

1           **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2                           **August 31, 2018**

3           **NO. 18-8500-013**

4           **IN MATTER OF THE ADMINISTRATION OF THE**  
5           **MINIMUM CONTINUING LEGAL EDUCATION PROGRAM**  
6           **THROUGH THE STATE BAR OF NEW MEXICO**

7                           **ORDER**

8           WHEREAS, under Rule 18-102 NMRA, this Court established a  
9           minimum continuing legal education board (MCLE Board) with “general  
10          supervisory authority over implementing and supervising the minimum  
11          continuing legal education requirements for members of the State Bar of New  
12          Mexico”;

13          WHEREAS, the Court wishes to transfer all MCLE Board functions to  
14          Board of Bar Commissioners of the State Bar of New Mexico, who would  
15          thereafter be responsible for administering the minimum continuing legal  
16          education program as required under the Supreme Court’s Rules for Minimum  
17          Continuing Legal Education; and

18          WHEREAS, in light of the foregoing and the Court being sufficiently  
19          advised, Chief Justice Judith K. Nakamura, Justice Petra Jimenez Maes, Justice

1 Charles W. Daniels, Justice Barbara J. Vigil, and Justice Gary L. Clingman  
2 concurring;

3 NOW, THEREFORE, IT IS ORDERED that, effective September 1, 2018,  
4 the Board of Bar Commissioners of the State Bar of New Mexico (State Bar)  
5 shall assume all functions and responsibilities previously assigned to the  
6 Minimum Continuing Legal Education Board (MCLE Board) under the Rules  
7 for Minimum Continuing Legal Education;

8 IT IS FURTHER ORDERED that, after the payment of any outstanding  
9 debts and liabilities of the MCLE Board, all remaining funds, financial accounts,  
10 and tangible assets held in the name of the MCLE Board shall be transferred to  
11 the State Bar to facilitate the transition and continued operation of the MCLE  
12 program, and the Chair of the MCLE Board shall be authorized and directed to  
13 execute documents and take any other actions necessary to effectuate the transfer  
14 of all such funds, accounts, and tangible assets;

15 IT IS FURTHER ORDERED that the Chair of the MCLE Board shall  
16 facilitate the assignment of any existing contracts to which the MCLE Board is  
17 a party that the State Bar is willing to assume and deems necessary for the  
18 continued operation of the MCLE program;

1 IT IS FURTHER ORDERED that the State Bar shall not be liable or  
2 responsible for any other known or unknown claims or liabilities of the MCLE  
3 Board not expressly assumed by the State Bar as part the transition;

4 IT IS FURTHER ORDERED that the Chair of the MCLE Board shall,  
5 upon completion of the transfer of all functions, funds, accounts, agreements and  
6 assets authorized under this order, take any other steps necessary to wind down  
7 any remaining affairs of the MCLE Board;

8 IT IS FURTHER ORDERED that any references to the MCLE Board in  
9 the Rules for Minimum Continuing Legal Education shall be construed as  
10 references to the Board of Bar Commissioners of the State Bar of New Mexico,  
11 effective September 1, 2018, and the Clerk shall be directed to issue an order  
12 amending those rules accordingly; and

13 IT IS FURTHER ORDERED that upon the completion of the transfer of  
14 all MCLE Board functions, funds, accounts, and assets to the State Bar and the  
15 completion of all other requirements under this order, the MCLE Board shall be  
16 dissolved.

17 IT IS SO ORDERED.

18 WITNESS, Honorable Judith K. Nakamura, Chief Justice  
19 of the Supreme Court of the State of New Mexico, and  
20 the seal of said Court this 31st day of August, 2018.

21 ( S E A L )

22   
23 Joey D. Moya, Chief Clerk of the Supreme Court  
24 of the State of New Mexico