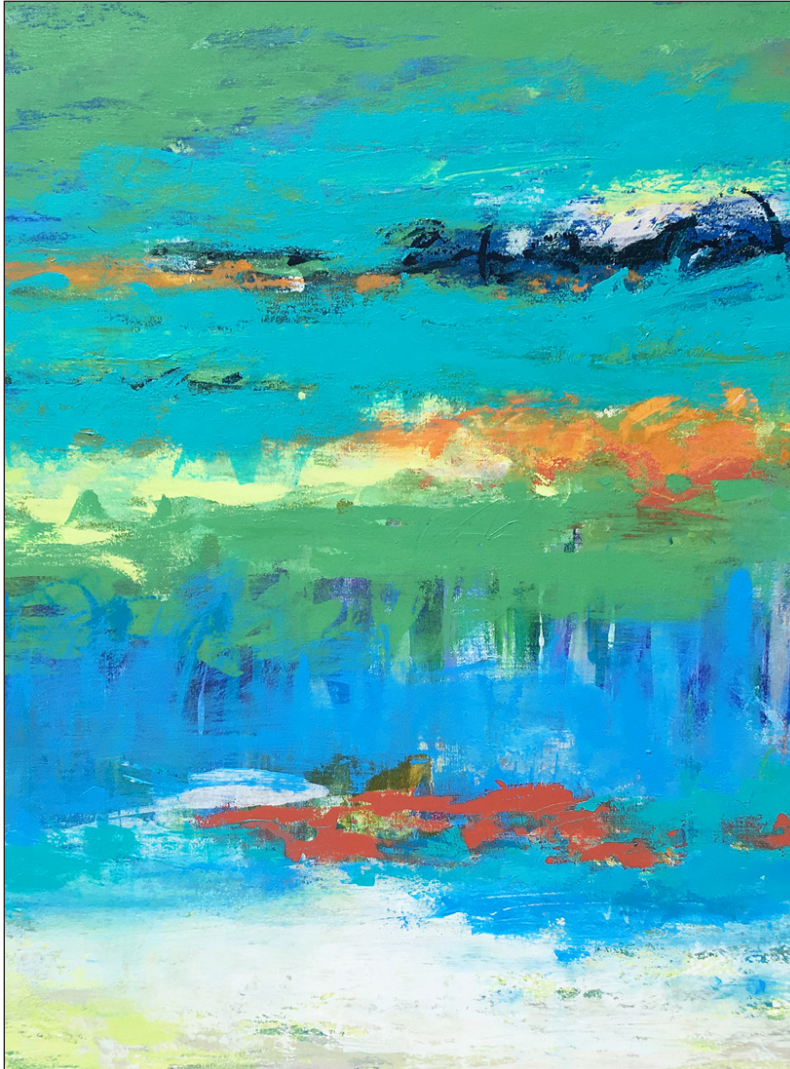


BAR BULLETIN

January 23, 2019 • Volume 58, No. 2



Moreover, by Janet Bothne (see page 3)

www.janetbothne.com

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How to Practice Series

How to Practice Series Palooza!

Training
in **core**
practice
skills!

For the month of February, we will be replaying selections from our new How to Practice Series in order to gear up for the 2019 launch! All How to Practice attendees will:

- Experience an interactive format using case studies and speaker role plays
- Learn about the start to finish training in the “flow of the case”
- Receive example forms and checklists in electronic format to use in practice
- Have training in core practice skills and how to avoid common pitfalls

Upcoming topics for 2019 will be divorce law, estate planning and many more!

**How to Practice Series:
Demystifying Civil Litigation,
Part II – Taking and Defending
Depositions (2018)**

Friday, Feb. 8
9 am–4:35 pm
4.5 G, 2.0 EP
\$295 Standard Fee
Also available via Live Webcast

**How to Practice Series:
Probate and Non-Probate
Transfers (2018)**

Thursday, Feb. 21
9 am–4:05 pm
4.0 G, 2.0 EP
\$279 Standard Fee
Also available via Live Webcast

**How to Practice Series:
Demystifying Civil Litigation,
Part III – Dispositive Motion
Practice and Mediations (2018)**

Thursday, Feb. 21
9 am–4:15 pm
4.5 G, 2.0 EP
\$295 Standard Fee

Hear from fellow members on their reviews of the How to Practice Series!

“I have attended three probate/trust CLEs in five years and this one was far and away the best - the speakers were quite knowledgeable and generous with their resources.”

“I felt like this CLE was the most practical one I have attended that could help me improve my skills as an attorney.”

“I love the How to Practice series. I liked the practical approach the speakers gave.”

For more information about the How to Practice Series, contact the Center for Legal Education at 505-797-6020 or cleonline@nmbar.org.



NEW MEXICO
STATE BAR FOUNDATION
CENTER FOR LEGAL EDUCATION

*Your Choice.
Your Program.
Your Bar Foundation.*



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Meetings

January

23

Natural Resources, Energy and Environmental Section

Noon, teleconference

25

Criminal Law Section Board

Noon, Law Offices of Jonathan Hill

25

Immigration Law Section Board

Noon, teleconference

31

Trial Practice Section Board

Noon, State Bar Center

31

Alternative Methods of Dispute Resolution Committee

11:30 a.m., State Bar Center

Workshops and Legal Clinics

January

23

Consumer Debt/Bankruptcy Workshop

6–9 p.m., State Bar Center, Albuquerque,
505-797-6094

February

6

Divorce Options Workshop

6–8 p.m., State Bar Center, Albuquerque,
505-797-6022

6

Civil Legal Clinic

10 a.m.–1 p.m., Second Judicial District
Court, Albuquerque, 1-877-266-9861

8

Civil Legal Clinic

10 a.m.–1 p.m., Bernalillo County
Metropolitan Court, Albuquerque, 505-
841-9817

20

Family Law Clinic

10 a.m.–1 p.m., Second Judicial District
Court, Albuquerque, 1-877-266-9861

About Cover Image and Artist: Janet Bothne has been passionate about the power of color throughout her life, calling intense color her “natural anti-depressant.” Born near Boston, Bothne embraced art at a young age, winning awards and scholarships that brought her to study fine art at the University of Massachusetts at Amherst and the Fuller Museum School and later at UCLA. She’s exhibited in numerous shows, including venues such as Los Angeles County Museum’s Sales & Rental Gallery and The Santa Monica Art Museum. Her works have become favorites of set designers on television programs such as *Grey’s Anatomy*, *The Mentalist* and *Better Call Saul*. Bothne relocated to New Mexico in 2013 and now works and teaches from her studio in Los Ranchos. For more of Bothne’s work, visit www.janetbothne.com.

Notices

COURT NEWS

New Mexico Supreme Court Supreme Court Law Library

The Supreme Court Law Library is open to the legal community and public at large. The Library has an extensive legal research collection of print and online resources, including Westlaw, LexisNexis and HeinOnline. The Law Library is located in the Supreme Court Building at 237 Don Gaspar in Santa Fe. Building Hours: Mon.-Fri. 8 a.m.-5 p.m. Reference & Circulation Hours: Mon.-Fri. 8 a.m.-4:45 p.m. For more information call 505-827-4850, visit <https://lawlibrary.nmcourts.go> or email libref@nmcourts.gov

New Mexico Court of Appeals Candidates for Appointment

The New Mexico Court of Appeals Nominating Commission convened on Jan. 12 in Santa Fe and completed its evaluation of the nine candidates for the two vacancies on the New Mexico Court of Appeals. The Commission recommends the following candidates to Gov. Michelle Lujan Grisham:

Zachary Arthur Ives
Martha Anne Kelley
Kerry Christopher Kiernan
Arthur William Pepin
William Daniel Slease
Jane Bloom Yohalem

Second Judicial District Court Criminal Nominating Commission

Seven applications were received in the Judicial Selection Office as of 5 p.m., Jan. 8 for the Judicial Vacancy in the Second Judicial District Court – Criminal, due the Nov. 6, 2018, elections to fill the seats of Judge Briana Zamora, which was effective Jan. 1. The District Judicial Nominating Commission will meet at 9 a.m. on Jan. 25, at the Bernalillo County Courthouse, 400 Lomas NW, Room 338, Albuquerque to evaluate the applicants for this position. The Commission meeting is open to the public. Those wishing to make public comment are requested to be present at the opening of the meeting. The names of the applicants in alphabetical order:

Edward L. Benavidez
Steven Gary Diamond
Bruce Crawford Fox
Jason Robert Greenlee
Esteli Candelaria Gallegos Juarez
Paul M. Linnenburger
Daniel E. Ramczyk

Professionalism Tip

With respect to parties, lawyers, jurors, and witnesses:

I will give all cases deliberate, impartial and studied analysis and consideration.

Destruction of Exhibits

Pursuant to 1.21.2.617 FRRDS (Records Retention and Disposition Schedules-Exhibits) and 1.17.230.503 NMAC (Domestic Relations Exhibits), the Second Judicial District Court will destroy exhibits filed with the Court, the Domestic (DM/DV) for the years of 1984-2017 including but not limited to cases which have been consolidated. Cases on appeal are excluded. Parties are advised that exhibits may be retrieved through March 15. Should you have cases with exhibits, verify exhibit information with the Special Services Division, at 505-841-6717, from 8 a.m.-5 p.m., Mon.-Fri. Plaintiff's exhibits will be released to counsel for the plaintiff(s) or plaintiffs themselves and defendant's exhibits will be released to counsel of record for defendants(s) or defendants themselves by Order of the Court. All exhibits will be released IN THEIR ENTIRETY. Exhibits not claimed by the allotted time will be considered abandoned and will be destroyed by Order of the Court.

Notice to Attorneys

Effective immediately all proposed orders, etc. for e-filing in civil cases previously assigned to Retired Judge Alan Malott, Division XV need to be emailed to albddiv19proposedtxt@nmcourts.gov instead of albddiv15proposedtxt@nmcourts.gov because Judge Benjamin Chavez, Division XIX has transferred from criminal bench to the civil bench and is assigned cases previously assigned to Judge Alan Malott, Division XV.

Civil Nominating Commission

Fifteen applications were received in the Judicial Selection Office as of 5 p.m., Jan. 7 for the Judicial Vacancy in the Second Judicial District Court due to the retirement of The Hon. Chief Judge Nan Nash, which was effective Jan. 1. The District Judicial Nominating Commission will meet at 9 a.m. on Jan. 24 at the Bernalillo County Courthouse, 400 Lomas NW, Room 338, Albuquerque to evaluate the applicants for this position. The Commission meeting is open to the public. Those wishing to make public comment are requested to be present at the opening

of the meeting. The names of the applicants in alphabetical order:

Angelica Anaya Allen
Joshua Andrew Allison
Ronald Christopher Archibeque
David Alexander Ferrance
Bruce Fox
Denise S. Hall
Esteli Candelaria Gallegos Juarez
James P. Lyle
Erin Beth O'Connell
Lisa Chavez Ortega
Daniel E. Ramczyk
Karl William Reifsteck
Andrew M. Sanchez Sr.
Frank A. Sedillo
Brian Alan Thomas

Notice of Mass Reassignment:

Pursuant to the Constitution of the State of New Mexico, Daniel J. Gallegos Jr. has been appointed to Division XV of the Second Judicial District Court by Gov. Susana Martinez. Effective Jan. 3, Judge Daniel J. Gallegos Jr. will be assigned criminal court cases previously assigned to Judge Benjamin Chavez, Division XIX.

Sixth Judicial District Court Notice of Right to Excuse Judge

As of Dec. 29, 2018, the Hon. Thomas F. Stewart is now the District Judge for Division I of the Sixth Judicial District Court. Grant County. Fifty percent of all pending and reopened cases previously assigned to William J. Perkins, former District Judge for Division I and 50 percent of Division III cases, shall be reassigned to the Hon. Thomas F. Stewart. Hidalgo County. All pending and reopened cases previously assigned to William J. Perkins, former District Judge for Division I, shall be reassigned equally to Division III (currently vacant) and the Hon. Jarod K. Hofacket, District Judge for Division IV. Luna County: One hundred percent of all pending and reopened cases previously assigned to William J. Perkins, former District Judge for Division I, shall be reassigned to the Hon. Thomas F. Stewart. Pursuant to Supreme Court Rule 1.088.1, parties who have not yet exercised a peremptory excusal will have 10 days to excuse Judge Stewart.

Telephone/Fax Numbers for Divisions I and III

Listed are the telephone and fax changes for the Sixth Judicial District Court Judge Thomas F. Stewart, Division I: telephone: 575-538-5840; fax: 575-538-5841. Vacant position, Division III: telephone: 575-538-2975; fax: 575-538-5894.

Tenth Judicial District Court Destruction of Exhibits

Exhibits in criminal cases for years 2005-2015 may be retrieved on Jan. 25. For more information contact Tenth Judicial District Court of County of Quay at 575-461-2764.

STATE BAR NEWS 2019 Licensing Certifications and Fees Due by Feb. 1

2019 State Bar licensing requirements are now due. To avoid late fees, submit by Feb. 1, 2019. In order to complete annual licensing requirements and pay by credit card, visit www.nmbar.org/licenser renewal. Email license@nmbar.org to request a PDF copy of the license renewal form. For questions, email license@nmbar.org. For technical support, email clopez@nmbar.org.

ADR Committee Debugging Regulatory Myths and Pitfalls when Setting up a Business

If you plan to start a new business, whether for profit or not for profit, get started on the right foot by meeting registration and licensing requirements and understanding tax consequences of the many decisions you must make. Failure to comply penalties and interest can be costly and confusing. Failure to understand the requirements is not a defense. Join Ginny Stanley, an ADR Committee member with over 40 years of business and tax experience, from noon-1 p.m. on Jan. 31 at the State Bar Center for a presentation and lunch. R.S.V.P. to Breanna Henley at bhenley@nmbar.org. All are welcome to attend an ADR Committee meeting from 11:30 a.m.-noon in advance of Ginny's presentation.

Immigration Law Section Meeting with First Judicial District Court Judges

State Bar members are invited to meet with Judge Sylvia F. LaMar, Judge-elect Maria Sanchez-Gagne and Judge Matthew J. Wilson of the First Judicial District Court to discuss Special Immigrant Juveniles Cases, kinship guardianships, custody matters and U visa certifications. The meeting is informal and intended to create an opportunity to have an open discussion about the current trends with USCIS. Please join the meeting from noon-1 p.m., Feb. 7, in Judge LaMar's Courtroom located at 225 Montezuma Ave in Santa Fe. Please send questions for the judges to Eunice Herrera at eunice@noblelawfirm.com no later than Jan. 25. The Immigration Law Section is sponsoring lunch and a vegetarian option is available upon request. R.S.V.P. to Eunice Herrera at eunice@noblelawfirm.com.

Legal Services and Programs Committee

Equal Justice Conference Attendance Financial Assistance Available

The Legal Services and Programs Committee has made available three \$1,000 stipends to provide financial assistance to individuals interested in attending the 2019 Equal Justice Conference on May 9-11 in Louisville, KY. Visit www.nmbar.org/LSAP for more information and to apply. Applications must be received by 5 p.m. on Jan. 25 for consideration.

Minimum Continuing Legal Education

Deadline to Report Credits

CLE credits taken in 2018 must be reported to Minimum Continuing Legal Education by Jan. 31, 2019. If you took an MCLE approved course, the course provider will report and pay for your credits for you. Please note that, due to a high volume of CLE credit reporting, there is a several week delay in CLE credits appearing in attorney on-line MCLE transcripts. Please be assured that all CLE credits taken in 2018 will be applied to your 2018 record.

New Mexico Judges and Lawyers Assistance Program Attorney Support Groups

- Feb. 4, 5:30 p.m.
UNM School of Law, 1117 Stanford NE, Albuquerque, King Room in the Law Library (The group normally meets the first Monday of the month.)
- Feb. 11, 5:30 p.m.
UNM School of Law, 1117 Stanford NE, Albuquerque, King Room in the Law Library (Group meets on the second Monday of the month.) Teleconference participation is available. Dial 1-866-640-4044 and enter code 7976003#.
- Mar. 18, 5:30 p.m.
UNM School of Law, 1117 Stanford NE, Albuquerque, King Room in the Law Library (Group meets the third Monday of the month.) Teleconference participation is available. Dial 1-866-640-4044 and enter code 7976003#.

For more information, contact Latisha Frederick at 505-948-5023 or 505-453-9030 or Bill Stratvert at 505-242-6845.

Monitor Training

The NMJLAP will be hosting a monitor training for those interested in volunteering as a monitor or already serving as a monitor; Monitors are crucial in the NMJLAP Monitoring Program success as they are attorneys and judges who have lived experiences with recovery and mental health conditions. They have the desire to assist and support a peer who is going through a similar struggle. The first monitor training of the year will take place at the State Bar Center on Feb. 2, 10-11 a.m.. The second monitor training will also take place at the State Bar Center on 11 a.m.-12 p.m., April 6, For more information or to sign up, contact Erica Candelaria at ecandelaria@nmbar.org or 505-797-6093.

Committee Meeting

The NMJLAP will be having its second quarter Committee meeting at 10-11 a.m., on April 6, at the State Bar Center. All JLP Committee members are encouraged to attend. For those that cannot be there in person, a teleconference will be provided. Coffee and a continental breakfast will be provided. R.S.V.P. with Erica Candelaria at ecandelaria@nmbar.org or 505-797-6093 no later than April 2. For questions, contact Pam Moore at 505-797-6003 or pmoore@nmbar.org.

Solo and Small Firm Section

Professor Richard Wood Raises Broad Cultural Issues

On Feb. 19, UNM Interim Provost and Sociology Professor Richard Wood raises broad cultural issues of particular relevance to judges and lawyers when he presents on "Navigating Conflict and Contention in the Modern University: Gender, Religion, Sexuality, Diversity and Incivility." A superb discussion among attendees is inevitable. The Solo and Small Firm hosts these monthly luncheon programs with an open invitation to all judges and attorneys. The luncheons take place from noon-1 p.m. at the State Bar Center. R.S.V.P. to Breanna Henley at bhenley@smbar.org.

Young Lawyers Division

Volunteers Needed for Veterans Civil Legal Clinic

The YLD seeks volunteers to staff the Veterans Civil Legal Clinic from 8:30-10:30 a.m. on March 11 at the N.M. Veteran's Memorial located at 1100 Louisiana Blvd SE in Albuquerque. Volunteers should arrive at 8 a.m. for orientation and complimentary breakfast. The clinic offers veterans a broad range of veteran-specific and non-veteran specific legal services, including family law, consumer rights, worker's comp, bankruptcy, driver's license restoration, landlord/tenant, labor/employment and immigration. To volunteer, visit <https://form.jotform.com/71766385703969>.

UNM SCHOOL OF LAW

Law Library Hours

Spring 2019

Jan. 14-May 11

Building and Circulation

Monday–Thursday	8 a.m.–8 p.m.
Friday	8 a.m.–6 p.m.
Saturday	10 a.m.–6 p.m.
Sunday	noon–6 p.m.

Exceptions

March 10-17: During Spring Break the library will be open to the public from 8 a.m.-6 p.m.

Reference

Monday–Friday	9 a.m.–6 p.m.
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OTHER BARS

Albuquerque Lawyers Club

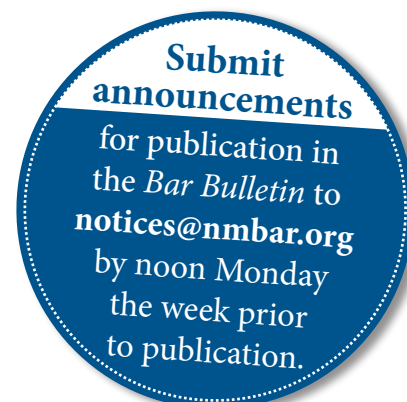
Monthly Lunch Meeting

The Albuquerque Lawyers Club invites members of the legal community to its February lunch meeting featuring Herb Denish. Former Lt. Governor Diane Denish will be introducing the speaker. The lunch meeting will be held on Feb. 6, at noon at Seasons Restaurant, located at 2031 Mountain Road, NW, Albuquerque. Cost is free to member and \$30 non-members. For more information email ydenning@Sandia.gov.

New Mexico Black Lawyers Association

Race & the Law Conference and Asante Awards

The New Mexico Black Lawyers Association and the New Mexico Black History Organizing Committee invites members of the community to attend its Race & the Law Conference and Asante Awards from 8:30 a.m.-5:30 p.m., on Feb. 9 at the State Bar of New Mexico 5121 Masthead NE, Albuquerque. This is an opportunity to learn about and discuss the many intersections of race and the law. Speakers include Patricia J. Williams, professor at Columbia Law School and author of "*The Alchemy of Race and Rights*," and John Bunn, wrongfully convicted of murder and exonerated after 27 years. Session topics include the APD consent decree, "jurymandering," mandatory minimums, and restorative justice. The Asante Awards will be presented to Judges Tommy and Angela Jewell during the afternoon reception for their contributions to the legal community. This event is free and includes breakfast and lunch. For more information or to register, visit <http://nmblackhistorymonth.com>.



OTHER NEWS

Gene Franchini High School Mock Trial Competition

Judges Needed for the Qualifier Rounds

The Gene Franchini New Mexico High School Mock Trial Competition needs judges for the qualifier rounds. The qualifier competition will be held Feb. 8-9. It will be hosted by the Bernalillo County Metropolitan Court. Mock trial is an innovative, hands-on experience in the law for high school students of all ages and abilities. Sign up at <http://www.civicvalues.org/index.php>. If you have any questions, contact Kristen at the Center for Civic Values at 764-9417 or Kristen@civicvalues.org.

Legal Education

January

- | | | |
|---|--|---|
| <p>24 Risky Tenants: Drafting Issues for Landlords
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>25 Taking the Mystery Out of Conservator and Probate Bonds
1.0 G
Webcast/Live Seminar, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>31 Exit Strategies: Selling Companies to Employees, Part 2
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> |
| <p>25 2018 Business Law Institute
5.0 G, 1.0 EP
Webcast/Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>30 Exit Strategies: Selling Companies to Employees, Part 1
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>31 Unlocking the Mysteries of Google Scholar for Free Case Law and Article Research
1.0 G
Webinar
Center for Legal Education of NMSBF
www.nmbar.org</p> |
| <p>25 The Fear Factor: How Good Lawyers Get Into Ethical Trouble (2018)
5.0 G, 1.0 EP
Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | | |

February 2019

- | | | |
|---|--|--|
| <p>1 Drafting Legal Holds in Civil Litigation
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>7 2019 Ethics Update, Part 1
1.0 EP
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>8 Ethics Puzzles: The Wrongful Death Act, Negligent Settlements and the Search for Silver Bullets (2018)
3.0 EP
Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> |
| <p>1 Practice Management Skills for Success (2018)
5.0 G, 1.0 EP
Webcast/Live Seminar, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>8 2019 Ethics Update, Part 2
1.0 EP
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>10-15 CLE by the Sea in Honolulu, Hawaii
4.0 G, 8.0 EP
Live Seminar
Alaska Bar Association
alaskabar.org/cle-mcle/cle-by-the-sea/</p> |
| <p>2 2019 American with Disabilities Act Update
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>8 How to Practice Civil Litigation, Pt. II – Taking and Defending Depositions
4.5 G, 2.0 EP
Webcast/Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>12 Drafting Guarantees in Real Estate Transactions
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> |
| <p>5 How to Fix a Broken Trust: Decanting, Reformation & Other Tools
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>8 2018 Employment and Labor Law Institute
5.0 G, 1.0 EP
Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | |

- | | | |
|--|---|---|
| <p>15 Preview of Animal-Related Legislation: 2019 Regular Session of the New Mexico Legislature
1.0 G
Webcast/Live Seminar, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>21 2018 Mock Meeting of the Ethics Advisory Committee
2.0 EP
Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>22 Regional Seminar: Voir Dire
20.0 G
Live Seminar, Santa Fe
Trial Lawyer College</p> |
| <p>20 Drafting Settlement Agreements in Civil Litigation
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>21 Recent Developments in Civil Procedure (2018)
2.0 G
Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>22 Basics of Trust Accounting: How to Comply with Disciplinary Board Rule 17-204
1.0 EP
Webcast/Live Seminar, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> |
| <p>21 How to Practice Series: Probate and Non-Probate Transfers (2018)
4.0 G, 2.0 EP
Webcast/Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>22 Lawyer Ethics and Texting
1.0 EP
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>22 Estate Planning for Digital Assests
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> |
| <p>21 How to Practice Series: Demystifying Civil Litigation, Pt. III – Dispositive Motion Practice and Mediations (2018)
4.5 G, 2.0 EP
Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | | |

March

- | | | |
|--|---|--|
| <p>5 2019 Wage and Hour Update: New Overtime Rules
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>21 Appraisals in Commercial Real Estate Finance and Development
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>21 A Practical Approach to Indian Law: Legal Writing, 2018 Update and the Ethics of Practicing Law (2018)
2.0 G, 1.0 EP
Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> |
| <p>6 Drafting Special Needs Trusts for Vulnerable Clients
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>21 2018 Probate Institute
6.5 G, 1.0 EP
Webcast/Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>21 Advanced Mediation Skills Workshop (2018)
3.0 G
Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> |
| <p>20 Trust and Estate Planning for Second Marriages
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>21 Immigration Law and General Civil Practice: Representing Clients in and Age of Increased Enforcement (2018)
5.5 G, 1.5 EP
Live Replay, Albuquerque
Center for Legal Education of NMSBF
www.nmbar.org</p> | <p>22 Drafting Indemnity Agreements in Business and Commercial Transactions
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.nmbar.org</p> |

A MESSAGE FROM YOUR State Bar President



Dear Fellow State Bar Members:

I am excited to serve as President of the State Bar of New Mexico in 2019. Last month, I was sworn in by Chief Justice Judith K. Nakamura surrounded by family, friends and colleagues. During the swearing-in ceremony, I recounted some of the accomplishments as well as challenges faced by the State Bar since it was organized in 1886. Much

has changed in the practice of law over the past 133 years. During the next year, I hope to share with you a few highlights of this association's rich history as well as examine the many changes affecting the practice of law and how those changes impact us individually and as a bar association. I also want to showcase many of the State Bar's programs and services which are available to you.

♦Priorities for 2019

In addition to monitoring the overall health of the State Bar, I have three main priorities for this year. First, I want to engage with members who, for whatever reason, have not participated in bar activities. Our aim is to learn what this organization can do to be of service to you in your area of practice whether your practice is a unique area of the law or you live in a rural community far from Albuquerque. The State Bar already has a presence across the state through the Board of Bar Commissioners. Each of you have a representative in your region to whom you can reach out with concerns or ideas. We are planning to increase the number of State Bar events in each area of the state and I hope to report more information on that soon.

Second, I plan to continue the important conversation about lawyer wellness. Improved technology has dramatically affected the law and lawyering. It has not, however, reduced the stress associated with either. Over the past few years, the State Bar has made great strides toward helping our members be healthier. Between our Judges and Lawyers Assistance Program and wellness events, we hope to provide information and opportunities for us all to improve our physical and mental well-being.

My third priority for this year is to increase both awareness and participation in pro bono legal services. There are many New Mexicans who have a dire need for free or reduced-fee legal services. There are also a number of community organizations which need assistance from a lawyer. I believe that providing pro bono services is a great way to enrich one's legal practice.

Each year the State Bar other legal organizations and civil legal service providers sponsor countless legal clinics, pro bono fairs and events where you can give back. I encourage each of you to consider how you can be of more assistance in your community.

♦Save the Date – Upcoming Events

There are already several events to look forward to this year. The 2019 State Bar Annual Meeting will be August 1-3 at Hotel Albuquerque and Hotel Chaco, both in Old Town. As always, we will have a full 12 hours of CLE programming and ample social and wellness events for you and your family. Event registration will be available this spring, but I urge you to reserve your room in our specially priced block. Visit www.nmbar.org/annualmeeting for more details.

The third annual Golf Classic Tournament which benefits the New Mexico State Bar Foundation will be Oct. 14 at Tanoan Country Club in Albuquerque. This tournament raises funds for the charitable arm of the State Bar which provides necessary legal services to our community.

I am excited to announce that we are in the planning process for a CLE trip to Cuba this fall! We are partnering with Cuban Cultural Travel for a fun and educational experience over Veterans Day weekend, Nov. 8-12. We will announce more details about this trip soon.

♦Licensing Certifications and MCLE Credit Reporting

Finally, I want to give each of you a quick reminder. 2019 State Bar licensing certifications and fees are now due. They must be submitted by Feb. 1 to avoid late fees. For more information, visit www.nmbar.org/licenser renewal. 2018 CLE credits must be reported to Minimum Continuing Legal Education (MCLE) by Jan. 31. Visit www.nmbar.org/mcle for more information.

It is an honor and a privilege to serve as your State Bar President. Please call or email me or your local Bar Commissioner if you have any questions, concerns, ideas or if you would like to get involved with the State Bar. A list of Bar Commissioners can be found on the State Bar's website and will be published in the *Bar Bulletin* on March 30.

Enthusiastically,

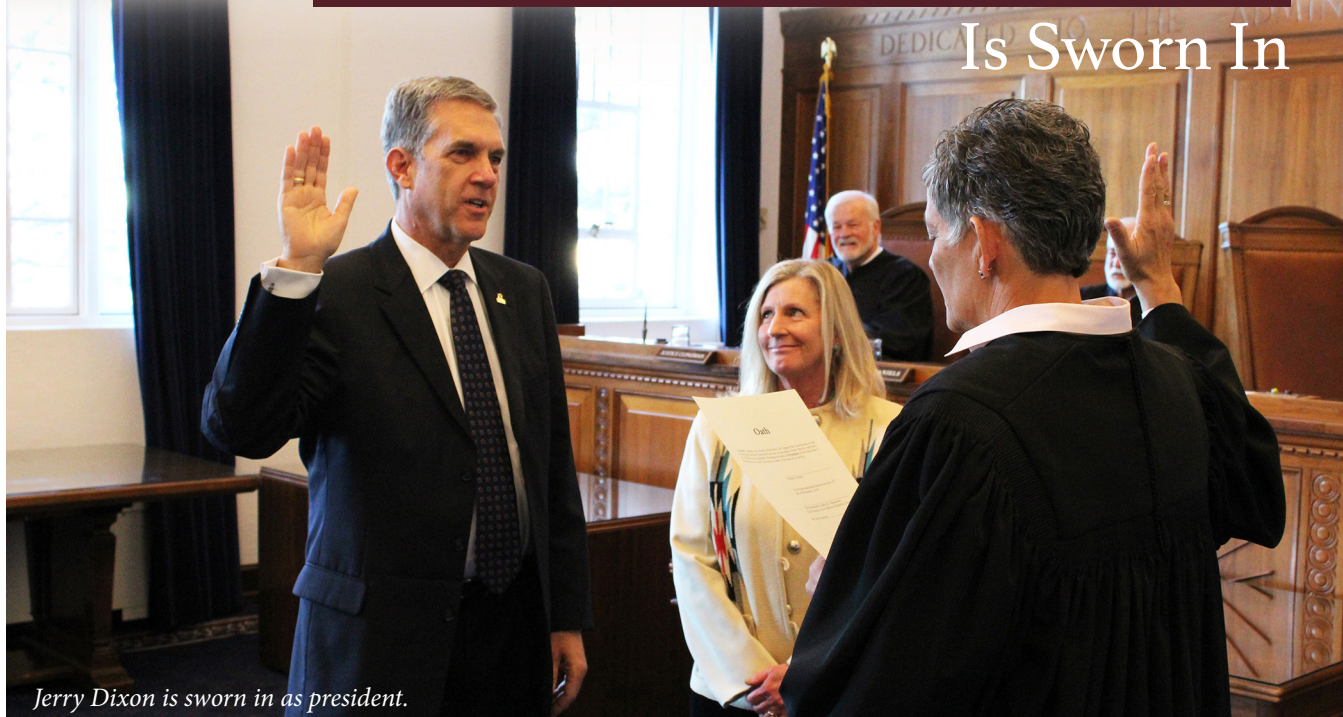
A handwritten signature in black ink that reads "Gerald G. Dixon". The signature is fluid and cursive, with a large, stylized "G" and "D".

Gerald G. Dixon
President, State Bar of New Mexico

2019 President

GERALD G. DIXON

Is Sworn In



Jerry Dixon is sworn in as president.

The 2019 officers of the Board of Bar Commissioners were sworn in on Dec. 13, 2018, at the New Mexico Supreme Court in Santa Fe by Chief Justice Judith K. Nakamura. The officers are President Gerald G. Dixon, President-Elect Ernestina R. Cruz, Secretary Treasurer Carla C. Martinez and Immediate Past President Wesley O. Pool.

**For more photos, visit
www.nmbar.org/photos.**



Each year, the outgoing president presents a special gavel to the incoming president. Jerry Dixon is joined by Past Presidents Dennis E. Jontz, Erika E. Anderson, Scotty A. Holloman and Wesley O. Pool.



Lauren E. Riley, Jerry Dixon and Deborah K. Dixon



Tina Cruz is sworn in as President-Elect.



Carla Martinez is sworn in as Secretary Treasurer.

THANK YOU!

The Homeless Legal Clinic officially reopened its doors in late 2017 for once monthly clinics on the third Thursday of the month at Albuquerque Healthcare for the Homeless. In early 2018, Young Lawyers Division, in partnership with New Mexico Legal Aid, and the State Bar Foundation Center for Legal Education, offered a free four-hour CLE to provide relevant subject matter area legal education for the Clinic's volunteer attorneys. This year the Clinic served approximately 55 clients through the contribution of over a hundred hours of pro bono. Thanks to the following Clinic volunteers for their time, energy and devotion to helping some of the most vulnerable members of our communities.

WE ARE GRATEFUL TO YOU, AND WE SALUTE YOUR SERVICE.

Albuquerque:

Kaitlyn Luck
Emilie Edmonds-Blevins
Brian Smith
Joseph Turk
Laurel Nesbitt
Mike Manaton
Laura Callanan

Karen Soloman
Thomas Guerra
Andrew Baranowski
Mari Kempton
Katherine Miefert
Crystal Anson
Orlando Torres

Joseph Gandert
Ana Romero Jurisson
Annette DeBois
Lorenzo Curley
Allison Block-Chavez
Kate Rubi

Santa Fe:

Joseph Walsh
Kaleb Brooks
Marion Carter

Donna Lynch
Carlos Quinones
Tessa Ryan

Michael Manaton
Tom Rushton

If you are interested in volunteering for the Homeless Legal Clinic in 2019, please contact the following:

Albuquerque: Crystal Anson, crystalanson55@gmail.com

Santa Fe: Joseph Walsh, JosephW@sommerudall.com





Rodey Law Firm is proud to announce a new area of practice. Rodey's Investigations and criminal defense practice assists public and private companies, executives, and individuals with a wide range of matters pertaining to internal investigations, regulatory counseling, professional licensure and white collar criminal defense. The group is chaired by **Matthew M. Beck**, a former assistant U.S. attorney.



Michael L. Stout has been selected by his peers for inclusion in the 25th edition of *The Best Lawyers in America* for his work in criminal defense: general practice and criminal defense: white collar. He practices in Las Cruces, serves on the New Mexico Public Defender Commission and is on the faculty of the National Criminal Defense College.



Stuart Butzier, head of Modrall Sperling's Natural Resources Department and managing director of the Santa Fe office, has been named by the Natural Resources, Energy and Environmental Law Section of the State Bar of New Mexico as the 2018 NREEL Lawyer of the Year.

Modrall Sperling has been named a Recommended New Mexico firm in the inaugural edition of *Benchmark Litigation Labor & Employment*, *The Definitive Guide to America's Leading Labor & Employment Litigators*. In addition, Modrall Sperling shareholders **Jennifer Anderson**, **Tiffany Roach Martin**, **Megan Muirhead**, and **Brian Nichols** have been individually recognized.



Mayor Tim Keller announced an appointment to the City Attorney's Office who will play an important role to make Albuquerque a safe, innovative and inclusive city. **Winter Torres** was named as the deputy city attorney for Policy.

New Mexico State Treasurer Tim Eichenberg announced his senior staff. **Samuel K. Collins, Jr.** will continue as the deputy treasurer. **Charmaine Cook**, AAP, will continue as the state cash manager. **David Mahooty** will continue as the chief financial officer. **Vikki Hanges** will continue as the chief investment officer. **Yovanne Lucero** was promoted to the chief operations officer.



Deian McBryde (McBryde Law LLC) has been nominated to serve as Council Member-at-Large for the ABA Solo, Small Firm and General Practice Division. Since launching his solo family law practice in 2018, McBryde has distinguished himself as an advocate for small firm practitioners as a Board member of the N.M. Bar's Solo and Small Firm Section and founding chair of the section's interaction committee. He has also promoted the interests of attorneys and

law students with prior careers through his membership on the Committee on Diversity in the Legal Profession.

In Memoriam

www.nmbar.org

George X. Cherpelis born in Milwaukee, Wis., on Aug. 13, 1929, passed away in Scottsdale, Ariz., on Aug. 15, 2018. He is survived by his wife, Carol, their son Nicolas, and his older children from earlier in life, Michael (Pamela) and Lisa (Ray), 10 grandchildren and 12 great grandchildren. Cherpelis was a proud alumnus of the University of Michigan where he studied economics and law. Cherpelis served in the U.S. Air Force as a commissioned intelligence officer during the Korean Conflict. Cherpelis began his legal career as trial attorney for the National Labor Relations Board leaving to serve as labor counsel in the General Motors legal department. Cherpelis also served as chief legal counsel for Burroughs Corporation before entering private practice in Albuquerque. Cherpelis founded the AV-Rated firm of Cherpelis & Salazar in Albuquerque, before moving to Scottsdale, Ariz. in 1996. Cherpelis and his firm were recognized by Martindale-Hubbell as being among the "Preeminent" Labor Law Firms in the country. Cherpelis was admitted to practice in Michigan, New Mexico, New York and Arizona where he was the oldest person to take the Bar Exam. He was admitted to practice before the U.S. Supreme Court and the Sixth, Tenth and D.C. Circuits. Cherpelis practiced before the NLRB for more than 40 years. He volunteered his time on various boards including the City of Albuquerque Personnel Board and Labor Relations Board, as well as the UNM Labor Board. Cherpelis represented management and employers with amazing intelligence, dedication and skill. Cherpelis had a great love for the practice of law and was the consummate "Labor Lawyer." Cherpelis developed a number of young labor lawyers who continued practicing labor law on behalf of management and employers throughout the country in a manner that they hope made him proud. Cherpelis believed that with hard work and dedication anything was possible. His razor wit and tremendous sense of humor brought smiles to the faces of many and his loss left a void in the hearts of all who knew him.

Carlos Ogden, 1935-2017, lawyer, social worker, politician, peace corps volunteer, armored officer, internationalist, big city reformer, Jack Mormon, was a legend. After a tour of duty with the U.S. Army during the longest outbreak of peace the country has ever experienced, Ogden was one of the original peace corps volunteers and was sent to Sergio Leone. After returning home, Ogden was heavily involved in the politics of Southern California in the 1960s where he fought for the rights of the underprivileged and disenfranchised. He attended law school at night, but never bothered to practice law until, children and wife in tow, he relocated to Columbus, N.M. in the '70s. In Columbus, he became mayor, encouraged social responsibility and a sense of community. Among his successes, he brought its people potable water and a library and made it the only American village with a viable foreign policy. This foreign policy included a trans-border mutual aid pact with Palomas, Chih. which allowed the fire departments to cross the border unmolested and let children be educated in both lands. His work as a public defender was marked by a remarkable sensitivity for injustice and an appreciation of cheap gin. He recognized all his fellows as human beings with individual strengths, foibles, and dreams. Some would say he thought outside the box, but those who knew him realized he simply refused to acknowledge the existence of a box. As a lawyer, he stood up for the oppressed and would not knuckle down to those who abuse

authority. Once, he went willingly to jail rather than tolerate illegal raids by la Migra into designated sanctuaries. He was predeceased by his wife Toy Jean Flores Ogden and is survived by his children Anita and Adela Ogden. His sister Nancy Smith and nephew Jeffrey Smith are amongst a host of mourners. He lost count of his grandchildren.

Francisco Mario Ortiz died on Sept. 11, 2018, at age 67. He was a U.S. Marine Corps veteran and studied political science at UNM. He was twice elected ASUNM president and earned the Lena Clauve Outstanding Senior Award. Ortiz graduated from UNM Law School. He began his career at the state and federal Public Defenders Offices in Albuquerque and Las Cruces, practiced criminal defense and family law privately for many years, dedicating his practice to helping underprivileged clients, and recently worked for the State of N.M. Ortiz's colleagues and friends will remember his jokes as well as his compassion and integrity in the courtroom.

Opinions

As Updated by the Clerk of the New Mexico Court of Appeals

Mark Reynolds, Chief Clerk New Mexico Court of Appeals
PO Box 2008 • Santa Fe, NM 87504-2008 • 505-827-4925

Effective January 4, 2019

PUBLISHED OPINIONS

No opinion published

UNPUBLISHED OPINIONS

A-1-CA-36002	J Nichols v. Board of Co Comm Taos	Affirm	12/31/2018
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Effective January 11, 2019

PUBLISHED OPINIONS

A-1-CA-35944	City of Santa Fe v. 1989 Black Saab	Vacate/Remand	01/10/2019
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UNPUBLISHED OPINIONS

A-1-CA-35184	State v. V Garcia	Affirm	01/07/2019
A-1-CA-35217	State v. D Kessler	Affirm/Remand	01/07/2019
A-1-CA-36223	S Rodriguez v. JG Forrester	Affirm/Reverse/Remand	01/07/2019
A-1-CA-36725	Sparta GP Holding v. Douglass Sands Russell		
		Reverse	01/07/2019
A-1-CA-37255	M. Rosales v. Town of Taos	Affirm	01/07/2019
A-1-CA-37265	N Schueller v. B Alberts	Affirm	01/07/2019
A-1-CA-37292	H Malik v. M Golden	Affirm	01/07/2019
A-1-CA-37375	State v. M Rodriguez	Reverse/Remand	01/07/2019
A-1-CA-37377	State v. R Holland	Reverse/Remand	01/07/2019
A-1-CA-37522	State v. C Gonzales	Affirm	01/07/2019
A-1-CA-37547	State v. M Ventura-Mendoza	Affirm	01/07/2019
A-1-CA-37594	C Hobson v. G Hobson	Affirm	01/07/2019
A-1-CA-35845	Weil Construction v. D Padilla	Affirm	01/08/2019
A-1-CA-35887	State v. J Foster	Affirm	01/08/2019
A-1-CA-36321	State v. C Long	Affirm	01/09/2019
A-1-CA-37000	State v. N Escarcega	Dismiss	01/09/2019
A-1-CA-37254	City of Santa Fe v. Z Dormer	Reverse	01/09/2019
A-1-CA-37280	R Bowe v. S Soul-Bowe	Affirm	01/09/2019
A-1-CA-36871	Conagra Foods v. NM Taxation & Revenue	Affirm	01/10/2019
A-1-CA-36898	State v. H Hughes	Affirm	01/10/2019
A-1-CA-37551	CYFD v. Destiny W	Affirm	01/10/2019

Slip Opinions for Published Opinions may be read on the Court's website:

<http://coa.nmcourts.gov/documents/index.htm>

Clerk's Certificates

From the Clerk of the New Mexico Supreme Court

Joey D. Moya, Chief Clerk New Mexico Supreme Court
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Effective December 31, 2018:
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Effective December 31, 2018:
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Effective December 31, 2018:
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CLERK'S CERTIFICATE OF DISBARMENT

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Burnett Law Firm
342 Cedar Street
Abilene, TX 79601
325-673-4357
325-428-0428 (fax)

CLERK'S CERTIFICATE OF REINSTATEMENT TO ACTIVE STATUS AND CHANGE OF ADDRESS

Effective January 1, 2019:
Tania M. Chozet
3138 Aurora Avenue
El Paso, TX 79930
415-596-6935
tchozet@gmail.com

CLERK'S CERTIFICATE OF REINSTATEMENT TO ACTIVE STATUS AND CHANGE OF ADDRESS

Effective January 1, 2019:
Kevin Grzebielski
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406-461-1840
kevin.l.grzebielski@gmail.com

Effective January 9, 2019:
James Joseph Torres
50 California Street,
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San Francisco, CA 94111
415-796-5404
james.torres@jacksonlewis.com

Recent Rule-Making Activity

As Updated by the Clerk of the New Mexico Supreme Court

Joey D. Moya, Chief Clerk New Mexico Supreme Court
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THE SUPREME COURT OF NEW MEXICO ANNOUNCES

OUT-OF-CYCLE RULE AMENDMENTS

Under Rule 23-106.1 NMRA, the Supreme Court has adopted out-of-cycle rule amendments. Because of the large number of additional rule amendments approved by the Court on December 20, 2018, the actual text of the rule amendments will not be published in the Bar Bulletin due to space constraints. Instead, what follows is a summary of the new rule amendments that the Court recently approved. Please note that the summary below does not include amendments approved by the Court on November 1 as part of its regular rule-making cycle. The full text of the new rule amendments can be viewed on the New Mexico Compilation Commission's website at <http://www.nmcompcomm.us/nmrules/NMRuleSets.aspx>.

Public Access to Court Records in Delinquency Proceedings

[Rule 10-166 NMRA]

The Supreme Court has approved an amendment to Rule 10-166(C)(6) NMRA to clarify the provisions governing public access to court records in delinquency proceedings. The amendment replaces previous amendments to the rule and commentary that were approved and then suspended by the Court earlier this year. Proposed amendments to the rule that were subsequently published for comment received a substantial response, and the Court ultimately decided not to adopt the proposed amendments recommended by the committee and has now permanently rescinded the amendments to Rule 10-166 NMRA that were suspended by order of the Court on January 9, 2018. In its latest order, the Court nonetheless recognized that NMSA 1978, Section 32-2-32(A) (2009) requires the confidentiality of certain records and therefore amended Subparagraph (C)(6) of the rule to clarify its scope by deleting the word "court" to make clear that only those records enumerated in Section 32-2-32(A) should be automatically sealed when attached as exhibits to pleadings filed in court without the need for the general sealing of court records in delinquency proceedings. For more information, please see the Court's order rescinding the prior amendments to the rule and approving a limited amendment to Rule 10-166(C)(6). See Order No. 18-8300-021. The amendment takes effect December 31, 2018.

Rules Related to Competency Proceedings and Proceedings Related to Insanity as a Defense

[Rules 5-123, 5-602, 6-302, 6-501, 6-507, 7-302, 7-501, 7-507, 8-302, 8-501, 8-507 NMRA; Form 9-404 NMRA; new Rules 5-602.1, 5-602.2, 5-602.3, 6-507.1, 7-507.1, and 8-507.1 NMRA; and new Forms 9-404A, 9-514, and 9-514A NMRA]

The Supreme Court has approved a recommendation from the Ad hoc Committee on Mental Health Proceedings to amend Rule 5-123 NMRA to more clearly define the court records in a competency proceeding that must be sealed automatically without motion or order of the court, and to amend Rules 5-602, 6-507, 7-507, and 8-507 NMRA, and adopt new Rules 5-602.1, 5-602.2, 5-602.3, 6-507.1, 7-507.1, and 8-507.1 NMRA and new Forms 9-404A, 9-514, and 9-514A NMRA to govern competency proceedings in the district, magistrate, metropolitan, and municipal courts.

Additionally, the Court has approved amendments to Rules 6-302, 6-501, 7-302, 7-501, 8-302, and 8-501 NMRA, and Form 9-404 NMRA, to eliminate the now-invalid plea of "not guilty by reason of insanity" and to clarify that "not guilty by reason of insanity at the time of commission of an offense" may be raised as a defense. The new and amended rules and forms are effective for all cases filed on or after February 1, 2019.

Rules Related to Electronic Filing in Criminal Proceedings

[Rules 5-103.2, LR2-203, and LR12-201 NMRA; and new Rules LR2-309 and LR12-301]

The Supreme Court has adopted new local Rules LR2-309 and LR12-301 NMRA and approved amendments to statewide Rule 5-103.2 NMRA and local Rules LR2-203 and LR12-201 NMRA to authorize electronic filing in criminal proceedings, delinquency proceedings, and all habeas corpus actions. Electronic filing in these types of proceedings will become mandatory in the Second Judicial District Court and Twelfth Judicial District Court beginning on January 14, 2019. The amendments to Rule 5-103.2 permit other judicial districts to propose amendments to their local rules for approval by the Supreme Court as electronic filing in criminal proceedings expands to other areas of the state in the future.

Rules Related to Pretrial Detention and Release

[Rules 5-301, 5-403, 5-409, 6-203, 6-403, 7-203, 7-403, 8-202, and 8-403 NMRA]

The Supreme Court has approved amendments to Rule 5-409 NMRA, which governs pretrial detention proceedings in the district court. Those amendments include a new Subparagraph (B)(3), stating that the court cannot grant or deny a motion for pretrial detention without a hearing. The amendments also include a procedure in Paragraph F for holding a

preliminary examination concurrently with a pretrial detention hearing, revisions to the disclosure provisions set forth in Subparagraph (F)(2), and a new Subparagraph (F)(6) listing factors the court shall consider when making a pretrial detention ruling. The amendments also include revisions to Paragraphs G and H, allowing the court three days to file an order granting or denying a motion for pretrial detention as well as amendments to Paragraph K, addressing successive motions and motions to reconsider. The Supreme Court also approved amendments to the district, magistrate, metropolitan, and municipal court rules that govern probable cause determinations, *see* Rules 5-301, 6-203, 7-203, and 8-202 NMRA, and the revocation of pretrial release, *see* Rules 5-403, 6-403, 7-403, and 8-403 NMRA. The amended rules are effective for all cases pending or filed on or after February 1, 2019.

Rules Related to the Recording of Judicial Proceedings in Magistrate Courts

[Rules 23-107, 2-102, 2-114, 3-102, 6-102, 6-116, and 7-102 NMRA]

The Supreme Court has approved amendments to Rules 23-107, 2-102, 2-114, 6-102, and 6-116 NMRA to authorize the broadcasting, televising, photographing, and recording of proceedings in the magistrate courts subject to the same procedures and conditions that currently govern the appellate, district, and metropolitan courts. The Court also approved amendments to metropolitan court Rules 3-102 and 7-102 NMRA. The amendments take effect December 31, 2018.

To view all pending proposed rule changes (comment period open or closed), visit the New Mexico Supreme Court's website at <http://nmsupremecourt.nmcourts.gov>. To view recently approved rule changes, visit the New Mexico Compilation Commission's website at <http://www.nmcompcomm.us>.



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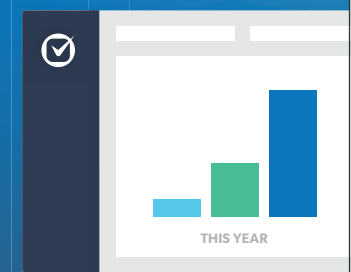
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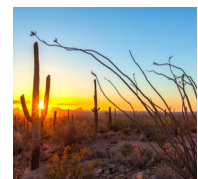
Guebert Bruckner Gentile P.C. is pleased to announce that **Elizabeth M. Piazza** has become a partner with the firm. Ms. Piazza has been with the firm since 2015. Since that time, she has made significant contributions to the firm and its clients. Ms. Piazza practices in the areas of insurance defense, insurance bad faith, products liability, professional liability and personal injury. Ms. Piazza earned her Juris Doctor from the University of New Mexico School of Law. She has a Master of Journalism from the University of Maryland College Park and a Bachelor of Arts from the University of Delaware.

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Second Judicial District Court

Contract Attorney

Residential Mortgage Foreclosure Settlement Facilitation Project

The Second Judicial District Court is accepting applications for Contract Attorneys for the Residential Mortgage Foreclosure Settlement Facilitation Project ("RMFSF"). RMFSF will operate under the direction of the Chief Judge and the Presiding Civil Judge. Attorney will conduct settlement facilitation conferences in residential foreclosures pending before the court between lenders and borrowers. Attorney is independent and impartial and shall be governed by the Rules of Professional Conduct, Mediation Procedures Act, NMSA 1978, § 44-7B-1 to 44-7B-6, and Mediation Ethics and Standards of Practice. Attorney will be responsible for memorializing settlement agreements and meeting with the designated supervising judge to receive case assignments and discuss RMFSF progress. Attorney agrees to twenty hours of work per week, which is anticipated to be a minimum of eleven settlement conferences per month, subject to adjustment for complex case assignments, maintain records for payment and reporting and statistical purposes as defined by the Court. Attorney will coordinate with assigned Court staff who provide administrative support to RMFSF. Qualifications: Must be a graduate of an ABA accredited law school; possess and maintain a license to practice law in the State of New Mexico; must have experience in settlement facilitation. Experience with residential mortgage foreclosure matters and loss mitigation is a plus. Compensation will be at a rate of \$50.00 per hour, inclusive of gross receipts tax. Send letter of interest, resume, proof of education and writing sample to the Second Judicial District Court, Court Administration, P.O. Box 488 (400 Lomas Blvd. NW), Albuquerque, NM, 87102. Letters of interest without required material will be rejected. Letters must be received by court administration no later than 5:00 P.M. Friday, January 11, 2019. More information about the contract can be found on the SJDC's website: <http://www/2nddistrictcourtnm.com>.

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Attorney Supervisor

The Third Judicial District Court in Las Cruces is accepting applications for an At-Will, full-time Attorney Supervisor. Requirements include admission to the NM State Bar plus a minimum of five years experience in the practice of applicable law, of which two years must have been as a supervisor. Under administrative direction, as assigned by a judge or supervising attorney, review cases, analyze legal issues, perform legal research and writing, provide legal advice and make recommendations concerning the work of the Court. For a detailed job description, requirements and application/resume procedure please refer to <https://www.nmcourts.gov/careers.aspx> or contact Briggett Becerra, HR Administrator Senior at 575-528-8310. Deadline for submission is: January 31, 2019

First Judicial District Court

Contract Attorney

Residential Mortgage Foreclosure Settlement Facilitation Project

The First Judicial District Court is accepting applications for a Contract Attorney for the Residential Mortgage Foreclosure Settlement Facilitation Project (RMFSFP). RMFSFP will operate under the direction of the Chief Judge and the supervising Civil Judge. Attorney will conduct settlement facilitation conferences in owner occupied residential foreclosures pending before the Court. The Court will provide a conference room and limited office space. Attorney is independent and impartial and shall be governed by the Rules of Professional Conduct, Mediation Procedures Act, NMSA 1978, § 44-7B-1 to 44-7B-6, and Mediation Ethics and Standards of Practice. Attorney will be responsible for memorializing settlement agreements and meeting with the designated supervising judge to receive case assignments and discuss RMFSFP progress. Attorney agrees to maintain records for payment and reporting and for statistical purposes as defined by the Court. Attorney will coordinate with assigned Court staff who provide limited administrative support to RMFSFP. Qualifications: Attorney must possess and maintain a license to practice law in the State of New Mexico; must have experience in settlement facilitation. Experience with residential mortgage foreclosure matters and loss mitigation is a plus. Compensation will be on an hourly basis charged against a Contract not to exceed \$37,500.00. Send letters of interest and resumes to the First Judicial District Court, Judge Francis J. Mathew, Post Office Box 2268, Santa Fe, NM 87504. Letters must be received no later than February 1, 2019.

Associate Attorney

Chapman and Priest, P.C. seeks an associate attorney to assist with increasing litigation case load. Candidates should have 1 to 5 years civil defense experience and good research and writing skills, excellent oral speaking ability, and be a self-starter. Send resume, references, writing sample and salary requirements to Tonnie@cplawnm.com.

Civil Legal Attorney (Contract)

POSITION: Civil Legal Attorney (Contract); PROGRAM: Peacekeepers, Espanola NM; STATUS: Contract/ Part Time; RATE OF PAY: DOE; EDUCATION: Juris Doctorate; EXPERIENCE: Ten years' experience in family law. PREFERRED CERTIFICATES: none. Practice civil and family law with an emphasis on domestic violence orders of protection within the Eight Northern Pueblos. Submit applications to: Desiree Hall/HR Specialist; Desiree@enipc.org; 505-753-6998 (Fax); Or call 505-747-1593 ext. 110 for information

Associate Attorney

For more than 25 years, the Titus & Murphy Law Firm has provided clients of San Juan County, New Mexico with premier legal representation. We are seasoned trial attorneys who practice in many areas of the law and have a solid reputation for results. Once again, we have expanded our services and have an incredible opportunity for an Associate Attorney. We are seeking a motivated attorney, with excellent research and writing skills to join our team. This position will provide the right person with all the necessary mentorship to achieve success, as well as unlimited advancement opportunities. If you are looking for a challenge, send your resume and writing sample to hsmurphy@titusmurphyfirm.com.

Full-Time Attorney

The Twelfth Judicial District Court in Alamogordo, NM is seeking a full-time, Attorney - Associate (At-Will) or Attorney - Senior (At-Will), dependent upon qualifications. Candidate must be a graduate of law school meeting the standards of accreditation of the American Bar Association; and possess and maintain a license to practice in the State of New Mexico. Attorney - Associate must have three (3) years of experience in the practice of applicable law, or as a law clerk; the salary range is \$28,128 - \$35,160 per hour (\$58,506 - \$73,133 per year). Attorney - Senior must have five (5) years of experience in the practice of applicable law, or law clerk, with one year as a supervisor; the salary range is \$30,387 - \$37,984 per hour (\$63,206 - \$79,007 per year). Please visit the Careers section at www.nmcourts.gov for the complete job announcement and information on how to apply, or contact Rosie at (575) 812-5082, or aladref@nmcourts.gov. This position closes Monday, February 4, 2019, at 5:00 p.m. EOE

Personal Injury Associate

Caruso Law Offices, an ABQ plaintiff personal injury/wrongful death law firm has an immediate opening for associate with 2+ yrs. litigation experience. Must have excellent communication, organizational, and client services skills. Good pay, benefits and profit sharing. Send confidential response to Mark Caruso, 4302 Carlisle NE, ABQ NM 87107.

Law Clerk

The NM Supreme Court is recruiting for a full-time, Law Clerk At-Will position in Santa Fe, New Mexico. SUMMARY OF POSITION: Under general supervision, work with justices on assigned cases, perform legal research, analysis, writing and editing. Salary: \$45,500-\$71,095. To apply, please go to: <https://www.nmcourts.gov/jobs.aspx>

Associate Attorney

Holt Mynatt Martínez, P.C., an AV-rated law firm in Las Cruces, New Mexico is seeking associate attorneys with 1-5 years of experience to join our team. Duties would include providing legal analysis and advice, preparing court pleadings and filings, performing legal research, conducting pretrial discovery, preparing for and attending administrative and judicial hearings, civil jury trials and appeals. The firm's practice areas include insurance defense, civil rights defense, commercial litigation, real property, contracts, and governmental law. Successful candidates will have strong organizational and writing skills, exceptional communication skills, and the ability to interact and develop collaborative relationships. Prefer attorney licensed in New Mexico and Texas but will consider applicants only licensed in Texas. Salary commensurate with experience, and benefits. Please send your cover letter, resume, law school transcript, writing sample, and references to rd@hmm-law.com.

Attorney-Associate and Attorney-Senior Positions

SUPREME COURT OF NEW MEXICO: The Supreme Court is accepting applications for attorney-associate and attorney-senior positions within the Court's office of legal counsel. The target annual salary for these at-will positions ranges from \$73,133 to \$98,759, depending on position, qualifications, and experience. These positions support the Supreme Court's adjudicative and rulemaking functions and may include supervisory duties. For a detailed description of the job qualifications, duties, and application requirements, please visit the Employment Opportunities webpage on the New Mexico Supreme Court website at <https://supremecourt.nmcourts.gov/employment-opportunities.aspx>

Assistant District Attorney

The Fifth Judicial District Attorney's office has immediate positions open to a new or experienced attorney's. Salary will be based upon the New Mexico District Attorney's Salary Schedule with starting salary range of an Assistant Trial Attorney to a Senior Trial Attorney (\$58,000 to \$79,679). Please send resume to Dianna Luce, District Attorney, 301 N. Dalmont Street, Hobbs, NM 88240-8335 or e-mail to 5thDA@da.state.nm.us.

Associate Attorneys

Cervantes Scherr Legate LC is seeking associate attorneys to join an established Plaintiff litigation firm in its Las Cruces offices. Candidates must be licensed in New Mexico, and possess excellent oral and written communication skills, and demonstrate a strong desire for trial work. Benefit package includes medical, vacation, and retirement. Please send resume, transcript and writing sample to Cervantes Scherr Legate LC c/o Joseph Cervantes, 2160 S. Espina St., Las Cruces, NM 88001 or email to joe@cervantesscherrlegate.com. All replies will be kept confidential. EOE.

Chief Judge

Mescalero Apache Tribal Court

SUMMARY: The Chief Judge is responsible for fairly and impartially hearing and deciding judicial matters within the jurisdiction of the Mescalero Apache Tribal Court and ensuring the efficient and effective operation of the Court. A full position description is available upon request. MINIMUM QUALIFICATIONS: At a minimum, the successful candidate must: Have one-quarter (1/4) or more Indian blood and be a member of a federally recognized Indian tribe (including Eskimo, Aleut and other Alaska Natives); Be between thirty-five (35) and seventy (70) years old; Have no felony convictions or misdemeanor convictions within the past year; and Hold a law degree from an ABA accredited law school; and be licensed and in good standing in the bar of any state. Salary is negotiable and dependent upon qualifications/experience. This position is open until filled. Please submit resume with copy of CDIB and questions to Carol Woods, Director, Human Resources at (575) 464-4494 or cwoods@mescaleroapachetribe.com.

Associate Judge (Lay)

Mescalero Apache Tribal Court

SUMMARY: The Associate Judge is responsible for fairly and impartially hearing and deciding judicial matters within the jurisdiction of the Mescalero Apache Tribal Court. A full position description is available upon request. **MINIMUM QUALIFICATIONS:** Applicant must: Have one-quarter (1/4) or more Indian blood and be a member of a federally recognized Indian tribe (including Eskimo, Aleut and other Alaska Natives); Be between thirty-five (35) and seventy (70) years old; Have no felony convictions or misdemeanor convictions within the past year; and At least three (3) years' experience as a tribal court judge or other relevant experience. **SALARY & CLOSING DATE:** Salary is negotiable and is dependent upon qualifications and budgetary concerns. This position is open until filled. Submit resume with copy of certificate of Indian blood to Carol Woods, Director of Human Resources, Mescalero Apache Tribe via: 1) first class mail to P.O. Box 227, Mescalero, NM 88340; 2) facsimile to (575) 464-9292; or 3) email to cwoods@mescaleroapachetribe.com.

Position Announcement

Associate Judge (Licensed)

Mescalero Apache Tribal Court

SUMMARY: The Associate Judge is responsible for fairly and impartially hearing and deciding judicial matters within the jurisdiction of the Mescalero Apache Tribal Court. A full position description is available upon request. **MINIMUM QUALIFICATIONS:** Applicant must: Have one-quarter (1/4) or more Indian blood and be a member of a federally recognized Indian tribe (including Eskimo, Aleut and other Alaska Natives); Be between thirty-five (35) and seventy (70) years old; Have no felony convictions or misdemeanor convictions within the past year; Hold a law degree from an ABA accredited law school; and be licensed and in good standing in the bar of any state. **SALARY & CLOSING DATE:** Salary is negotiable and is dependent upon qualifications and budgetary concerns. This position is open until filled. Submit resume with copy of certificate of Indian blood to Carol Woods, Director of Human Resources, Mescalero Apache Tribe via: 1) first class mail to P.O. Box 227, Mescalero, NM 88340; 2) facsimile to (575) 464-9292; or 3) email to cwoods@mescaleroapachetribe.com.

Associate Attorney

Rasheed & Associates, P.C. is seeking an associate with 0-5 years of experience in criminal law. Strong writing skills are required, but this is a court intensive position. This associate will assist with Mr. Rasheed's caseload as well as having their own. Great work environment, salary negotiable. Please email letter of interest, resume, and writing sample to omr@omrlaw.com.

Trial Attorney

Trial Attorney wanted for immediate employment with the Ninth Judicial District Attorney's Office, which includes Curry and Roosevelt counties. Employment will be based in either Curry County (Clovis) or Roosevelt County (Portales). Must be admitted to the New Mexico State Bar. Salary will be based on the NM District Attorneys' Personnel & Compensation Plan and commensurate with experience and budget availability. Email resume, cover letter, and references to: Steve North, snorth@da.state.nm.us.

Attorney

Disability Rights New Mexico (DRNM), a statewide non-profit agency promoting and protecting the rights of persons with disabilities, seeks full time Attorney to represent agency clients in informal, administrative and legal proceedings; comment on proposed regulations and legislation; provide technical assistance; and participate in policy advocacy. Please have excellent research and writing skills, demonstrated competence in a range of legal practice skills including litigation, and any combination of advanced education, professional experience or volunteer activities relevant to disability issues. Must be licensed in NM, or eligible for legal services or reciprocity license. Persons with disabilities & minorities strongly encouraged to apply. Bilingual a plus. Competitive salary and benefits. Send letter of interest addressing above qualifications, resume, and three references to DRNM, 3916 Juan Tabo Blvd. NE, Albuquerque, NM 87111, or by email to mwolfe@DRNM.org by February 15. AA/EEO

Lettres of Interest

The Administrative Office of the Courts invites letters of interest from attorneys interested in representing parents or custodians that are parties to abuse and neglect cases arising under the Children's Code in the Second Judicial District (Bernalillo County). Compensation is tied directly to caseload. Letters of interest: Please include name, street address, phone number, email address, and a brief statement describing your background and understanding of abuse and neglect cases, years of experience, a statement of your ability to perform duties, and the available date to begin case assignments. Interested attorneys must be licensed to practice in the state of New Mexico, have professional liability insurance, and must attach a resume to the letter of interest. Contracting attorneys will submit monthly logs, have access to email, meet with the Court or AOC if requested, participate in related CLE's, and submit invoices as required by AOC and Department of Finance protocols. Please send questions to Sarah Jacobs at aocsej@nmcourts.gov or (505) 827-4887. Letters of interest and accompanying resumes should be emailed to aocsej@nmcourts.gov.

Deputy General Counsel Position

The New Mexico Educational Retirement Board (ERB) is seeking a Deputy General Counsel (Attorney IV) in Santa Fe. The position participates in administrative hearings and litigation in state court, advises on legal strategy associated with the objective of maintaining and protecting the Educational Retirement Fund, reviews court documents, drafts briefs and motions, and interacts with members regarding issues affecting their retirement accounts. In the General Counsel's absence the Deputy General Counsel attends all staff, board and committee meetings and provides legal staff with technical assistance, approvals or direction. Experience in administrative law, pension law, procurement and employment law is highly desirable. Business or tax background is useful but not required. Minimum qualifications are a Juris Doctorate from an accredited law school and 5 years of experience in the practice of law. This position is in pay band LI with annual salary from \$68,418 to \$109,292, depending on qualifications and experience. Applications for the position must be submitted online through the State of New Mexico careers website at <https://careers.share.state.nm.us/>. The posting will be used to conduct ongoing recruitment and will remain open until the position has been filled. Job ID #103697 (ERB #10105308).

Positions Available at New Mexico Legal Aid

Executive Director to lead New Mexico's largest civil legal services program in the provision of civil legal assistance to low income people throughout the state. In a state where almost half a million people live below the poverty line, New Mexico Legal Aid (NMLA) strives to maintain a high level of service to secure family safety and economic security for its clients. <https://tinyurl.com/NMLAjobs>; Pro Bono Coordinator for NMLA's Volunteer Attorney Program to coordinate pro bono activities throughout the state by working with the State Bar, Access to Justice Commission, pro bono committees and local courts. <https://tinyurl.com/NMLAjobs>; Staff Attorney for the Low Income Tax Clinic to assist clients with state and federal tax controversies, and to conduct outreach activities and education. <https://tinyurl.com/NMLAjobs>; Staff Attorney and Paralegal to assist victims of crime with protection orders and related matters. Position is located in southern New Mexico. <https://tinyurl.com/NMLAjobs>; Staff Attorney for the Las Cruces office to provide civil legal assistance to the low income population. <https://tinyurl.com/NMLAjobs>

Litigation Assistant/Paralegal

The Spence Law Firm NM, LLC is adding to our core trial team in our Albuquerque office. Want to help people and do something important? Considering law school; or, interested in joining a team that fights for people? Let's talk. The job: work closely with one or two attorneys in all aspects of litigation. Must be good with people; read, write, think critically. Self-starter. Calm under pressure, Tech-savvy, organized and attention to detail. Manage large digital files, multiple projects. Part paralegal, investigator, concierge, librarian, counselor, more. Litigation exp. helps. Good soul, confidence, sharp mind, good attitude req. Comp. salary, strong benefits, amazing experience. Bi-lingual preferred. Interested? Email letter of interest, resume to: apply@spencelawyers.com.

Paralegal

Proactive, energetic paralegal needed to help develop a small firm. Integrity, commitment, attention to detail, strong computer and organization skills required. Conversational Spanish preferred. All experience levels are encouraged to apply. Please provide resume, sample Settlement Demands, Motions, Briefs and Discovery responses to Jason@MarekLawFirm.Com.

Divorce Paralegal – Incredible Opportunity w/ New Mexico Legal Group

New Mexico Legal Group, a cutting edge divorce and family law practice is looking for one more paralegal to join our team. Why is this an incredible opportunity? You will be involved in building the very culture and policies that you want to work under. We offer great pay, health insurance, automatic 3% to your 401(k), vacation and generous PTO. And we deliver the highest quality representation to our clients. But most importantly, we have FUN! Obviously (we hope it's obvious), we are looking for candidates with significant substantive experience in divorce and family law. People who like drama free environments, who communicate well with clients, and who actually enjoy this type of work will move directly to the front of the line. Interested candidates should send a resume and cover letter explaining why you are perfect for this position to DCrum@New-MexicoLegalGroup.com. The cover letter is the most important thing you will send, so be creative and let us know who you really are. We look forward to hearing from you!

Full-time Legal Assistant

The law firm of Miller Stratvert PA seeks a full-time legal assistant with five+ years of experience in insurance defense and civil litigation. The ideal candidate is a team player with strong word processing skills, proficient in Microsoft Office Suite and experience with ProLaw is a plus. Knowledge of State and Federal court rules, and proficient in Odyssey and CM/ECF e-filing. Positive work environment, 37.5 work week, competitive salary and excellent benefits package. Please submit resume to jarmenta@mstlaw.com

Legal Assistant

Small defense firm in search of a self-motivated legal assistant. Applicants must be proficient in using all Microsoft applications including Word, Excel and Exchange. Experience in general civil litigation is preferred but not required. Priority will be given to applicants with excellent proven computer skills. Competitive pay and benefits. Please fax resumes to (505) 842-5713, attention Hiring Division.

Official Publication of the State Bar of New Mexico

BAR BULLETIN

2019 ADVERTISING SUBMISSION DEADLINES

Starting in January, the *Bar Bulletin* will publish every other week on Wednesdays.

Submission deadlines are also on Wednesdays, two weeks prior to publishing by 4 p.m. Advertising will be accepted for publication in the Bar Bulletin in accordance with standards and ad rates set by publisher and subject to the availability of space. No guarantees can be given as to advertising publication dates or placement although every effort will be made to comply with publication request. The publisher reserves the right to review and edit ads, to request that an ad be revised prior to publication or to reject any ad. Cancellations must be received by 10 a.m. on Thursday, 13 days prior to publication.

For more advertising information, contact: Marcia C. Ulibarri at 505-797-6058 or email mulibarri@nmbar.org

The 2019 publication schedule can be found at www.nmbar.org/BarBulletin.

Legal Assistant - Litigation

Dynamic legal assistant needed for our busy Uptown law offices. Assistant must be organized, efficient, accurate and flexible. Should have 18-24 months' experience, including in a litigation environment. Knowledge of Microsoft Office and ProLaw preferred. Fulltime position with benefits. Send resume to glw@sutinfirm.com

Legal Assistant to Senior Partner

Allen, Shepherd, Lewis & Syra, P.A. is seeking a Legal Assistant to assist a senior partner of the firm. Duties include administrative tasks related to legal cases. Must have a high school diploma with five or more years of directly related experience working in a defense, civil litigation law firm or similar law practice. Associates degree and/or certificate related to legal administration work is preferred. Must be proficient in Microsoft Office, computerized databases, related software and the ability to learn new, complex programs. Experience with TimeMatters is a plus. Must have an understanding of legal documents and knowledge of court processes, including the ability to draft documents and follow them through the process. Seeking a highly skilled, professional, thoughtful, organized and motivated individual with attention to detail who can work in a demanding role. If you believe you are qualified and have an interest, please send resume, cover letter and salary demands to hr@allenlawnm.com.

Paralegal Wanted

Albuquerque Law Firm seeking a full time paralegal, with a minimum of 5 years of experience. Experience is preferred in general civil practice, including medical malpractice defense, personal injury and civil rights. Candidates should have excellent writing and research skills, be able to draft and answer discovery and the ability to work independently. A paralegal certificate or degree is preferred. Competitive salary and benefits. All inquiries will be kept confidential. Submit resume to: jertsgaard@parklawnm.com

Services

Briefs, Research, Appeals—

Leave the writing to me. Experienced, effective, reasonable. cindi.pearlman@gmail.com (505) 281 6797

Office Space

500 Tijeras NW

Beautiful office space available with reserved on-site tenant and client parking. Walking distance to court-houses. Two conference rooms, security, kitchen, gated patios and a receptionist to greet and take calls. Please email esteffany500tijerasllc@gmail.com or call 505-842-1905.

High-Traffic Downtown Office For Sale – 1324 6th NW - \$229,900 – 1073 sq. ft

Perfect location for law office or live/work space with 3 offices & 2 bathrooms. Less than one mile from the courthouses. Large reception area with built-in desks and file cabinets. Property remodeled in 2013 with updated kitchen including appliances, updated bathrooms, laminate floors, exterior and interior doors, split HVAC unit, recessed lighting, upgraded electrical service, upgraded insulation for sound control, and Cat6 cable throughout. Brand new roof in 2018. Off-street parking for 4 vehicles with additional spaces available for small monthly fee. Call Noel at 505-400-2357 for more information.

Law Offices For Rent

Law offices for rent half a block from Albuquerque Metropolitan courthouse. By the office or the whole building. \$650 per office or \$2000 for the 2380 sq ft building. 15 off-street parking spaces, kitchen, and conference room. 505 450 2188.

Full-service Executive Office Suites

\$550-\$1200 month-to-month - West side vacancies. Virtual Office packages including professional business address, executive meeting/conference rooms & Day office rentals also available. Contact Christina at Office Alternatives 505-796-9600.

Miscellaneous

Want To Purchase

Want to purchase minerals and other oil/gas interests. Send details to: P.O. Box 13557, Denver, CO 80201

Seeking Established Practice To Purchase

Las Cruces general civil practice focusing on real estate, business and family law seeks an established practice to purchase, take over from an attorney retiring or focusing on other areas. Please email: lcnmLaw@gmail.com with inquiries.

eNews

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MCLE

- CLE credits taken in 2018 must be reported to Minimum Continuing Legal Education (MCLE) by Jan. 31. If you took an MCLE approved course, the course provider will report and pay for your credits for you.

Please note that, due to a high volume of CLE credit reporting, there is a several week delay in CLE credits appearing in attorney on-line MCLE transcripts. Please be assured that all CLE credits taken in 2018 will be applied to your 2018 record.

Please contact us with questions at
505-821-1980 or mcle@nmbar.org.

www.nmbar.org/MCLE