

d. Adhering to the Rules of Professional Conduct, including without limitation Rule 1-094.

3. Don't think this is easy (or that Mary is or I am easily fooled).

4. Moving up to an A means showing outstanding achievement, real growth in legal skills or both.

5. Failing to meet the baseline criteria can mean a C or, of course, worse.

From: Organick, Aliza
Sent: Monday, November 26, 2012 10:28 AM
To: Clinic-Current-Faculty
Cc: Carey, Camille; Suzuki, Carol; 'Christine Zuni'
Subject: Student Assessment and Feedback Information

Dear Colleagues:

I am following up on my email from earlier this month on student assessment and feedback in the clinic. The Teaching and Assessment Committee is trying to compile information for main campus on how we provide assessment and feedback across the law school. I have been charged with finding out what we do in the clinic.

I have compiled a preliminary list of questions for your review and answers below. Please send back your answers ***via email by Friday, November 30th.***

5. Do you provide written educational goals for clinic students in your section at the beginning of the semester? If yes, do you review those goals, either individually or with the group at the beginning of the semester? Are these goals posted in electronic form somewhere in the clinic so they can review it over the course of the semester? Do you review these goals over the course of the semester?

6. Do you provide feedback to your students on how well they are achieving those educational goals at some point before the end of the semester? If yes, please describe how that feedback is provided, e.g., in writing or in a formal meeting? If in writing, would you please provide an e-copy of the form you currently use.

7. Please describe how you structure your weekly supervision meetings with students. For example, do you ask them to provide written summaries of their cases in advance of those meetings? Do you ask them to set weekly, bi-weekly, or monthly goals? How do you follow up with them to ensure they are meeting those goals?

8. Do require end of the semester exit interviews with students? If so, do you provide assessment of their work at that time? Is this done in written or oral form? If in written form, please provide an e-copy of the form you currently use. If end of the semester assessment is provided orally, please describe what you go over with the student.

If there is any other information about your process that you believe would be helpful to share with the committee, please feel free to do so. I would like to provide share your answers with the sub-committee early next week and I look forward to your receiving your answers.

Cheers,

Aliza

UNM School of Law Clinical Law Programs
Business & Tax Clinic
Fall 2012 (Butler/Pareja)

Monday, August 20 (10:30 to 11:45) JDB rev. 9.7.12

"Class Expectations"

(Note: Due to time limitations, parts of this outline will be covered on succeeding days).

A. General Perspective on the Clinic

1. We are a law firm. Our primary goal is advancing our clients' interests efficiently, effectively and within the boundaries of law and ethics.

2. A private law firm's second priority is earning enough profit to make a living. Our law firm's second priority is to help you become practicing lawyers.

a. Note that, perhaps for the first time, your personal advancement is no longer the primary purpose of your environment.

b. Note that, perhaps for the first time, the quality of your performance affects someone other than you.

3. When you walk down the hall from the Forum to the clinic, you change from being a law student to being a professional.

a. I prefer to be called "Jim" or "Mr. Butler" (if the age difference makes "Jim" too difficult).

b. I prefer not to be called "Professor," because it invokes a student-teacher relationship, not a professional relationship.

4. Mary and I are in charge of the firm (or at least our section of it—the "firm" is all the clinical sections combined); you're in charge of the clients. The intended relationship is pretty close to the one between senior associates and partners in a law firm.

5. Some firm rules:

a. We never disparage or belittle our clients.

b. We refer to our clients as "our" clients.

c. We treat staff with courtesy and respect.

d. We treat each other with courtesy and respect.

e. We dress appropriately.

f. Anyone can refuse an assignment that they believe is unethical or immoral.

6. Pace:

a. This is a marathon, not a sprint, but it's a pretty fast marathon.

b. Clinic basically lasts 15 weeks. Of those, the first two and the last two are devoted largely to process. That leaves 11 weeks to get things done.

c. Note professional responsibility continues until the spring semester starts (January 9).

B. The Transition from Law Student to Lawyer

1. The practice of law is a problem resolution (or goal achieving) service business grounded in human relationships. The basic paradigm from start to finish is more or less the same across all such businesses (e.g., an all night garage, a medical practice):

a. Establish a good working relationship with the client.

i. Mutual respect.

ii. Trust.

iii. Confidence.

iv. Openness.

v. Shared responsibility.

b. Understand the problem that the client wants you to address and/or the goal that the client wants to achieve.

c. Probe what the client believes would be a satisfactory outcome. Perhaps counsel on realistic outcomes.

d. Understand the factual context in which the problem or goal must be

addressed.

e. Be alert for impending deadlines and, if present, address them in a timely manner.

f. Identify the alternatives for resolving the client's problem or achieving the client's goal.

g. Evaluate the costs, risks and benefits of the alternatives.

h. Counsel the client on the costs, risks and benefits of the alternatives, and develop a course of action.

i. Implement the chosen course of action.

2. Most of your law school training to date has been focused on making you "analysts."

3. Clients by and large don't want analysts—they want problem solvers (or goal achievers).

a. Analysis (identifying relevant law and facts, applying fact to law to reach conclusions) is usually at the core of legal problem solving/goal achievement, but it's only part of the process. Clients assume that your analysis is good.

b. A great lawyer has the client's goals in front of her/him at every turn in the representation process.

4. A major part of your clinical development will be making the transition from issue identifier/analyst to problem solver/goal achiever.

C. How Long will this Take?

1. You never stop becoming a better lawyer. That's why they call it "practicing."

2. How long does mastery take?

a. The 10,000 hour rule (musicians [the Beatles], chess masters).

b. Only well disciplined, well supervised practice counts.

c. Does it apply to law practice?

i. Historically (and before economics impacted the analysis), the road to partner has been 5 years.

ii. 5 x 2,000 = 10,000.

d. If you count the clinic as 22.5 hours/week for 15 weeks, that's 337.5 hours, or about 4% of "mastery."

3. Why bother with this?

a. Mary and I can't give you mastery in 15 weeks.

b. We can get you started.

c. If you work hard and grow, we may be able to give you a leg up over your peers in the workplace.

d. Regardless of what you ultimately do with your law degree, most of the skills we'll be teaching are transferable.

D. How are we going to do this?

1. You're going right into the deep end of the pool. You have primary responsibility for our clients. Mary and I are here primarily to coach:

a. Help you analyze your cases and decide on a path forward. That's the primary function of file reviews.

b. Review your process and keep you "within the navigational beacons" while giving you all the rope we can (the "legal judgment" rule).

c. Critique (not criticize) your performance.

2. Mary and I can only do our jobs if you involve us. Part of learning to be a lawyer is learning how to take responsibility for your cases while still keeping us involved.

3. Your growth is a critical part of our grading. You will only grow if you partner with us and accept and respond to critique.

E. How were the Cases Assigned?

1. Type (FIT, EO, BR/FC/Debt, other).

2. Anticipated workload—in total and variety.

3. Number—everybody gets 5 or 6.

4. If applicable, expressed preference (when possible).

5. As far as I'm concerned, clinic is a fresh start. I don't care how well you've done in law school so far (and I don't know).

a. The best law students don't necessarily make the best lawyers (and vice versa).

b. Your clinic grade is not a prediction of how good a lawyer you're going to be.

F. Grading Criteria—Short Version (there's a longer version to come)

1. The baseline grade is B. Getting a B requires:

a. Strict compliance with the "process" requirements of clinic:

i. Establishing and adhering to office hours (and letting staff and us know when you won't be meeting them or are switching them around);

ii. Attending class, participating in class and being on time;

iii. Maintaining paper and electronic files properly;

iv. Submitting time and CAPs timely each week.

2. Compliance with the following substantive requirements:

a. Unstinting devotion to clients' interests;

b. 100% mental commitment (going through the motions doesn't count).

c. Partnering with your supervisors.

d. Adhering to the Rules of Professional Conduct, including without limitation Rule 1-094.

3. Don't think this is easy (or that Mary is or I am easily fooled).

4. Moving up to an A means showing outstanding achievement, real growth in legal skills or both.

5. Failing to meet the baseline criteria can mean a C or, of course, worse.

G. Weekly Structure:

1. Scheduled class sessions

a. ABA requirement is one class hour (50 minutes) per credit per week. We overload the front end and give it back at the back end.

b. We will try to give you about a week's notice of class content, but the syllabus is infinitely malleable.

2. Office hours should be devoted to:

a. Active case management (this includes file review, research, case-related communications, research, drafting, appearances and file maintenance).

b. Off site "brief service" sessions.

c. File reviews with your supervisors.

d. Administrative time (preparing weekly case action plans, submitting your time weekly, attending Amicus training and other office-related time).

3. If you ever run out of work, let Mary or me know. We can fix that problem quickly.

H. Goals for this week:

1. Class tomorrow--elements of a business letter. Large group Wednesday. Tax orientation Thursday and Friday

2. Get your Amicus training and your office tour as soon as possible.

3. Office hour activities (subject to case-specific priorities):

a. Get very familiar with Rule 94 (on page 18 of the Civil Practice Manual in your carrels):

i. Mary or I review all "documents" (includes e-mail).

ii. Mary or I (or Mary and I) sign all written communications, including pleadings:

(1) For tax matters, Mary signs first. Until further notice, I sign too (but will not do a separate review).

iii. Mary appears or I appear with you in court.

iv. Court appearance requires signed approval from the judge, filed with the court.

b. Meet with Mary and me by Tuesday afternoon to get preliminary file review instructions on your cases.

c. Start reviewing your case files (see the separate "Tips for Incoming Clinical Law Students on Initial File Reviews").

d. Schedule your office hours.

e. Start preparing your client "transfer" letters. Plan to at least one transfer letter done for Mary and one for me by close of business this Friday.

f. Get your time entries in by Friday at 5 pm. (I check.)

I. By the end of next week:

1. Get on a good conversational level with Amicus.

a. Use the "summary" for milestones (e.g., mailed transfer letter, talked with Jim/Mary and agreed on following actions, called IRS and placed client on CNC status, etc. Cross reference any pertinent materials in the file or elsewhere in Amicus).

b. Use "notes" for your own reflections (if you wish).

c. Enter time every day.

d. Make sure you "attach" your documents.

2. Master correct document saving:

a. Saving to the correct file and folder on the server (not on your personal computers).

b. Develop good file naming habits and version control.

c. Attach documents to Amicus.

3. Practice good paper file maintenance (place materials in file, update indices).

4. Get transfer letters written for all of your cases.

5. Get complete file reviews done with Mary and me.

6. Submit your first case action plan by 5 pm Friday.

J. Preliminary Ethics Review

1. You are "Clinical Law Students" (the phrase used in NMRA)—not "lawyers," not "student lawyers," not "law students."

2. Preserve client confidentiality. Do not talk about cases outside of clinic. Beware of "elevator conversations."

3. Do not speak with someone represented by counsel without that counsel's permission.

K. Jim's 8 rules to live by:

1. Make forward progress (take smaller bites/redefine the problem).
2. Don't do something you don't understand.
3. Beware of assumptions.
4. Build good foundations.
5. Calm down before you act (24-hour rule).
6. Think about whether you want to write it down.
7. Don't burn bridges unless you have to.
8. It takes years to build a good reputation and minutes to destroy one.

[Student name] Action plan: Week of _____ __, 2012 Butler/Pareja

Case name/ number	Problem/Goal	Plan	Deadlines	Actions completed this week	Actions next week	Comments

Organick, Aliza

From: Organick, Aliza
Sent: Thursday, November 29, 2012 9:38 PM
To: Carey, Camille
Subject: RE: Student Assessment and Feedback Information

Thanks for your responses, Camille. I appreciate you taking the time to do this! Aliza

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From: Carey, Camille
Sent: Thursday, November 29, 2012 3:17 PM
To: Organick, Aliza
Subject: RE: Student Assessment and Feedback Information

Hi Aliza,

Oh boy. I don't think I have particularly great answers to these questions, and they certainly make me more thoughtful about how I will proceed in the future.

1. I don't provide written educational goals at the beginning of the semester. Instead I have a full class on expectations and goals. These are not electronically recorded anywhere other than my personal notes.
2. I provide oral feedback to students throughout the semester.
3. My weekly supervision meetings are rather informal. I don't ask them to bring anything to the meeting other than thoughts and work product. We come up with tasks and goals, and I follow up with them about these orally.
4. I do not require end of the semester exit interviews with the students.

Please let me know if there's any other information I need to provide.

Thanks!
Camille

From: Organick, Aliza
Sent: Monday, November 26, 2012 10:28 AM
To: Clinic-Current-Faculty
Cc: Carey, Camille; Suzuki, Carol; 'Christine Zuni'
Subject: Student Assessment and Feedback Information

Dear Colleagues:

I am following up on my email from earlier this month on student assessment and feedback in the clinic. The Teaching and Assessment Committee is trying to compile information for main campus on how we provide assessment and feedback across the law school. I have been charged with finding out what we do in the clinic.

I have compiled a preliminary list of questions for your review and answers below. Please send back your answers ***via email by Friday, November 30th.***

1. Do you provide written educational goals for clinic students in your section at the beginning of the semester? If yes, do you review those goals, either individually or with the group at the beginning of the semester? Are these goals posted in electronic form somewhere in the clinic so they can review it over the course of the semester? Do you review these goals over the course of the semester?

Organick, Aliza

From: Organick, Aliza
Sent: Thursday, November 29, 2012 9:39 PM
To: Land, April
Subject: RE: Student Assessment and Feedback Information

Thanks April!

From: Land, April
Sent: Thursday, November 29, 2012 5:43 PM
To: Organick, Aliza
Subject: RE: Student Assessment and Feedback Information

Here are some attempts to answer. . . We could do so much but I am not sure when or how!!!

Take care,
April
P.S. let's try to remind each other to make the reservations for the hotel in New Orleans.

From: Organick, Aliza
Sent: Monday, November 26, 2012 10:28 AM
To: Clinic-Current-Faculty
Cc: Carey, Camille; Suzuki, Carol; 'Christine Zuni'
Subject: Student Assessment and Feedback Information

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1. Do you provide written educational goals for clinic students in your section at the beginning of the semester? If yes, do you review those goals, either individually or with the group at the beginning of the semester? Are these goals posted in electronic form somewhere in the clinic so they can review it over the course of the semester? Do you review these goals over the course of the semester?

A memo about general learning goals are posted on the Clinic Wiki. My practice varies from semester to semester. Some semesters I have handed out the learning goals memo, others I refer to it. Others I set forth my expectations orally, with the main message that I expect students to work their hearts out and do their best.

Also, over the past few years, most semesters I ask the students during the first small group class about their own hopes and fears. I write them down, and then bring them out during the last week of the semester and have a class during which we discuss whether their hopes and or fears have been actualized.

2. Do you provide feedback to your students on how well they are achieving those educational goals at some point before the end of the semester? If yes, please describe how that feedback is provided, e.g., in writing or in a formal meeting? If in writing, would you please provide an e-copy of the form you currently use.

Again, my practices vary from semester to semester. The process I use most often is to meet with each student individually every two weeks. Initially we discuss learning goals and general goals for each client and project. As the semester moves on I will conduct file reviews, both electronic and paper. In addition, all clinical teachers review, edit and sign every written document produced by the student. Comments are both oral and written.

I will use one of the bi-weekly meetings during the middle of the semester to provide feedback to students about their strengths and any areas in which I would like to encourage their improvement over the rest of the semester. And, if a student is failing to perform at a good level at any point then I will call the student into my office as soon as possible to address the issue.

3. Please describe how you structure your weekly supervision meetings with students. For example, do you ask them to provide written summaries of their cases in advance of those meetings? Do you ask them to set weekly, bi-weekly, or monthly goals? How do you follow up with them to ensure they are meeting those goals?

I usually meet with students bi-weekly to follow progress on the goals that we set. When I am at my best, I will make entries in our electronic filing system under status report in each casefile and review with the student whether those goals have been met.

Other semesters, I use my case report list to track my own recollection of client goals and student progress towards those goals.

4. Do require end of the semester exit interviews with students? If so, do you provide assessment of their work at that time? Is this done in written or oral form? If in written form, please provide an e-copy of the form you currently use. If end of the semester assessment is provided orally, please describe what you go over with the student.

Again, I use the last bi-weekly meeting with students to orally assess their growth and achievements throughout the semester. This usually follows my case and project review of all their files as well as our discussions around their hopes and fears.

If there is any other information about your process that you believe would be helpful to share with the committee, please feel free to do so. I would like to provide share your answers with the sub-committee early next week and I look forward to your receiving your answers.

This past semester I worked with Mike Norwood who has a much more flexible, less structured approach to students supervision. We met with students at the beginning of the semester, "checked in" mid way through with each student to see whether the students thought that they were having a positive clinic experience, and then just "hugged" the students on the way out.

I will be interested to reflect on how that method has compared with my more structured approach.

Cheers,

Organick, Aliza

From: Organick, Aliza
Sent: Tuesday, November 27, 2012 6:47 PM
To: Suzuki, Carol
Subject: RE: Student Assessment and Feedback Information

Thanks a million Quiche!

From: Suzuki, Carol
Sent: Tuesday, November 27, 2012 5:51 PM
To: Organick, Aliza
Subject: RE: Student Assessment and Feedback Information

From: Organick, Aliza
Sent: Monday, November 26, 2012 10:28 AM
To: Clinic-Current-Faculty
Cc: Carey, Camille; Suzuki, Carol; 'Christine Zuni'
Subject: Student Assessment and Feedback Information

Dear Colleagues:

I am following up on my email from earlier this month on student assessment and feedback in the clinic. The Teaching and Assessment Committee is trying to compile information for main campus on how we provide assessment and feedback across the law school. I have been charged with finding out what we do in the clinic.

I have compiled a preliminary list of questions for your review and answers below. Please send back your answers ***via email by Friday, November 30th.***

1. Do you provide written educational goals for clinic students in your section at the beginning of the semester? If yes, do you review those goals, either individually or with the group at the beginning of the semester? Are these goals posted in electronic form somewhere in the clinic so they can review it over the course of the semester? Do you review these goals over the course of the semester?

I refer the students to the grading memo on the clinic wiki and tell them I follow it. I also orally go over my goals for them as clinic students at the beginning of the semester as a group. I follow MacCrate. I meet with each student weekly. In the first meeting, I discuss the student's individual goals with him/her. We review the goals during the semester at midterm in a deliberate way; see below. We also discuss individual goals during the semester when a goal is relevant to the work a student is doing in the clinic.

Each student writes a case memo for each client case at the beginning of the semester with goals for the semester.

2. Do you provide feedback to your students on how well they are achieving those educational goals at some point before the end of the semester? If yes, please describe how that feedback is provided, e.g., in writing or in a formal meeting? If in writing, would you please provide an e-copy of the form you currently use.

Each student writes a self-evaluation at midterm using the MacCrate report competencies. I try to meet with each student at midterm to review files and discuss the student's goals and self-evaluation in a deliberate way.

It is difficult, as we also are discussing the casework at the meeting, as this is our weekly meeting. No written feedback from me at midterm.

3. Please describe how you structure your weekly supervision meetings with students. For example, do you ask them to provide written summaries of their cases in advance of those meetings? Do you ask them to set weekly, bi-weekly, or monthly goals? How do you follow up with them to ensure they are meeting those goals?

I expect each student to present on each case and for us to discuss the student's progress on each case weekly. I do not ask for written summaries in advance. We do set goals as the case progresses, which I write down and expect the student to write down. I follow up with the student in subsequent meetings.

4. Do require end of the semester exit interviews with students? If so, do you provide assessment of their work at that time? Is this done in written or oral form? If in written form, please provide an e-copy of the form you currently use. If end of the semester assessment is provided orally, please describe what you go over with the student.

I do not require end-of-semester exit interviews. I continue weekly supervision until the end of the semester. I require each student to write a self-evaluation, due the last day of classes. I do not provide end-of-semester written evaluations. I find that the student wants to get the cases completed and off of his/her docket at the end of the semester and is focused on that goal during supervision meetings. Also, a student spends less time on a written evaluation I wrote than I spent writing it; the student wants to know the course grade. How I derived it is only important if a student is unhappy with a grade and considering a grade challenge. I use the self evaluations to help me to consider my own evaluation of the student. I find there is sometimes a correlation between the thoughtfulness of a self-evaluation and the final grade, but not always. But the ones that are done without much care usually belong to students I was not considering for a top grade. They also help to remind me of the cases a student worked on, which helps me in grading.

If there is any other information about your process that you believe would be helpful to share with the committee, please feel free to do so. I would like to provide share your answers with the sub-committee early next week and I look forward to your receiving your answers.

In addition to supervision weekly meetings, I meet with my students at other times. We discuss filings; we conduct moots. Each student writes a post-hearing memo and post-interview/meeting memo after the relevant event.

Cheers,

Aliza

Learning Objectives and Rubric
Writing Seminar

Learning Objectives

- Discuss legal issues in a probing and thoughtful way.
- Research and Write a comprehensive paper that:
  - Is the product of independent legal research of a problem, including appropriate use of secondary sources and obtaining, examining and analyzing primary source documents.
  - Reflects thoughtful legal analysis of the adequacy of laws to address a problem, including adequate context, background and explanation of an issue
  - Contains a well developed thesis and thoughtful proposal for legal reform.
  - Has coherent structure and composition
  - Is well written with the use of Blue Book citation form and conventions
- Presentation of research in an effective and persuasive way, including adequate response to questions.

Range overall	**Exemplary / excellent / highly proficient**	**Advanced / proficient / above average / strong**	**Competent / satisfactory / average / good**	**Developing / not yet competent / emerging / unsatisfactory / weak**

Final Draft	**Highly Proficient Range/ excellent/exemplary**	**Above Average Range/ proficient/strong**	**Average/competent/satisfactory**	**Weak/ not yet competent/ unsatisfactory**
Topic Selection	Challenging topic • Highly technical area • Cutting edge subject • difficult to find sources Difficult to scope	Fairly challenging topic • Some primary literature available, but secondary literature sparse Somewhat Difficult to Scope	Average topic • Fair amount of primary and secondary literature available Average scoping difficulty	Fairly easy topic • Already well-articulated and scoped by prior secondary sources Scope too broad or narrow
Organization / structure	Coherent structure (appropriate structure that makes sense given the topic). Logical organization of issues and arguments. Unified and coherent paragraphs. Effective introductions or roadmaps	Generally coherent structure. Mostly logical organization of issues and arguments. Mostly unified and coherent paragraphs. Most introductions or roadmaps are effective	Some structure, but needs work. Issues and arguments are somewhat organized. Internal paragraph structure somewhat workable; may be multiple issues per paragraph. Some introductions or roadmaps are lacking or unclear.	Lacks clear or effective structure. Disorganized or difficult to follow issues and arguments. Multiple issues per paragraph; poor internal paragraph structure. Lacks or uses unclear introductions or roadmaps.
Composition	Consistent and appropriate tone. Error-free and correct grammar and spelling Text supported by appropriate sources Easily readable style, including good transitions. Well developed footnotes with which add explanation and value to text Substantial compliance with Blue Book citation form and conventions	Mostly consistent and appropriate tone. Mostly error-free, correct grammar and spelling For the most part, text supported by appropriate sources Style generally readable; mostly good transitions. Some footnotes add explanation and value to text. For the most part, footnotes conform to Blue Book citation	Adequate tone, some inconsistency or use of improper tone. Some errors in grammar and spelling Text at times not supported by appropriate sources. Somewhat readable; some missing or inappropriate transitions. Needs more footnote work, but adequate footnote support for the most part. Some, but limited Blue Book citation form and convention	Varied or inappropriate tone (e.g., too formal, too informal, persuasive when objective is more appropriate, etc.). Significant and frequent errors in grammar and/or spelling. Text often not supported by appropriate sources Poor readability; missing or inappropriate transitions. Often, factual or legal assertions not supported by footnotes Little to no compliance with Blue Book Extraneous material, tangential to the subject

Research / support of argument	Identifies relevant authority. Interprets and applies authority logically and convincingly. Uses authority effectively to support arguments. Uses very good sources, some of them difficult to obtain.	Identifies most relevant authority. Generally interprets and applies authority logically and convincingly. Authority generally used effectively to support arguments. Generally uses good supporting sources	Some relevant authority missing or relevance not recognized. Could use work in interpreting or applying authority at times. Somewhat effectively uses authority to support arguments. Sources are at times not optimal (e.g., use of secondary sources when there are adequate primary sources)	Misses or fails to identify relevant authority. Misinterprets or misapplies authority. Ineffectively uses authority to support arguments (e.g., misuses authority; over-quotes authority without analysis). Sources are often inappropriate, e.g, relies too much on a few (or one) general secondary source Inadequate amount of independent legal research
Persuasive-ness	Identifies all of the relevant issues. Formulates effective thesis/theses. Uses strong and creative arguments. Effective presentation and use of facts or background. Clear, accurate, and persuasive articulation of rules or theories. Sound and persuasive logic and reasoning. Identifies and uses policy arguments effectively and persuasively. Fairly anticipates, identifies, and effectively refutes opposing arguments. Well developed proposal with sufficient thought and detail	Identifies most of the relevant issues. Thesis/theses mostly effective. Uses fairly strong and creative arguments. Mostly effective presentation and use of facts or background. Mostly clear, accurate, and persuasive articulation of rules or theories. Mostly sound and persuasive logic and reasoning. Identifies most policy arguments and uses them effectively and persuasively. Most opposing arguments anticipated, identified, and effectively refuted. For the most part, nicely developed proposal	Fails to identify some important issues. Thesis/theses somewhat effective. Some arguments weak, hard to follow, or missed. Some facts or background missed, not effectively used, or inaccurately portrayed. Some rules or theories unclearly or inaccurately portrayed. Some gaps or lack of clarity in reasoning. Misses some potential policy arguments or ineffectively uses some policy arguments. Fails to identify or refute some opposing arguments. Fairly developed proposal, but could use more development and detail	Fails to identify significant important issues. Lacks effective thesis/theses. Uses weak or hard to follow arguments; misses important arguments. Misses or fails to effectively use facts or background; inaccurately portrays facts or background. Unclearly or inaccurately portrays rules or theories. Gaps in reasoning, unclear reasoning, superficial discussion of issues Misses potential policy arguments; ineffectively uses policy arguments. Fails to identify or refute opposing arguments. Proposal needs developing, not articulated or articulated in vague and general terms.

http://unmsolclinic.pbworks.com/w/page/9938274/Objectives%2C%20Goals%20and%20Grading%20Criteria.

TO: **Clinical Students**

FROM: **Clinic Facility**

SUBJECT: **Objectives, Goals, and Grading Criteria**

Our primary objective in supervising your clinical experience is to encourage your development as a member of a professional community. To that end the clinical experience helps develop your sense of professional responsibility and your competence in lawyering skills. Increasing your sense of professional responsibility is vitally important at this stage of your legal career because as a professional, you will be called upon to take tremendous responsibility for the interests of your clients. Thus, in the Clinic you will be pressed to accept real responsibility for controlling cases, making thoughtful and informed case decisions, and promptly communicating with your clients.

In addition to helping you with your understanding of the role of the lawyer as a professional, we want to help you develop technical lawyering skills which will serve to further your competence as an attorney. Thus, we will use simulation exercises, seminar discussions, assignments, critiques, staff meetings and other assorted approaches to building lawyer competence.

We encourage you to discuss with your supervisor, either in staff meetings or on an individual basis, any personal goals you would like to set for yourself and which the Clinical experience might help you achieve.

Our evaluation of your efforts in the Clinic will entail a consideration of criteria, including the factors set out below, which involve both professionalism and competence. We hope these questions will aid you in thinking about your clinical experience and encourage you to strive to maximize this educational opportunity.

Grading with respect to these items will be based on those activities in which you actually engage on your cases. We endeavor to identify areas in which you might need improvement and improvement will be taken into account.

I. PERSONAL & EDUCATIONAL RESPONSIBILITY

A. Learning about learning: Do you take advantage of opportunities in the Clinic to study how you are best able to learn? Do you pursue methods of self-improvement that will be applicable in your future professional life?

B. Self-initiative: Do you take the time and effort necessary to think through the ethical, strategic and interpersonal issues which arise in the Clinic? Do you address these issues as learning opportunities, consider alternatives, develop a plan of action, and follow through?

C. Contribution to the Clinic: Do you enrich the clinical experience by your participation in it? Do you attend all class sessions? Do you contribute to discussions, participate in simulations, and contribute to a meaningful way to others' clinical experiences? Do you collaborate effectively with your colleagues to further meaningful representation of clinic clients or development of meaningful projects. Do you contribute to the development of clinic materials by sharing pleadings, forms and information with the clinic, through the wiki or other formats.

II. PROFESSIONAL RESPONSIBILITY

A. Professional Ethics. Do you thoroughly familiarize yourself with the Rules of Professional Conduct? Are you alert to ethical issues as they arise? Do you initiate discussions of those issues and resolve them appropriately? Are your pending cases passed on to succeeding students in an organized manner, facilitating continuation of service? Are your files, both electronic and paper, well documented and well organized? Do you use the clinic office managements system consistently?

B. Interpersonal Relations. Do you seek supervision appropriately? Do you actively engage your supervisor in the management of your work? Do you work effectively with your colleagues, your supervisors, and the staff? Do you maintain appropriate relationships with your clients, opposing counsel, and the court? Are you too passive in accepting--or too rigid in rejecting suggestions or critiques? That is, do you take criticism thoughtfully? Do you consider the role of the lawyer in society and reflect on the implications of that role?

C. Effort at Competent Representation. Is work done in representing your clients in a timely manner? Do you make a zealous attempt to represent your clients' interests in the most effective manner? Do you work hard and seek assistance to ensure that your efforts are of the best quality? Have you ensured that your supervisor has thoroughly reveiwed your work?

D. Reliability and Responsibility. Are you punctual with regard to appointments? Are you diligent in keeping office hours? Are you dependable? Can you be counted upon unconditionally? Do you understand your professional responsibility to your client?

E. Responsibility to the Community. Are you aware of the myriad needs of the community? Do you try to understand the needs of the community. Do you strive to work with members of the community to find solutions? Are you thoughtful about community based approaches to addressing specific problems? Are your projects responsive to community needs, well-thought out and executed well.

III. LAWYERING SKILLS/RESPONSIBILITY

A. Interviewing and Counseling. Are you appropriately interested and supportive? Did you elicit all relevant information? Do you help your clients define their problems and help them expand their options? Do you help them choose from among their options? Do you adequately answer your clients' questions and concerns? Are you sensitive to their full range of needs? Do you take every opportunity to learn about your client, including background and culture, as well as the client's objectives of the representation? Do you approach all of your clients with respect and humility?? Do you listen carefully to your clients and seek assistance when you feel you don't understand your client's perspective?

B. Fact Investigation. Are you thorough and imaginative in eliciting facts? Do you make sufficient attempts to elicit necessary information? Are you aware of cultural issues that might affect the investigation and understanding of the cases. Do you base your investigation on facts and alternative theories rather than assumptions? Do you research all relevant issues including those involving the client's culture and background?

C. Theory of the Case. Do you develop a theory and strategy for each case, including appropriate interpretation and application of evidence, statutes, and case law in order to develop a case plan for using the facts and the law for the benefit of your clients? Do you work to develop a strategy and make adjustments as appropriate?

D. Communication. Do you develop effective communication skills? Do you work on understanding yourself as a cultural being to better understand differences between others and yourself. Do you check your reactions to events and tor to identify any stereotypes or bias, so that you can ensure that your

representation is based on facts and not assumptions? Do you explore alternative explanations for differences as part of enhancing effective communication. Do you seek to understand differences between your client and you and seek to communicate effectively across those differences?

F. Writing. Are your documents accurate, well written, thoroughly researched, concise, and well organized? Was the intended audience taken into account? Is the tone appropriate for the context? Is it convincing in content and structure? Did it further your theory of the case?

G. Negotiation. Do you develop a thorough negotiating strategy? Do you understand the strengths and weaknesses of your case? Do you present your clients' cases in a convincing manner? Do you adequately discuss the scope of your settlement authority with your clients? Do you effectively counsel your client about available options and the risks and benefits? Are you prepared to respond to counter offers?

H. Pre-hearing Preparation. Do you expend the necessary time and effort to prepare properly? Do you prepare your clients and other witnesses well? Do you practice sufficiently? Do you make arrangements with your supervisor to attend the hearing? Is your trial notebook prepared well in advance and reviewed by your supervisor? Is it well organized and adequate to meet your needs at trial?

I. Courtroom and Administrative Hearing Performance. Do you respond to the adjudicators' questions cogently? Do you demonstrate familiarity with the file, the law and regulations, the rules of evidence and procedure and the facts of the case? Is your demeanor appropriate? Does your direct examination and cross examination serve to elicit relevant information that furthers your theory of the case? Do you present your case effectively at all stages of the proceedings?

The above list is not an exhaustive list of skills necessary to develop in striving to be a good lawyer. A more exhaustive list is presented in the MacCrate Report.

http://www.abanet.org/legaled/publications/onlinepubs/maccrate.html

We will discuss and present more skills and aspects of professionalism in our plenary and staff meetings.

As guidance, the following are the grading standards we will apply:

Excellent performance in virtually all aspects of practice deserves an A.

Excellent performance in most aspects of practice and satisfactory performance in the other aspects merits a B.

Acceptable achievement in all areas will merit a C.

Any performance which is less than acceptable achievement in any of the above areas will receive a D or an F, depending on the level of unacceptability.

ANY KNOWING, INTENTIONAL, OR RECKLESS VIOLATION OF ANY OF THE RULES OF PROFESSIONAL CONDUCT, OR ANY CLINIC RULES, OR OF A COURT ORDER WILL RESULT IN A FAILING CLINIC GRADE (F). A GROSS FAILURE IN PROFESSIONALISM WILL ALSO RESULT IN A FAILING CLINIC GRADE.

We realize that the issue of grades is a difficult one. We encourage you to discuss your performance with us at any point in the semester.