

**BOARD OF BAR COMMISSIONERS
DECEMBER 11, 2024 MEETING MINUTES
Inn & Spa at Loretto, Santa Fe, NM
In Person and Zoom**

MEMBERS PRESENT:

Erin M. Atkins
Daniel J. Behles
Allison H. Block-Chavez
Aja N. Brooks
Rosenda Chavez-Lara
Parker B. Folse
Tomas J. Garcia
Mitchell Mender
Jessica A. Perez
Brett Phelps

Andréa Salazar
Joseph F. Sawyer
Steven S. Schöll
Simone M. Seiler
Olga Serafimova
Benjamin I. Sherman
Lucy H. Sinkular
Meryl Sutton
Randy Taylor
Elizabeth J. Travis

MEMBERS ABSENT:

Sean M. FitzPatrick
Connie J. Flores
David P. Lutz

OTHERS PRESENT:

Kris Becker
Judge Carl Butkus
Gerald G. Dixon
Bill Kramer
Pam Moore
Dylan O'Reilly

David Powell
Lauren Riley
Stormy Ralstin
Richard Spinello
Celeste Valencia

I. CALL TO ORDER

A. Approval of October 24, 2024 Meeting Minutes

Judge Butkus requested an amendment to the minutes to add him to others present. Commissioner Perez moved to approve the minutes as amended; the motion was seconded and it passed.

II. STRATEGIC PLANNING

A. Review Rule 24-101(A) NMRA, Rules Governing the NM Bar, Objective #5, Improve the Relations Between the Legal Profession and the Public (see excerpt of rule w/objectives, direct and indirect public engagement, and discussion questions)

President Atkins reported that at the next strategic planning meeting in May, the Board will focus on the next three years. At the last strategic planning meeting, the Board decided to review the rule that created the Bar at each Board meeting. At the last meeting, we discussed how we're meeting the needs of minorities and women. Following the meeting, we requested input and a recommendation from the Committee on Diversity, and they will be getting us a recommendation before the retreat.

The Board began discussion of Objective #5. Executive Director Spinello explained that in preparation for the meeting, staff brainstormed a list of how the State Bar touches the public and divided the list into direct and indirect engagement. He reviewed the discussion questions in the materials. Commissioners noted the importance of having civil conversations and the responsibility as an attorney to reemphasize the rule of law and the constitution, as well as the need to educate schools and others on the rule of law and the constitution. President Atkins requested that this be added to the agenda for the Strategic Planning Retreat and for the Board to explore how to

revitalize constitution day and maybe make it a role of the Board to educate students on civics and the rule of law. Maybe it can be modeled after the divorce options workshop to do this type of training with attorneys in schools. Commissioner Sinkular made a motion to explore creating this type of project at the retreat; the motion was seconded and it passed.

Following discussion, Commissioner Travis made a motion to revisit this objective again at the February meeting, and then look at it in more depth at the retreat; the motion was seconded and it passed. There was a discussion about whether the Foundation should also provide input regarding this item, but it was decided to have the BBC look at it first and then invite input from the Bar Foundation before the retreat.

A. Annual Meeting

1. 2024 Annual Meeting Debrief

A summary of the survey results was included in the materials. There were over 400 attendees with 125 in person and 300 online; the survey reflects that a hybrid event appeals to our members. We priced the Annual Meeting very generously for the 12 credits that we provided and after expenses, revenues totaled almost \$66,000, which was one of the most successful annual meetings.

2. 2025 Annual Meeting Planning

President-Elect Brooks reported that the 2025 Annual Meeting will be held at Sandia Resort & Casino, July 31-August 2. Bryan Stevenson will be the keynote speaker, and we'll show his movie Just Mercy on one of the nights. She noted that the Annual Meeting Committee will help reduce some of the stress of planning the annual meeting since a lot of the work will be done by the committee.

B. 2023-2025 Three-Year Strategic Plan

Executive Director Spinello reported that he updated the plan with the accomplishments that the Board has made. One of the remaining issues was to talk about the relationship with the public which we've just started, and we're going to be in good shape for next year's strategic planning retreat. We'll take the current plan and turn it into a final report that includes what we did and what we have left to do for the next retreat. We started the strategic planning process with the Board six years ago and we've now completed the second three-year strategic plan and will be starting the third three-year strategic plan. It was determined that three years was a good point to plan out and revisit the plan at every meeting to keep us on track.

B. ACTION ITEMS

A. Executive Session

Commissioner Block-Chavez made a motion to go into executive session to discuss a personnel matter; the motion was seconded and it passed. Following the executive session, commissioners spoke about and recognized Executive Director Spinello and the staff for their work and efforts this past year.

B. One Appointment to NM Access to Justice Commission

There was one vacancy on the NM Access to Justice Commission. Letters of interest were received from the following four applicants as well as a recommendation from the Commission, which were included in the materials.

1. Joel Cruz-Esparza
2. Lawrence R. Jones
3. Rebecca O'Gawa
4. Jennifer Salazar

Following a vote by secret ballot, Jennifer Salazar was appointed to the ATJ Commission for a three-year term.

C. One Reappointment to New Mexico State Bar Foundation Board

The term of current NM State Bar Foundation Board member Judge Carl Butkus expired the end of the year, and he submitted a letter requesting reappointment. Commissioner Travis made a motion to reappoint Judge Butkus to the NM State Bar Foundation Board for a three-year term; the motion was seconded and it passed.

D. 2025 Supreme Court Board and Committee Liaisons

A list of the 2025 Supreme Court Board and Committee Liaisons was included in the materials. There was a vacancy on the Rules of Criminal Procedure Committee, and Commissioner Perez volunteered to serve on the committee. Commissioner Seiler asked President Atkins if she could replace her on the Children's Court Rules Committee, and President Atkins agreed. Commissioner Behles noted that he's the liaison to the Disciplinary Board, but he isn't included in most of their meetings. Commissioner Travis also serves on the Disciplinary Board, but she's the Board's appointee to their board. Commissioner Scholl asked if we can talk with the court about this issue with the liaison participating in meetings. Executive Director Spinello stated that we can talk with the court to get their thoughts on it and noted the Board should have a representative on the BBE and not a liaison, since they also can't participate in parts of their meetings. General Counsel Ralstin stated that the Policy and Bylaws Committee reviewed those issues a few years ago but tabled it at that time. Commissioner Sinkular made a motion to have the Policy and Bylaws Committee take up the issues again regarding liaisons voting and the BBE; the motion was seconded and it passed.

IV. COMMITTEE REPORTS

A. Joint Meeting of the Executive Committees of the State Bar and Bar Foundation Report

President Atkins reported that they held a joint meeting of the Executive Committees of the State Bar and Bar Foundation on November 14. They had a great meeting, and the Foundation is doing very well. The golf tournament was successful, and the Board members were engaged and involved.

B. Executive Committee Report

President Atkins reported that the Executive Committee met on December 2 to review the agenda for this meeting.

C. Finance Committee Report

The Finance Committee met prior to the Board meeting, and Secretary-Treasurer Block-Chavez reported on the following:

1. Approved the October 23, 2024 and December 3, 2024 Meeting Minutes;
2. Discussed the recommendation regarding the ATJ Fund – At the December 3rd special Finance Committee meeting, the committee discussed the amount of money in the ATJ Fund due to increasing interest rates, which has resulted in over \$3 million in that fund. The committee discussed different options and recommended allocating \$1.8 million for legal services grants for the 2025-2026 fiscal year and directed Executive Director Spinello and Director of Finance Powell to research options for investing the remainder of the fund in zero or no risk FDIC insured accounts for the remainder of the funds. Secretary-Treasurer Block-Chavez made a motion out of the committee to approve the recommendation, and the motion passed;
3. Reviewed the October 2024 Financials. Director of Finance Powell reported on the highlights in the revenues and expenses and noted that the budget assumption for licensing revenue was low; the total revenue overage for November is \$145,000 compared to the budget. Secretary-Treasurer Block-Chavez made a motion out of the committee to accept the October 2024 financials, and the motion passed;
4. Discussed the intercompany adjustment for the CLE Content provided at the Annual Meeting and recommended approval of the Bar Foundation's request for \$145,099.20, which was at the 20 percent discount, toward the intercompany debt as debt forgiveness. Secretary-Treasurer Block-Chavez made a motion out of the committee to approve the recommendation, and the motion passed;
5. The 2025 Budget Disclosure was included in the materials; there were no challenges to the 2025 Budget; and

6. Reported on the 2025 Licensing Renewals, including 1,146 active renewals, 580 inactive, and five limited license renewals, which is typical for mid-December.

V. INFORMATIONAL ITEMS

A. President Report

President Atkins reported on the following:

1. VAP Presentation

She was invited to speak by Paralegal Division Liaison Meryl Sutton to speak at the NMLA VAP Appreciation Pro Bono Awards Event on October 28, and it was a very nice event.

2. Public Lawyer of the Year Ceremony

She spoke at the Public Lawyer of the Year Ceremony at the Rotunda in Santa Fe. This year's recipient was Jeremy Farris. Past President Carolyn Wolf helped create the award and was a past recipient.

B. President-Elect Report

President-Elect Aja Brooks reported on the following:

1. 2025 BBC Meeting Schedule—February 28, May 15-17 (in conjunction with Strategic Planning Retreat at Hotel Encanto in Las Cruces), July 30-Aug. 2 (in conjunction with the Annual Meeting at Sandia Resort & Casino), October 24, December 10 (in conjunction with the new officer swearing-in and reception in Santa Fe)
2. The new officer swearing-in and reception at the NM Supreme Court with a reception following at the Inn & Spa at Loretto.
3. The 2025 BBC Internal Committees were included in the materials.

C. NM State Bar Foundation President Report

NM State Bar Foundation President Jerry Dixon reported that the last Board meeting of the year was held on November 14. Stefanie Davis will be President, Liz Travis will be President-Elect, and Mitch Mender was elected Secretary-Treasurer for 2025. The golf tournament netted almost \$30,000 and the Annual Meeting raffle tickets netted \$11,000 for the four staycation packages. Pro bono contributions brought in \$145,000, so the net fundraising efforts totaled \$177,000. CLE Director Laura Bassein will be coming on as the Associate Executive Director for the Bar Foundation, and we are hiring two new employees, including a development person and an administrative person.

D. Executive Director Report

Executive Director Spinello's written report was included in the materials. He and President-Elect Brooks met with Torri Jacobus and Justice Vargas following the last Board meeting to inform the Court of the four motions that came out of the Executive Session at the October meeting. Following that meeting, he had a conversation with Chief Justice Thomson regarding the State Bar's desire to protect the Judicial Clerkship Program, and Chief Justice Thomson indicated that the Court is willing to take over administration of that program.

E. State Bar Representative Reports

1. Senior Lawyers Division

SLD Delegate Dan Behles provided a written report that was included in the materials. He reported that the In Memoriam Reception was well attended, and he encouraged commissioners to review the Law Student essays on their web page.

2. Young Lawyers Division

YLD Chair Randy Taylor reported that they held their YLD elections. Lauren Riley is the chair-elect and she'll be chair and serve on the BBC in 2025. Upcoming projects include the mock interview program at the law school and Wills for Heroes in Las Cruces. There were two Federal disaster declarations, and the YLD has a role with those, and the ABA young lawyer delegate is a member of their board.

3. Paralegal Division

Paralegal Division Liaison Meryl Sutton provided a written report that was included in the materials. They held their Paralegal Institute last week. Sonja Rankin Gibson spoke at the Institute, and it was well-attended with about 40 attendees. They have a full board for next year and have elected a chair-elect and a secretary-treasurer.

4. District Bar Events

President Atkins reported that they held pro bono day in the 12th Judicial District and there were 70 people in attendance. Their bar association is holding a holiday celebration next week.

Commissioner Chavez-Lara reported that they had 5 free legal clinics and the next one is in February. They are also having an appreciation event to thank all the volunteers.

Director of Operations Bill Kramer reminded the Board that the Member Services staff assists with the district events, and he encouraged commissioners to reach out to him if they need assistance with their events.

5. Supreme Court Board and Committee Liaison Reports

There were no reports.

VI. OTHER BUSINESS

A. Presentation of Outgoing Commissioner Awards

President Atkins presented awards to Randy Taylor as YLD Chair and Second Judicial District Commissioner Benjamin Sherman. President-Elect Brooks presented a gift to President Atkins in appreciation for her service as president this year. President Atkins presented gifts to the commissioners and staff and acknowledged and thanked everyone for their service.

B. New Business

There was no new business.

C. Adjourn

Commissioner Sherman made a motion to adjourn the meeting at 1:53 p.m.; the motion was seconded and it passed.