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NEWS RELEASE
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New Mexico has become the first State to require Federal Indian Law as a subject for its state bar exam, according to Michael T. Murphy, Chairperson, New Mexico State Board of Bar Examiners, an advisory board of the New Mexico Supreme Court. On February 28, 2002, the New Mexico Supreme Court adopted the Board's recommendation to add the subject.

As Indian tribes acquire more economic wealth and numbers, says Murphy of Las Cruces. More and more attorneys around the State are finding themselves confronted with questions of Indian law: Everything from jurisdiction in criminal cases to tax questions involving gasoline, cigarettes, and road construction, not to mention gambling issues, zoning, water, and child custody and welfare. It is becoming an integral part of law practice in New Mexico.

Last December 8 at its quarterly meeting the Board considered a request to include Federal Indian Law on the state bar exam from University of New Mexico Law School student Calvin Lee, a Navajo, William Johnson, from Isleta Pueblo, an attorney and tribal judge, and UNM Professor of Law Kip Bobroff. After thorough debate, the Board voted unanimously to include the subject as part of several required subjects which may appear on the bar exam. Not all subjects are tested each time, cautions Murphy. But we require students to prepare themselves for each listed subject. Prior to inclusion of Federal Indian Law and Federal Tax Law, which was also recommended at the December meeting, there were 21 subjects listed for the bar exam. The two and a half day test given twice a year draws some 275 - 300 recent law school graduates and more experienced out of state attorneys seeking to transplant to New Mexico. Approximately 90% pass the exam the first time they take it, according to Carol Skiba, Executive Director of the NM Board of Bar Examiners.

A Indian law in New Mexico is becoming as important as State law to practitioners, courts, and citizens, says UNM Law School Dean Robert J. Desiderio. We try to insert Indian law issues into most subjects we teach and not just in the one course marked Indian law.

For that reason we operate an Indian legal clinic called the Southwest Indian Law Project through which students, under supervision, give advice to ordinary Indians and Indian institutions, adds Professor Bobroff who teaches Indian law courses. Justice Gene E. Franchini of the New Mexico Supreme Court, who attends most of the Board's meetings on behalf of the Court, considers recognition of Federal Indian Law on the bar exam long overdue. I'm just real happy that we're the first in the nation to get off the dime on this issue, said the Justice from his Santa Fe office. This is really an important area of law and applicants for the New Mexico Bar should be aware of significant questions of law which arise in this area.

Just spotting Indian law issues is important, which is what the state bar exam focuses on. Says Murphy, We grade the exam not on the basis of whether the applicant's answer is right or wrong but on the basis of how many issues of law central to a given fact situation the applicant spots. That is the fundamental skill we ask applicants to demonstrate.

UNM Law School has been teaching courses in Indian law since the late 1960s or early 1970s. It is also the administrator of the American Indian Law Center which, among other things, trains newly admitted Indian law students from around the country about the study of law.

Adding Indian law to the Bar exam is not just a matter of the subject's importance, says Board Member Mike Gross, whose practice centers on Indian law. Indian people comprise a distinct and unique segment of our society. Knowledge of Indian law is not only a professional necessity nowadays. It is also a matter of respect.

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