

A Tribute to **Peggy B. Jones, CLAS**

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By Judge Michael Bustamante



Thirty years ago the New Mexico Supreme Court amended its Rule 24-101 to create the “Legal Assistant Division” of the State Bar. This signal event came about as the result of a sustained six-year effort started by a small group of women who were convinced that the work they were doing for and with lawyers need to be formally folded into the fabric of the Bar.

That small group of women was led by Peggy Jones—a dear friend of mine for over fifty years. Perhaps by cosmic coincidence, Peggy passed away this year. I write to fill out the record of her efforts because—and this is not hyperbole—without her vision and leadership it is likely the Court would not have entered its order in 1995.

Peggy started in 1973 at Ortega, Snead & Dixon working with the firm’s transaction partner. When that partner retired, she stayed to work with Bill Snead in his litigation practice. Keen to learn this new area of practice, Peggy was soon doing much more than clerical work. Ever observant, Peggy also took increasing note of the type of work other firms labelled “legal assistance.” And, she started to meet other legal assistants as she worked on cases. Peggy and her friends became increasingly concerned that the concept of the legal assistant was being diluted to the detriment of the work and the professional status of persons like her and her friends. Peggy had tested for and received certification from a national volunteer association of legal assistants in 1985, but she realized that only an institutional connection with the Bar could adequately address the problem.

By 1989, Peggy had settled on the idea that legal assistants should be allowed membership in the Bar Association—an audacious idea at the time. Peggy gathered a few of her fellow legal assistants to help craft a proposal to the Bar and the Supreme Court for the creation of a new division of the Bar. The original documents are lost to time, but they must have been well done because the Board of Bar Commissioners accepted the proposal. The Supreme Court was not as receptive. Concerned about the lack of details about how the division would be administered, the Supreme Court denied the proposal. Justice Franchini—later a champion of the idea—suggested that the group create a formal entity that would develop the missing design details.

Undaunted, Peggy and her cadre created the New Mexico Alliance of Professional Paralegals [the Alliance]. Peggy was “adamant” that the Alliance be organized such that its structure could be moved seamlessly into the Bar when the division was created. That approach required that the group create all of the governing documents for

an entity that would exist only in the future. They worked many hours to write bylaws, standing rules, ethics canons, applications for membership, CLE requirements, and election procedures. Their work product was eventually used by the Division.

Creating internal procedures was the least of the tasks that lay ahead before Peggy’s idea came to fruition. The four-year period from the creation of the Alliance to the Court’s final acceptance of the proposal was crammed with committee work required by the Bar, including statewide surveys of paralegals and lawyers, studies of activities in other states, internal—sometimes contentious—conversations concerning the education and CLE requirements to be included, and an exploration of the feasibility of regulating legal assistants. The work required a tremendous amount of time, persistence, and attention. Things did not always go smoothly. For example, though the Board of Bar Commissioners had generally been supportive of the project, at one meeting a prominent member asserted that there could never be a legal assistant’s division because they were not lawyers. That event came to be called by Peggy’s cadre as the “Wednesday Night from Hell.” Peggy’s team was discouraged after that meeting, but not Peggy. She propped everyone up and carried on through it all.

And through it all Peggy’s aim and determination did not waiver. She provided a steady hand and a calming voice, as well as practical, workable suggestions about how to deal with the problem *de jour*. It also helped that Peggy knew when and how to use her dry wit and sense of humor to ease tensions. Peggy’s resolve and ability to inspire people provided a path for people to follow—and follow they did. Shiloh Napier summed it up best in her remarks at the end of Peggy’s term as first Chair of the Division when she said “...because of her vision and her drive, and because of who she is, Peggy has rallied many of us to her side and together we have prevailed.”

“Who she is” is the crux of Shiloh’s statement. Peggy was a quiet person. I never heard her raise her voice. She never demanded that anything of anyone. She never ordered anyone to do anything. She never demanded respect or fealty; she commanded it because of who she was. People followed her because of the strength of her personality and her ideas. She would be the first to give credit to those around her. She would blush at this paean and insist that I also give credit to them. It takes nothing away from those who followed her to say that Peggy was the driving force behind the effort. They would—and do—agree. We all owe Peggy a debt of gratitude. ■

Judge Michael Bustamante served on the New Mexico Court of Appeals from 1994 until his retirement in 2016. Prior to being a judge, he was in private practice for 20 years and advocated for the creation of a division of the State Bar for legal assistants.

*The Supreme Court officially approved a change of the name “Legal Assistants Division” to “Paralegal Division” in 2004 to recognize the evolving distinction between the terms “legal assistant” and “paralegal.” The Division remains one of only a handful of state bar paralegal divisions throughout the country and continues to promote the paralegal profession in cooperation with the State Bar of New Mexico and members of the legal community.