

**To The New Mexico Supreme Court and
The Board of Bar Commissioners of the
State Bar of New Mexico**

FINAL REPORT

The Status of Minority Attorneys in New Mexico

JANUARY 20, 1990

**State Bar of New Mexico
Task Force on Minority
Involvement in the Profession**

**Arturo L. Jaramillo
Chairman**

JONES, SNEAD, WERTHEIM, RODRIGUEZ & WENTWORTH, PA

THE JONES FIRM

January 20, 1990

Honorable Dan Sosa, Jr., Chief Justice
New Mexico Supreme Court
Post Office Box 848
Santa Fe, New Mexico 87501

Mr. James Jay Mason, Esq., President
State Bar of New Mexico
Post Office Box 25883
Albuquerque, New Mexico 87125

Re: Task Force on Minority Involvement in the Profession

Dear Mr. Chief Justice and President Mason:

In December of 1987, then State Bar President C. Emery Cuddy appointed thirty judges and attorneys from throughout the State to serve on a special Task Force. The Task Force was charged with the responsibility of investigating and reporting to the State Bar of New Mexico on the status of the State's minority attorneys and the extent of their integration into the mainstream of the legal profession. The Task Force subsequently received the support and co-sponsorship of the New Mexico Supreme Court. I have been privileged to serve as chairman of this significant Task Force and I have been honored to work with the many outstanding jurists and lawyers who contributed their valuable time, hard work and talents to this interesting and important project.

After two years of detailed research and analysis, and with the invaluable assistance and input of the State's Minority Bar Association, I am pleased to present to each of you the Final Report of the Task Force on Minority Involvement in the Profession.

This project benefited significantly from the diversity of experience levels and the cultural and professional backgrounds of the Task Force members. Many different perspectives were brought to bear upon the issues of importance to the State's minority attorneys. I am pleased to report that after review and lengthy debate, the findings and recommendations contained in the Report are made with the endorsement of the Task Force membership without dissent. Furthermore, our Report has received the collective support of the leadership of the New Mexico Hispanic Bar Association, the New Mexico Indian Bar Association, the New Mexico Black Lawyers Association and the Regional President of the National Hispanic Bar Association.

If there is any additional information or explanation we can provide the Court or the State Bar, with respect to any of the subjects discussed in our Report, we shall be pleased to do so.

Respectfully yours,
TASK FORCE ON MINORITY INVOLVEMENT IN THE PROFESSION

By



Arturo L. Jaramillo
Chairman

cc: Dr. Linda McDonald
Executive Director, State Bar of New Mexico

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I.

INTRODUCTION

STATEMENT OF THE PROBLEM: A Traditional Lack Of Minority Involvement

Although the State Bar of New Mexico has always been an "integrated" bar by virtue of its mandatory membership requirement, the question posed to the Board of Bar Commissioners in late 1987 by then State Bar President, C. Emery Cuddy, Jr., was just how integrated is the State Bar of New Mexico. President Cuddy's query was prompted by the historical lack of significant involvement by minority attorneys in the activities of the State Bar in general and the leadership of the State Bar specifically.

It was recognized by President Cuddy that minority attorneys generally perceived the State Bar as a "large firm, white male dominated" organization, and that little had been done by the State Bar to correct this impression or to promote greater interest and involvement by minority attorneys. While minority attorneys were being admitted to the New Mexico Bar in significantly increasing numbers since the early 1970s, only a few minority attorneys had sporadically been elected to the Board of Bar Commissioners or appointed to significant leadership positions within the State Bar structure. Moreover, the lack of involvement by minority attorneys in the State Bar appeared to be chronic. In the one hundred and three (103) year history of the State Bar of New Mexico, a minority attorney had never served as president nor as an officer of the State Bar. In a State where judicial and political history has witnessed enormous contributions by highly capable and respected justices, judges and lawyers of minority descent, this discovery was both surprising and alarming.

II.

THE TASK FORCE ON MINORITY INVOLVEMENT: A Response By The State Bar

In response to these issues the Board of Bar Commissioners in late December, 1987, created the State Bar Task Force on Minority Involvement in the Profession. The Task Force was subsequently endorsed and co-sponsored by the New Mexico Supreme Court.

Because little was known about the concerns or demographics of New Mexico's minority attorneys, the Task Force was given the broad mandate to: (1) investigate and report on the general status of minority attorneys in New Mexico; (2) to study and report on their apparent lack of involvement in the activities and leadership of the State Bar; and, (3) to identify any barriers that may exist to the complete integration of minority lawyers into our legal system.¹

The Task Force, appointed by President Cuddy, was composed of thirty (30) judges and lawyers, including the Chief Justice of the New Mexico Supreme Court, Dan Sosa, Jr.² The members of the Task Force were predominantly Hispanics, Blacks and Native Americans, with women attorneys comprising approximately one-third of the Task Force. A special effort was made to select Task Force participants from urban and rural communities, judges from each level of the state judicial system and practitioners with various experience levels from large and small private firms as well as from the public sector. This broad cross-section of members provided the Task Force with a tremendous wealth of knowledge and diversity of experience to draw upon in carrying out its work.

¹Letter from C. Emery Cuddy, Jr. to Arturo L. Jaramillo, dated December 29, 1987 regarding the organization of the State Bar Task Force on Minority Involvement in the Bar, Appendix I.

²The Task Force members are: Daniel G. Acosta, Las Cruces, New Mexico; Samuel Adelo, Santa Fe, New Mexico; Patrick Apodaca, Albuquerque, New Mexico; Honorable Rudy S. Apodaca, Santa Fe, New Mexico; Karen Bova, Albuquerque, New Mexico; Arthur L. Bustos, Las Vegas, New Mexico; Honorable Benny E. Flores, Las Vegas, New Mexico; Honorable Joe H. Galvan, Las Cruces, New Mexico; Honorable Steven Herrera, Santa Fe, New Mexico; Michael Hoses, Albuquerque, New Mexico; Patricia Salazar Ives, Santa Fe, New Mexico; Arturo L. Jaramillo, Santa Fe, New Mexico; Honorable Tommy Jewell, Albuquerque, New Mexico; Anthony Little, Bernalillo, New Mexico; Gina Maestas, Santa Fe, New Mexico; Professor Alfred Mathewson, Albuquerque, New Mexico; Dennis W. Montoya, Rio Rancho, New Mexico; Ernest Padilla, Santa Fe, New Mexico; Henry R. Quintero, Silver City, New Mexico; Professor Leo M. Romero, Albuquerque, New Mexico; Maureen Sanders, Albuquerque, New Mexico; Honorable Dan Sosa, Jr., Santa Fe, New Mexico; Martha Vazquez, Santa Fe, New Mexico; Carol J. Vigil, Santa Fe, New Mexico; Jana Walker, Albuquerque, New Mexico; James J. Wechsler, Santa Fe, New Mexico; David Yepa, Albuquerque, New Mexico; Christine Zuni, Isleta Pueblo, New Mexico.

III.

STATEMENT OF THE ISSUES: From Law School Recruitment To Judicial Appointment

The first order of business for the Task Force was to define and focus the principal issues and concerns facing minority lawyers in New Mexico. After lengthy debate and consideration of those areas of the legal profession where barriers to entry or advancement may exist, it was determined that the following issues were of paramount importance to minority attorneys in New Mexico and should be addressed by the Task Force:

- ISSUE 1 Are the programs and activities directed toward recruitment and retention of minority law students in New Mexico adequate and effective? What action, if any, should be taken by the State Bar of New Mexico to supplement these efforts?
- ISSUE 2 What has been the level of interest and success by minority lawyers in obtaining faculty positions at the University of New Mexico School of Law, and what steps, if any, should be taken by the State Bar of New Mexico to encourage and promote the appointment of minority lawyers to faculty positions?
- ISSUE 3 How have minorities fared over the past ten years in the New Mexico Bar Examination?
- ISSUE 4 Are minority attorneys adequately represented among the ranks of public sector and private sector legal employees? If not, what are the reasons for disproportional representation and what role should the State Bar play in remedying this circumstance?
- ISSUE 5 Has there historically been a disproportionate number of minority attorneys in New Mexico who have been the subject of disciplinary proceedings? If so, what are the reasons for this circumstance and what steps can be taken by the State Bar of New Mexico to correct it?
- ISSUE 6 What factors explain the traditional lack of involvement by minority attorneys in the activities and leadership of the State Bar of New Mexico? What steps can be taken by the State Bar to encourage and promote the meaningful and active participation of minority attorneys in the State Bar?
- ISSUE 7 What has been the level of interest and success by minority lawyers in seeking appointments to judicial positions in New Mexico, and what impact will the recent constitutional amendment on judicial selection have upon minority attorneys seeking judicial appointment?

**General and Subcommittee Sessions:
Input From Minority Bar Associations
And The American Bar Association's Minority Commission**

Each of the foregoing issues was assigned to one of four Task Force subcommittees for investigation and analysis. Each subcommittee was responsible for fact-finding through survey research, interviews, and the interaction of Task Force sessions.

In addition to subcommittee meetings, the Task Force met in general session on a quarterly basis to discuss information that had been developed by its subcommittees and to exchange thoughts, ideas and proposals for resolving the issues under investigation. The Task Force meetings also served as a forum for minority bar association leaders and other interested persons and organizations to present information and their views and perspectives on the issues and problems faced by New Mexico minority attorneys.

The Task Force received numerous recommendations on the need for and manner of improving lines of communication between the State Bar and minority bar associations with the objective of more fully integrating minorities into the mainstream of the State Bar. The Task Force benefited significantly in this regard from the presentations and recommendations of Ricardo Narvaiz, Regional President of the National Hispanic Bar Association;³ Raymond Z. Ortiz, President of the New Mexico Hispanic Bar Association; Ray Hamilton, President of the New Mexico Black Lawyers Association; Cheryl Fairbanks, President of the New Mexico Indian Bar Association; and Carol Vigil, Chairwoman of the Indian Law Section of the State Bar. These individuals uniformly pointed to the crucial need for substantially improved outreach efforts by the State Bar in order to meaningfully involve minority attorneys in such projects as CLE presentations and seminars, speaker's bureaus and State Bar committee and task force leadership assignments. The Task Force is grateful for the valuable information, input and suggestions contributed by these minority bar leaders and for many of the recommendations which the Task Force has adopted and proposes to the Supreme Court and the State Bar in this Report.

The Black, Hispanic and Indian Bar Associations have worked diligently and independently for many years to advance the interests of the minority bar by developing and implementing programs to address the important issues affecting minorities in New Mexico. In the course of discussions and meetings with the Task Force, the leadership of these associations suggested that a joint and mutual effort between the State Bar and the Black, Hispanic and Indian Bar Associations would be the most effective and meaningful way to promote equal opportunities for minority lawyers in the profession. As a major first step in the realization of this mutual objective, the minority bar associations submitted a Resolution for consideration by the general membership of the New Mexico State Bar at its annual meeting in Gallup on September 23, 1989. The proposed Resolution sought the express commitment of the State Bar, through the individual and collective efforts of its members, to promote full and equal educational, professional and judicial opportunities for minorities in New Mexico. The Resolution was unanimously adopted by the State Bar membership and approved by the Board of Bar Commissioners at its November, 1989 meeting.⁴

The Task Force strongly endorses the recommendation of these minority bar leaders for the initiation of a collective and progressive effort to provide equal opportunities for minorities in the profession. In furtherance of this objective, one of the several recommendations made by the Task Force in this Report is that a standing joint committee composed of majority and minority bar leaders be promptly established

³A statement of the issues and concerns of the National Hispanic Bar Association prepared by Mr. Narvaiz, Appendix II.

⁴The September 23, 1989 Resolution, Appendix III.

to consider and develop the strategies essential to the realization of full and equal participation in the profession by minorities in New Mexico.

The Task Force was also materially assisted in its research and investigative efforts by the American Bar Association's Commission on Opportunities for Minorities in the Profession. Judge Benjamin Aranda of California, an active member of the ABA Commission and one of the founders of the National Hispanic Bar Association, spoke to the Task Force on the subject of promoting minority interests from within the majority bar. Judge Aranda described the many innovative and highly successful programs that have been developed by the ABA in accomplishing its recently adopted goal statement of promoting full and equal participation in the profession by minorities and women. Coincidentally, the State Bar of New Mexico adopted a similar goal statement at its annual planning session in May of 1989.

The principal theme of Judge Aranda's highly instructive presentation to the Task Force echoed the views of United States Supreme Court Associate Justice Anthony M. Kennedy, in his September, 1988 speech before the National Convention of the National Hispanic Bar Association in Albuquerque, urging that it is essential for the majority bar to "reach out," globally, to non-Anglo American law professionals in order to avoid the stultifying narrow-mindedness which isolation and "in-breeding" will certainly cause. The substantial input received from Judge Aranda and the American Bar Association increased markedly the Task Force's knowledge and understanding of the issues and problems that most concern minority attorneys and the need for a progressive and creative response by the State Bar.

IV.

RESEARCH METHODS: Survey Instruments And Sampling Techniques

Because reliable fact-finding was essential to the credibility of this project and to the validity of the recommendations of the Task Force, it was clear from the outset that substantial demographic information, beyond the data then available to the State Bar, would have to be developed if the status of New Mexico's minority attorneys was to be meaningfully and adequately investigated. Accordingly, a fifth subcommittee of the Task Force was established and delegated the responsibility of compiling the basic data presently available to the State Bar and creating various survey instruments designed to elicit additional profile information on New Mexico's minority attorneys. These investigative tools provided substantial information on such subjects as the experience levels of minority attorneys and the size, nature and areas of their law practices. Open-ended questions solicited the views and perceptions of minority attorneys on major issues such as the adequacy of employment and advancement opportunities for minorities in the public sector and in private firms, the adequacy of representation of minority attorneys by the Board of Bar Commissioners and the barriers, if any, that may exist in the employment area and in the appointment of minority attorneys to judicial positions. A description of the research methodology used by the Task Force follows.

The research design selected for this project was survey research (open- and closed-end responses required), interviews and comparative analysis. The survey instruments were formulated to enable the research group to answer the questions as validly, objectively and accurately as possible, and were designed to allow computer entry of responses in order to generate a comprehensive project data base. The data were programmed to allow analysis by subject matter, as well as cross-analysis with data from independent sources relating to a variety of subjects. For example, the design not only allowed the Task Force to extract and review information such as the percentage distribution of minority attorneys who are sole practitioners, but also to segregate and analyze the several responses given by sole practitioners to separate survey questions on such matters as net income levels, participation in State Bar activities, interest in judicial appointment, etc. These particular responses could then be compared and contrasted with the same responses given by other minority attorneys who practice in small or large firms. This design provided great flexibility in investigating the demographics of minority attorneys and analyzing their perspectives on many diverse subjects.

The populations surveyed by the Task Force were three: (1) Ethnic minority members of the State Bar as self-identified on the annual licensing form (Survey Form I);⁵ (2) Managing partners of New Mexico law firms as identified by the State Bar data base (Survey Form II);⁶ and, (3) Employers of attorneys other than law firms, which included a listing of all public sector employers (Survey Form III).⁷

Survey Form I sought to compile a range of demographic information from ethnic minority members of the State Bar relating primarily to the career status and involvement by minorities in the activities of the Bar and the career preferences and employment opportunities available to minority lawyers in New

⁵Appendix IV.

⁶ Appendix V.

⁷ Appendix VI.

Mexico. Survey Form II was designed to elicit information on the recruitment and employment practices of New Mexico law firms as part of the study of the career and employment opportunities available to minority lawyers in New Mexico. And, Survey Form III had as its purpose the compilation of information from employers other than law firms relating to the recruitment and hiring of minority lawyers by the public and non-firm sectors.

The overall plan of the Task Force was to develop a variety of basic data on the status and distribution of minority lawyers in the private and public sectors by type and area of practice and size of firm, and to compare that data with the stated career objectives of minority lawyers in an effort to determine whether any barriers may exist in the achievement of those objectives.

The three survey instruments were drawn by a subcommittee of the Task Force and peer reviewed for reliability to assure consistency of instrument yield across the selected participant groups. The instrument was reviewed by a professional consultant for consistency and validity.

A random sampling procedure was used for Survey Form I, which is the primary data source for this Report. Randomized sampling is a method of drawing a portion (sample) of the population so that all possible samples of a fixed size have the same probability of being selected. A sample drawn at random is unbiased in the sense that no member of the population has any more chance of being selected than any other member. This was accomplished by using a computer generated table of random numbers.⁸

The statistical analysis used was frequency of responses, percentages, cross-tabulation of selected responses within a survey form and crossbreak construction (crossbreak construction is a numerical tabular presentation of data, usually in frequency or percentage form, in which variables are cross-partitioned in order to study and determine the nature of the relations between variables) using data from independent sources within the data bases of the State Bar, i.e., demographics from the licensing form, economic data from a separate survey and results obtained from a recent government lawyer survey.

⁸Krycie, Robert V. and Morgan, Daryle E., "Determining Sample Size for Research Activities," *Educational and Psychological Measurement*, 1970, pp. 607-610.

V.

LIMITATIONS OF THE STUDY

It is important for the reader and those interested in repeating this study to recognize certain limitations of the study. The Task Force identified two. First, due to time restrictions and budget constraints, testing for validity and reliability of survey results was confined to peer review. Second, the primary basis for the findings described in this Report is the data derived from Survey Form I, to which 60 percent of the ethnic minority attorneys randomly selected responded. Although this response rate is considered adequate given the scope of this study, to counter limitations, a crossbreak construction analysis methodology with independent data was used in an attempt to detect and control biased responses.

With few exceptions, the research team concluded that the survey responses reflected a high rate of validity and reliability. These conclusions were supported through the interview process. In addition, by using the crossbreak analysis, no significant bias was identified due to the rate of response.

VI.

DEMOGRAPHICAL DATA ON MINORITY ATTORNEYS IN NEW MEXICO

Before discussing the research findings of the Task Force, it is important to analyze the numbers and basic demographics of minority attorneys in New Mexico and the types of law practice in which they engage. The information reported in this section was compiled from the 1988 and 1989 State Bar dues form, which is based on self-reporting by attorneys, as well as the results of the Task Force survey of ethnic minority members of the New Mexico Bar.

In 1989, the State Bar of New Mexico had 4,594 members. Of that number, 3,558 were active-instate, 450 were active out-of-state and 586 were inactive members. The membership increased from a 1988 total of 4,345 members which included 3,394 active-instate, 434 active out-of-state and 517 inactive members.

Percentage Of Minority Attorneys

In 1988, 80 percent of the active-instate members reported their ethnicity. Of those reporting, Anglo attorneys comprised 81.9 percent of the active-instate attorneys, Hispanics 14 percent, American Indian/Native Alaskan 1.10 percent, Blacks 0.40 percent, and Asian Americans 0.20 percent.

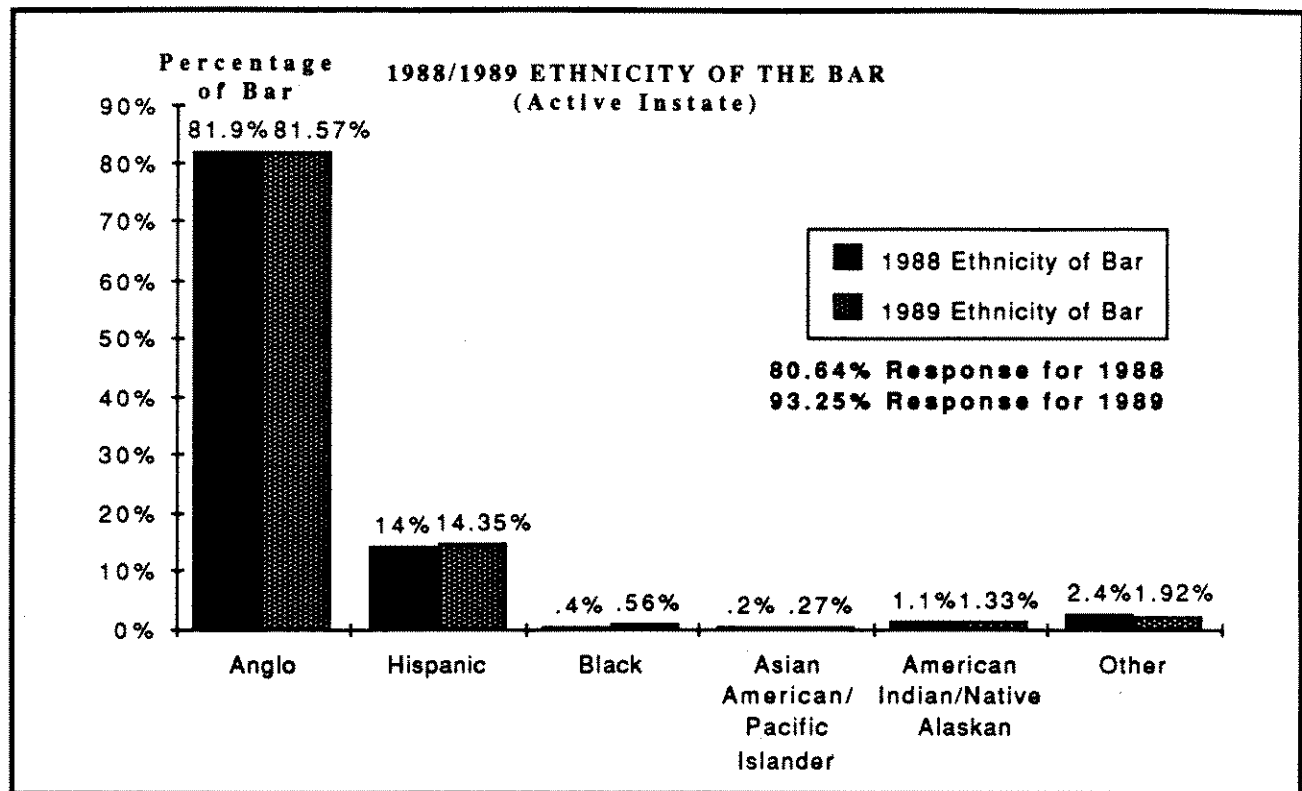
1988 LICENSE AND MEMBERSHIP STATISTICAL INFORMATION ETHNICITY (80% Response Rate)				
	Active Instate	Active Out-of- State	Inactive	Total
ANGLO	2,338 (81.89%)	265	285	2,888 (82.42%)
HISPANIC	400 (14.01%)	23	16	439 (12.53%)
BLACK	11 (.39%)	2	3	16 (.46%)
ASIAN/AMERICAN/ PACIFIC ISLANDER	8 (.28%)	4	5	17 (.49%)
AMERICAN INDIAN/ NATIVE ALASKAN	30 (1.05%)	24	6	60 (1.71%)
OTHER	68 (2.38%)	8	8	84 (2.39%)
TOTAL	2,855	326	323	3,504

Some slight differences can be seen in the 1989 membership. In 1989, 93.25 percent of the active-instate members reported their ethnicity. Anglo attorneys comprised 81.57 percent, Hispanics 14.35 percent, Blacks 0.56 percent, American Indian/Native Alaskan 1.33 percent and Asian Americans 0.27 percent. The total membership percentages vary only slightly from these.

1989 LICENSE AND MEMBERSHIP STATISTICAL INFORMATION ETHNICITY (93.25 % Response Rate)				
	Active Instate	Active Out-of- State	Inactive	Total
ANGLO	2,762 (81.57%)	331	426	3,519 (82.14%)
HISPANIC	486 (14.35%)	35	26	547 (12.77%)
BLACK	19 (.56%)	3	3	25 (.58%)
ASIAN/AMERICAN/ PACIFIC ISLANDER	9 (.27%)	5	6	20 (.47%)
AMERICAN INDIAN/ NATIVE ALASKAN	45 (1.33%)	27	13	85 (1.98%)
OTHER	65 (1.92%)	6	17	88 (2.06%)
TOTAL	3,386 (79%)	407(9.5%)	491(11.5%)	4,284 (100%)

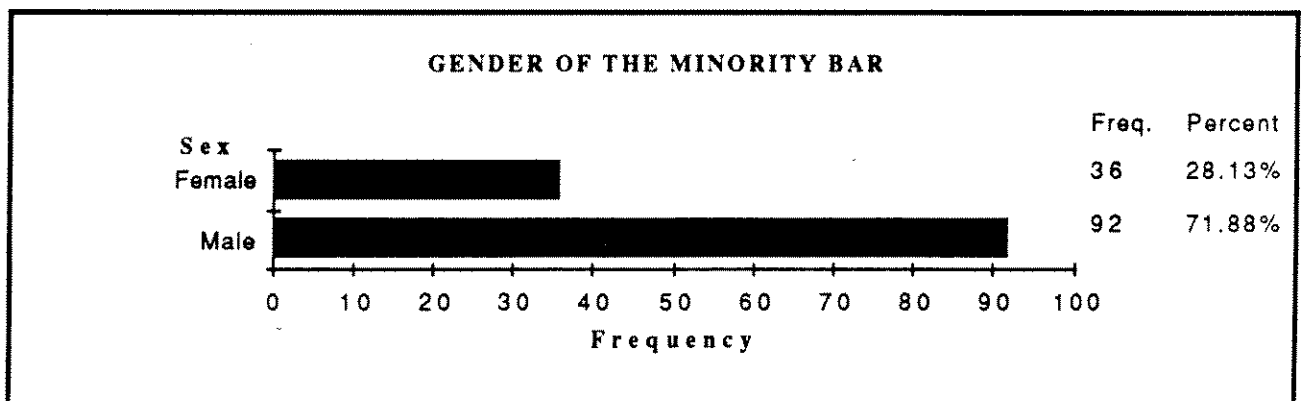
The following graph demonstrates these relative ethnic populations within the New Mexico State Bar for 1988-1989.

Ethnicity of Bar



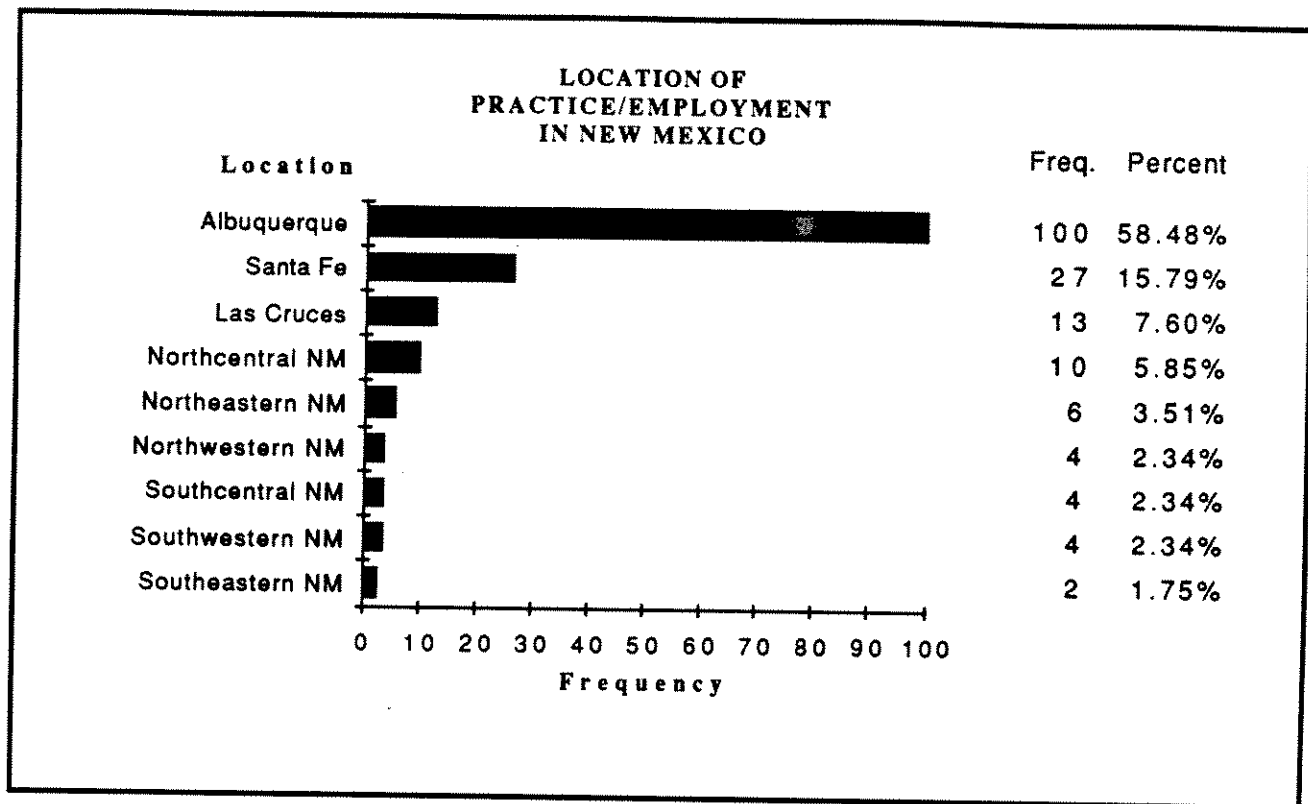
Gender

Twenty-eight and thirteen one hundredths (28.13) percent of New Mexico's minority attorneys are women; 71.88 percent are men. By comparison, 24.25 percent of the total Bar membership in 1989 were women.



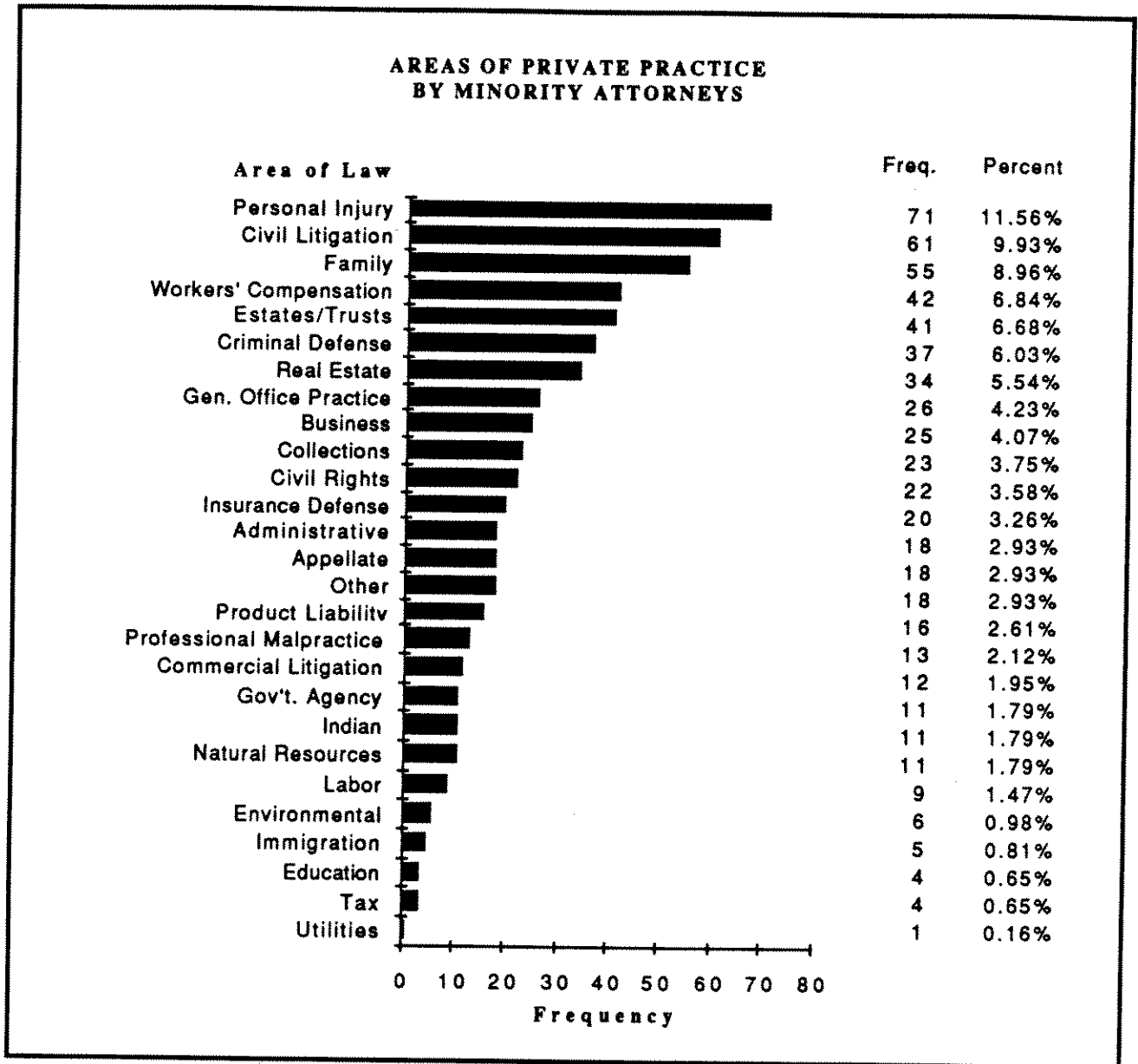
Geographic Location

New Mexico's minority attorneys are geographically located throughout the State, with large concentrations in Albuquerque, Santa Fe, northern New Mexico and Las Cruces. The following chart reflects the distribution of minority attorneys in various cities and areas throughout the State.



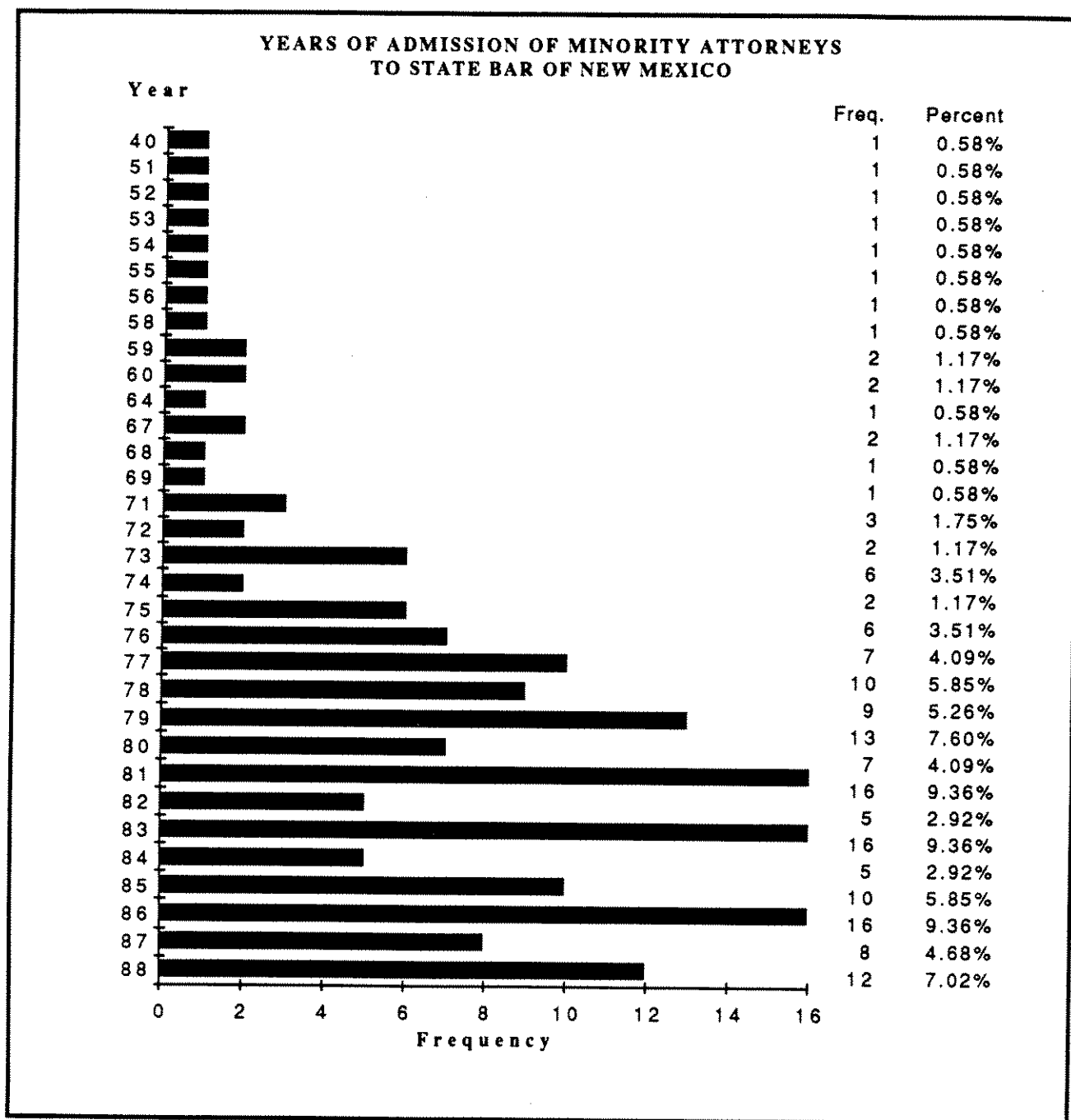
Areas Of Practice

The areas in which minority attorneys practice are diverse. The ethnic minority survey yielded the following statistical information on areas of practice by minority attorneys.



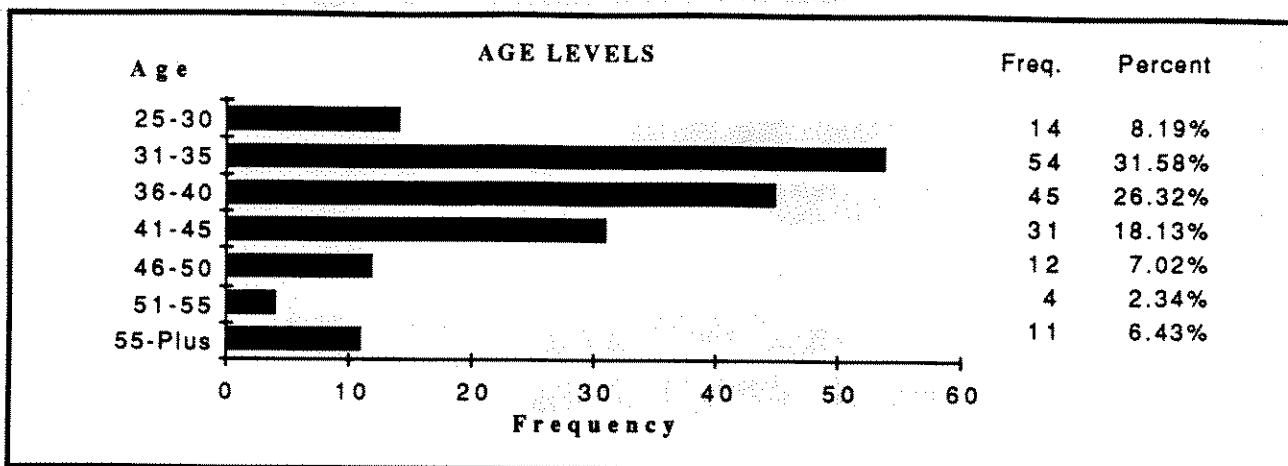
Years Of Experience And Age

Sixty-three and seventy-four one hundredths (63.74) percent of the State's minority attorneys have been admitted to practice since 1979; about 25 percent were admitted between 1973 and 1978; and finally, only 13 percent were admitted prior to 1973. As shown below, 83 percent of all minority attorneys have been admitted to the New Mexico Bar since 1975.



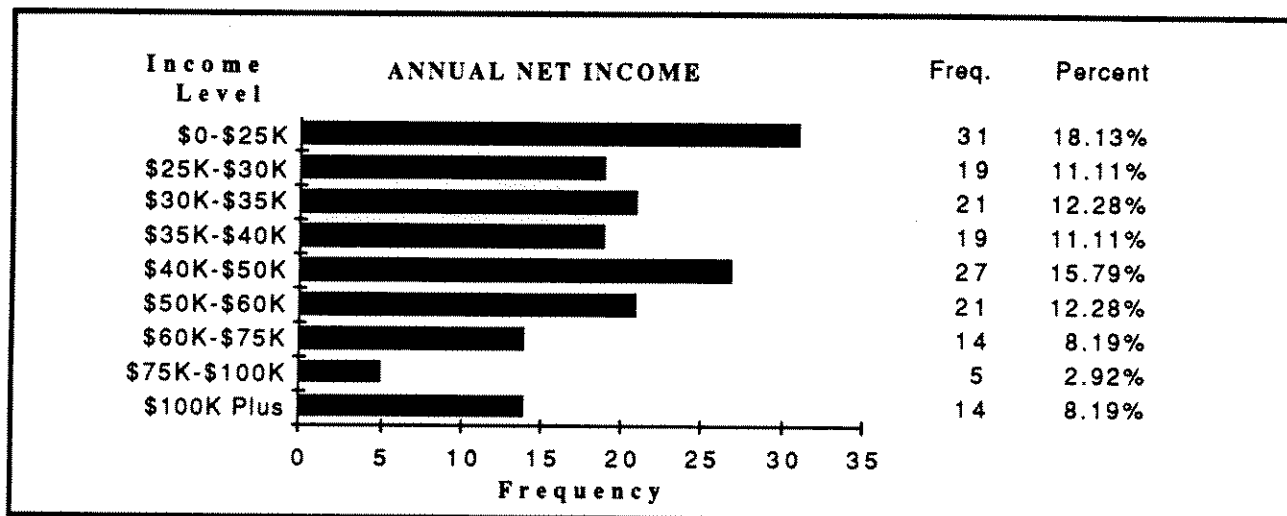
Note: In the admission chart, years 1981-88, there is a two-year pattern of variance. This pattern is consistent with the trend of the fail rate on the Bar Examination (refer to page 38).

Sixty-six (66) percent of the State's minority attorneys are less than 40 years of age. Ninety-one (91) percent are under 50 years of age.

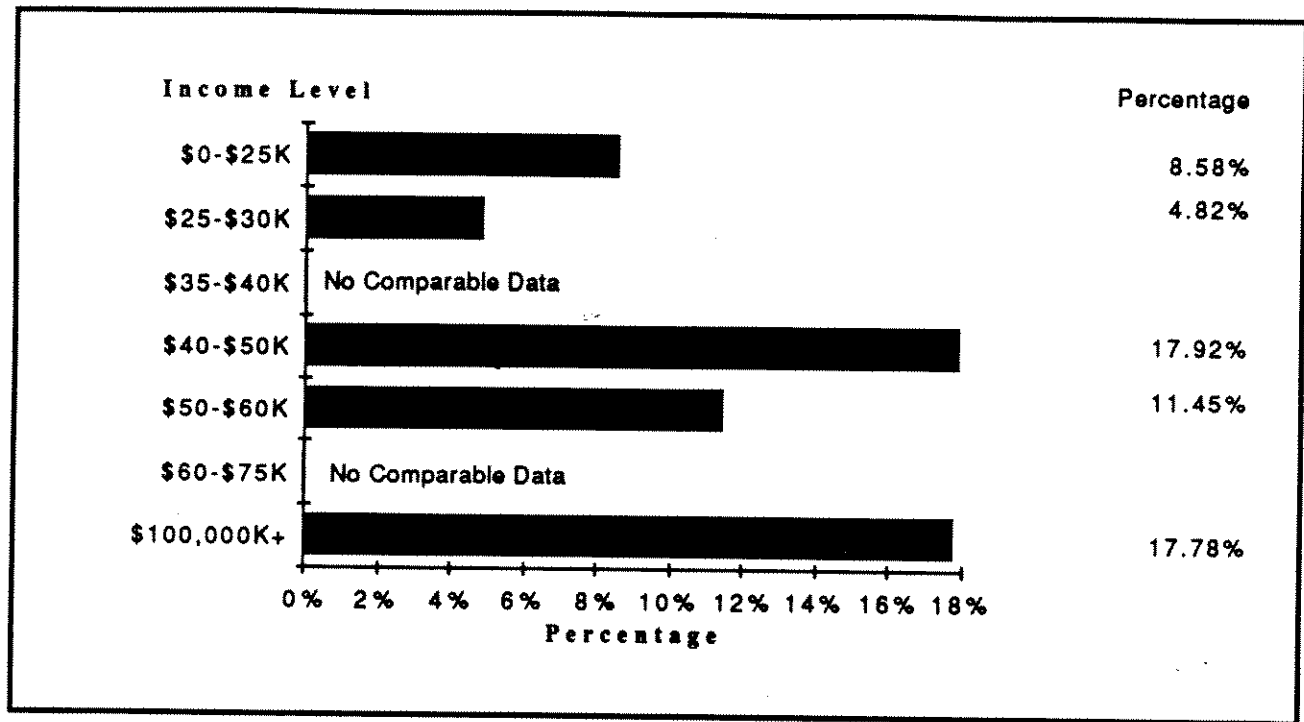


Net Income

Net income levels among minority attorneys are widely distributed. As seen below, approximately 60 percent earn less than \$50,000.00 a year. About 8 percent earn more than \$100,000.00.



The 1989 Economic Survey of New Mexico Lawyers and Law Firms provides some comparable income data.



Type Of Practice: Ethnicity And Years Of Practice

After determining the number and basic demographics of minority attorneys, the Task Force analyzed the types of practice engaged in by minority attorneys. The following charts indicate what was learned from the 1988 attorney self-reporting data.

THE NEW MEXICO STATE BAR ETHNICITY - BY PRACTICE

1988

<p>SOLE PRACTITIONER</p> <p>Anglo = 79.3%</p> <p>Hispanic = 15.9%</p> <p>Black = 0.5%</p> <p>Asian American/ Pacific Islander = 0.2%</p> <p>American Indian/ Native Alaskan = 0.7%</p> <p>Other = 3.3%</p> <p align="right">TOTAL = 784</p>	<p>FIRM 10+</p> <p>Anglo = 89.4%</p> <p>Hispanic = 7%</p> <p>Black = 0.2%</p> <p>Asian American/ Pacific Islander = 0.2%</p> <p>American Indian/ Native Alaskan = 0.5%</p> <p>Other = 2.3%</p> <p align="right">TOTAL = 557</p>
<p>FIRM 2 - 5</p> <p>Anglo = 84.1%</p> <p>Hispanic = 14.0%</p> <p>Black = 0.4%</p> <p>Asian American/ Pacific Islander = 0.4%</p> <p>American Indian/ Native Alaskan = 0.5%</p> <p>Other = 0.5%</p> <p align="right">TOTAL = 555</p>	<p>GOVERNMENT</p> <p>Anglo = 73.5%</p> <p>Hispanic = 20.3%</p> <p>Black = 1.2%</p> <p>Asian American/ Pacific Islander = 0.6%</p> <p>American Indian/ Native Alaskan = 2.0%</p> <p>Other = 2.4%</p> <p align="right">TOTAL = 507</p>
<p>FIRM 6 - 9</p> <p>Anglo = 89.2%</p> <p>Hispanic = 6.8%</p> <p>Black = 0.5%</p> <p>Asian American/ Pacific Islander = 0%</p> <p>American Indian/ Native Alaskan = 0.5%</p> <p>Other = 2.9%</p> <p align="right">TOTAL = 205</p>	<p>CORPORATE</p> <p>Anglo = 82.6%</p> <p>Hispanic = 7.7%</p> <p>Black = 0%</p> <p>Asian American/ Pacific Islander = 0%</p> <p>American Indian/ Native Alaskan = 5.8%</p> <p>Other = 3.8%</p> <p align="right">TOTAL = 52</p>

These numbers were compared to the percentages of minorities in the entire Bar to arrive at an approximate determination of whether any disproportionate representation in any particular type of practice was indicated. The results of this analysis are as follows.

Hispanics. Hispanic attorneys comprised 12.5 percent of the total Bar membership in 1988. Yet, 15.9 percent of the "sole practitioners" and 20.3 percent of the "government attorneys" were Hispanic, indicating a highly disproportionate number of Hispanics in these areas of practice. Hispanics comprised 14 percent of the attorneys in law firms with 2-5 attorneys; there was no grossly disproportionate representation of Hispanics in this category. However, a definite low representation of Hispanics seems to have existed in 1988 in law firms with more than 6 attorneys or in corporate departments. Only about 7 percent of the Hispanic attorneys reporting indicated they practice in firms with either 6 to 9 attorneys or 10 or more attorneys, and only 7.7 percent of those in corporate departments were Hispanic. Compared to the 12.5 percent of the total Bar membership reported as Hispanic, the representation of Hispanics in larger firms and corporate departments was markedly low.

Blacks. Black attorneys comprised 0.40 percent of the total Bar membership in 1988. Their representation in the sole practitioner category (0.50 percent), the firm size 2-5 category (0.40 percent) and the firm size 6-9 category (0.50 percent) is obviously low, but appears to be at least proportional. From the survey data, Blacks seem to have been disproportionately represented in the government practice category (1.2 percent) and totally unrepresented in the firm size 10+ category and the corporate category (0 percent).⁹ The New Mexico Black Lawyers Association is concerned about the relatively small number of Black applicants and students ultimately enrolled in the UNM School of Law and is equally concerned about the significant underrepresentation of Blacks in the New Mexico State Bar. These concerns are more fully articulated in a statement from Ray Hamilton, President of the New Mexico Black Lawyers Association, to Arturo L. Jaramillo.¹⁰

Native American/Native Alaskan. Native American and Native Alaskans comprised 1.7 percent of the 1988 Bar membership. They appear to have a low representation in the sole practitioner category (0.70 percent), and in all other firm size categories (0.50 percent). They were disproportionately represented in the corporate category (5.8 percent),¹¹ and their representation in the government category was about proportional (2 percent).

Asian American/Pacific Islander. In 1988, 0.49 percent of the New Mexico Bar identified themselves as Asian American/Pacific Islander. This group seems to have a low representation in the sole practitioner category (0.20 percent) and the firm size 10+ category. Their representation in the governmental category (0.60 percent), the firm size category 2-5 (0.40 percent) and the firm size 6-9 category (0.50 percent) all seems to be within a proportional range.

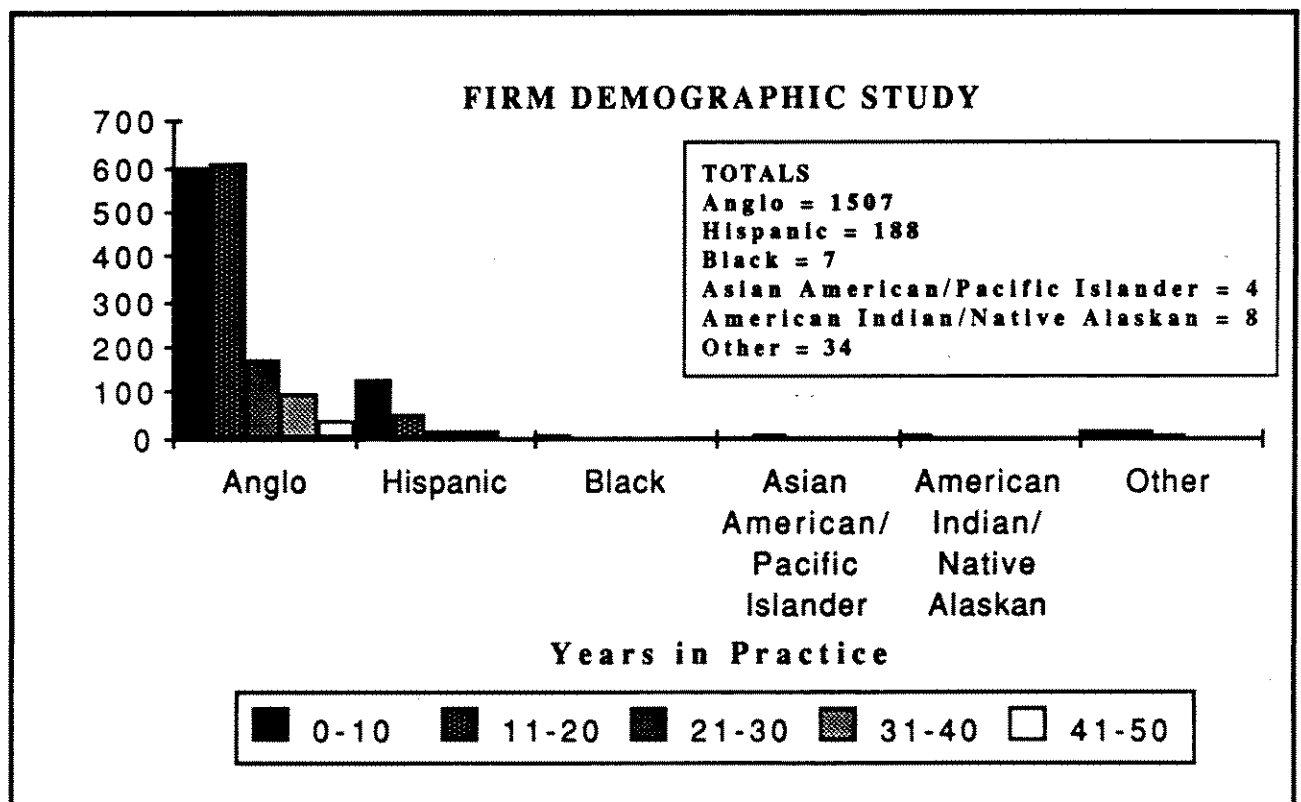
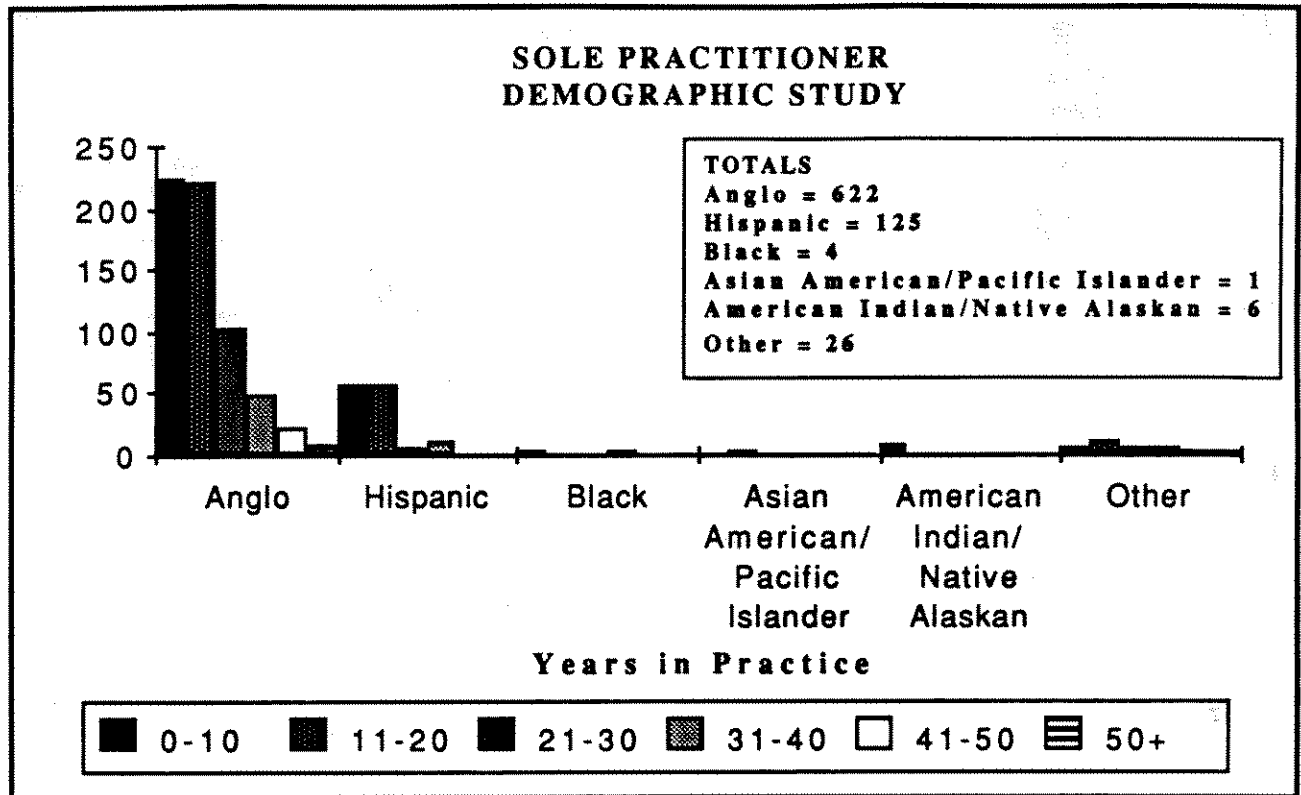
All Minorities. In 1988, 15.2 percent (532 individuals) of the total Bar membership identified themselves as either Hispanic, Black, Asian American/Pacific Islander, or Native American/Native Alaskan. As a whole, these minorities have a high disproportional representation in the sole practitioner category (17.3 percent) and the government category (24.1 percent). Their representation in the firm size 2-5 category (15.3 percent) approaches a proportional level. They have a **significantly** low representation in the firm size 6 to 9 category (7.8 percent) and firm size 10+ category (7.9 percent), with similarly low representation in the corporate category (13.5 percent).

⁹As contrasted with the survey information, the Task Force is aware of at least two Black attorneys who are employed by law firms in the 10+ category.

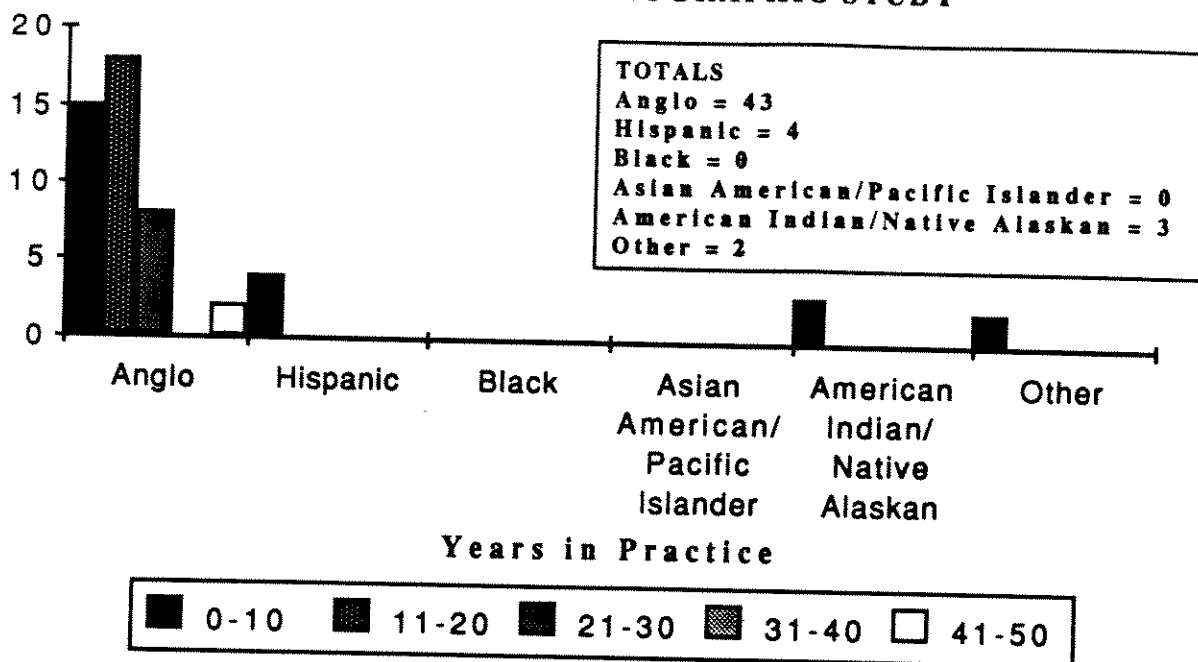
¹⁰Letter from Ray Hamilton, President of New Mexico Black Lawyers Association, to Arturo L. Jaramillo dated January 31, 1990, Appendix VII.

¹¹The Task Force members believe this high disproportionate representation results from Native Americans employed by corporations providing legal services to Native Americans and by tribal-related corporations. The Task Force members do not know of any Native Americans employed by private corporations.

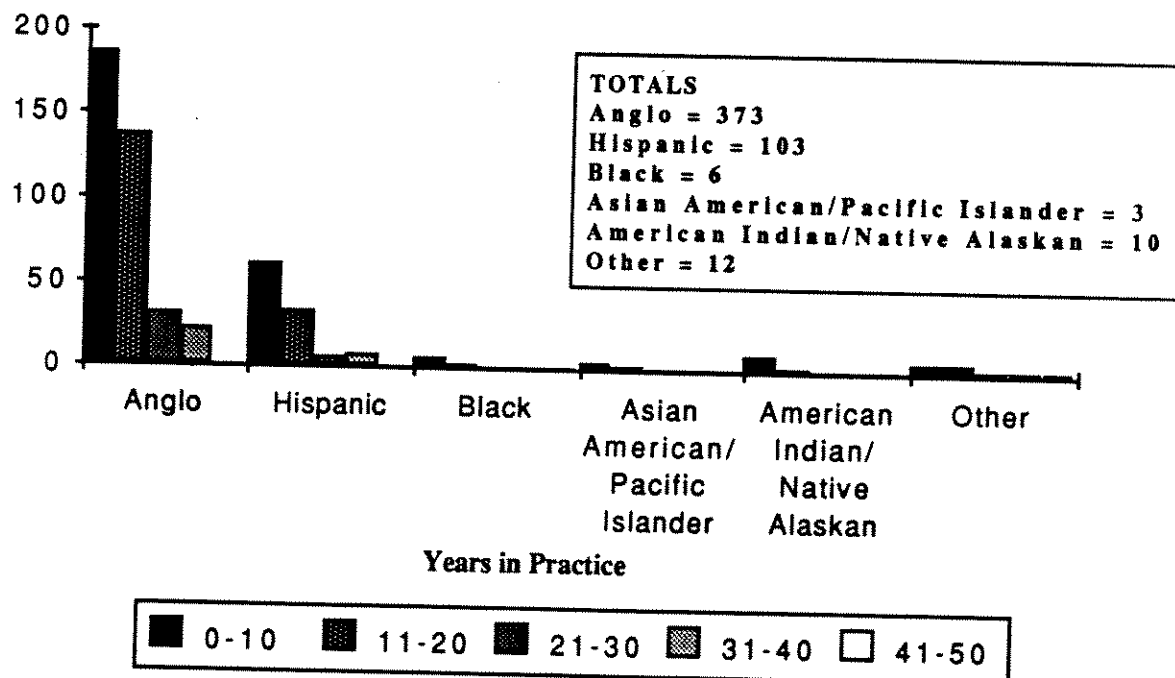
The following graphs depict by type of practice, the ethnicity and the number of years in practice of those New Mexico State Bar members who reported that information on their dues and licensing form in 1988.



CORPORATION DEMOGRAPHIC STUDY



GOVERNMENT DEMOGRAPHIC STUDY

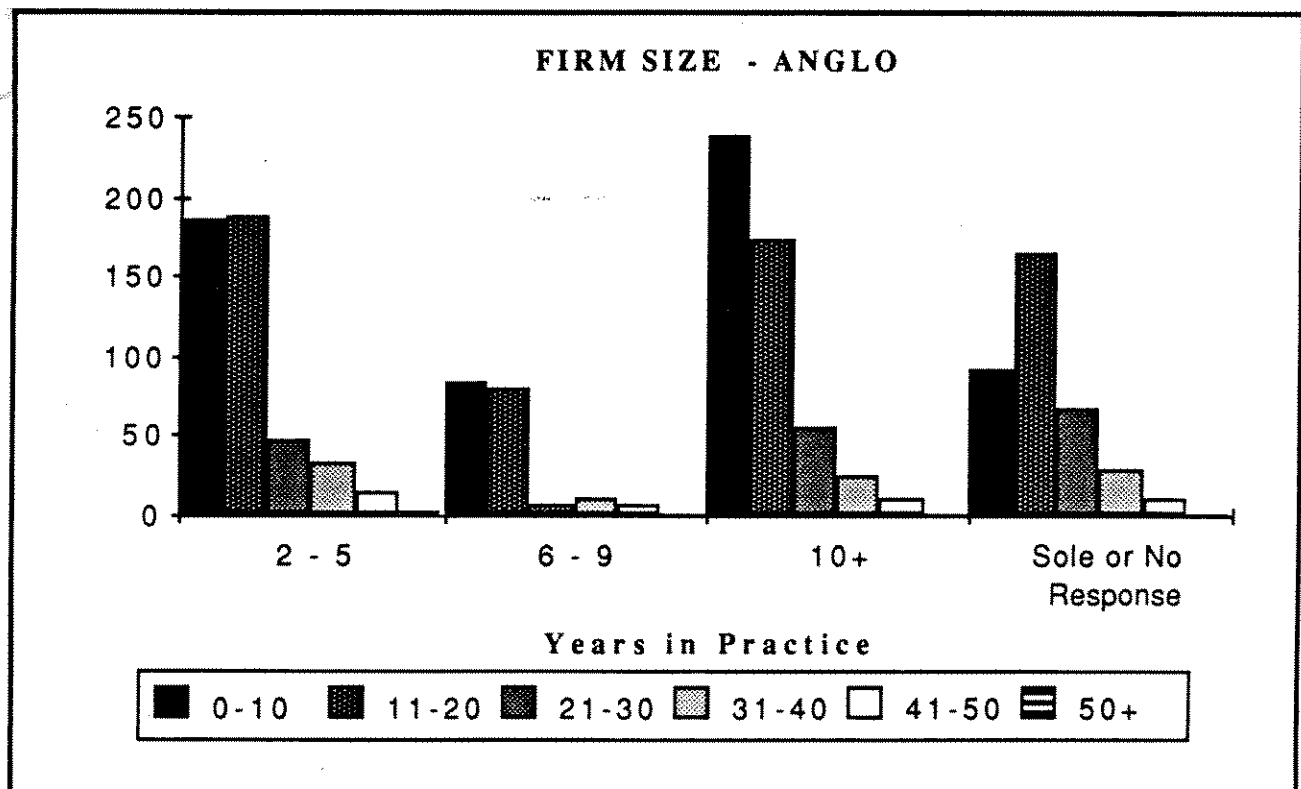


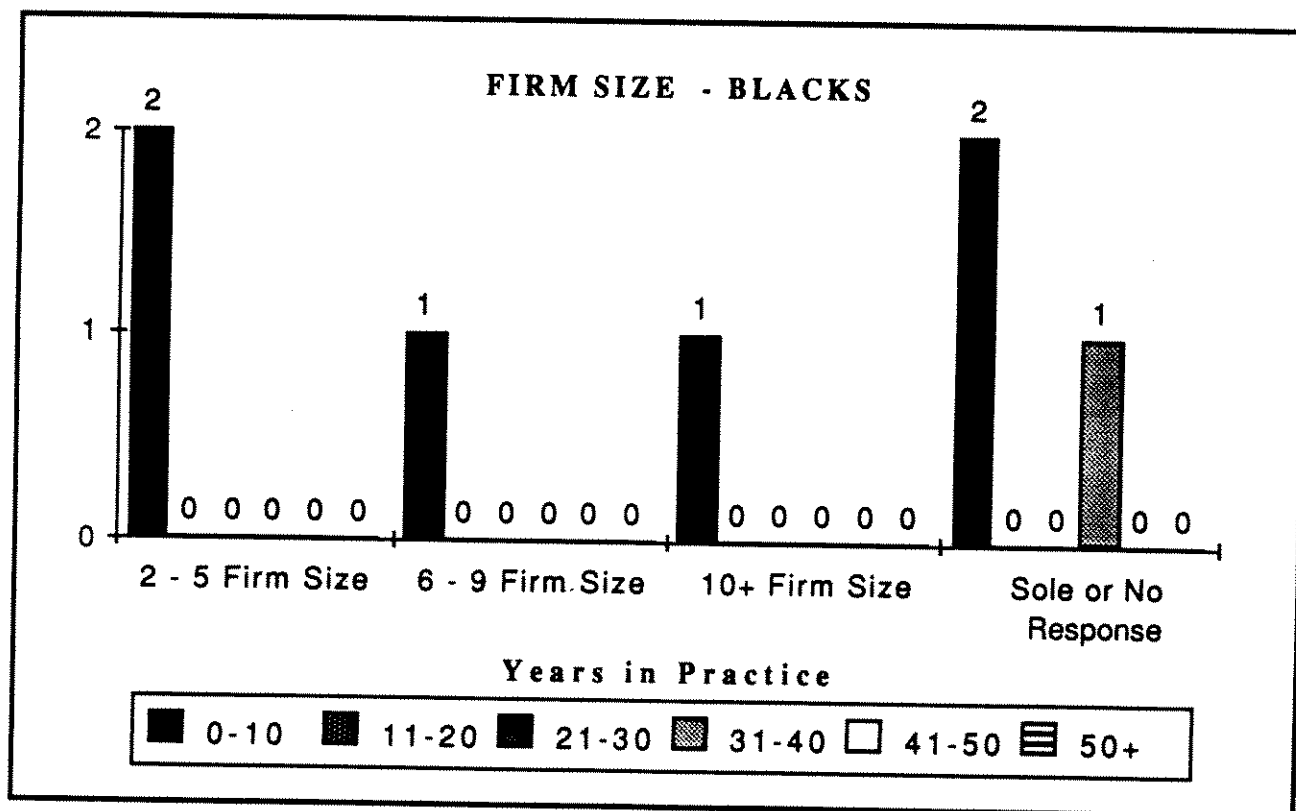
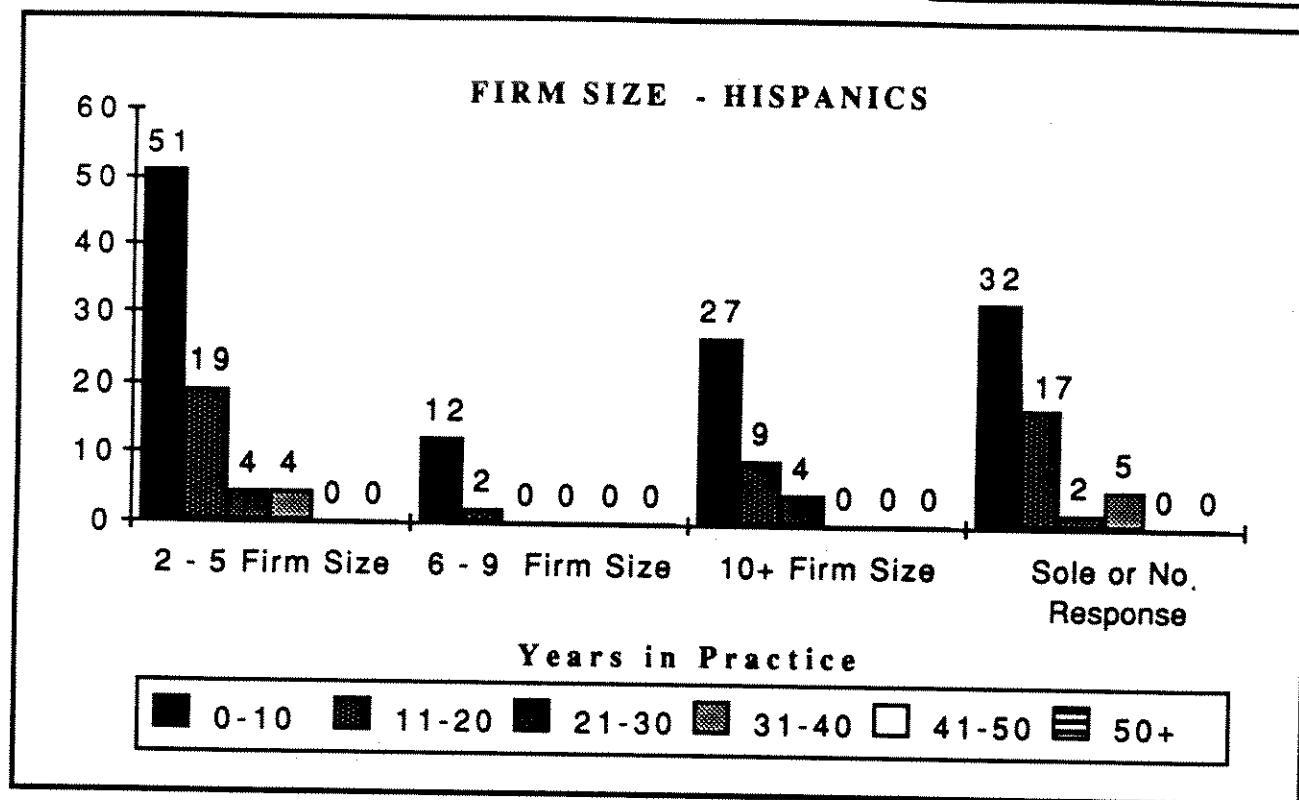
The numbers of those in sole practice were fairly static for Anglos and Hispanics between those practicing from 0 to 10 years and those practicing 11-20 years, even though there are significantly more attorneys practicing with 0 to 10 years of experience than those with 11-20 years, particularly Hispanics. Curiously, more Hispanics with 31-40 years of experience were in sole practice than those with 21-30 years of experience. No similar trend existed for Anglos.

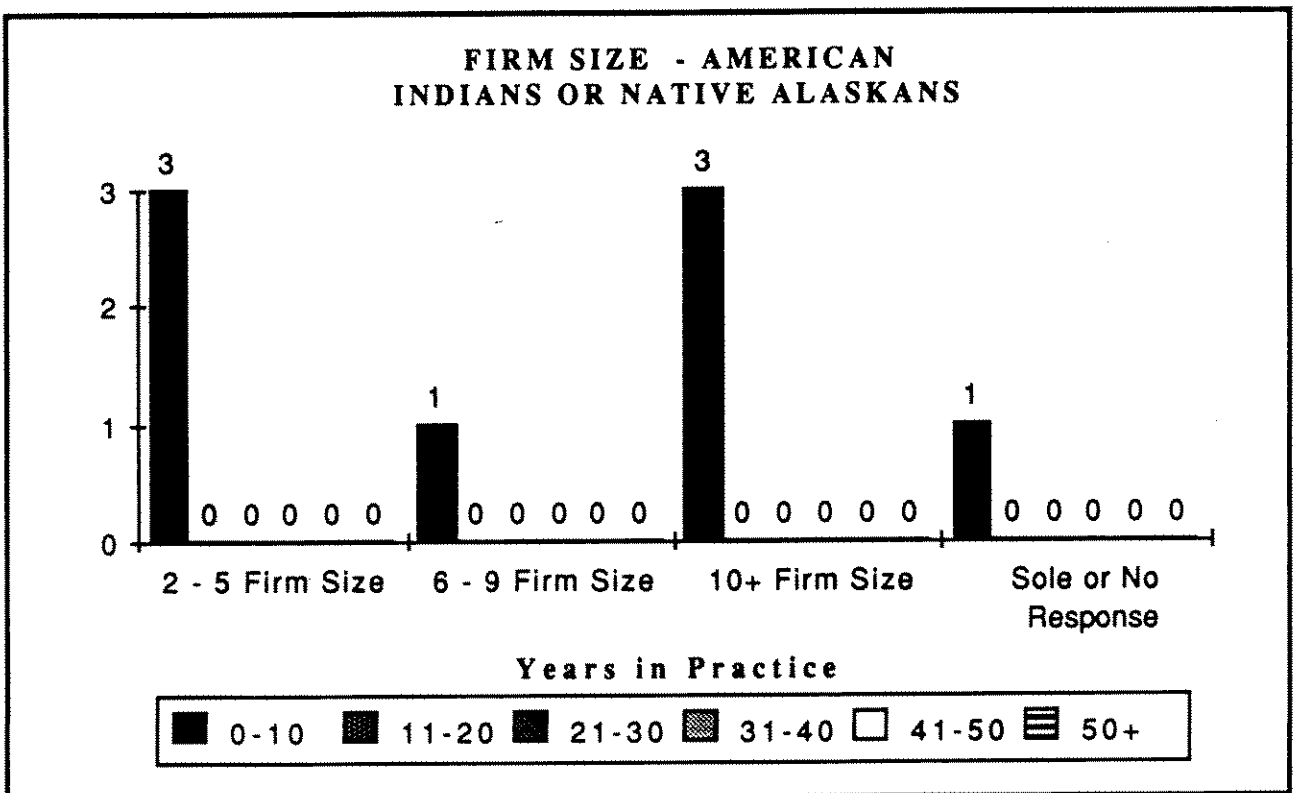
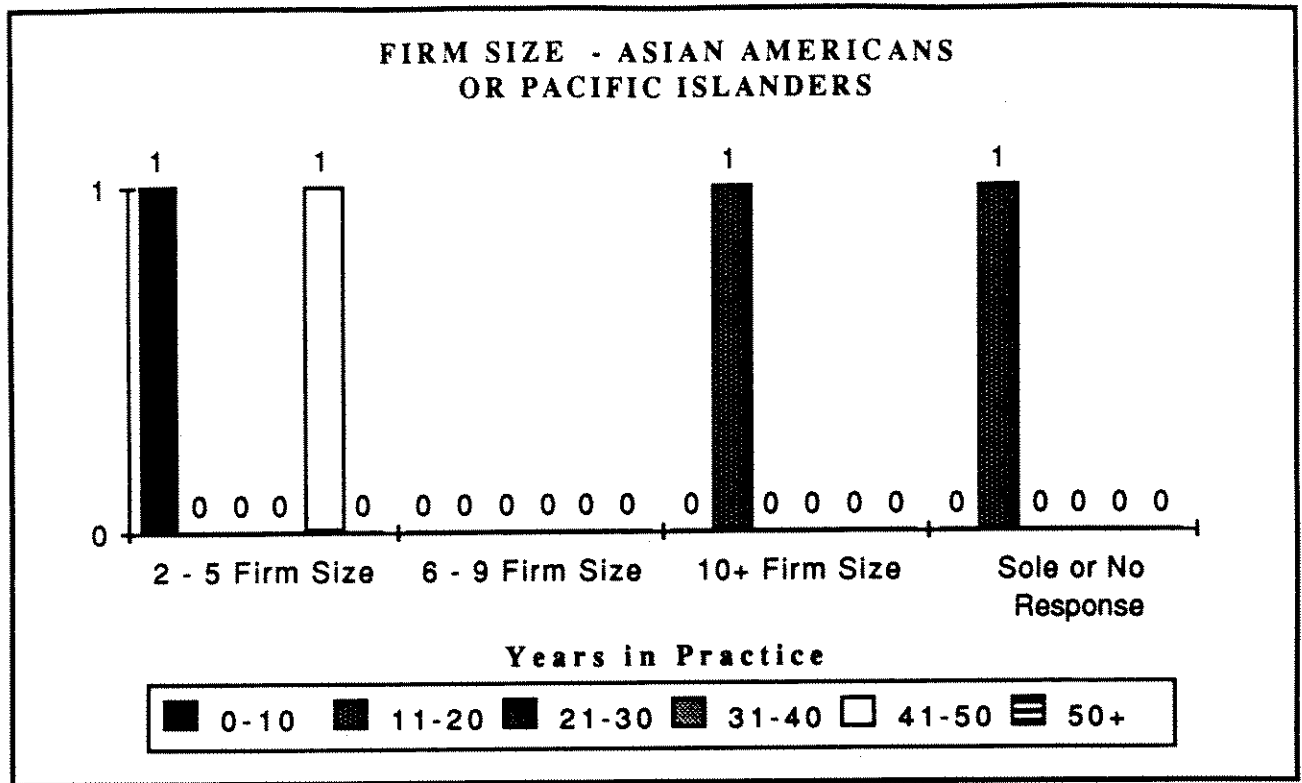
The chart for all sizes of law firms excludes sole practitioners and indicates that the number of Hispanics in law firms with 0-10 years of experience is 160 percent greater than those with 11-20 years of practice. At the same time, there is a slight increase in the number of Anglos in firms with 11-20 years of practice compared with those with 0-10 years in practice. Noticeable increases in Blacks and Native Americans are also indicated with respect to those with 0-10 years of practice.

An analysis of government practitioners shows some interesting comparisons. The government graph shows that the number of government attorneys with 0-10 years of practice is larger than those with 11-20 years of practice. The number of Anglos in government practice with 0-10 years of practice is 35.3 percent higher than those with 11-20 years in practice. That same percentage is 92 percent for Hispanics, 400 percent for Blacks, 100 percent for Asian Americans and 800 percent for Native Americans.

The following graphs show the numbers of different ethnic groups with various years in practice in different firm sizes. The graphs of minorities other than Hispanics reflect such small numbers that they are not particularly informative. The Hispanic graph is interesting, however. It indicates the number of Hispanic attorneys in firms with 2 to 5 members is 168 percent greater for those with 0 to 10 years of practice compared to those with 11-20 years of practice. Similarly, there are six (6) times as many attorneys in firms with 6 to 9 members who have 0 to 10 years of practice as there are attorneys with 11 to 20 years of practice, and three (3) times as many in firms with more than 10 members.







Conclusion

This survey of minority attorneys in New Mexico indicates that their numbers are currently increasing; a very large percentage of them are recent admittees who are employed as sole practitioners or government attorneys. Relatively few are finding their way to employment in the medium and large law firms in New Mexico.