

**George Bach**  
**Professor of Law**  
**University of New Mexico School of Law**  
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**RESUMÉ**

**Professor of Law, University of New Mexico School of Law**  
**Lee & Leon Karelitz Professor in Evidence and Procedure**  
**Associate Professor of Law, 2017-2020**

Teaches Constitutional Law, Federal Jurisdiction, Evidence and Trial Practice. Has taught Civil Procedure, Comparative Equality, Employment Law, Labor Law, Comparative and Historical Legal Perspectives, Law Practice Clinic and Children and Family Justice Clinic. Scholarship focuses on various civil rights issues, including federalism and immigration enforcement, and the notion of dignity inherent in the Eighth Amendment's ban on Cruel and Unusual Punishment. Lectures regularly on Evidence and Civil Procedure at Judicial Education Conferences. Recipient of numerous teaching awards, including most recently the 2020 University of New Mexico Alumni Association Faculty Teaching Award. Most recent publication is *Moderating the Use of Lay Opinion Identification Testimony related to Surveillance Video*, 47 FLORIDA STATE UNIVERSITY LAW REVIEW 447 (2020).

**PUBLICATIONS AND OTHER WRITINGS**

*Moderating the Use of Lay Opinion Identification Testimony related to Surveillance Video*, 47 FLORIDA STATE UNIVERSITY LAW REVIEW 447 (2020).

Essay: *Federalism and the State Police Power – Why Immigration and Customs Enforcement Must Stay Away from State Courthouses*, 54 WILLAMETTE LAW REVIEW 323 (Spring 2018).

*More on Dignity in Eighth Amendment Conditions of Confinement Claims*, 42 NEW ENGLAND JOURNAL ON CRIMINAL AND CIVIL CONFINEMENT 1 (Winter 2016).

*Out and About Because I Can Be, Out and About – The LGBT Experience in the Legal Profession* (American Bar Association 2015)

*Answering the “Serious Constitutional Question”: Ensuring Meaningful Review of All Constitutional Claims*, 117 WEST VIRGINIA L. REV. 177 (2014).

*Defining “Sufficiently Serious” in Claims of Cruel and Unusual Punishment*, 62 DRAKE L. REV. 1 (Fall 2013).

*State Law to the Contrary? Examining Potential Limits on the Authority of State and Local Law Enforcement to Enforce Federal Immigration Law*, 22 TEMP. POL. & CIV. RTS. L. REV. 67 (Fall 2012).

*Iqbal Is Not a Game-changer for Discovery in Civil Rights Cases*, with Matthew L. Garcia, 42 N.M. L. REV. 329 (Summer 2012).

Brief of *Amicus Curiae* New Mexico Trial Lawyers Association, *Montaño v. Frezza*, New Mexico Supreme Court No. 35,214 (December 2015) (brief on whether to extend sovereign immunity to out-of-state doctor in medical malpractice action)

Brief of *Amicus Curiae* American Civil Liberties Union of New Mexico, *Ramirez v. State of N.M. Children Youth and Families Department*, New Mexico Supreme Court No. 34,613 (August 6, 2014) (brief on state sovereign immunity).

Brief of *Amici Curiae* Professors at UNM School of Law, *Fry v. Lopez*, New Mexico Supreme Court No. 34,372 and *Allen v. LeMaster*, No. 34,386 (March 24, 2014) (death penalty brief).

Brief of *Amici Curiae* Professors at UNM School of Law, *Griego v. Oliver*, New Mexico Supreme Court No. 34,306 (September 23, 2013) with Max J. Minzner (same-sex marriage brief).

## **AWARDS/PROFESSORSHIPS**

2020 University of New Mexico Alumni Association Faculty Teaching Award

2019-2021 Leon Karelitz Professorship in Evidence and Procedure

2018 Most Inspiring Professor (awarded by the graduating class)

2017 Best Overall Professor

2017 Honorable Mention - Most Entertaining Professor

2017 Honorable Mention – Most Inspiring Professor

2017-2018 Leon Karelitz Professorship in Evidence

2015 Student Appreciation Award for Outstanding Service (awarded by the graduating class)

2015 Recognition by the New Mexico State Senate for work at the UNM School of Law

2014 Professor of the Year (awarded by the graduating class)

2013 Nominee for Best New UNM Faculty Teaching Award

2012 “Dopest” Professor Award (awarded by the graduating class)

2007 Santa Fe Human Rights Alliance Treasure Award

2007 Identified as one of “Ten Faces Changing the Face of Albuquerque” by *IQ* magazine

2004 ACLU-NM Cooperating Attorney of the Year (with Kari Morrissey and K. Lee Peifer)

2002-2004 President, New Mexico Lesbian and Gay Lawyers Association

## **EDUCATION**

J.D., University of New Mexico School of Law, Class of 2002, with Clinical Honors  
B.A., Government and Dramatic Arts, Centre College of Kentucky, Class of 1992

## **OTHER PROFESSIONAL EXPERIENCE**

### **Visiting Professor, University of New Mexico School of Law Spring and Summer 2017**

Taught Introduction to Constitutional Law, Civil Procedure II and Clinic.

### **Attorney, Garcia Ives Nowara 924 2nd Street NW, Suite A, Albuquerque, NM 87104 August 2015-December 2016**

Litigated in civil rights, labor and employment law, and criminal defense. Practiced in state and federal trial and appellate courts, specializing in constitutional torts. Cases involve First, Fourth, Eighth and Fourteenth Amendment litigation pursuant to 42 U.S.C. § 1983, the Federal Tort Claims Act, the New Mexico Whistleblower Protection Act, Title VII of Civil Rights Act of 1964, New Mexico Human Rights Act, etc. Served as a member of the Criminal Justice Act panel for the U.S. District Court, handling multiple *Johnson* habeas petitions. Authored New Mexico Supreme Court *amicus* brief for the New Mexico Trial Lawyers Association on whether to extend sovereign immunity to an out of state physician-defendant in a medical malpractice action. Regularly presented at Judicial Education Conferences on Evidence for state court judges.

### **Adjunct Professor of Law, University of New Mexico School of Law Fall 2016**

Taught Evidence and Prisoners' Rights (the latter with Professor Dave Sidhu) as an adjunct for the School of Law.

### **Assistant Professor of Law, University of New Mexico School of Law Fall 2012-Summer 2015**

Taught Introduction to Constitutional Law, Constitutional Rights, Federal Jurisdiction, Evidence and Evidence/Trial Practice, Comparative Equality, Labor Law, Comparative and Historical Legal Perspectives, and the Law Practice Clinic. Supervised the externship program. Produced scholarship (see below) on various civil rights topics. Authored *amicus* briefs at the New Mexico Supreme Court in cases involving the death penalty, state sovereign immunity, and marriage equality. Served as the law school's representative to the New Mexico Supreme Court's Access to Justice Commission.

### **Visiting Professor and Lecturer, University of New Mexico School of Law Summer 2011-Spring 2012**

Taught Evidence and Employment Law in Fall 2011, Federal Jurisdiction and Introduction to Constitutional Law in Spring 2012. In Summer 2011, taught fulltime in Law Practice Clinic focusing on the areas of juvenile delinquency defense, landlord/tenant, contract disputes, and family law.

**Adjunct Professor, University of New Mexico School of Law**

**Fall 2010**

Taught Employment Law to a class of 2Ls and 3Ls in Fall semester 2010.

**Partner, Bach & Garcia LLC**

**December 1, 2009 – July 2012**

Litigated in two-person civil rights, employment, criminal defense, and personal injury law firm. Worked in state and federal courts, including trial work and appellate work in U.S. Court of Appeals for the Fifth Circuit. Managed business affairs for the firm.

**Staff and Managing Attorney, American Civil Liberties Union of New Mexico**

**February 2005-November 2009** P.O. Box 566 Albuquerque, NM 87103

Served as ACLU-NM's first staff attorney. Managed and litigated a caseload of 30-40 cases annually in state and federal trial and appellate courts, involving civil rights issues throughout the State of New Mexico. Served as lead counsel in coalition impact-litigation in cases involving unlawful immigrant arrests, jail conditions and domestic partnership benefits. Filed multiple petitions for writs of habeas corpus for immigrants indefinitely detained. Testified before state legislative committees on civil rights matters. Promoted to Managing Attorney in February 2009. Supervised associate staff attorney, legal assistant, as well as law student clerks. Successfully argued Poolaw v. Marcantel, 565 F.3d 721 (10th Cir. 2009).

**Associate Attorney, Peifer & Cornell, LLP (formerly Law Offices of K. Lee Peifer)**

**October 2002-January 2005** 108 Wellesley SE Albuquerque, NM 87106

Practiced in small, four-attorney labor/employment/civil rights law firm. Litigated state and federal court actions involving civil rights law, constitutional law, wage and hour complaints, employment discrimination, unemployment compensation, employee discipline, union representation, collective bargaining, unfair labor practices, contract law, procurement law, administrative law etc. Served as lead counsel in labor arbitration resulting in an award of \$1.2 million to teachers' union. As cooperating attorney for the ACLU-NM, successfully litigated challenge to Albuquerque's sex offender restrictions ordinance. ACLU-NM v. City of Albuquerque, 2006-NMCA-078, 139 N.M. 761, 137 P.3d 1215.

**Law Clerk, Law Offices of K. Lee Peifer**

**July 2000-October 2002** 108 Wellesley SE Albuquerque, NM 87106

Worked as a legal assistant primarily in the field of labor and employment law. Assisted in drafting of complaints, motions, memoranda, and in preparation for arbitrations, hearings, trials, and appeals. Refined legal research skills in all areas of the firm's practice.

**Law Clerk and FMLA Coordinator, Law Offices of Gabrielle Semel**

**April 1997-December 1997** New York, New York

Researched issues of law in depth for law office dealing with union-side labor issues. Organized and collected information for, and assisted in drafting, complaint filed against Bell Atlantic by Communications Workers of America dealing with violations of

Family Medical Leave Act. Dealt one-on-one with local union leaders and members throughout the state of New York.

### **PRESENTATIONS & CONTINUING LEGAL EDUCATION SESSIONS TAUGHT**

Evidence Update (New Mexico Judicial Conclave) June 19, 2020  
Civil Procedure Update (with Prof. Veronica Gonzales-Zamora; New Mexico Judicial Conclave) June 19, 2020  
Qualified Immunity (UNM School of Law Black Lives Matters Teach-In) June 5, 2020  
Evidence Update (New Mexico Trial Lawyers Association) April 24, 2020  
Civil Procedure Update (New Mexico Judicial Conclave) June 7, 2019  
Evidence Update (New Mexico Judicial Conclave) June 6, 2019  
Hearsay and Problems with Electronic Evidence (New Mexico Municipal Judge Conference) May 1, 2019  
Federalism and the State Police Power - Why Immigration and Customs Enforcement Must Stay Away from State Courthouses (Panel Presentation; ClassCrits XI) November 2, 2018  
Evidence Update (New Mexico Judicial Conclave) June 7, 2018  
Evidence and Technology: Foundation and Authenticity Questions with Electronic Forms of Evidence (New Mexico Municipal Judges Conference) July 12, 2017  
Civil Procedure Update (New Mexico Judicial Conclave) June 9, 2017  
Evidence Update (New Mexico Judicial Conclave) June 8, 2017  
Constitutional Issues Surrounding Trump's Travel Ban (Third Annual Symposium on Diversity & Inclusion) April 28, 2017  
Civil Procedure Update (New Mexico Trial Lawyers Association) April 21, 2017  
Character Evidence (New Mexico Magistrate Judges Conference) September 2016  
Hearsay and Not Hearsay and Double Hearsay (New Mexico Judicial Conclave) June 2016  
The New Federal Rules of Civil Procedure (New Mexico Trial Lawyers Association) November 13, 2015  
Hot Topics under the First Amendment (Albuquerque Bar Association) January 7, 2014  
Impeachment and Rehabilitation (New Mexico Judicial Conclave) June 6, 2013  
[Some of] Your Evidence Questions Answered! (New Mexico Judicial Conclave) June 6, 2013  
Supreme Court Update (New Mexico Paralegal Division) July 10, 2013  
Back to Basics: Title VII 101 (New Mexico Trial Lawyers Association) February 22, 2013  
Civil Rights Update, (Albuquerque Bar Association) June 5, 2012  
Evidence Update: You thought you knew the rules! The Restyled Rules are here! (New Mexico Trial Lawyers Association) April 27, 2012  
Trial Skills for the Child Welfare Attorney (Corinne Wolfe Children's Law Center) March 30, 2012  
Obtaining Attorney's Fees in Civil Rights Cases, (New Mexico Legal Service Providers Annual Conference) June 2, 2011  
Introduction to Civil Rights Litigation, (ACLU of New Mexico Civil Rights CLE) September 25, 2009  
Garcetti v. Ceballos or "Is everyone here long on policy and short on law?" (Albuquerque

Bar Association) July 11, 2007  
Update on Lesbian Gay Bisexual Transgender Law, July 11, 2006  
ACLU-NM v. City of Albuquerque (Litigation Review), (New Mexico Municipal League) November 2006  
New Mexico's Sex Offender Registration Laws, (New Mexico Paralegal CLE) August 2005

### **OTHER DEBATES and PRESENTATIONS**

Civil Rights Overview to Albuquerque Police Oversight Commission, June 2011  
Debate on Bush Administration Surveillance Policies with former Inspector General Gerald Walpin, (sponsored by Federalist Society) October 2007  
Debate on State and Local Enforcement of Federal Immigration Law with U.S. Attorney David Iglesias, (Toastmasters) February 2007  
Debate on Rumsfeld v. FAIR with Mountain States Legal Foundation President William Perry Pindley, (co-sponsored by ACLU-NM and Federalist Society) September 2005  
“‘ARE THEY LOOKING AT ME?’ and other more important communication questions surrounding lesbian, gay, bisexual, and transgender issues in the workplace” (New Mexico EEO Diversity Council), April 2005  
Drug-Testing of Public Officials, (New Mexico Women's Bar) March 2005  
History of the LGBT Civil Rights Movement (multiple presentations)

### **PROFESSIONAL and COMMUNITY ASSOCIATIONS**

Member, New Mexico State Advisory Committee to the U.S. Commission on Civil Rights (appointed by U.S. Representative Martin Heinrich) (2009-present)  
Member, ACLU of New Mexico Legal Panel (2010-present)  
Member, Board of Directors for Enlace Comunitario (December 2015 to present)  
Member, Judicial Selection Nominating Commission for Family Court Judge (October 31, 2016)  
Member, Board of Directors of New Mexico Press Women (2014-2015)  
Commissioner, New Mexico Supreme Court Commission on Access to Justice (2014-15)

Admitted to practice in New Mexico, October 2002. Admitted to practice in: U.S. Court of Appeals for the Fifth Circuit; U.S. Court of Appeals for the Tenth Circuit; U.S. District Courts for New Mexico and Western District of Texas.

### **PUBLISHED DECISIONS**

Poolaw v. Marcantel, 565 F.3d 721 (10th Cir. 2009)  
Protection & Advocacy Systems v. City of Albuquerque, 145 N.M. 156 (Ct. App. 2008)  
ACLU of N.M. v. City of Albuquerque, 139 N.M. 761 (Ct. App. 2006)

## **OTHER WORK EXPERIENCE**

### **General Manager, Double Rainbow of Albuquerque (now “Flying Star Café”)**

**August 1999-May 2000** 3416 Central SE Albuquerque, NM 87106

Coordinated operations of bakery and café with a staff of 70. Oversaw hiring, employee morale, food quality, training, scheduling, customer service, equipment maintenance, product delivery, sales growth, labor and food costing, and all day-to-day operations in a fast-paced restaurant environment.

### **Counter Manager, Double Rainbow of Albuquerque**

**January 1998-August 1999**

**September 1994-August 1996**

Supervised staff of 20 servers and dishwashers to execute day shift flow. Managed front of the house to ensure quality customer service, proper cash handling, and restaurant cleanliness. Coordinated scheduling.

### **Ticket Office Supervisor, Keystone/Arapahoe Basin Ski Resort**

**November 1992-April 1994** Keystone, CO

Managed sales office in extremely busy ski resort lift ticket sales office. Facilitated handling of over \$60,000 daily and a staff of seven ticket agents.

### **Chief Ranger, Philmont Scout Ranch, Boy Scouts of America**

**Ranger Department, Summers 1988-1993** Cimarron, NM

Worked as a backpacking guide in 200-mile mountain-wilderness area. Was promoted to become head of 200-person department of guides for the summer of 1993. Hired, trained, scheduled, and reviewed staff. Served as Operations leader for search and rescue missions.