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LEO M. ROMERO

*Professor Emeritus of
Law*

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EDUCATION

LL.M., Georgetown University Law Center, Washington, D.C., 1972.

Prettyman Fellow, Georgetown University Law Center, 1968-70.

The Prettyman Fellowship program was a two-year graduate program in Criminal Law and Litigation. As a Prettyman Fellow, I represented indigent defendants in criminal cases in every court in the District of Columbia, including the Juvenile Court, the Misdemeanor Court (then called the Court of General Sessions), the United States District Court, the District of Columbia Court of Appeals, and the United States Court of Appeals for the District of Columbia.

J.D., Washington University, St. Louis, MO, 1968.

- Editor-In-Chief, Washington University Urban Law Annual (now the Journal of Urban and Contemporary Law).
- Associate Editor, Washington University Law Quarterly.
- Honor Scholar, Washington University School of Law, 1966-67.

A.B., Oberlin College, Oberlin, OH, 1965.

EMPLOYMENT

Visiting Professor, Stanford Law School, Spring 2010.

Professor Emeritus, University of New Mexico School of Law, since 2010.

Keleher & McLeod Professor of Law, University of New Mexico School of Law, 2009.

Interim Dean, University of New Mexico School of Law, 2008-09.

University Regents' Professor, University of New Mexico School of Law, 2006-07.

Keleher & McLeod Professor of Law, University of New Mexico School of Law, Albuquerque, NM, 2001-03.

Regents' Professor, University of New Mexico School of Law, Albuquerque, NM, 1999-2000.

Professor of Law, University of New Mexico School of Law, since 1972.

Dean, University of New Mexico School of Law, 1991-97.

Associate Dean, University of New Mexico School of Law, 1989-91.

Distinguished Visiting Professor, Suffolk University Law School, Fall 2006.

Visiting Professor, Southwestern University School of Law, Spring 2006.

Visiting Professor, University of California Hastings College of Law, Spring 2003.

Visiting Professor, Roger Williams University School of Law, Bristol, RI, 1997-98.

Visiting Edward F. Howrey Professor, George Washington University Law Center, Washington, D.C. 1987-88.

Visiting Professor, University of Oregon School of Law, Eugene, OR, 1976-77.

Visiting Professor, Washington University, St. Louis, School of Law, Summer, 1975.

Visiting Professor, Universidad del Salvador and Universidad Argentina J.F. Kennedy in Buenos Aires, Argentina, Fall, 1979.

Assistant Professor, Dickinson School of Law, Carlisle, PA, 1970-72.

PROFESSIONAL ACCOMPLISHMENTS

As Dean of University of New Mexico School of Law, 1991-97

Academic Accomplishments

- Established a U.S.-Mexico Law Program which includes the following components:
 - U.S.-Mexico Law Institute that presents an annual conference for U.S. and Mexican lawyers, judges, and scholars.
 - U.S.-Mexico Law Journal devoted to scholarly articles on legal issues affecting U.S.-Mexico trade and other legal issues.
 - NAFTA Student Exchange with three law schools in Mexico and three in Canada.
 - Summer Law Program at the Universidad de Guanajuato, Mexico, for law students at UNM and other law schools in the U.S. and Canada.

- Established an Indian Law Program which includes the following components:
 - Two new faculty positions in the field of Indian Law.
 - Indian Law Clinical Program wherein students serve Indian clients as well as Tribal Courts and Tribal Governments.
 - Indian Law Certificate Program for students who want to concentrate their legal studies in the area of Indian Law.
- Strengthened the Natural Resources Program.
 - Established a Chair in Oil and Gas law.
 - Funded Symposia on Water Law and Oil and Gas Law.
- Enhanced the Academic Program by adding lecture series, symposia, and conferences.
 - Obtained a \$45,000 grant from the Hatton Sumner Foundation to fund a lecture series.
 - Obtained a \$10,000 grant for a Coif Lecture.
 - Hosted a National Conference on Indian Law Teaching.
 - Allocated resources to support annual symposia by the two Law School academic journals.
- Established a Faculty Exchange Program with the University of Granada.

Fund-Raising Accomplishments

- Substantially increased fund-raising activities and the amount of funds raised.
 - Established a new position and hired the first professional Development Officer for the school.
 - Started the annual fund-raising dinner.
 - Started the Law Library Fund-Raising Campaign.
 - Obtained the first endowed chair, a Chair in Oil and Gas Law.
 - Increased annual giving from less than \$100,000 to more than \$300,000.
 - Increased the number of alumni donors from 5% to 12%.
 - Increased the Law school's endowment to almost \$6 million.
- Obtained funding for improvements to the Law School facility.
 - Obtained \$300,000 from Legislature for remodeling of the Moot Court Room.
 - Obtained a major gift of \$100,000 to renovate and refurbish the Law School Forum (common area).
 - Obtained funding to build a computer center for the law school.
 - Obtained \$150,000 from the Legislature for planning an addition to the Law School facility and prepared the space needs assessment to support the request for the legislative funding of the addition.

- Managerial and Budgetary Accomplishments
 - Managed a faculty of 35 and a staff of 70.
 - Managed a budget of \$7.3 million.
 - Negotiated a tuition differential plan to augment the law school budget. Under this plan, increases in law tuition above the tuition increases for graduate students are returned to the Law School.

- Student Services Accomplishments
 - Established a new position and hired a Career and Placement Director for the law students.
 - Established a new position and hired a secretary for the student-edited New Mexico Law Review.
 - Funded symposia issues of the two law school academic journals—the Natural Resources Journal and the New Mexico Law Review.
 - Started a third academic journal, the U.S.-Mexico Law Journal.

- External Relations Accomplishments
 - Established a Board of Visitors, comprised of distinguished lawyers, judges, and professors, to advise the Law School on matters involving the profession and legal education.
 - Established and hired the first director of alumni affairs.
 - As Dean, served as Chair of the Judicial Selection Commissions for the State of New Mexico, 1991-97, and established strong ties with external constituencies. Pursuant to the New Mexico Constitution, the Dean of the School of Law serves as Chair of the Judicial Selection Commissions for all of the courts in the State of New Mexico. As Chair of the Judicial Selection Commissions:
 - Worked regularly and effectively with political leaders, including the Governor, the Speaker of the New Mexico House of Representatives, and the President Pro Tem of the New Mexico Senate.
 - Established strong relationships with the judiciary in New Mexico, working directly with the Chief Justice of the New Mexico Supreme Court, Chief Judge of the New Mexico Court of Appeals, and the Chief Judges of the 13 Judicial Districts in New Mexico.
 - Established strong relationships with leaders of the legal profession throughout the State of New Mexico, working directly with the President of the State Bar, lawyers throughout the State, and the Presidents of the Women’s Bar Association, Black Lawyers Bar Association, Hispanic Bar Association, and the Native American Bar Association.
 - Drafted Rules of Procedure Governing Judicial Selection Commissions and obtained their approval and adoption by the judiciary, bar associations, and the news media, including the Foundation for Open Government.
 - Received the Public Service Award from the State Bar of New Mexico in 1997 for service as Chair of the Judicial Selection Commissions.

As Law Professor, 1972 To Present

- Teaching

Keleher & McLeod Professor of Law, 2009.

Friedman Award for Excellence in Teaching, 2005-2006.

Keleher & McLeod Professor of Law, 2001-03.

- UNM Regents' Professor, 1999-2000.
- Outstanding Teacher of the Year Award, University of New Mexico, (University-wide Award) 1986-87.
- Primary teaching areas: Criminal Law, Criminal Procedure, Evidence, and Trial Practice.
- Teacher and team leader at skills training programs for lawyers for the National Institute for Trial Advocacy since 1977.
- Frequent lecturer on Criminal Law, Evidence, and Legal Education at seminars for lawyers, judges, and professors.

- Scholarship

- Have written extensively, including books, book chapters, academic journal articles, monographs, book reviews, teaching materials, and appellate briefs, primarily in the areas of Criminal Law, Evidence, and Trial Practice. Several of the articles have influenced the development of the law in New Mexico and others have been cited by courts in other jurisdictions. A list of publications is attached as an addendum to this résumé.

PROFESSIONAL ASSOCIATIONS AND ACTIVITIES

Served in leadership roles in organizations concerned with legal education and the legal profession, both nationally and locally.

- Oberlin College, Oberlin, Ohio

- Board of Trustees, 1994-2000.
- Chair, Bylaws and Legal Affairs Committee, 1996-2000.

- Law School Admission Council (LSAC), a non-profit testing organization that develops and administers the Law School Admission Test (LSAT).

- Chair of Board of Trustees, 1997-99.
- Board of Trustees, 1994-2000, 2001-2003.
- Chair, Finance and Legal Affairs Committee, 1995-97.
- Chair, Audit Committee, 2001-2003.
- Member, Minority Affairs Committee, 1984-93.
- Member, Investment Oversight Committee, 1999-2001.
- Member, Faculty Outreach Workgroup, 1999-2001.

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- Order of the Coif
 - Board of Trustees, since 2000.
 - President, 2004-06.

 - Association of American Law Schools (AALS), the scholarly organization for legal educators
 - Executive Committee (Governing Board), 1981-84.
 - Accreditation Committee, 1980-81.
 - Chair, Litigation Section, 1983-85.
 - Chair, Committee on Nominations, 1987.

 - Served on the following Accreditation Inspection Teams:
 - Florida State University School of Law, 2008
 - George Washington University Law School, 2000.
 - University of Montana School of Law (Chair), 1995.
 - University of Cincinnati School of Law, 1990.
 - University of San Francisco School of Law, 1987.
 - University of California at Davis School of Law, 1983.

 - Council on Legal Education Opportunity (CLEO), a national organization dedicated to increasing the number of minority law students.
 - Member of Council, 1987-93.
 - Vice President of the Council, 1987-88.
 - Director, CLEO Pre-law Institutes, Summers of 1982, 1978, 1974.

 - Presenter at the following scholarly conferences and workshops:
 - Symposium, “Exxon Valdez Revisited: Rights and Remedies,” University of St. Thomas School of Law, 2009.
 - Joint Conference on Diversity sponsored by the AALS, ABA and LSAT, 2000.
 - Seminar on Accreditation and Evaluation of Law Schools in Argentina, 1999.
 - AALS Teaching Conference on Clinical Education (Chair), 1990.
 - AALS Workshop on Curriculum Development, 1988.
 - AALS Teaching Conference on Criminal Law, 1987.
 - AALS New Teacher Workshop, 1986.
 - AALS Teaching Conference on Evidence, 1985.

 - Washington University, St. Louis
 - Member of the School of Law’s National Council, 1989-present.

 - National Institute for Trial Advocacy (NITA), a non-profit organization dedicated to training lawyers to be effective and ethical trial lawyers
 - Board of Trustees, 1994-present.
 - Chair, 2011-12
 - Co-director, Southwest Regional NITA Program, 1989-present.

- American Bar Association
 - Member since 1978.
 - Active in Criminal Justice Section and Legal Education and Admission to Bar Section.
 - Secretary, Criminal Justice Section, 1986-87.
 - Chair, Diversity Committee of Section on Legal Education and Admission to the Bar.

- New Mexico Bar Association
 - Member since 1968.
 - Active in Criminal Justice Section, Trial Practice Section, and Minorities in the Profession Task Force.

- New Mexico Hispanic Bar Association
 - -Member since inception.

CONSULTING

- Special Arbitrator, FEMA Cerro Grande Fire Claims, since 2003.
- Special Prosecutor, United States Magistrate Court, 1989.
- Special Assistant Attorney General for the State of New Mexico, 1982-83.
- Special Master, Tome Land Grant Litigation, 1984.
- New Mexico Supreme Court Advisory Committee to Draft Rules for Magistrate Courts, 1973-76.

SERVICE

University Service:

- Provost Search Committee, 1993-94.
- University Planning Council, 1991-95.
- Special Assignment for UNM President, Managing the University's Response to the Department of Labor Compliance Review, 1989-90.
- Curricula Committee, 1982-83.
- University Press Committee, 1978-79, 1989-92.
- Faculty Policy Committee, 1974-76.

Law School Committees

- Admissions, including Chair.
- Curriculum, including Chair.
- Dean Search.
- Promotion and Tenure, including Chair.
- Faculty Leaves, including Chair.

Community Service

- Member, National Selective Service Appeal Board (Presidential Appointment).
- Moderator, "Trial by Jury," presented at the New Mexico State Fair, 1989.
- *Pro Bono* legal work on behalf of various individuals.
- Albuquerque Academy High School: Consultant, Mock Trial Team, 1983.
- Albuquerque High School: Consultant, Mock Trial Team, 1981.
- Boys' Club of Albuquerque: Volunteer Coach, 1978-83.
- Martineztown House of Neighborly Service: Member, Board of Directors Secretary, 1974.
- Legal Aid Society of Albuquerque: Member, Board of Directors, 1973-76.
- New Mexico Civil Liberties Union: Member, Board of Directors, 1973-76; Co-Chairperson, 1974-75; member since 1972.
- West Bluff Neighborhood Association: Member, Board of Directors.

AWARDS

- Keleher & McLeod Professor of Law, 2009.
- Friedman Award for Excellence in Teaching, 2005-06.
- Keleher & McLeod Professor of Law, 2001-03.
- Alumni/ae Award for Faculty Excellence, UNM School of Law, 2000.
- Regents' Professor of Law, University of New Mexico, 1999-2000, 2006-07.
- Distinguished Alumnus Award, Washington University, St. Louis, School of Law, 1998.
- Public Service Award, State Bar of New Mexico, 1997.
- Outstanding Teacher of the Year, University of New Mexico (University-wide Award), 1986-87.

PUBLICATIONS

Books

Proposed New Mexico Criminal Code and Commentaries (Institute of Public Law, University of New Mexico School of Law, 1986).

Teachers' Manual for Problems and Cases in Trial Advocacy, National Institute for Trial Advocacy (NITA), CLE Edition, 1983 Revised (co-author).

Examining Expert Witnesses, a two-volume set of teaching materials and trainer guide prepared for the Legal Services Corporation, Advocacy Training and Development Unit, 1981.

Book Chapters

Chapters 6, 8, and 11 of Teachers' Guide to Rothstein, Evidence: Cases, Materials and Problems, 1988.

"Hispanics and the Criminal Justice System," chapter in Hispanics in the United States, A New Social Agenda (Transaction Books, 1985) (with Luis Stelzner).

Articles

"Punishment for Ecological Disasters: Punitive Damages and/or Criminal Sanctions," 7 St. Thomas L. J. 154 (2009).

"Punitive Damages, Criminal Punishment, and Proportionality: The Importance of Legislative Limits," 41 Conn. L. Rev. 111 (2008).

"Enhancing Diversity in an Appointive System of Selecting Judges," 34 Fordham Urban Law Journal 485 (2007).

"Procedures for Investigating and Prosecuting White Collar Crime," 11 U.S. – Mexico L. J. 165 (2003).

"Resolving Land Use Disputes By Intimidation: SLAPP Suits in New Mexico," 32 N.M. L. Rev. 217 (2002) (with Frederick M. Rowe).

"Hybrid Proposal: Combining Commission Nomination and Election Methods," Government, Law and Policy Journal (Vol. 3, No. 2, p.9, Fall 2001) published by the Albany Law School.

"Judicial Selection in New Mexico: A Hybrid of Commission Nomination and Partisan Election," 30 N.M.L. Rev. 177 (2000).

"El Proceso de Acreditación para las Facultades de Derecho en Estados Unidos," Cuaderno Numero 3, La Enseñanza del Derecho, Universidad Miguel de Cervantes, Santiago, Chile 99 (2000).

"Reflections on the LSAC National Longitudinal Bar Passage Study: Two Findings That Have Immediate Impact," The Bar Examiner, Vol. 67, No. 4 (November, 1998).

"Unintentional Homicides Caused by Risk-Creating Conduct: Problems in Distinguishing Between the Different Degrees of Criminal Homicide," 20 N.M.L. Rev. 55 (1990).

"A Critique of the Willful, Deliberate, and Premeditated Formula for Distinguishing Between First and Second Degree Murder in New Mexico," 18 N.M.L. Rev. 73 (1988).

"An Assessment of Affirmative Action in Law School Admissions After Fifteen Years," 34 J. Legal Ed. 430 (1984).

“Discovery of Work Product and Liability Insurance,” 12 N.M. Trial Lawyer 67, 76-79, 91-92 (Issues Nos. 7 and 8, 1984).

“Sufficiency of Provocation for Voluntary Manslaughter in New Mexico: Problems in Theory and Practice,” 12 N.M.L. Rev. 747 (1982).

“Competency to Stand Trial Under the Senate and House Proposed Provisions of the Federal Criminal Code,” 72 J. Crim. Law & Criminology 434 (1981).

“New Mexico Mens Rea Doctrines and the Uniform Criminal Jury Instructions: The Need for Revision,” 8 N.M.L. Rev. 127 (1978).

“The Quest for Educational Opportunity: Access to Legal and Medical Education in New Mexico,” 53 N.M. Historical Rev. 337 (1978).

“The Admissibility of Scientific Evidence Under the New Mexico and Federal Rules of Evidence,” 6 N.M.L. Rev. 187 (1976).

“The Legal Education of Chicano Students--A Study in Mutual Accommodation and Cultural Conflict,” 5 N.M.L. Rev. 177 (1975) (with Richard Delgado and Cruz Reynoso).

Monographs

“Rules of Procedure for the New Mexico Judicial Nominating Commissions,” published in the New Mexico Statutes Annotated, 1996.

“Desafío al Modelo de la Rehabilitación en el Sistema Judicial del Menor en los Estados Unidos.” This article was published in 1979 as a monograph for the Congreso Panamericano de Criminología en Buenos Aires.

“NATO Status of Forces Agreement: Its Application to American Juvenile Offenders in Germany.” This article was published in 1975 as a monograph in the Juvenile Justice Textbook Series by the National Center for Juvenile Justice.

Book Reviews

The American Jury on Trial: Psychological Perspectives by S. Kassin and L. Wrightsman (1988), reviewed in 57 Geo. Wash. L. Rev. 388 (1988).

Student Work

“The New Jersey Estoppel Statute in Subdivision Control Administration,” 1 Wash. U. Urban L. Annual 167 (1968) (student note).

Note, “The Federal Air Pollution Program,” 19 Wash. U.L.Q. 283 (student note).

Other Research And Writings:

“The Jurisprudential *Legacy of Gideon v. Wainwright*,” prepared for the State Bar of New Mexico, 2003.

“Fourth Amendment’s Application to Drug Testing and Roadblocks,” prepared for Oasis, 2004.

“A Review of the First Ten Years Under the Judicial Selection System in New Mexico,” prepared for the Albuquerque Bar Association, 2000.

“The Proper Role of the LSAT in Admissions,” prepared for lectures to the law faculty at Rutgers Newark School of Law and to the law faculty at Suffolk University School of Law, 2000.

“Legislating Admission Policy,” Law Services Report, No. 98-4 (1998).

“The Persistence Gap Among Bar Examiners,” Law Services Report, No. 98-3 (1998).

“Diversity—The Legally Defensible Argument,” Law Services Report, No. 98-1 (1998).

“Objectives of an Evidence Course,” prepared for the AALS Conference on the Teaching of Evidence, 1985.

“Materials on Sentencing,” prepared for The New Mexico Magistrate Judicial College, 1984.

Petition for Certiorari filed in the United States Supreme Court in *Vargas v. United States*, No. 83-1756, 1984.

Brief filed in the United States Court of Appeals for the Tenth Circuit in *In re Grand Jury Proceedings (Vargas II)*, No. 84-1058 (1984).

Petition for Mandamus and/or Prohibition filed in the United States Court of Appeals for the Tenth Circuit in *In re Grand Jury Proceedings (Vargas I)*, Nos. 83-1691 and 83-1836 (1983).

“Homicide Provisions” for the New Mexico Legislative Interim Committee on Criminal Code Revision, 1983.

“Justification Provisions” for the New Mexico Legislative Interim Committee on Criminal Code Revision, 1983.

Amicus Brief in the Supreme Court of the United States for the American Bar Association in *United States v. Sells Engineering, Inc.*, 463 U.S. 418 (1983).

“Teaching Notes for Hennessey v. Morgan,” written for the National Institute for Trial Advocacy, 1981.

“Preparation and Examination of Dr. James G. Turner, Clinical Psychologist,” a videotape demonstration produced for the Legal Services Corporation, Advocacy Training and Development, 1981.

Cases, Problems, and Teaching Notes, prepared for the Legal Services Corporation’s Trial Advocacy Training Program (co-author) (1978).

Report on Section 1617 of S. 1437, prepared for the Criminal Code Revision Committee of the ABA Section on Criminal Justice (January 1979).

Report on Sections 3611-3616 of S. 1437, prepared for the Criminal Code Revision Committee of the ABA Section on Criminal Justice (October 1978).

Final Reports of Director, Southwest Legal Education Opportunity Institute in 1974, 1978, and 1982.

“Second Annual Project Report on the Dickinson School of Law Clinical Program,” CLEPR Newsletter, Vol. V., No. 9, April 1973. This report was translated into Spanish and distributed as one of the working papers at the Conference on Legal Assistance and Clinical Education, Santiago, Chile, in May 1973.

“Jury Deliberations and Verdicts in the District of Columbia.” This is a joint thesis (unpublished) submitted for the LL.M. Degree at the Georgetown University Law Center.