

**SPECIAL MEETING OF THE BOARD OF BAR COMMISSIONERS
JULY 27, 2020 MEETING MINUTES
Virtual Meeting via Go to Meeting**

MEMBERS PRESENT: Erin M. Atkins
Allison Block-Chavez
Aja N. Brooks
Daniel J. Behles
Ernestina R. Cruz
Gerald G. Dixon
Judge Kevin L. Fitzwater (ret.)
Connie J. Flores
Parker B. Folse
Tomas J. Garcia

Yolanda K. Hernandez
David P. Lutz
Mitchell Mender
Joseph F. Sawyer
Benjamin I. Sherman
Lucy H. Sinkular
Constance G. Tatham
Elizabeth J. Travis
Carolyn A. Wolf

MEMBERS ABSENT: Michael Eshleman
Carla C. Martinez

STAFF PRESENT: Kris Becker
Evann Laird
Pam Moore

Stormy Ralstin
Richard Spinello

1. Member Services Committee Report and Recommendation

The amendments to Rule 24-101 regarding redistricting that were approved by the Board at the June meeting were included in the materials. The Member Services Committee met on July 20 to discuss the at-large commissioner and El Paso attorney representation that were discussed at the Board meeting; the proposed amendments regarding those were included in the rule for the Board's approval.

President Cruz explained that a special meeting of the Board was necessary because of the deadline to finalize the materials and send them to the Supreme Court by July 29 in order for the changes to be approved this year. She provided the background from the Board retreat last fall and that one of the goals was to provide more outreach to members, both rural and out-of-state, and the committee addressed the out-of-state members with this rule change.

Member Services Committee Chair Erin Atkins presented the changes to the rule. She noted that since the El Paso and Las Cruces attorneys practice so closely and El Paso represents a large constituency, the committee felt that El Paso should be included in the third and sixth judicial district. The motion coming out of committee is to approve the rule change for the out-of-state district representative. Executive Director Richard Spinello explained that the two highlighted sections were not discussed by the committee; the committee discussed including the El Paso attorneys in number 3 with the third and sixth judicial district, but judicial districts are included in the rule, so El Paso couldn't be included with number 3. Item J corrects the issue that once a BBC member has been elected to an office, they will not have to run for election later that year. Commissioner Fitzwater moved to include paragraph J in the committee's recommendation; the motion was seconded and it passed.

Commissioner Behles noted that the wording in paragraph J should be changed from "resides" to "principal place of practice" for consistency. Commissioner Sinkular requested a friendly amendment to change the wording to "...that commissioner's district, one fewer member...." Commissioner Behles accepted the amendment; the motion was seconded and it passed.

The committee discussed whether a member from El Paso could get elected to represent the out-of-state members and whether they could vote for the out-of-state commissioner; it was clarified that the member's principal place of practice would need to be in New Mexico, and that El Paso attorneys are represented by commissioners from the third and sixth judicial district and will be voting in the third and sixth judicial district. Commissioner Wolf stated that the rules don't address voting and that voting will be addressed in the bylaws. The Policy and Bylaws Committee will draft changes to the bylaws and will present them to the Board at a later time. She added that the committee didn't want to include voting in the rule in case it needed to be changed in the future. Chair Atkins noted that the committee discussed a pilot program for the El Paso attorneys, but it decided against having a pilot program for five years and then having to potentially change it.

President Cruz summarized the commissioner redistricting and went through the districts with changes that the Board approved at the June meeting. Chair Atkins stated that the goals of the proposal were to give the out-of-state members a connection to the Bar while still keeping the Board New Mexico centric. Commissioner Garcia added that he just wants to make sure that the rule invites out-of-state members' participation in the Bar. President Cruz stated that out-of-state members currently vote in the second judicial district and her hope is that by creating this out-of-state member position that they engage in outreach with their members and provide the out-of-state members with resources and a voice. Following a vote, the motion passed.

Executive Director Richard Spinello stated that we'll send the rule changes to the Court and will wait to hear from them on their process. In talking with Joey Moya, this will be an out-of-cycle rule and we're hoping the court will approve it this year. The rule will be sent out to the membership for comment, which is typically 60-90 days, but the Court might shorten the comment period. If there is significant opposition from the membership, the Court will ask that we address the comments.

We have an election process that needs to start in September, so we will be looking at the bylaws and determining how to proceed and whether we can hold off on soliciting for certain positions, and we will provide a recommendation and timeline for the Board's consideration at the September meeting.

2. Adjourn

Commissioner Garcia made a motion to adjourn the meeting at 9:35 a.m.; the motion was seconded and it passed.