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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/9/06

SPONSOR Tsosie LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE UNM Southwest Indian Law Clinic SB 476

ANALYST Earp

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$129.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Indian Affairs Department (IAD)

Higher Education Department (HED)

### SUMMARY

#### Synopsis of Bill

Senate Bill 476 appropriates \$129,000 from the general fund to the University of New Mexico (UNM) Board of Regents to expand the Southwest Indian Law Clinic at the UNM School of Law.

### FISCAL IMPLICATIONS

The appropriation of \$129,000 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007 shall revert to the general fund. These funds would augment a recurring line-item appropriation of \$120,500 contained in the General Appropriation Act for the Southwest Indian Law Clinic at UNM. The objective of this request is to bring the total recurring funding level of the program to \$250,000. The expansion funding would provide resources to support one additional FTE faculty member for this program.

## **SIGNIFICANT ISSUES**

This proposal was identified by UNM as priority #11 of 13 special program expansion requests submitted to the Higher Education Department (HED) for review. However, this proposal was not included in the HED fiscal year 2007 funding recommendations to the Legislature.

## **ADMINISTRATIVE IMPLICATIONS**

No significant additional impact is evident since this is an ongoing program at the UNM School of Law.

## **OTHER SUBSTANTIVE ISSUES**

IAD and HED provided the following background information about the Southwest Indian Law Clinic:

The Southwest Indian Law Clinic (SILC) is part of the UNM School of Law Clinical Law Programs. Under the supervision of clinical professors, law students actively represent clients in state, federal and tribal courts and in various administrative agencies. The clinic serves American Indian populations needing legal assistance and who cannot afford legal services. Of equal importance is the opportunity that the clinic provides to American Indian law students to become experienced in many areas of law affecting tribes and tribal people. This program has the potential to produce the next generation of American Indian lawyers and judges in New Mexico.

According to the data provided by SILC faculty, SILC has provided education and training to a total of 176 law students since the program's inception. This number includes law students in legal co-counseling or independent supervision through FY2005. They estimate that this number will increase to a total of 193 law students at the end of fiscal year 2006 and a total of 208 law students at the end of fiscal year 2007. SILC students provide a valuable service to Native American communities as part of the law students' training includes service in these New Mexico communities. SILC reports that an average of 17 Indian communities are served each semester and that this average will remain consistent in the 2006 and 2007 fiscal years. Additionally, in FY2005, SILC provided legal assistance to an average of 85 Native American clients. SILC predicts an increase in the number of clients served to nearly 100 in the next 2 years. Further, the SILC program provides services to Native American clients that may not otherwise have legal representation or access to justice.

Pursuant to their mission, SILC also provides legal workshops and presentations to the community on Indian Law and other legal issues. In FY2005, SILC conducted 8 educational presentations and plan to offer even more workshops/presentations in 2006 and 2007 fiscal years.

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