Official Publication of the State Bar of New Mexico _

BAR BULLETIN



LTATS 2, by Willy Richardson (see page 5)

www.willyborichardson.com

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New Mexico State Bar Foundation Center for Legal Education

CLE PROGRAMMING from the Center for Legal Education

APRIL 28

Pre-Recorded Webcast Five Steps to Effective Online Negotiations Presented by Marty Latz 2.0 G Noon–2 p.m. \$160 Standard Fee

MAY 3

Webinar Law Firms Face the Scourge of Ransomware: How to Ethically Prevent, Respond and Recover 1.0 EP 11 a.m.-noon \$89 Standard Fee

MAY 6

Webinar **REPLAY: Cannabis Regulation Act** and Expungement (2021) 1.0 G 9–10 a.m. \$49 Standard Fee

Webinar Virtual Magic: Making Great Legal Presentations Online 1.0 G 11 a.m.-noon \$89 Standard Fee

Teleseminar

Drafting Waivers of Conflicts of Interests 1.0 EP 11 a.m.-noon \$79 Standard Fee

MAY 9 Webinar Storytelling for Lawyers: How to Engage Clients, Judges, and Juries, and Move Them to Action 1.0 G 11 a.m.-noon \$89 Standard Fee

MAY 10

Webinar Disorder in the Court: An Attorney's Guide to Judicial Misconduct 2.0 G 11 a.m.–1 p.m. \$129 Standard Fee

MAY 12

Teleseminar Text Messages & Litigation: Discovery and Evidentiary Issues 1.0 G 11 a.m.-noon \$79 Standard Fee

Webinar

REPLAY: Stop Missing Your Life (2021) 1.0 EP Noon–1 p.m. \$49 Standard Fee

MAY 17

Teleseminar 2022 Sex Harassment Update 1.0 G 11 a.m.–noon \$79 Standard Fee

MAY 18

Webinar **REPLAY: Challenging the Tricultural Myth in New Mexico (2021)** 1.0 G Noon–1 p.m. \$49 Standard Fee

MAY 24

Webinar Informal Logical Fallacies: Logic, Argumentation, & Persuasion 1.0 G 11 a.m.–noon \$89 Standard Fee

Webinar

REPLAY: Animal Talk: Progressive v. Sheppard (2022) 1.0 G Noon–1 p.m. \$49 Standard Fee

MAY 25

Teleseminar Lawyer Ethics of Email 1.0 EP 11 a.m.-noon \$79 Standard Fee

MAY 26

Webinar REPLAY: An Afternoon of Legal Writing with Stuart Teicher (2021) 3.0 G Noon–3:15 p.m. \$147 Standard Fee

JUNE 17

Webinar

Basics to Trust Accounting: How to Comply with Disciplinary Board Rule 17-204 1.0 EP 9–10 a.m. \$55 Standard Fee

JUNE 24

Webinar 30 Things Every Solo Attorney Needs to Know to Avoid Malpractice 1.5 EP 9–10:30 a.m. \$74 Standard Fee

JUNE 29

Webinar Cybersecurity: How to Protect Yourself and Keep the Hackers at Bay 1.0 EP Noon-1 p.m. \$49 Standard Fee

Register online at www.sbnm.org/CLE or call 505-797-6020

HINKLE SHANOR LLP announces the retirement of our friends and partners, Mary Lynn Bogle, James H. Bozarth, and Ellen Casey and acknowledge and honor them for their years of service to our firm and the profession.



Mary Lynn Bogle practiced for years in our Roswell office in the areas of general civil litigation and appeals, natural resources litigation, administrative law and appeals, and public lands law. She came to our firm after having practiced with the Losee, Carson, Haas and Carrol firm in Atresia, New Mexico. She mentored many of our young associate attorneys over the years. We will miss Mary Lynn's counsel and wisdom.



Jim Bozarth was engaged in the practice of law in Roswell, New Mexico since 1974. Jim concentrated his practice in Estate Planning and Probate and Estate and Trust Administration. Jim has been a valued partner of Hinkle Shanor LLP and an important part of the Roswell community, having been instrumental in founding the Assurance Home, one of the most successful group homes for abused and neglected children in New Mexico.



Ellen Casey became a partner in the Santa Fe office of Hinkle Shanor LLP in in 1992. Ellen was the lead of the Santa Fe Office's Employment & Labor practice. Ellen mentored many young attorneys over the years. She was a forceful advocate and argued many cases on appeal dealing with issues of first impression relating to public employment matters.

HINKLE SHANOR LLP

We gratefully acknowledge their contributions to our firm and wish them each well.



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www.hinklelawfirm.com

2022 Annual Meeting

August 11-13, 2022 Hyatt Regency Tamaya Resort and Spa

Early bird discounts are available through May 13

To register and for a preliminary schedule visit www.sbnm.org/annualmeeting2022



We are proud to welcome our Keynote Speaker Desmond Meade, Florida Rights Restoration Coalition

As President and Executive Director of FRRC, which is recognized for its work on voting and criminal justice reform issues, Meade led the FRRC to a historic victory in 2018 with the successful passage of Amendment 4, a grassroots citizen's initiative which restored voting rights to over 1.4 million Floridians with past felony convictions. Recognized by Time Magazine as one of the 100 Most Influential People in the World in 2019, Meade presently leads efforts to empower and civically re-engage local communities across the state, and to reshape local, state, and national criminal justice policies.

— **Sponsorships and exhibitor booths are available!** — Learn how you can support the Annual Meeting and promote your firm and company to our attendees. Contact Marica Ulibarri, at marica.ulibarri@sbnm.org.

Lodging: Rooms starting at \$184/night + tax. Reserve your room by July 13.

For more information on speakers, sponsorships/exhibitor booths, lodging and more, visit **www.sbnm.org/annualmeeting2022**





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The *Bar Bulletin* (ISSN 1062-6611) is published twice a month by the State Bar of New Mexico, 5121 Masthead NE, Albuquerque, NM 87109-4367. Periodicals postage paid at Albuquerque, NM. Postmaster: Send address changes to *Bar Bulletin*, PO Box 92860, Albuquerque, NM 87199-2860.

505-797-6000 • 800-876-6227 Fax: 505-828-3765 • address@sbnm.org

April 27, 2022 • Volume 61, No. 8

www.sbnm.org



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Meetings

April

29 Immigration Law Section noon, virtual

May

4

Employment and Labor Law Section noon, virtual

13 Prosecutors Section noon, virtual

19 Public Law Section noon, virtual

26 Elder Law Section noon, virtual

June

1 Employment and Labor Law Section noon, virtual

14 Appellate Section noon. virtual

21 Solo and Small Firm Section noon, virtual/SBNM

28

Natural Resources, Energy, and Environmental Law Section noon, virtual

Workshops and Legal Clinics

April

27 Consumer Debt/Bankruptcy Workshop 6-8 p.m., virtual

May

4

Divorce Options Workshops 6-8 p.m., virtual

25

Consumer Debt/Bankruptcy Workshop 6-8 p.m., virtual

June

1 Divorce Options Workshops 6-8 p.m., virtual

22 Consumer Debt/Bankruptcy Workshop 6-8 p.m., virtual

July

16
Divorce Options Workshops
6-8 p.m., virtual
27
Consumer Debt/Bankruptcy Workshop
6-8 p.m., virtual

About Cover Image and Artist: Willy Bo Richardson received an MFA from Pratt Institute in 2000. He teaches painting at SFUAD and exhibits nationally. In 2011 his work was included in "70 Years of Abstract Painting" at Jason McCoy Gallery in New York, which assembled works by a selection of modern and contemporary painters, including Josef Albers, Hans Hofmann and Jackson Pollock. In 2012 he exhibited a body of watercolors at Phillips auction house in New York. His work and vision was featured on the PBS weekly arts series ¡COLORES!. He is represented by Richard Levy Gallery in Albuquerque and Turner Carroll Gallery in Santa Fe.

COURT NEWS New Mexico Supreme Court Rule-Making Activity

To view recent Supreme Court rulemaking activity, visit the Court's website at https://supremecourt.nmcourts.gov/. To view all New Mexico Rules Annotated, visit New Mexico OneSource at https:// nmonesource.com/nmos/en/nav.do.

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. The Law Library is located in the Supreme Court Building at 237 Don Gaspar in Santa Fe. Building hours: Monday-Friday 8 a.m.-5 p.m. Library Hours: Monday-Friday 8 a.m.-noon and 1-5 p.m. For more information call: 505-827-4850, email: libref@nmcourts.gov or visit https:// lawlibrary.nmcourts.gov.

Second Judicial District Court Announcement of Vacancy

A vacancy on the Second Judicial District Court will exist as of July 1 due to the creation of an additional judgeship by the Legislature. Inquiries regarding the details or assignment of this judicial vacancy should be directed to the administrator of the court. Applicants seeking information regarding election or retention if appointed should contact the Bureau of Elections in the Office of the Secretary of State. Sergio Pareja, chair of the Second Judicial District Court Judicial Nominating Commission, invites applications for this position from lawyers who meet the statutory qualifications in Article VI, Section 28 of the New Mexico Constitution. Applications may be obtained from the Judicial Selection website: https:// lawschool.unm.edu/judsel/application.html, or emailed to you by contacting the Judicial Selection Office at akin@law.unm.edu. The deadline for applications has been set for May 9 at 5 p.m. Applications received after that time will not be considered. The Second Judicial District Court Nominating Commission will meet beginning at 9 a.m. on June 7 to interview applicants for the position at the Second Judicial District Court, located at 400 Lomas Blvd NW, Albuquerque, N.M. 87102, to evaluate the applicants for this position. The Committee meeting is open to the public and members of the public who wish to be heard about any of the candidates will have an opportunity to be heard

Professionalism Tip

With respect to opposing parties and their counsel:

I will agree to reasonable requests for extensions of time or waivers of formalities when legitimate interests of my client will not be adversely affected.

Third Judicial District Court Mass Reassignment of Cases

On March 24, Gov. Michelle Lujan-Grisham appointed Jessica Streeter to Division II of the Third Judicial District Court. Effective May 11, all pending cases previously assigned to the Honorable Marci Beyer, District Judge, Division II, shall be reassigned to the Honorable Jessica Streeter. Pursuant to Supreme Court Rule 1.088, parties who have not yet exercised a peremptory excusal will have 10 days from May 11 to excuse Judge Streeter.

The Administrative Hearings Office

Notice of Santa Fe Hearing Location Change

Effective May 16, the Administrative Hearings Office will return to conducting Santa Fe in-person tax protest hearings under the Tax Administration Act and Property Tax Code, Implied Consent Act license revocation hearings and Motor Vehicle Code hearings at its traditional location in the renovated Wendell Chino Building, Suite 262, 1220 S. St. Francis Drive, Santa Fe, N.M. 87505. In preparation for the move back to the main office, AHO's Santa Fe office will be closed to in-person business from May 2 through May 13. This notice does not impact scheduled telephonic and videoconference hearings, which will occur as scheduled during this period, and does not impact any hearings conducted outside of Santa Fe County. During the Santa Fe office closure and move, parties may still file pleadings by email: in tax cases to Tax.Pleadings@ state.nm.us and in ICA and MVD cases to Scheduling.Unit@state.nm.us. If you have questions, need directions or need clarification about the location of your hearing, please call 505-827-0358.

Administrative Office of the Courts

Supreme Court Names Chief Court Clerk and State Law Librarian

Elizabeth A. Garcia has assumed the duties of chief clerk of the New Mexico Supreme Court and Stephanie Wilson has become the state law librarian. Chief Justice Michael Vigil administered oaths to Garcia and Wilson during a ceremony on March 29 in the Supreme Court courtroom.

Bernalillo County Metropolitan Court Announcement of Vacancy

A vacancy on the Bernalillo County Metropolitan Court Criminal Misdemeanor and Saturday Arraignment Rotation will exist as of June 1 due to the retirement of the Honorable Judge Victor E. Valdez effective May 31. Inquiries regarding the details or assignment of this judicial vacancy should be directed to the Administrator of the Court. Applicants seeking information regarding election or retention if appointed should contact the Bureau of Elections in the Office of the Secretary of State. Sergio Pareja, Chair of the Bernalillo County Metropolitan Court Judicial Nominating Commission, invites applications for this position from lawyers who meet the statutory qualifications in Article VI, Section 28 of the New Mexico Constitution. Applications may be obtained from the Judicial Selection website: https:// lawschool.unm.edu/judsel/application.html, or emailed to you by contacting the Judicial Selection Office at akin@law.unm.edu. The deadline for applications has been set for Monday, April 25 at 5 p.m. Applications received after that time will not be considered. The Bernalillo County Metropolitan Court Nominating Commission will meet beginning at 9 a.m. on Monday, May 23, to interview applicants for the position at the Metropolitan Courthouse, located at 401 Lomas NE, Albuquerque, N.M. The Commission meeting is open to the public, and anyone who wishes to be heard about any of the candidates will have an opportunity to be heard. All attendees of the meeting of the Bernalillo County Metropolitan Court Judicial Nominating Commission will be required to wear a face mask at all times while at the meeting regardless of their vaccination status.

U.S. District Court, District of New Mexico

Announcement of Vacancy

The Judicial Conference of the United States has authorized the appointment of a full-time United States Magistrate Judge for the District of New Mexico in Albuquerque, New Mexico. Appointment commences no earlier than Jan. 4, 2023. The current annual salary of the position is \$205,528. The term of office is eight years. The U.S. Magistrate Judge Application form and the full public notice with application instructions are available from the Court's website at www.nmd. uscourts.gov or by calling 575-528-1439. Applications must be submitted by May 13.

Announcing Retirement of Honorable Stephan M. Vidmar

The Honorable Stephan M. Vidmar has announced his intention to retire as a magistrate judge, effective Jan. 2, 2023. His announcement comes after 11 years of service with the U.S. District Court for the District of New Mexico, first appointed to the federal bench in Dec. 2011 and stationed in Las Cruces. He obtained a B.S. in engineering from the United States Military Academy in 1974 and then served as an Army Office for five years.

Investiture of United States District Judge David Herrera Urias

Members are invited to the Investiture of Honorable David Herrera Urias at 4 p.m. on May 13 in the Rio Grande Courtroom at the Pete V. Domenici United States Courthouse in Albuquerque, N.M. (333 Lomas Blvd NW, Third Floor). A reception hosted by the Federal Bench and Bar of the United States District Court for the District of New Mexico will follow from 6-9 p.m., at the National Hispanic Cultural Center (1701 4th St SW, El Salón Ortega). All members of the Federal Bench and Bar are cordially invited to attend; however, reservations are requested. R.S.V.P., if attending, to Cynthia Gonzales at 505-348-2001, or by email to usdcevents@nmd.uscourts.gov.

STATE BAR NEWS Equity in Justice Program Have Questions?

Do you have specific questions about equity and inclusion in your workplace or in general? Send in anonymous questions to our Equity in Justice Program Manager, Dr. Amanda Parker. Each month, Dr. Parker will choose one or two questions to answer for the *Bar Bulletin*. Go to www. sbnm.org/eij, click on the Ask Amanda link and submit your question. No question is too big or too small.

Board of Bar Commissioners Appointments to ABA House of Delegates

Pursuant to the American Bar Association Constitution and Bylaws (Rules of the Procedure House of Delegates) Article 6, Section 6.4, the Board of Bar Commissioners will make one appointment to the American Bar Association House of Delegates for a two-year term, which will expire at the conclusion of the 2024 ABA Annual Meeting. The delegate must be a licensed New Mexico attorney and a current ABA member in good standing and be willing to attend meetings or otherwise complete his/her term and responsibilities without reimbursement or compensation from the State Bar; however, the ABA provides reimbursement for expenses to attend the ABA mid-year meetings. Members wishing to serve on the House of Delegates should send a letter of interest and brief resume by May 6 to bbc@sbnm.org.

Appointments to Civil Legal Services Commission

Pursuant to NMSA 1978, § 34-14-1 (2001), the Board of Bar Commissioners will make one appointment to the Civil Legal Services Commission for a threeyear term. Applicants must be licensed to practice law in New Mexico and must have experience with civil legal matters affecting low-income persons. Attorneys who wish to apply to serve on the commission should send a letter of interest and brief resume by May 6 to bbc@sbnm.org.

Appointments to Judicial Standards Commission

Pursuant to NMSA 1978, § 34-10-1(B) (1999), the Board of Bar Commissioners will make one appointment to the Judicial Standards Commission for a four-year term. Applicants must be licensed to practice law in New Mexico. The time commitment for service on this Commission is substantial and the workload is voluminous. Receiving, reviewing and analyzing substantial quantities of electronic documents are necessary to prepare for Commission matters. Strict adherence to constitutional, statutory and regulatory authority governing the Commission is mandatory, expressly including but not limited to confidentiality. Commissioners meet at least six times per year for approximately three hours per meeting. A substantial amount of reading and prepara-



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tion is required for every meeting. In addition to regular meetings, the Commission schedules at least three weeklong trailing dockets of trials. Additional trials, hearings or other events may be scheduled on special settings. Additionally, mandatory in-house training sessions may periodically take place. Unless properly recused or excused from a matter, all Commissioners are required to faithfully attend all meetings and participate in all trials and hearings. Appointees should come to the Commission with limited conflicts of interest and must continually avoid, limit or eliminate conflicts of interest with the Commission's cases, Commission members. Commission staff and with all others involved in Commission matters. Attorneys who wish to serve on the Commission should send a letter of interest and brief resume by May 6 to bbc@sbnm.org.

New Mexico Judges and Lawyers Assistance Program NMJLAP Committee Meetings

The NMJLAP Committee will meet at 10 a.m. on July 9. The NMJLAP Committee was originally developed to assist lawyers who experienced addiction and substance abuse problems that interfered with their personal lives or their ability to serve professionally in the legal field. The NMJLAP Committee has expanded their scope to include issues of depression, anxiety, and other mental and emotional disorders for members of the

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legal community. This committee continues to be of service to the New Mexico Judges and Lawyers Assistance Program and is a network of more than 30 New Mexico judges, attorneys and law students.

Employee Assistance Program

NMJLAP contracts with The Solutions Group, the State Bar's EAP service, to bring you the following: FOUR FREE counseling sessions per issue, per year. This EAP service is designed to support you and your direct family members by offering free, confidential counseling services. Check out the MyStress Tools which is an online suite of stress management and resiliencebuilding resources. Visit www. sbnm.org/ EAP or call 505.254.3555. All resources are available to members, their families and their staff. Every call is completely confidential and free.

Free Well-Being Webinars

The State Bar of New Mexico contracts with The Solutions Group to provide a free employee assistance program to members, their staff and their families. Contact the Solutions Group for resources, education, and free counseling. Each month in 2022, The Solutions Group will unveil a new webinar on a different topic. Sign up for "Echopsychology: How Nature Heals" to learn about a growing body of research that points to the beneficial effects that exposure to the natural world has on health. The next webinar, "Pain and Our Brain" addresses why the brain links pain with emotions? Find out the answers to this and other questions related to the connection between pain and our brains. The final webinar, "Understanding Anxiety and Depression" explores the differentiation between clinical and "normal" depression, while discussing anxiety and the aftereffects of COVID-19 related to depression and anxiety. View all webinars at www. solutionsbiz.com or call 505-254-3555.

Monday Night Attorney Support Group

The Monday Night Attorney Support Group meets at 5:30 p.m. on Mondays by Zoom. This group will be meeting every Monday night via Zoom. The intention of this support group is the sharing of anything you are feeling, trying to manage or struggling with. It is intended as a way to connect with colleagues, to know you are not in this alone and feel a sense of belonging. We laugh, we cry, we BE together. Email Pam Moore at pmoore@sbnm.org or Briggs Cheney at bcheney@dsc-law.com for the Zoom link.

Defenders in Recovery: Additional Meetings You Can Attend in the Legal Community

Defenders in Recovery meets every Wednesday night at 5:30 p.m. The first Wednesday of the month is an AA meeting and discussion. The second is an NA meeting and discussion. The third is a book study, including the AA Big Book, additional AA and NA literature, including the Blue Book, Living Clean, 12x12 and more. The fourth Wednesday features a recovery speaker and monthly birthday celebration. These meetings are open to all who seek recovery. Who we see in this meeting, what we say in this meeting, stays in this meeting. For the meeting link, send an email to defendersinrecovey@gmail.com or call Jen at 575-288-7958.

The New Mexico Well-Being Committee

The N.M. Well-Being Committee was established in 2020 by the State Bar of New Mexico's Board of Bar Commissioners. The N.M. Well-Being Committee is a standing committee of key stakeholders that encompass different areas of the legal community and cover state-wide locations. All members have a well-being focus and concern with respect to the N.M. legal community. It is this committee's goal to examine and create initiatives centered on wellness. Upcoming meetings of the Committee are 3 p.m., May 31 and July 26.

UNM SCHOOL OF LAW Law Library Hours

The UNM Law Library facility is currently closed to guests. Reference services are available remotely Monday through Friday, from 9 a.m.-6 p.m. via email at lawlibrary@ unm.edu or phone at 505-277-0935.

OTHER NEWS City of Albuquerque Volunteers Needed for Albuquerque Pro Bono Eviction-Prevention Legal Clinic

The City of Albuquerque is seeking volunteer attorneys to provide advice to low-income tenants facing eviction at an in-person legal clinic on May 25 from 11 a.m.-3:30 p.m. at El Centro de Igualdad y Derechos at 714 4th Street SW. A free Landlord/Tenant Law CLE is included in the clinic schedule, and lunch will be provided. Please contact Pro Bono Coordinator Yajayra Gonzalez to sign up by email at ygonzalez@cabq.gov or phone at 505-738-5794.

New Mexico Christian Legal Aid

Invitation to Virtual Training Seminar in May

New Mexico Christian Legal Aid invites you to join them as they work together to secure justice for the poor and uphold the cause of the needy. They will be hosting a Virtual Training Seminar on May 6, from 1-5 p.m. via Zoom. Join them for free CLE credits and training as they update skills on how to provide legal aid. For more information or to register, contact Jim Roach at 505-243-4419 or Jen Meisner at christianlegalaid@hotmail.com.

International Alliance of Hollistic Lawyers Law and Holism: Putting Wisdom, Exploration and Creative Ideas into Action

Join the International Alliance of Holistic Lawyers for "Law and Holism: Putting Wisdom, Exploration and Creative Ideas into Action," May 20-22 in Santa Fe. In the late 20th Century, hundreds of people from around the world came together as part of the International Alliance of Holistic Lawyers. During this time, we saw the birth of Therapeutic Jurisprudence, Humanizing Legal Education, Creative Problem-solving, Preventive Law, Drug Courts, Restorative Justice, Integrative Law and Collaborative Law. 25 years ago, the IAHL international conference was held in Santa Fe. We return to garner the wisdom of the past, take inventory of the present resources working toward creating a new legal paradigm and then strategize on how to have the greatest impact on the future. For information, contact Eric Sirotkin 505-930-7223 or register at www.eventbrite.com.



Dear Amanda,

I want to be a better public ally to marginalized groups, but I'm afraid to do something wrong and get "cancelled." How can I help and learn more without overstepping?

Dear Member,

Your question about "cancel culture" and not overstepping is very common. We are living in a time where social media and commentary about who we are and what we're doing wrong is constant. Just take a breath. You don't live in social media land. You're a lawyer. You work in a field that doesn't post daily lists of who has screwed up. Also, keep in mind, some of the individuals you're seeing online are just performing without actually working to truly undo injustice. I have a few suggestions and things to think about, and like anything related to equity work, there are no easy or black and white solutions.

When you say "public ally," what I hear is that you would like to make your stance known. You don't need to have the hottest take. You can echo and amplify the sentiments of people around you who have lived experience or more knowledge in these areas. If you were previously silent in meetings, you can start speaking up in those spaces by agreeing with perspectives and voicing your concerns if certain perspectives aren't being heard.

Don't start by leading. After the summer of 2020, people who were suddenly invested in racial justice took over workplaces, disregarded the work that was already being done, and tried to lead with no experience. People from dominant groups can take that domination into social justice work and they did. It is always important to recognize that no matter what issue of marginalization it is, people have been hard at work for decades, and centuries in some cases, to build movements related to it, and you need to find what your role is within that movement.

Build trust and learn vulnerability

One of the things that scares most of us about being cancelled or getting called out is how quickly people react to missteps. We need to slow down. If you are working on your consciousness, you need to focus on building trust with marginalized people. In order for learning to happen, people need to trust and be able to be vulnerable with each other and that takes time. Vulnerability is the ability to open yourself up authentically and in ways that risk negative feedback or rejection. What you are expressing is a fear of being vulnerable. People from dominant groups struggle to be vulnerable because part of domination is valuing invulnerability. People from marginalized groups value vulnerability and sharing in personal interactions because it builds trust¹. Think about whether you are willing to be vulnerable enough to learn. I say this as someone who had to learn it myself.

I also turn to bell hooks' definition of dominator culture when I think of how hard we are on each other when we are learning. She described dominator culture as a culture that values control over others, interpreting all relationships as power struggles². I must admit that over the years, my insecurities about my own actions made me hard on others who were trying to learn because I perceived domination as the only way to be right. I think if we are truly trying to undo all aspects of oppression, most people reading

continued on page 14

It's Always Good to Get an Early Start on Something This Important: Well-Being at the Law School

William D. Slease

s a graduate of the University of New Mexico School of Law and having been privileged to serve as an adjunct professor there since 2010, I recognize that when I brag about my alma mater, you might claim that I am not objective. But I doubt that I am the only one who recognizes the value in the Law School's state-of-the-art hands-on clinic, its reputation for having one of the most competitive tuition rates nationally, its attention to diversity, and its faculties' dedication to the students. Now the Law School can add its commitment to well-being to the list of things for which it can and should be exceedingly proud.

It's no secret that being in law school is not without its challenges; the workload is demanding, and most students are trying to balance school, a job, home, and a variety of other commitments. Additionally, there is the everlooming prospect of taking the bar exam and finding meaningful employment after graduation. While some anxiety or apprehension is to be expected in the face of these demands, the Law School offers various resources, outlets, and strategies to students for dealing with all these demands and to help them find ways to integrate enjoyment and well-being into the students' experience at the Law School and beyond.

At the outset, the Law School offers what I would characterize as a common resource set, similar to the resources offered at many law schools around the nation. For example, the Law School provides access to a mental health counselor, 12-step meetings through the State Bar of New Mexico Judges and Lawyers Assistance Program, an informal peer-support network, social/peer clubs like the soccer club and the women's golf association, oncampus meditations and yoga classes, and an on-campus masseuse. On occasion, the Law School has arranged to have a therapy dog on campus, and has provided students with access to a wellness center and workout equipment. These resources mirror those offered at other law schools



including the University of Miami, Boston University, Stanford Law School, Yale, American University Washington College of Law, and many others.

Moreover, the Law School has set infrastructure in place to support continued well-being efforts, specifically, a Student Bar Association Well-being Committee which oversees, plans and implements well-being initiatives at the Law School, and a Fun Committee which has planned and presented a variety of fun events such as Arbitrary and Delicious (a community cooking show presented over Zoom), karaoke night, poetry reading, trivia night, and open mic night. Likewise, the Law School has collaborated with the State Bar of New Mexico to make counselling resources available to members of the Law School community through the State Bar Judges and Lawyers Assistance Program, and the Bar's Employee Assistance Program.

In addition to the resources described above, many law schools, including the Law School at UNM, have



state bar of New Mexico 2022 Annual Awards

Nominations are being accepted for the 2022 State Bar of New Mexico Annual Awards to recognize those who have distinguished themselves or who have made exemplary contributions to the State Bar or legal profession in the past year. The awards will be presented at the 2022 Annual Meeting on Thursday, Aug. 11 at the Hyatt Regency Tamaya Resort & Spa. All awards are limited to one recipient per year, whether living or deceased, with the exception of the Justice Pamela B. Minzner Professionalism Award, which can have two recipients, an attorney and a judge. Nominees may be nominated for more than one award category. Previous recipients for the past three years are listed below.

To view the full list of previous recipients, visit www.sbnm.org/annualmeeting2022

Judge Sarah M. Singleton* Distinguished Service Award

Recognizes attorneys who have provided valuable service and contributions to the legal profession, the State Bar of New Mexico and the public over a significant period of time.

Previous recipients: Joey D. Moya, Deborah S. Dungan, John P. Burton

*This award was renamed in 2019 in memory of Judge Singleton (1949-2019) for her tireless commitment to access to justice and the provision of civil legal services to low-income New Mexicans. She also had a distinguished legal career over four decades as an attorney and judge.

Distinguished Bar Service Award–Nonlawyer

Recognizes nonlawyers who have provided valuable service and contributions to the legal profession over a significant period of time.

Previous recipients: Bernice Ramos, Renee Valdez, Tiffany Corn

Justice Pamela B. Minzner* Professionalism Award

Recognizes attorneys and/or judges who, over long and distinguished legal careers, have by their ethical and personal conduct exemplified for their fellow attorneys the epitome of professionalism.

Previous recipients: Frederick M. Hart (*posthumously*) and F. Michael Hart, William D. Slease, Hon. Stan Whitaker

*Known for her fervent and unyielding commitment to professionalism, Justice Minzner (1943–2007) served on the New Mexico Supreme Court from 1994–2007.

Outstanding Legal Organization or Program Award

Recognizes outstanding or extraordinary law-related organizations or programs that serve the legal profession and the public.

Previous recipients: New Mexico Center on Law and Poverty, New Mexico Immigrant Law Center, Second Judicial District Court Judicial Supervision and Diversion Program

Outstanding Young Lawyer of the Year Award

Awarded to attorneys who have, during the formative stages of their legal careers by their ethical and personal conduct, exemplified for their fellow attorneys the epitome of professionalism; nominee has demonstrated commitment to clients' causes and to public service, enhancing the image of the legal profession in the eyes of the public; nominee must have practiced no more than five years or must be no more than 36 years of age.

Previous recipients: Maslyn K. Locke, Veronica C. Gonzales-Zamora, Rebekah Reyes

Robert H. LaFollette^{*} Pro Bono Award

Presented to an attorney who has made an exemplary contribution of time and effort, without compensation, to provide legal assistance over his or her career to people who could not afford the assistance of an attorney.

Previous recipients: Torri Jacobus, Julia H. Barnes, Robert J. Anderotti

*Robert LaFollette (1900–1977), Director of Legal Aid to the Poor, was a champion of the underprivileged who, through countless volunteer hours and personal generosity and sacrifice, was the consummate humanitarian and philanthropist.

Justice Seth D. Montgomery* Distinguished Judicial Service Award

Recognizes judges who have distinguished themselves through long and exemplary service on the bench and who have significantly advanced the administration of justice or improved the relations between the bench and the bar; generally given to judges who have or soon will be retiring.

Previous recipients: Judge Mary W. Rosner, Judge Alvin Jones (posthumously), Judge Nan G. Nash

^{*}Justice Montgomery (1937–1998), a brilliant and widely respected attorney and jurist, served on the New Mexico Supreme Court from 1989–1994.

Excellence in Well-Being Award (NEW!)

Many individuals have made significant contributions to the improvement of legal professional well-being to include destigmatizing mental health, strengthening resiliency and creating a synergic approach to work and life. This award will recognize an individual or organization that has made an outstanding positive contribution to the New Mexico legal community's well-being. As the SBNM is committed to improving the health and wellness of New Mexico's legal community, we strongly encourage self-nominations and peer nominations for any lawyer, judge, or non-lawyer working in some capacity with the NM legal community.

Nominations should be submitted through the following link: https://form.jotform.com/sbnm/2022amawards.

The link to the Jotform can also be found on the Annual Awards page on the State Bar website at www.sbnm.org/annualmeeting2022.

Additional information or letters may be uploaded with the form and submitted with the nomination.

Deadline for Nominations: Monday, June 6th

For more information or questions, please contact Morgan Pettit at morgan.pettit@sbnm.org or 505-797-6039



New Mexico Supreme Court

SEEKING APPLICATIONS FOR COMMISSION ON MENTAL HEALTH

The newly established New Mexico Supreme Court Commission on Mental Health and Competency has been charged with developing recommendations regarding:

- policies and procedures concerning a person's competency to stand trial
- ways to better identify and serve people in need of mental health treatment before and after they enter the justice system
- strategies for expanding the behavioral health resources available in communities and courts statewide, particularly in underserved communities and rural areas.

The commission will consist of 17 voting members as follows:

- two judges from larger urban jurisdictions
- one judge from a medium-sized jurisdiction
- two judges from smaller rural jurisdictions
- one behavioral health advocate
- one community member with life experience pertinent to issues surrounding mental health
- one supportive housing advocate; one tribal member, preferably one that works for Indian Health Services, a tribal behavioral health provider, or otherwise within a behavioral health system
- one prosecutor with experience working with the courts regarding behavioral health
- one criminal defense attorney with experience working with the courts regarding behavioral health
- one attorney with significant experience in mental health or disability law
- one legislative member; one member of local law enforcement
- one designee from the executive branch
- two at-large members.

Applications are due May 27. For instructions, visit www.sbnm.org/notices.

FREE SERVICE FOR MEMBERS!

Employee Assistance Program

Get help and support for yourself, your family and your employees. **FREE** *service offered by* NMJLAP.



State Bar of New Mexico Judges and Lawyers Assistance Program



Services include up to four **FREE** counseling sessions/ issue/year for ANY mental health, addiction, relationship conflict, anxiety and/or depression issue. Counseling sessions are with a professionally licensed therapist. Other **FREE** services include management consultation, stress management education, critical incident stress debriefing, video counseling, and 24X7 call center. Providers are located throughout the state.

To access this service call 855-231-7737 and identify with NMJLAP. All calls are **CONFIDENTIAL.** Brought to you by the New Mexico Judges and Lawyers Assistance Program **www.sbnm.org** this have something to teach and something to learn. Sometimes we are harder on people who are trying than we are on people who are overtly racist, or sexist, or homophobic. You are learning. I am still learning. People who cancel people are still learning too, even if they don't want to admit it.

Think with not for

One of the ways to cope with this anxiety is to have some awareness about when you are focusing too much on yourself as opposed to doing what you see needs to be done. The goal is working with others to strategically dismantle systems of oppression. Allyship implies that you are "helping" others as opposed to being personally invested in these changes. There are plenty of people who don't think I as a white woman have anything to offer these discussions. I understand the sentiment, but it dismisses the long history of white people fighting for racial justice, a history most people don't learn in school. There will always be disagreement about the roles that people play in different movements and I have had to learn to be in this ambiguous space. It's not comfortable, and it shouldn't be, but I focus on the work.

Try to envision yourself standing inside the work instead of thinking of yourself as outside of it. Once you see yourself inside, what is your platform? Who do you need to work with? In what spaces can you enact change? If there is someone leading efforts that you can let know you are available? Have you thought about who might have been harmed by your previous silence and how you can repair that relationship?

If you think getting cancelled is scary, just wait till you take actual risks in speaking up to people with power.

Cancel culture diverts our attention away from those who are the true barriers to social change. Real impediments to change are people invested in keeping things as they are and not allowing voices to be heard, blocking dialogue that needs to happen, and not investing in hiring and promoting marginalized people or incorporating multiple perspectives into what our society should look like. When you start taking risks to speak up against those folks, that's when you can suffer true consequences like not getting a job or not being promoted because someone with power does not like what you had to say or who you are aligned with. The focus on cancel culture as the enemy of change is a distraction. People from dominant groups can see cancel culture as a tightrope, but it's people from marginalized groups that are really walking one by having to conform to dominant society and be constantly conscious of the way they are being perceived.

You must put in the time

All of this learning takes time, and it is not just reading an article here and there. When you are part of dominant groups, you have to watch, read, and listen to as many perspectives as you can. You have to put in time to gain deeper knowledge. You have to build up some stamina and commitment to keep going in the face of obstacles. Don't underestimate how difficult continually working on equity and justice issues can be. It takes an emotional toll that marginalized people live with every day.

So, I leave you with this—the big picture:

"Dominator culture has tried to keep us all afraid, to make us choose safety instead of risk, sameness instead of diversity. Moving through that fear, finding out what connects us, reveling in our differences; this is the process that brings us closer, that gives us a world of shared values, of meaningful community."—bell hooks

Endnotes

¹ Mary Frances Winters, We Can't Talk About That At Work : How to Talk about Race, Religion, Politics, and Other Polarizing Topics (2017).

² bell hooks, Teaching Community: A Pedagogy of Hope (2003).

Ask your questions about diversity, equity, and inclusion issues in the offrice, courtroom, and larger society at **www.sbnm.org/eij**

Wellbeing at the Law School continued from page 10

also begun to discuss the concept of well-being within existing substantive courses, offering a session in the professional responsibility class, or weekend workshops devoted to the topic. But, perhaps one of the most significant things that the Law School at UNM has done to support its community members' well-being, is to expressly integrate the concept of well-being into the Law School's scholarship and curricula. For example, Professor Nathalie Martin has authored a book titled "Lawyering from the Inside Out: Learning Professional Development Through Mindfulness and Emotional Intelligence." Professor Martin submits that through mindfulness and emotional intelligence training, lawyers

can improve their focus, productivity, interpersonal skills and, ultimately, their enjoyment of the practice of law. And Professor Martin does more than just write about the importance of wellbeing; she walks the walk. In addition to the many other things she does for the Law School community, she is a certified yoga instructor and teaches two yoga classes and a meditation class during the work week at the Law School's Wellness Center.

Professor Barbara Creel offers a 2 hour-credit course at the Law School titled "The Good Life and the Practice

of Law." The course is founded on the premise that law students and lawyers can learn more from the field of positive psychology and neuroscience to integrate enjoyment into their lives through daily practice of what some experts call "brain training" or "rewirements." While the demands and stresses associated with law school and the practice of law are real and can be challenging, and the negative statistics related to law students' and lawyers' mental health and substance abuse are well-known, Professor Creel believes that law schools must directly address these challenges and dedicate time and space in their curricula to actually "do" well-being not just talk about or recommend it. By using critical thinking and proven methods of self-care and awareness, Professor Creel seeks to promote a transformational change in the legal profession by focusing on lawyers as a sustainable human resource.

Devoting scholarship to well-being, teaching wellbeing to law students as a core concept in a for-credit course, and providing time and space in the curricula to "doing" well-being rather than just talking about it is, as one person commented, "next-level thinking." And integration is the key. Historically, the study and practice

... perhaps one of the most significant things that the Law School at UNM has done to support its community members' well-being, is to expressly integrate the concept of well-being into the Law School's scholarship and curricula.

of law was one of the "silos" in a legal professional's life. Well-being was treated as a separate silo which all-too frequently became another chore on the legal professional's to-do list. But by taking a more holistic, integrated, and action-oriented view of well-being, law students and lawyers can integrate well-being into their legal practice and find daily meaning, purpose, and joy in their work. Common sense tells us that legal professionals who integrate meaning, purpose and joy into their daily practices are undoubtedly more satisfied and, as a result, likely to be more effective law students and lawyers. In short, as Professor Creel phrases it, they are a more sustainable human resource.

> Knowing the administration, faculty, staff, and students and the Law School, I doubt that the well-being efforts discussed above will stop there. I would be unsurprised by even more integration of well-being into core curricula and scholarship by more professors, an expansion of on-campus well-being resources, increased collaboration with off-campus wellbeing providers and programs, and perhaps a more prominent presence on the Law School's website allowing faculty, staff, and students to easily access all that is available to them.

By building a solid well-being foundation for the next generation of lawyers the Law School is leading the way in integrating well-being into every lawyers' practice. And as I said at the top, it's always good to get an early start on something this important.

About the author:WILLIAM D. SLEASE is the Professional Development Program Director for the State Bar of New Mexico and serves as an adjunct professor at the University of New Mexico School of Law where he has taught Ethics and 1L Lab.





EQUITY IN JUSTICE • SPRING 2022 SERIES

BACK TO THE (NEW) BASICS - LGBTQ 101

Date: May 13, Noon-1:30 1.5 EP • Format: Webinar Cost: \$25

Presenters: Marshall Martinez, Executive Director of Equality New Mexico; and Judge David Murphy, Bernalillo County Metropolitan Court

Register online: www.sbnm.org/EIJ

We endeavor to be accessible to all our members. Should you need accommodation for effective communication, such as an interpreter, please let us know. Email: Amanda.Parker@sbnm.org

TRAINING DESCRIPTION

This training will refresh your knowledge of the basics regarding LGBTQ people, and provide a safe space to ask hard questions. We will update the language used to describe and interact with queer and trans folks, as well as help identify the areas in which we each need to "brush up" or deepen our knowledge in order to be the best allies possible for sexual and gender minorities in our practice as well as daily life. Whether you have had gay and lesbian friends your entire life, have had a few trans clients once or twice, or never had any education on the LGBTQ community, this is a great starting place or opportunity to reset and refresh!

PURPOSE

Gives an update on language and understanding of LGBTQ communities for legal/judicial interactions.

OUTCOME

Participants will have a current understanding of concepts and language that impact/include queer and trans people (sexual and gender minorities/ LGBTQ people) when we engage in the legal or judicial system in any way.

TRAINER BIOS

Marshall Martinez, Executive Director of Equality New Mexico, is a community organizer by trade. He has been a Queer Chicano his entire life and a Feminist and Liberation activist for over 20 years. From fighting climate change and working for fair pay and safe working conditions, to helping secure safe, legal, Abortion Access as Public Affairs Director at Planned Parenthood of New Mexico.

Judge David Murphy serves on the Bernalillo County Metropolitan Court. He was admitted to the State Bar in 2008.



Legal Education

April

 Five Steps to Effective Online Negotiations with Marty Latz
 2.0 G
 Webcast
 Center for Legal Education of NMSBF
 www.sbnm.org

May

- 3 Law Firms Face the Scourge of Ransomware: How to Ethically Prevent, Respond and Recover 1.0 EP Webinar Center for Legal Education of NMSBF www.sbnm.org
- 6 Virtual Magic: Making Great Legal Presentations Online 1.0 G Webinar Center for Legal Education of NMSBF www.sbnm.org
- 6 Drafting Waivers of Conflicts of Interest

 1.0 EP
 Teleseminar
 Center for Legal Education of NMSBF
 www.sbnm.org
- 6 REPLAY: Cannabis Regulation Act and Expungement (2021)
 1.0 G
 Webinar
 Center for Legal Education of NMSBF
 www.sbnm.org
- Event Data Recorders (EDR) AKA Black Box

 0 G
 Web Cast
 New Mexico Defense Lawyers
 Association
 www.nmdla.org

- 29 Identifying Gender Bias: Examining the Roles of Women Attorneys in Hollywood 1.0 EP Webinar Center for Legal Education of NMSBF www.sbnm.org
 - Storytelling for Lawyers: How to Engage Clients, Judges, and Juries, and Move Them to Action 1.0 G Webinar Center for Legal Education of NMSBF www.sbnm.org

9

10

- Disorder in the Court: An Attorney's Guide to Judicial Misconduct 2.0 EP Webinar Center for Legal Education of NMSBF www.sbnm.org
- 12 REPLAY: Stop Missing Your Life (2021) 1.0 EP Webinar Center for Legal Education of NMSBF www.sbnm.org
- 12 Text Messages & Litigation: Discovery and Evidentiary Issues 1.0 G Teleseminar Center for Legal Education of NMSBF www.sbnm.org
- 17 2022 Sex Harassment Update 1.0 G Teleseminar Center for Legal Education of NMSBF www.sbnm.org
- 18 REPLAY: Challenging the Tricultural Myth in New Mexico (2021)
 1.0 G
 Webinar
 Center for Legal Education of NMSBF www.sbnm.org

- 24 REPLAY: Animal Talk: Progressive v. Sheppard (2022) 1.0 G Webinar Center for Legal Education of NMSBF www.sbnm.org
- 24 Informal Logical Fallacies: Logic, Argumentation, & Persuasion 1.0 G Webinar Center for Legal Education of NMSBF www.sbnm.org

25

26

- **Lawyer Ethics and Email** 1.0 EP Teleseminar Center for Legal Education of NMSBF www.sbnm.org
- REPLAY: An Afternoon of Legal Writing with Stuart Teicher (2021) 3.0 G Webinar Center for Legal Education of NMSBF www.sbnm.org
- 31 Fourth Amendment Webinar Series Part 1 - Anatomy of a Suppression Hearing 1.2 G Web Cast (Live Credits) Administrative Office of the U.S. Courts
 - www.uscourts.gov

Listings in the *Bar Bulletin* Legal Education Calendar are derived from course provider submissions and from New Mexico Minimum Continuing Legal Education. All MCLE approved continuing legal education courses can be listed free of charge. Send submissions to notices@sbnm.org. Include course title, credits, location/ course type, course provider and registration instructions.

Legal Education

June

- 7 Expungement 101 17

 1.0 G
 Web Cast (Live Credits)
 New Mexico Legal Aid/Volunteer
 Attorney Program
 www.sharenm.org

 17 Basics of Trust Accounting: How to 24
- Comply with Disciplinary Board Rule 17-204 1.0 EP Webinar Center for Legal Education of NMSBF www.sbnm.org

Cowen's Big Boot Camp 5.5 G Live Seminar (San Antonio, Texas) Webinar Cowen Rodriguez Peacock, P.C. www.cowenlaw.com

- 30 Things Every Solo Attorney Needs to Know to Avoid Malpractice 1.5 EP Webinar Center for Legal Education of NMSBF www.sbnm.org
- 29 Cybersecurity: How to Protect Yourself and Keep the Hackers at Bay 1.0 EP Webinar Center for Legal Education of NMSBF www.sbnm.org

UPDATE! Do you have federal student loans?

- In March 2020, the federal government suspended all loan payments and set interest rates to 0% on federal student loans.
- This federal student loan forbearance ends on August 31, 2022.

What do I need to do now to get ready to resume payments on my student loans?

- > Update your contact information on both your loan servicer's website and on your StudentAid.gov profile.
- Check to see if the repayment plan you were enrolled in prior to federal student loan forbearance still meets your needs.
- > If you were previously enrolled in autopay, you may need to re-enroll.
- If you are enrolled in an income-driven repayment (IDR) plan and you have had any change in financial or family situation since March of 2020, visit StudentAid.gov to request a recalculation of your payment.
 - StudentAid.gov has a new Loan Simulator tool help you figure out what payment plan is best for you!
- Your loan servicer is required to give you a 21-Day advance payment of when your first payment is due – including principal and interest

What if I graduated law school after March 2020 and have not yet made a payment on my student loans?

- When you graduate or leave school, you typically have a six-month grace period before you are required to start making payments.
- > You should have been assigned a student loan servicer and automatically enrolled in a standard repayment plan.
- If you are not sure who your servicer is or want to change your repayment plan, you can do so via your StudentAid.gov account.

What if I am working towards Public Service Loan Forgiveness (PSLF)?

- PSLF is a federal program that forgives student loan debt for borrowers who work full-time for a government or non-profit and have made 120 qualifying payments on their student loans.
- > The Department of Education recently enacted new rules for the PSLF program.
 - Student loan borrowers have until October 22, 2022 to apply for credit for past payments on loans that would not otherwise qualify for PSLF.
 - There are two requirements for eligibility for the limited waiver: 1) you must have worked full-time for a qualifying employer while you made the payments and 2) your loans must be consolidated into the Direct Loan program.
 - Learn more at https://studentaid.gov/announcements-events/pslf-limited-waiver.

Questions or Concerns About Your Federal Student Loans?

- The Department of Education has a Federal Student Aid Ombudsman Group available to provide technical assistance for concerns with student loans. Contact the Ombudsman at 1-877-557-2575.
- For more on budgeting and managing your student loan repayment, visit the NM Young Lawyers Division's Student Loan Debt Resource Page at https://tinyurl.com/fakm55kk

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 March 25, 2022

PUBLISHED OPINIONS

A-1-CA-39257	CYFD v. Carmella M	Reverse	03/22/2022
A-1-CA-39258	CYFD v. Garrett S. F.	Reverse	03/22/2022
A-1-CA-38173	State v. P Ancira	Affirm/Reverse	03/23/2022
A-1-CA-38830	State v. J Henz	Reverse/Remand	03/23/2022

UNPUBLISHED OPINIONS

A-1-CA-38096	NM Educational Retirement Board v. Renaissance	Affirm	03/21/2022
A-1-CA-39250	S Tracy v. AXA Equitable Life Ins.	Affirm	03/21/2022
A-1-CA-40018	CYFD v. Jason M	Affirm	03/21/2022
A-1-CA-38531	State v. R Ruiz	Affirm	03/22/2022
A-1-CA-38643	State v. T Coshise	Affirm	03/23/2022
A-1-CA-38985	Joel N. v. Manuel T., III	Dismiss	03/23/2022
A-1-CA-39808	H Lopez v. J Lopez	Affirm	03/23/2022
A-1-CA-40089	CYFD v. Cruz N	Affirm	03/23/2022
A-1-CA-36648	State v. R Lorenzo	Affirm/Vacate/Remand	03/24/2022
A-1-CA-38456	State v. G Donahoo	Reverse/Remand	03/24/2022
A-1-CA-38654	State v. D Hebenstreit	Reverse/Remand	03/24/2022
A-1-CA-39775	State v. J Mata	Reverse/Remand	03/24/2022
	Effective April 1, 2022		
PUBLISHED OPINIONS			

PUBLISHED OPINIONS

A-1-CA-38317	G Vigil v. Taxation & Revenue	Affirm/Reverse/Remand	03/31/2022

UNPUBLISHED OPINIONS

A-1-CA-38412	State v. J Comitz	Affirm	03/28/2022
A-1-CA-39812	City of Rio Rancho v. A Reed	Affirm	03/28/2022
A-1-CA-37913	M Washington v. Board of Regents	Affirm	03/29/2022
A-1-CA-39815	Moongate Water Co. v. NM State Engineer	Affirm	03/30/2022
A-1-CA-39932	City of Rio Rancho v. M Cox	Reverse	03/30/2022
A-1-CA-38579	P Kirklewski v. Community Financial	Affirm	03/31/2022
A-1-CA-38727	City of Rio Rancho v. J Sais	Reverse/Remand	03/31/2022
A-1-CA-39749	State v. C Waquie	Affirm	03/31/2022

Slip Opinions for Published Opinions may be read on the Court's website: http://coa.nmcourts.gov/documents/index.htm

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 April 8, 2022

PUBLISHED OPINIONS

A-1-CA-38534	A Autrey v. C Autrey	Affirm/Reverse/Remand	04/05/2022
UNPUBLISHED OP	NIONS		
A-1-CA-39369	State v. B Murillo	Affirm	04/04/2022
A-1-CA-40102	State v. R Gomez	Affirm	04/04/2022
A-1-CA-39880	S Segura v. E Segura	Affirm	04/05/2022
A-1-CA-39909	J Peruskie v. B Worthington	Affirm	04/05/2022
A-1-CA-37611	U.S. Bank v. D Branch	Affirm	04/06/2022
A-1-CA-39457	State v. N Ruiz	Affirm	04/06/2022
A-1-CA-40025	State v. B Herrera	Affirm	04/06/2022
A-1-CA-40087	B Bourgeois v. B Bourgeois	Affirm	04/06/2022
A-1-CA-38440	State v. G Sanchez	Affirm	04/07/2022
A-1-CA-39650	R Duran v. B Rauth, M.D.	Affirm	04/07/2022
A-1-CA-39811	CYFD v. Johnny F	Affirm	04/07/2022

Slip Opinions for Published Opinions may be read on the Court's website: http://coa.nmcourts.gov/documents/index.htm

From the Clerk of the New Mexico Supreme Court

Joey D. Moya, Chief Clerk New Mexico Supreme Court PO Box 848 • Santa Fe, NM 87504-0848 • (505) 827-4860

Clerk's Certificate of Limited Admission

On February 16, 2022: **Michael W. Gadomski** New Mexico Public Education Department 300 Don Gaspar Avenue Santa Fe, NM 87501 505-827-5800 michael.gadomski@state.nm.us

Kayla Jankowski

Native American Disability Law Center 905 W. Apache Street Farmington, NM 87401 505-566-5880 505-566-5889 (fax) kjankowski@nativedisabilitylaw .org

Jeanine L. Salustri

Office of the First Judicial District Attorney P.O. Box 2041 327 Sandoval Street (87501) Santa Fe, NM 87504 505-827-5000 505-827-5076 (fax) jsalustri@da.state.nm.us

On March 1, 2022: **Anthony Spaulding** Law Offices of the Public Defender 419 W. Cain Street Hobbs, NM 88240 575-263-2272 anthony.spaulding@lopdnm.us

On March 3, 2022: Jordan L. Grosz Office of the Fifth Judicial District Attorney 400 N. Virginia Avenue, Suite G-2 Roswell, NM 88201 575-622-4121 575-622-4126 (fax) jgrosz@da.state.nm.us

Lynna Shin

New Mexico Legal Aid, Inc. P.O. Box 25486 505 Marquette Avenue, N.W., Suite 700 (87102) Albuquerque, NM 87125 505-243-7871 lynnas@nmlegalaid.org

Patrick Rittner Smith

Law Offices of the Public Defender 301 N. Guadalupe Street Santa Fe, NM 87501 505-395-2888 patrick.smith@lopdnm.us

Dennis Jerome Tchir Office of the Fifth Judicial District Attorney 100 N. Love Street, Suite 2 Lovington, NM 88260 575-397-2471 575-397-6484 (fax) dtchir@da.state.nm.us

On March 10, 2022: David Codispoti Law Offices of the Public Defender 505 S. Main Street, Suite 121 Las Cruces, NM 88001 575-541-3193 david.codispoti@lopdnm.us

Clerk's Certificate of Amended Limited Admission

Effective February 22, 2022: Nicholas McDonald Office of the State Engineer P.O. Box 25102 130 S. Capitol (87501) Santa Fe, NM 87504 505-827-6183 nic.mcdonald@state.nm.us

CLERK'S CERTIFICATE OF REINSTATEMENT TO ACTIVE STATUS

Effective February 8, 2022: **Kaelen A. Chacon** 13264 N. 100th Place Scottsdale, AZ 85260 602-509-9098 kaelen25@hotmail.com Effective February 11, 2022:

Rod M. Schumacher

Atwood, Malone, Turner & Sabin, P.A. P.O. Box 700 400 N. Pennsylvania Avenue, Suite 1100 (88201) Roswell, NM 88202 575-622-6221 575-624-2883 (fax) rschumacher@atwoodmalone. com

David Lee Skinner

5131 Vista de Luz Drive, N.W. Albuquerque, NM 87120 505-228-5674 davidleeskinnerlaw@gmail.com

Effective March 10, 2022: Hilary John Andoe Arathoon P.O. Box 35337 Albuquerque, NM 87176 505-363-9985 aarathoon@hotmail.com

Effective March 16, 2022: **Knut S. Johnson** 655 W. Broadway, Suite 900 San Diego, CA 92101 619-232-7080 knut@knutjohnson.com

Ralph W. Muxlow II 17 Feather Road Santa Fe, NM 87506 573-280-5845 ralphmuxlow@gmail.com

James Van Petten Noble Jr. 1017 E. Tours Road West, TX 76691 505-690-8302 jamesvpnoble@gmail.com

Clerk's Certificate of Withdrawal

Effective December 31, 2021: Vera S. Ockenfels 1333 Kirby Street, N.E. Albuquerque, NM 87112

Effective January 1, 2022: Sherrill K. Filter 9604 Bolack Drive, N.E. Albuquerque, NM 87109

Effective January 10, 2022: James T. Locatelli 787 Rouault Avenue Las Cruces, NM 88005

Robert P. Warburton

P.O. Box 11246 Jackson, WY 83002

Effective January 24, 2022: **Bonnie J. Paisley** 2016 N. 19th Street Boise, ID 83702

Effective January 25, 2022: **James G. Whitley III** 635 E. 5th Avenue Durango, CO 81301

Effective January 31, 2022: **David M. Jones** 15011 Katy Fwy., Suite 700 Houston, TX 77094

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Advance Opinions

From the New Mexico Supreme Court and Court of Appeals

From the New Mexico Court of Appeals

Opinion Number: 2022-NMCA-003 No: A-1-CA-38812 (filed July 27, 2021) STATE OF NEW MEXICO, Plaintiff-Appellant, v **RICKY ANTHONY AYON,** Defendant-Appellee. APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY Christina P. Argyres, District Judge Certiorari Granted, January 11, 2022, No. S-1-SC-38937. Released for Publication February 22, 2022. Hector H. Balderas, Attorney General Bennett J. Baur, Chief Public Defender Santa Fe, NM Caitlin C.M. Smith, Assistant Appellate Meryl Francolini, Assistant Attorney Defender General Santa Fe, NM Albuquerque, NM

for Appellant

for Appellee

OPINION

BOGARDUS, Judge.

{1} Defendant Ricky Ayon was charged by criminal information¹ with possession of a controlled substance (heroin), pursuant to NMSA 1978, Section 30-31-23 (2011, amended 2021).² At his preliminary hearing, the district court determined the police officer who arrested Defendant did not have reasonable suspicion to detain him and dismissed the matter without prejudice. The State appeals and argues (1) the district court at a preliminary hearing does not have the authority to determine whether evidence was illegally obtained, and (2) even if it does have this authority, Defendant's detention was legal and there was sufficient probable cause to bind him over. Concluding that the district court's authority at a preliminary hearing does not include the authority to determine the illegality of evidence, we reverse. BACKGROUND

{2} At the preliminary hearing, the arresting officer, Officer Andrew Limon, who was the sole testifying witness, explained he was familiar with Defendant because of previous interactions with him before the night of Defendant's arrest. Officer Limon also testified that the week before this incident, he had searched Defendant's criminal history and found an active warrant for his arrest.

{3} When Officer Limon came into contact with Defendant on the night of his arrest, Defendant was carrying groceries while walking his bicycle along the street. Officer Limon called out to Defendant, who walked over to him, and Officer Limon immediately arrested him and placed him in handcuffs, because of Defendant's attempts to evade arrest in their previous encounters. Once he placed Defendant under arrest, Officer Limon confirmed Defendant's outstanding arrest warrant. Officer Limon then performed a search incident to arrest and found a small, clear bag containing a black tar-like substance in Defendant's pocket. Officer Limon conducted a field test and identified the substance as heroin. Defendant's possession charge followed.

http://www.nmcompcomm.us/

{4} Defendant argued at the preliminary hearing that Officer Limon had no reasonable suspicion to detain him because he did not confirm the warrant until after Defendant was under arrest and, as a result, probable cause should not be found to bind the case over for trial. The district court found there was no reasonable suspicion to stop Defendant and dismissed the case without prejudice.

DISCUSSION

[5] The State argues that the district court exceeded its authority by considering at the preliminary hearing whether the evidence against Defendant was illegally obtained. The State also argues that even if the district court had the authority to determine whether the evidence was illegally obtained, Defendant's detention was legal, and the evidence presented at the preliminary hearing was sufficient to establish probable cause. We conclude that the district court's authority at a preliminary hearing does not encompass the authority to determine whether evidence was illegally obtained, and we reverse the district court's dismissal of the charge based on its finding that Officer Limon lacked reasonable suspicion to detain Defendant. Because of our conclusion, we need not address the State's remaining argument.

At a Preliminary Hearing, the District Court Has No Authority to Determine Whether Evidence Was Illegally Obtained {6} In this appeal, we are presented with an issue of first impression: whether, under Rule 5-302 NMRA, which governs preliminary hearings, the district court is authorized to exclude illegally obtained evidence. The State's argument, grounded in the plain language of Rule 5-302 and the narrow purpose of the hearing itself, is that the district court's authority is limited to determining whether there is probable cause to believe that the defendant has committed a felony, and does not include the authority to determine whether evidence was illegally obtained. Defendant disagrees with the State's narrow construction of Rule 5-302 and contends that despite the rule's language, there is nothing in New Mexico law that prohibits the district court from making such a determination at the preliminary hearing stage. Defendant further contends that construing Rule 5-302 to authorize the district court to determine whether evidence is illegally obtained is consistent with New Mexico law on preliminary hearings and the exclusionary rule.

¹ The State refiled this charge in district court after the original charge was dismissed from metropolitan court because of the arresting officer's failure to appear at the preliminary hearing.

² All references to Section 30-31-23 in this opinion are to the 2011 version of the statute.

Advance Opinions

{7} "The proper interpretation of our Rules of Criminal Procedure is a question of law that we review de novo." Allen v. *LeMaster*, 2012-NMSC-001, ¶11, 267 P.3d 806. When interpreting procedural rules, we seek "to determine the underlying intent" of our Supreme Court. State v. Miller, 2008-NMCA-048, ¶ 11, 143 N.M. 777, 182 P.3d 158. "In interpreting procedural rules, we apply the same canons of construction as applied to statutes and, therefore, interpret the rules in accordance with their plain meaning." *Rodriguez ex rel. Rodarte v. Sanchez*, 2019-NMCA-065, ¶ 12, 451 P.3d 105 (internal quotation marks and citation omitted). "We first look to the language of the rule, and if the rule is unambiguous, we give effect to its language and refrain from further interpretation." *Id.* (alteration, internal quotation marks, and citation omitted). We examine "the plain language of the rule as well as the context in which it was promulgated, including the history of the rule and the object and purpose[.]" *Kipnis v. Jusbasche*, 2017-NMSC-006, ¶11, 388 P.3d 654 (alteration, internal quotation marks, and citation omitted). Finally, in giving effect to the plain meaning of the rule, we take care to avoid an absurd or unreasonable result. See State v. Marshall, 2004-NMCA-104, § 7, 136 N.M. 240, 96 P.3d 801.

{8} The New Mexico Constitution directs that "[n]o person shall be held to answer for a capital, felonious or infamous crime unless on a presentment or indictment of a grand jury or information filed by a district attorney or attorney general or their deputies[.]" N.M. Const. art. II, § 14. Furthermore, "[n] o person shall be so held on information without having had a preliminary examination before an examining magistrate, or having waived such preliminary examination." Id. Thus, when a criminal case is commenced by the filing of an information, our Constitution requires that a preliminary hearing be held before an examining court before an accused can be tried for a felony offense.3

{9} Pursuant to Rule 5-302(D), the district court⁴ must find either that (1) there is no probable cause that the defendant has committed the felony offense and dismiss the charge without prejudice; or (2) there is probable cause that the defendant committed the offense and bind the defendant over for trial.⁵ "[T]he state is required to establish, to the satisfaction of the examining [court],

two components: (1) that a crime has been committed; and (2) probable cause exists to believe that the person charged committed it." State v. White, 2010-NMCA-043, ¶ 11, 148 N.M. 214, 232 P.3d 450. The plain language of Rule 5-302 contains no authorization for the district court to consider whether evidence was illegally obtained at a preliminary hearing. See Rodriguez ex rel. Rodarte, 2019-NMCA-065, ¶ 12. {10} Addressing this issue in the context of grand jury proceedings, our Supreme Court held that "absent statutory authorization, a court may not overturn an otherwise lawful grand jury indictment because of trial inadmissibility or improprieties in the procurement of evidence that was considered by the grand jury." State v. Martinez, 2018-NMSC-031, §1, 420 P.3d 568. In Martinez, our Supreme Court reviewed an amendment to the Rules of Criminal Procedure that authorized a district court to review the lawfulness of evidence presented at grand jury proceedings. Id. 9 7. The Court directed the applicable rule be revised to omit the authorizing language after determining that no statutory authority existed that provided judicial tribunals the power to perform such a review. Id. **99** 15-32, 38. In reaching its holding, our Supreme Court reviewed the history of judicial review of evidence considered by the grand jury, beginning in 1923, with State v. Chance, 1923-NMSC-042, 29 N.M. 34, 221 P. 183, and concluded that our Supreme Court "has consistently honored a strong policy of resisting dismissal of otherwise valid grand jury indictments based on disputes about the source or trial admissibility of the evidence considered by the grand jury." Martinez, 2018-NMSC-031, 9 15.

{11} Given the common purpose between grand jury proceedings and preliminary hearings, we find the reasoning of *Martinez* persuasive. This Court also finds no specific statutory authority that authorizes a district court to review the illegality of the evidence used to support probable cause at a preliminary hearing. Further, it would create inconsistencies if we were to construe Rule 5-302 to find such authority in light of our Supreme Court's previous holding that judicial review of the evidence upon which to return an indictment in the context of grand jury proceedings is not authorized. Both proceedings are intended to determine if probable cause exists to indict a criminal suspect for felony charges. See State ex rel. Whitehead v. Vescovi-Dial, 1997-NMCA-126, ¶ 5, 124 N.M. 375, 950 P.2d 818 (stating the primary purpose of preliminary hearings is to evaluate whether the state has met its burden of demonstrating probable cause); see also Buzbee v. Donnelly, 1981-NMSC-097, 9 16, 96 N.M. 692, 634 P.2d 1244 (stating the responsibilities of the grand jury include determination of probable cause). Different rules regarding the district court's authority to review illegally obtained evidence based solely on the choice of proceedings-grand jury proceedings as opposed to preliminary hearings-may encourage favoring one proceeding over another, undercutting efficient judicial administration and causing confusion. Based on the foregoing, we disagree with Defendant's argument that there is statutory authority and precedent that supports a conclusion that the district court's authority at a preliminary hearing includes excluding illegally obtained evidence.

{12} Our review of the plain language of a rule in order to ascertain the intent of our Supreme Court is also "guided by our review of rules in pari materia." Miller, 2008-NMCA-048, ¶ 11 (internal quotation marks and citation omitted). Thus, we are to read all the provisions of a rule together with other rules relating to the same subject matter to ascertain the intent of our Supreme Court. See State v. Davis, 2003-NMSC-022, ¶ 12, 134 N.M. 172, 74 P.3d 1064. We note that motions to suppress illegally obtained evidence are specifically provided for in another rule-Rule 5-212 NMRA. Rule 5-212 contains no provision for motions to suppress to be heard at preliminary hearings; the rule does not contemplate preliminary hearings in any regard. The fact that a separate rule exists that specifically allows a defendant to move for suppression of illegally obtained evidence is consistent with the conclusion that the district court's authority at a preliminary hearing does not include the authority to rule on the illegality of the evidence presented. See State v. Santillanes, 2001-NMSC-018, ¶ 7, 130 N.M. 464, 27 P.3d 456

³ A preliminary hearing may be held in district court, Rule 5-302, magistrate court, Rule 6-202 NMRA, or metropolitan court, Rule 7-202 NMRA.

⁴ The procedural rules for preliminary hearings in district court, magistrate court, and metropolitan court are substantially the same. *See* Rule 5-302; Rule 6-202; Rule 7-202

 $^{^{5}}$ A criminal information may also be dismissed for failure to meet the time limits laid out in the rule. Rule 5-302(A)(3) ("If a preliminary examination is not held within the time limits in this rule, the court shall dismiss the case without prejudice and discharge the defendant.").

Advance Opinions

(stating that under the general/specific rule of statutory construction, "the more specific statute will prevail over the more general statute absent a clear expression of legislative intent to the contrary"). {13} Defendant argues that because a preliminary hearing resembles a bench trial,-judges preside over the proceeding, Rule 5-105(A) NMRA, and the district court is bound by the Rules of Evidence, Rule 5-302(B)(5)—it follows that the district court should be allowed to make a determination regarding whether evidence was illegally obtained. Defendant's contention fails to acknowledge the inherent difficulties presented by the different evidentiary rules applicable to the two proceedings. At a motion to suppress, the district court is not bound by the Rules of Evidence, except for the rules addressing privileges. Rule 11-104(A) NMRA. Conversely, the district court is required to follow the Rules of Evidence at a preliminary hearing. Rule 5-302(B) (5). Applying different evidentiary rules within the same proceedings could cause confusion and create an unreasonable risk of error. See State v. Rowell, 1995-NMSC-079, ¶ 8, 121 N.M. 111, 908 P.2d 1379 (holding that we will not interpret a statute in a way that would render it unreasonable, unjust, or absurd).

{14} Defendant next argues that a district court's reliance upon inadmissible evidence undercuts the screening function of the preliminary hearing, therefore, construing Rule 5-302 to encompass a district court's authority to determine whether evidence was illegally obtained would further the preliminary hearing's purpose. We disagree.

"The primary purpose of the preliminary examination is to provide an independent evaluation of whether the state has met its burden of demonstrating probable cause." Vescovi-Dial, 1997-NMCA-126, ¶ 5. "The [s]tate is only required to produce evidence sufficient to establish reasonable grounds for the [district court]'s exercise of judgment." State v. Vallejos, 1979-NMCA-089, ¶ 12, 93 N.M. 387, 600 P.2d 839. A finding of probable cause based on illegally obtained evidence will not necessarily force a defendant to trial on "incompetent evidence" because a motion to suppress can be used to "exclude the evidence and thereby preclude a trial[.]" 4 Wayne R. LaFave, et al., Criminal Procedure § 14.4(b) (4th ed. 2020). Thus, "allowing the defense to raise the suppression issue before the [district court] is viewed as unnecessary to achieving effective screening." Id. Given that the primary purpose of the preliminary hearing is the determination of probable cause, rather than the consideration of the nature of the evidence, we believe that our holding is consistent with the preliminary hearing's purpose. {15} Moreover, construing a district court's authority at the preliminary hearing to include consideration of whether evidence was illegally obtained would encourage mini-trials on evidentiary issues,

which, again, is inconsistent with efficient judicial administration and economy. *See State v. Lopez*, 2013-NMSC-047, ¶ 20, 314 P.3d 236 (noting that "[t]he preliminary hearing is not intended to be a mini-trial"). Two determinations of admissibility could occur, one at the preliminary hearing and another before trial, which would increase the number of pretrial motions and strain judicial resources, counter to the applicable rules' stated intent. *See* Rule 5-101(B) NMRA (mandating that the Rules of Criminal Procedure for the district court "be construed to secure simplicity in procedure, fairness in administration and the elimination of unjustifiable expense

and delay"). {16} We further note that preliminary hearings are held on an accelerated timeline, particularly if the defendant is in custody. Rule 5-302(A)(1) (explaining timing requirements for scheduling a preliminary hearing). If district courts are to evaluate whether evidence was illegally obtained at these hearings, "there often will not be adequate time for the two sides to investigate and prepare for exclusionary rule objections." 4 LaFave, supra, § 14.4(b). Inadequate time to develop arguments about illegally obtained evidence could result in district courts having to make insufficiently informed rulings based on undeveloped arguments.

{17} We conclude the Rules of Criminal Procedure do not provide authority for a district court to determine whether evidence was illegally obtained at a preliminary hearing. The dismissal of the criminal information based on such a determination was in error.

CONCLUSION

{18} For the foregoing reasons, we reverse and remand for further proceedings consistent with this opinion.

{19} IT IS SO ORDERED.

KRISTINA BOGARDUS, Judge WE CONCUR:

BRIANA H. ZAMORA, Judge SHAMMARA H. HENDERSON, Judge



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Introductory Remarks			8:15 – 8:30 a.m.
Federal and State Estate and Gift Tax Upda	te 2022 Vickie R. V	Wilcox, J.D., LL.M.	8:30 – 9:30 a.m.
Overview of Charitable Vehicles and Recommendations for 2022	Madison I	R. Jones, J.D., M.B.A.	9:30 – 10:30 a.m.
Break			10:30 – 10:45 a.m.
Protecting Your Estate Planning Practice from Litigation	Seth L. Spa	arks, J.D.	10:45 – 11:45 a.m.
Lunch: Pizza, Beverages, and Networking	in the Charity Exhib	it Hall	11:45 – 12:45 p.m.
From Able to the Grave: Advising Clients on Need Based Aid in New Mexico	Susan K. T	'omita, J.D.	12:45 – 1:45 p.m.
My RULONA: New Mexico's New Notary	Laws Jeffrey D. J	Myers, M.S., J.D.	1:45 – 2:15 p.m.
Break			2:15 – 2:30 p.m.
The "Life" of a Basic Probate Administration	Deffrey D. J	Myers, M.S., J.D.	2:30 – 3:00 p.m.
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Positions

Municipal Attorney

Robles Rael & Anaya, P.C. is seeking an attorney with experience in the area of state and/ or local government law. A judicial clerkship will be considered in lieu of experience. Applicant must be motivated and have strong research and writing skills. Associates will have a great opportunity to gain courtroom experience and/or appear before state and local governing bodies. We offer a competitive compensation and benefits package, 401k plan, professional development, CLE credits and more. We also offer a defined bonus incentive program. Please submit a resume and writing sample to chelsea@roblesrael.com.

Litigation Attorney

Robles, Rael & Anaya, P.C. is seeking an attorney with experience in civil litigation. A judicial clerkship will be considered in lieu of experience. The successful candidate should be familiar with the law regarding governmental liability and be able to advise insurance and risk management agencies. Candidates are expected to have excellent communication skills (written and oral), be a self-starter who takes ownership of executing tasks, have an ability to manage and prioritize as-signed case-load and be an effective team player. We offer a competitive compensation and bene-fits package, 401k plan, professional development, CLE credits and more. We also offer a defined bonus incentive program. Please submit a resume and writing sample to chelsea@roblesrael.com.

Assistant Santa Fe County Attorney I and II

Santa Fe County is soliciting applicants for an Assistant County Attorney (ACA) I and II. The successful candidate will focus their practice in areas assigned based upon experience, need, and interest. The ideal candidates are those with strong analytical, research, communication, and interpersonal skills, who enjoy working hard in a collaborative, fast-paced environment on diverse and topical issues that directly impact the community. The salary ranges for the positions are \$28.8461-\$38.4134 and \$38.4615- \$45.6730/ hr. respectively, depending upon qualifications and budget availability. Applicants must be licensed to practice law in the State of New Mexico or obtain a limited license prior to the start of employment. Individuals interested in joining our team must apply through Santa Fe County's website, at http://www.santafecountynm.gov/job_opportunities.

Family Law Associate Attorney

The Law Office of Jill V. Johnson Vigil LLC., a Las Cruces based family law firm, is seeking an associate attorney. Applicants should have 2-5 years of experience in family law litigation, be client focused, and able to manage a full caseload with minimal oversight. The Law Office of Jill V. Johnson Vigil LLC. offers a comfortable and friendly work environment with benefits and competitive salary commensurate with qualifications and experience. Applicants must be in good standing with NM Bar and willing to relocate to Las Cruces. Spanish speaking is preferred, but not required. If you are ready for the next step in your career, please send your cover letter, resume, writing sample, and three references via email to careers@jvjvlaw.com before April 29, 2022. Please visit us online at www.jvjvlaw.com.

Deputy District Attorney

The Ninth Judicial District Attorney's Office is seeking an experienced trial attorney for our Clovis office. Preferred Qualifications: Career prosecutor, licensed attorney to practice law in New Mexico, plus eight (8) or more years of relevant prosecution experience. Come join an office that is offering jury trial experience. In addition, we offer in depth mentoring and an excellent work environment. Salary commensurate with experience between \$75k-90k per year. Send resume and references to Steve North, snorth@da.state.nm.us.

Attorneys and Paralegals

New Mexico Legal Aid has positions open for both new and experienced attorneys and paralegals in various locations throughout the state. The organization represents low income New Mexico residents in a variety of civil legal matters including housing issues, public benefits, consumer debt relief, and legal issues facing survivors of domestic and sexual violence. NMLA is the home of the successful volunteer attorney program that has drawn on the experiences of the New Mexico bar to assist countless New Mexicans. NMLA's assistance ranges from phone advice all the way up to complex litigation and appeals. NMLA offers a collaborative work environment with excellent benefits, and an opportunity to make a real difference in people's lives. NMLA has paid holidays, generous leave and employer financed benefits. NMLA is unionized. Salary is competitive and based on experience. To learn more about available positions, please visit our website at www.newmexicolegalaid.org

Assistant District Attorney

The Fifth Judicial District Attorney's office has immediate positions open in Eddy County for new and/or experienced attorneys. Salary will be based upon the New Mexico District Attorney's Salary Schedule with salary range of an Assistant Trial Attorney to a Senior Trial Attorney (\$58,000 to \$79,679). There is also an opening for a prosecutor with at least 2 years of Trial Experience for the HIDTA Attorney position in the Eddy County office, with salary of (\$70,000). Please send resume to Dianna Luce, District Attorney, 100 N. Love Street suite 2, Lovington, NM 88260 or email to 5thDA@da.state.nm.us

Associate Attorneys

Mynatt Martínez Springer P.C., an AV-rated law firm in Las Cruces, New Mexico is seeking two associate attorneys to join our team. The firm's practice areas include insurance defense, civil rights defense, commercial litigation, and government representation. Applicants with 0-5 years of experience will be considered for full-time employment. If it is the right fit, the firm will also consider applications for part-time employment from attorneys with more than 5 years of experience. Associates are a critical component of the firm's practice and are required to conduct legal research; provide legal analysis; advise clients; draft legal reviews, pleadings, and motions; propound and review pretrial discovery; and prepare for, attend, and participate in client meetings, depositions, administrative and judicial hearings, civil jury trials, and appeals. Successful candidates must have strong organizational and writing skills, exceptional communication skills, and the ability to interact and develop collaborative relationships. The firm will consider applicants who desire to work remotely. Offers of employment will include salary commensurate with experience and a generous benefits package. Please send your cover letter, resume, law school transcript, writing sample, and references to rd@mmslawpc.com.

Entry Level and Experienced Trial Attorneys

The Thirteenth Judicial District Attorney's Office is seeking both entry level and experienced trial attorneys. Positions available in Sandoval, Valencia, and Cibola Counties. Enjoy the convenience of working near a metropolitan area while gaining valuable trial experience in a smaller office, providing the opportunity to advance more quickly than is afforded in larger offices. Salary commensurate with experience. Contact Krissy Fajardo @ kfajardo@da.state.nm.us or visit our website for an application @https://www.13th. nmdas.com/ Apply as soon as possible. These positions will fill up fast!

Assistant City Attorney Positions

The City of Albuquerque Legal Department is hiring for various Assistant City Attorney positions. The Legal Department's team of attorneys provides a broad range of legal services to the City, as well as represent the City in legal proceedings before state, federal and administrative bodies. The legal services provided may include, but will not be limited to, legal research, drafting legal opinions, reviewing and drafting policies, ordinances, and executive/administrative instructions, reviewing and negotiating contracts, litigating matters, and providing general advice and counsel on day-to-day operations. Attention to detail and strong writing and interpersonal skills are essential. Preferences include: Five (5)+ years' experience as licensed attorney; experience with government agencies, government compliance, real es-tate, contracts, and policy writing. Candidates must be an active member of the State Bar of New Mexico in good standing. Salary will be based upon experience. Current open positions include: Assistant City Attorney - APD Compliance; Assistant City Attorney - Litigation (Tort/ Civil Rights); Assistant City Attorney - Employment/Labor. For more information or to apply please go to www.cabq.gov/jobs. Please include a resume and writing sample with your application.

Supervisory City Attorneys

The City of Albuquerque Legal Department is hiring Supervisory City Attorneys for a number of positions. The work includes management, oversight and development of Assistant City Attorneys, paralegals and staff. Roles may require legal expertise in areas of municipal law such as: administrative and civil litigation; contract law; ordinance drafting; regulatory law; Inspection of Public Records Act; procurement; public works and construction law; real property; finance; labor law; and risk management. Attention to details, timelines and strong writing skills are essential. Five years' experience including at least one year of management experience is preferred. Applicants must be an active member of the State Bar of New Mexico in good standing. Please apply online at www. cabq.gov/jobs and include a resume and writing sample with your application. Current open positions include: Deputy Director of Policy; Deputy City Attorney of Operations; Managing City Attorney of Property and Finance; Managing City Attorney of Labor and Employment.

Experienced Litigator

Fiduciary Litigation. Experienced litigator, or more recent law school grad: willing to train. Please submit resumes to admin@ millichlaw.com

Various Attorney Positions

The New Mexico Office of Attorney General is recruiting various attorney positions. The NMOAG is committed to attracting and retaining the best and brightest in the workforce. NMOAG attorneys provide a broad range of legal services for the State of New Mexico. Interested applicants may find listed positions by copying the URL address to the State Personnel website listed below and filter the data to pull all positions for Office of Attorney General. https://www.spo.state. nm.us/view-job-opportunities-and-apply/ applicationguide/

Litigation Attorney

The Albuquerque office of Lewis Brisbois is seeking associates with a minimum of three years litigation defense experience. Candidates must have credentials from ABA approved law school, be actively licensed by the New Mexico state bar, and have excellent writing skills. Duties include but are not limited to independently managing a litigation caseload from beginning to end, communicating with clients and providing timely reporting, appearing at depositions and various court appearances and working closely with other attorneys and Partners on matters. Please submit your resume along with a cover letter and two writing samples to rob.henderer@lewisbrisbois.com and indicate "New Mexico Associate Position". All resumes will remain confidential.

Senior Assistant City Attorney

Two (2) fulltime professional positions, involving primarily civil law practice. Under the administrative direction of the City Attorney, represents and advises the City on legal matters pertaining to municipal government and other related duties, including misdemeanor prosecution, civil litigation and self-insurance matters. Juris Doctor Degree AND three year's experience in a civil law practice; at least one year of public law experience preferred. Must be a member of the New Mexico State Bar Association, licensed to practice law in the state of New Mexico, and remain active with all New Mexico Bar annual requirements. Valid driver's license may be required or preferred. If applicable, position requires an acceptable driving record in accordance with City of Las Cruces policy. Individuals should apply online through the Employment Opportunities link on the City of Las Cruces website at www.las-cruces.org. Resumes and paper applications will not be accepted in lieu of an application submitted via this online process. This will be a continuous posting until filled. Applications may be reviewed every two weeks or as needed. SALARY: \$82,278.14 - \$100,767.47 / Annually **CLOSING DATE: Continuous**

Water & Environmental Law

Law & Resource Planning Associates, P.C., ("LRPA"), an AV-rated law firm, is accepting resumes for an experienced, personable Attorney with strong academic and technical credentials to work primarily in the area of natural resource law and environmental and water law. Competitive salary commensurate with experience. Excellent benefits package. All inquiries kept confidential. Please submit a cover letter, resume, transcript(s), and writing samples to Hiring Coordinator, LRPA, P.C., P.O. Box 27209 Alb., NM 87125. E-mail responses may be submitted to J. Brumfield at jb@lrpa-usa.com

Deputy County Attorney Position

Sandoval County is seeking applications from licensed New Mexico attorneys for its Deputy County Attorney position. Minimum qualifications include three years of experience in the practice of law including litigation and appellate experience. Municipal and local government experience preferred. Experience in litigation, tax, real estate, and State of New Mexico Procurement Code and procedures highly desirable. Projected salary: \$95,000, per year, based on qualifications and experience. For detailed job description, full requirements, and application procedure visit http:// www.sandovalcountynm.gov/departments/ human-resources/employment/

Attorney Senior–Director of the Access to Justice Commission

The Administrative Office of the Courts (AOC) is recruiting for an Attorney Senior to serve as the Director of the Access to Justice Commission. The mission of the New Mexico Access to Justice Commission is to provide every New Mexican, regardless of income level, with Access to Justice under our system of civil law. Commission goals include expanding resources for civil legal assistance to New Mexicans living in poverty, increasing public awareness of the need for civil legal assistance, and encouraging more pro bono work by attorneys. Position Location: Albuquerque, NM. Pay Ranges: \$64k - \$128k. Extensive benefits package. To apply: https:// www.nmcourts.gov/careers.aspx OR call 505-827-4810. Equal Opportunity Employer

Contract Defense Legal Services

Pueblo of Pojoaque seeks proposals from individual attorneys or law firms to provide tribal court representation for adult criminal defendants; juveniles in delinquency proceedings; and treatment court participants. The contract will be for an average of 10 hours per week. For RFP, email Court Administrator Christalle Martinez: ccmartinez@ pojoaque.org

Contract Prosecution Services

Pueblo of Pojoaque seeks proposals from individual attorneys or law firms to provide prosecution services for tribal court criminal cases involving adult defendants; juveniles in delinquency proceedings; and treatment court participants. The contract will be for an average of 10 hours per week. For RFP, email Court Administrator Christalle Martinez: ccmartinez@pojoaque.org.

Family Law Attorney SIGNING BONUS!

Are you are wanting to work in a field of law that makes an actual difference in families? The Law Office of Dorene A. Kuffer, P.C. is hiring a full-time attorney to join our topnotch team based in Albuquerque, NM. If you are in the field of criminal, civil, or just looking for a new family law environment, please consider applying. Must be licensed/ good standing in NM, enjoy working as a team, while understanding that a law firm is a business. Our ideal candidate will have a passion for helping those at their most vulnerable, have no fear of litigation while understanding that keeping clients out of court is often the best solution. You must have the energy to work a full-time work week, great negotiation, research, and writing skills, and be a conceptual thinker with creative, problem-solving orientation. You can expect extensive training, teamwork, camaraderie, and integrity in all we do. We offer an environment where staff feels valued, listened to, and where opinions matter. Send a cover letter, resume, and references in complete confidence to our General Manager Jill Potts: jill@kufferlaw.com. Include in the subject line FAMILY LAW IS WHERE IT'S AT. We look forward to your response.

On-Call Administrative Hearing Advisor

The University of New Mexico's President's Office seeks an On-Call Administrative Hearing Advisor to provide support, guidance, and information to students, faculty, or staff who are complainants or respondents in UNM administrative hearings. This individual assists participants in navigating the administrative hearing process, reviews documents and helps the participant prepare for proceedings, accompanies participants to meetings and proceedings and assists the participant at the hearing phase by providing guidance on direct and cross-examination of parties and witnesses. Work assignments made as needed up to 10 hours per week. For details and application please see https:// unm.csod.com/ux/ats/careersite/18/home/ requisition/19174?c=unm. Benefits eligible. EEO Employer.

Supreme Court of New Mexico Attorney Supervisor

Come work in the historic Supreme Court Building in Santa Fe, New Mexico! The Attorney Supervisor will support the Chief Clerk of Court in the oversight and management of the Supreme Court Clerk's Office. The attorney will advise the Court on administrative and policy matters, provide reports and analyses, and draft memoranda. The attorney will assist the Chief Clerk with case management duties and attorney regulation matters. The attorney will train, super-vise, mentor, and evaluate two or more Supreme Court employees and assist management on personnel issues. The attorney will work collaboratively with justices, judges, court personnel, the State Bar, the Administrative Office of the Courts, and members of the Court's committees, boards, and commissions to implement policies, procedures, and initiatives at the direction of the Chief Clerk. The attorney will assist the Supreme Court with the exercise of its constitutional rule-making authority and manage staff support for the Court's rulemaking committees, boards, and commissions. The attorney will manage Court communications with the Bench, Bar, and public, including responses to requests for inspection of public records and other inquiries. The attorney will also assist with Supreme Court fiscal matters and oversee Supreme Court Building construction projects as needed. Minimum Qualifications: Education: Must be a graduate of a law school meeting the standards of accreditation of the American Bar Association; possess and maintain a license to practice law in the State of New Mexico. Education Substitution: None. Experience: Seven (7) years' of experience in the practice of applicable law, of which two (2) years' must have been as a supervisor. Supervisory Substitution: Leadworker duties may be considered on a prorated basis for supervisory experience at a rate of one (1) year of performing leadworker duties equals six (6) months of supervisory experience. Assigned leadworker duties include but are not limited to: Train, mentor, and develop employees; direct, plan, schedule, assign, and review the work of others; develop or assist in the development of employee performance plans and appraisals; and address concerns and troubleshoot problems. To Apply: To apply for this position interested applicants should submit a letter of interest, resume, proof of education/transcripts, writing sample, and New Mexico Judicial Branch Application for Employment to: Administrative Office of the Courts, Attn: AOC Human Resources Division, 237 Don Gaspar, Room 25, Santa Fe, New Mexico 87501; Fax: 505-827-8091; Email: jobs@nmcourts.gov. PROOF OF EDUCATION IS REQUIRED. Applications may be emailed, faxed, or mailed. Target Salary: \$33.152 - \$53.872 per hour depending upon experience. Application Deadline: May 6, 2022.

New Mexico Public Education Department – Supervisory Attorney Position

The New Mexico Public Education Department (NMPED) is seeking one or more attorneys for its Office of General Counsel, including a supervisory attorney position. Strong writing and interpersonal skills are essential. More details about positions and how to apply are provided on the State Personnel Office website at http://www.spo.state. nm.us/. Please check the website periodically for updates to the list of available positions.

Attorney Associate

The First Judicial District Court seeks applicants for an Attorney - Associate (Staff Attorney) position. The position is located in the District Court in Santa Fe. The position acts under the general direction of a supervising District Court Judge, Court Executive Officer, or Attorney - Supervisor. The position entails extensive research and writing on legal issues of varying complexity, and further legal support to judicial officers and staff as assigned. Salary for this position will be based upon the New Mexico Judicial Branch Salary Schedule with a target starting pay rate of \$40.865 per hour (equivalent to \$84,999.20 annually). For a full job description and to download the required forms or application, please visit the Judicial Branch Career page at https://www. nmcourts.gov/careers.aspx. Resumes with the required Resume Supplemental Form or Application and supporting documentation may be emailed to sfednms@nmcourts.gov or mailed to First Judicial District Court Human Resources, Attn: Nicole Salazar, 225 Montezuma Ave, Santa Fe, NM 87504. Call 505-455-8214 with any questions. This position is open until filled.

Associate Attorney

Atkinson, Baker & Rodriguez, P.C. is a successful and established Albuquerque-based complex civil commercial and tort litigation firm seeking motivated and talented associate attorney candidates with great academic credentials. Join our small but growing focused Firm and participate in litigating cases from beginning to end with the support of our nationally recognized, experienced attorneys! Come work for a team that fosters development and growth to become a stand-out civil litigator. Highly competitive compensation and benefits. Send resumes, references, writing samples, and law school transcripts to Atkinson, Baker & Rodriguez, P.C., 201 Third Street NW, Suite 1850, Albuquerque, NM 87102 or Careers@abrfirm.com. Please reference Attorney Recruiting.

Contract Counsel

The New Mexico Public Defender Department (LOPD) provides legal services to qualified adult and juvenile criminal clients in a professional and skilled manner in accordance with the Sixth Amendment to United States Constitution, Art. II., Section 14 of the New Mexico State Constitution, Gideon v. Wainright, 372 U.S. 335 (1963), the LOPD Performance Standards for Criminal Defense Representation, the NM Rules of Professional Conduct, and the applicable case law. Contract Counsel Legal Services (CCLS) is seeking qualified applicants to represent indigent clients throughout New Mexico, as Contract Counsel. The LOPD, by and through CCLS, will be accepting Proposals for the November 1, 2022 - October 31, 2023 contract period. All interested attorneys must submit a Proposal before June 27, 2022 at 4:00 p.m. to be considered. For additional information, attorneys are encouraged to search the LOPD website (http://www.lopdnm.us) to download the Request for Proposals, as well as other required documents. Confirmation of receipt of the Request for Proposals must be received by email (ccls_RFP_mail@ccls. lopdnm.us) no later than midnight (MDT) on May 20, 2022.

Attorney

Parnall and Adams, LLC is seeking an attorney to serve as "of counsel" to the firm specifically for tribal law related matters. Primarily the attorney will assist with certain Tribal law matters as they arise. In addition to various Tribal law matters, the "of counsel" attorney will also be responsible for assisting with prosecuting certain violent crime cases, primarily involving domestic violence. This is part of a contract that serves various Tribes when it comes to trainings and assistance with certain prosecutions. The attorney has to have flexibility in their schedule to handle the above matters as needed. The work will be overseen and approved by the Firm. Experience: Must have a background in federal Indian law and have experience practicing in Tribal court. Attorney must be licensed in the State of New Mexico or licensed to practice in another State. Attorney must have experience as a criminal prosecutor and in-depth understanding of domestic violence. The time needed for this contract will vary but is about 5-10 hours per week. As of now, travel is limited as most of the hearings will be by zoom. However, we will conduct trainings as needed and travel will be required within the State of New Mexico. Hourly rate for prosecution related work and training (depending on experience): \$65 - \$85 per hour. If work is done on a non-prosecution Tribal law related matter the rate will be increased to an associate level rate. Please email a resume along with a letter of interest to david@ parnalladams.com. In the letter include what your availability is to perform the above work.

Request for Proposal (RFP) 23-440-5000-00030

Title: Legal Services to the Patient Compensation Fund Advisory Board regarding Open Meetings Act Issues and Administrative Procedures. Purpose: The State of New Mexico Office of Superintendent of Insurance is seeking to solicit sealed proposals to establish a contract through competitive negotiations for the procurement of competent legal services to the Patient's Compensation Fund Advisory Board (Board) to provide advice on Open Meetings Act issues, Inspection of Public Records Act (IPRA) issues, administrative procedures, procurement issues, and related matters as assigned. Such representation shall include, but not be limited to, advising the Board on the requirements of the Open Meetings Act and IPRA, other applicable New Mexico statutes, administrative procedures, procurement questions, drafting of decisions and reports, and as requested, advice on proposed legislation affecting the New Mexico Medical Malpractice Act. Issuance: The RFP will be available on April 25, 2022. A copy of the RFP can be accessed at http:// www.osi.state.nm.us or by contacting the RFP Procurement Manager, Michelle Lopez, 1120 Paseo de Peralta, Old PERA Building, Room 414; PO Box 1689 Santa Fe, NM 87504-1689; Phone (505) 470-7168; email: MichelleJ. Lopez2@state.nm.us. Mandatory specifications and submission deadlines apply to this procurement. Potential Offerors are advised to review the RFP carefully.

Multiple Attorneys

Butt Thornton & Baehr PC seeks multiple attorneys with varying levels of legal experience and interests in various areas of civil defense litigation, commercial law, or workers compensation. Visit www.btblaw.com to see the many areas of law practiced at BTB. BTB is in its 63rd year of practice. We seek attorneys who will continue our tradition of excellence, hard work, and commitment to the enjoyment of the profession. Please send letter of interest, resume, and writing samples to Ryan T. Sanders at rtsanders@btblaw.com. All inquiries will be kept confidential.

Assistant Trial Attorney

Assistant Trial Attorney wanted for immediate employment with the Ninth Judicial District Attorney's Office, which includes Curry and Roosevelt counties. Employment will be based primarily in Curry County (Clovis). 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.

New Mexico Public Regulation Commission - Attorney III, Job ID- #123449

Position # 00034576, Santa Fe, Salary Range: \$66,338 - \$106,141 annually, Pay Band - LH. This is an attorney position within the Office of General Counsel ("OGC") of the New Mexico Public Regulation Commission ("PRC" "Commission"). OGC acts as legal counsel to the Commissioners of the PRC, providing advice concerning adjudicatory, rulemaking and legislative matters, as well as internal agency issues. This position advises the Commission with regard to procedural and substantive legal issues involving the regulation of public utilities, telecommunications carriers and motor carriers. The attorney will prepare legal memoranda and appear at public meetings to present and provide advice on proposed orders. OGC attorneys also represent the Commission in court proceedings, including appeals before the New Mexico Supreme Court. The position may also draft agency policies and provide advice on internal agency administrative matters. Strong oral advocacy and writing skills are required. Experience in administrative law, regulatory/environmental law and litigation preferred. Minimum qualifications include a J.D. from an accredited school of law and four (4) years of experience in the practice of law. Must be licensed as an attorney by the Supreme Court of New Mexico or qualified to apply for a limited practice license (Rules 15-301.1 and 15-301.2 NMRA). To apply please visit www.spo.state.nm.us.

The Third Judicial District Court Letters of Interest for Mediation Services for Domestic Matters 23-LOI-01

Contracts/Agreements will be issued to several qualified individuals interested in providing mediation services for Domestic Matters. Minimum Qualifications: 1. Bachelor's degree in any Social Science and/or Law related degree. 2. Completion of a court approved 40-hour Custody Mediation training. 3. Minimum of two (2) years' experience in family issues and/ or have conducted, at a minimum, fifteen (15) domestic mediations. 4. Compliance with the New Mexico Mediation Association Code of Ethical Conduct and the Model Standards of Conduct for Mediators prepared by the American Arbitration Association (AAA), American Bar Association (ABA) and the Association for Conflict Resolution (ACR). 5. Word processing skills and Spanish bilingual preferred. 6. Professional liability insurance. Interested individuals shall submit a Letter of Interest and Resume to: Third Judicial District Court, Lilyana Atencio, Mediation Program Manager, 201 W. Picacho Ave., Las Cruces, NM 88005; lcrdlxa@nmcourts.gov. Envelopes must be clearly marked "DOMESTIC MEDIATOR RESUME". Letters of Interest must be received by 3:00 p.m. on May 20, 2022.

Associate Attorney

Experienced 5-10 year attorney for mid-sized defense firm. Salary range \$80,000-120,000 depending on qualifications and experience. Looking for candidates who can handle cases from beginning to end. Excellent benefits. Nice work environment. Send resume to jstiff@stifflaw.com

Attorneys

The Third Judicial District Attorney's Office in Las Cruces is seeking a Chief Deputy District Attorney, Deputy District Attorneys, Senior Trial Attorneys, Trial Attorneys, and Assistant Trial Attorneys. You will enjoy the convenience of working in a metropolitan area while gaining valuable trial experience alongside experienced Attorney's. Please see the full position descriptions on our website http://donaanacountyda.com/ Submit Cover Letter, Resume, and references to Whitney Safranek, Human Resources Administrator at wsafranek@da.state.nm.us.

Of Counsel Attorney

Looking for some additional hours to supplement your current practice? Slingshot, LLC is the parent company of Law 4 Small Business and Business Law Southwest. Our law firms are some of the fastest-growing legal practices in New Mexico. We are currently searching for an experienced Of Counsel attorney who enjoys collaboration, innovation, and teamwork. We are a high-tech, paperless office. We work hard - but we work happy. If you love an upbeat work environment, we may be the perfect fit for you! The right candidate will have the following: At least 30+ years of relevant experience; Primary practice in business law, including businessrelated transactional matters; Candidates with experience in tax work as well as mergers and acquisitions are highly desirable to us.; Ability to work with a "paperless office," and possess the capability to use the computer tools we use in the practice; A friendly and warm attitude with clients; Ability to tackle new matters on short notice; An entrepreneurial drive and mindset; Strong writing and project management skills; Strong communication skills - keeping clients up-to-date and informed is important; Ability to handle matters for Spanish-speaking clients is a plus We're Going Places, and It's Important That You are Too! Job Types: Full-time, Part-time Pay: \$75.00 - \$150.00 per hour. Experience: attorney: 10 years (Required). License/Certification: New Mexico State Bar membership (Required). Work Location: Multiple Locations. Please note that interested applicants should email their resumes w/ cover letter to kdonahue@slingshot.law.

Senior-Level Attorney

Busy Business Law Firm looking to hire a senior-level attorney for business related litigation and transactional work. While not necessary, we would love to find someone with experience in Securities, Probate, Bankruptcy, Intellectual Property or Commercial Real Estate Law, and would love to hire a Spanish speaker. Slingshot, LLC is the parent company of Law 4 Small Business and Business Law Southwest. Our law firms are some of the fastest-growing legal practices in New Mexico. We are currently searching for an experienced attorney who enjoys collaboration, innovation, and teamwork. We are a high-tech, paperless office. We work hard - but we work happy. If you love an upbeat work environment, we may be the perfect fit for you! The right candidate will have the following: Possess at least 10+ years of relevant experience; Primary practice in business law, including business-related transactional matters; Significant expertise in construction law and/or real estate; Ability to thrive in a "paperless office," and possess the capability of quickly learning the computer systems and tools we use in the practice; A friendly and warm attitude with clients, and willingness and ability to take on all aspects of litigation - simple and complex; Experience in all phases of civil litigation, including discovery, depositions, mediations, and contested hearings/trials; Ability to tackle new matters on short notice; An entrepreneurial drive and mindset; Strong writing and project management skills; Strong communication skills - keeping clients up-to-date and informed is important; Ability to handle matters for Spanish-speaking clients is a plus. We offer amazing benefits to our full-time employees including: 401k; Health; Dental; Vision; Term Life Insurance; Long Term/Short Term Disability; Generous Paid Time Off Plan; Unique Bonus Structure. We're Going Places, and It's Important That You are Too! Job Type: Full-time. Pay: \$110,000.00 - \$130,000.00 per year. Please note that interested applicants should email their resumes w/ cover letter to kdonahue@slingshot.law.

Senior Trial Attorney/ Deputy District Attorney

The 6th Judicial District Attorney's Office has an opening for a Senior Trial District Attorney and a Deputy District Attorney. Must have experience in criminal prosecution. Salary DOE. Send letter of interest, resume, and three current professional references to PMedina@da.state.nm.us and/or AOgilvie@ da.state.nm.us

Paralegal – Internet Business and Transactional

About Law 4 Small Business (L4SB)

Let's be clear here. We are a law firm. But we're not just any law firm. We do law for small business. We're all about helping small businesses navigate and avoid difficult problems. Our focus is also on helping new entrepreneurs get new businesses off the ground and assisting existing businesses in remaining safe and protected as they grow. At L4SB, we measure our success by our client's success. We endeavor to provide expedient, valuable, flexible, and cost effective services. We tailor service to the unique small business needs and believe together we can realize great things. Our Paralegals here at Law 4 Small Business are extremely well rounded, have incredible time management skills, love our clients, and want to see small businesses succeed! What you will do: Take lead calls daily and answer basic questions about our online offerings to guide client purchases and provide an excellent client experience; Review and process client orders in a timely manner utilizing excellent communication skills; Enjoy working in a paperless work environment; Navigate State Government websites for entity status, filing fees and other supporting needs as necessary; Contact Secretary of State to determine filing needs/updates/fees; Prioritize multiple demands from clients and attorneys; Conduct research on, and interpret, statutes as well as prepare legal articles and certificates; Effectively handle complex orders and emails; Quickly process and analyze information to be able to make decisions and solve problems. Qualifications: Paralegal Certification is preferred, those with applicable job experience will be considered; Proficient in navigating practice management software such as Clio or equivalent; Work well under minimal supervision, be self-motivated and a team player; Ability to excel in a high-pressure, fast paced -environment; Highly organized; Excellent computer skills - including Microsoft Office and other platforms; Consistent track record of timeline achievement and quota achievement; Excellent communication and interpersonal skills; Experience with business law - specifically around business formations, dissolutions, domestications, trademark, and business disputes - is highly desired; Bi-Lingual (Spanish) a plus. We offer amazing benefits to our full-time employees including: 401k; Health; Dental; Vision; Term Life Insurance; Long Term/Short Term Disability; Generous Paid Time Off Plan. We're Going Places, and It's Important That You are Too! Pay: Compensation contingent on experience. Please note that interested applicants should email their resumes w/ cover letter to kdonahue@slingshot.law.

Full Time Office Assistant

Barnhouse Keegan Solimon & West LLC has an immediate opening for an experienced Office Assistant. Our law firm practices in all areas of Native American Law. Administrative office experience of at least one to two years is preferrable. We are looking for a hardworking, dedicated team member who would enjoy working in a family-oriented law firm. We offer a great work environment, a competitive salary and a generous benefits package. Send your resume, cover letter and list of references to LVera@IndianCountryLaw.com

Real Estate Paralegal

The Rodey Law Firm is accepting resumes for a real estate paralegal position in its Albuquerque Office. This position provides the opportunity to work on important and interesting transactions for A Level clients. A minimum of three years hands-on, real estate transactional experience required. Applicants expected to have familiarity with various types of real estate documents, including purchase and sale agreements, leases, easements, title commitments, and conveyance documents, as well as a demonstrated ability to manage a real estate transaction from commencement to closing, including maintenance of a transaction calendar, preparation and review of real estate transaction documents, monitoring of the due diligence process, title review, and oversight of closings. Requires attention to detail and the ability to manage multiple matters and multiple deadlines. Experience with financings and/or the land use approval process, including zoning, platting, permitting, and other development approvals a plus. Must be a self-starter, willing to take initiative and work as a member of a team. Firm offers congenial work environment, competitive compensation and excellent benefit package. Please send resume to jobs@rodey.com or mail to Human Resources Director, PO Box 1888, Albuquerque, NM 87103.

Litigation Secretary

Lewis Brisbois is seeking secretaries to join our growing office. Qualified candidates will have a thorough knowledge of legal terminology, State and Federal court procedures; Advanced experience in E-Filing with both State and Federal Courts; Calendaring; Ability to manage and maintain high volume of work flow; 5+ years of litigation experience, including trial preparation; Skills will include strong law and motion background. Must be organized, reliable, and attention to detail is a must; Excellent communication and organizational skills. Please submit your resume to rob.henderer@lewisbrisbois.com and indicate "New Mexico Secretary Position". All resumes will remain confidential.

Advanced Paralegal

The State of New Mexico Division of Vocational Rehabilitation (NMDVR), a state and federally funded program that assists eligible individuals with documented disabilities find suitable employment, is seeking applications for an advanced paralegal position to support three staff attorneys. Duties include filing pleadings in state, federal and administrative venues; proofreading and cite checking legal documents; legal research; scheduling meetings and deadlines; scheduling and coordinating administrative fair hearings; assisting with disciplinary hearings, union grievances, and other administrative hearings; assisting with NMDVR's records management; assisting with public records requests; responding to constituent complaints, and other duties as assigned. NMDVR offers a friendly work environment, a good work-life balance, and a competitive benefits package. An Associate's Degree in Paralegal Studies and two years of experience is required. For more information and to apply, please visit: https://careers. share.state.nm.us/.

Full-Time Legal Assistant

Madison, Mroz, Steinman, Kenny & Olexy, P.A., a well-established civil litigation firm, seeks a full-time Legal Assistant. The ideal candidate should have a minimum of 2 years civil litigation experience, be highly motivated, detail oriented, well-organized, strong work ethic, knowledge of State and Federal court rules, and proficient in Odyssey and CM/ECF e-filing. We offer an excellent fully funded health insurance plan, 401(K) and Profit Sharing Plan, paid designated holidays and PTO, and a professional and team-oriented environment. Please submit your resume to: becky@madisonlaw.com, or mail to Human Resources Manager, P.O. Box 25467, Albuquerque, NM 87125-5467.

Legal Assistant

Well established Santa Fe personal injury law firm is in search of an experienced paralegal/ legal assistant. Candidate should be honest, highly motivated, detail oriented, organized, proficient with computers & excellent writing skills. Duties include requesting and reviewing medical records and bills, meeting with clients, opening claims with insurance companies and preparing demand packages. We offer a very competitive salary, a retirement plan funded by the firm, full health insurance benefits, paid vacation and sick leave, bonuses and opportunities to move up. We are a very busy law firm and are looking for an exceptional assistant who can work efficiently. Please submit your resume to personalinjury2020@gmail.com

Paralegal

Ortiz & Zamora, LLC, is growing and seeks an experienced and motivated paralegal to work in the Santa Fe office. The paralegal will work with our attorneys to manage an active civil litigation docket involving personal injury, medical malpractice, governmental liability, and more. Civil litigation experience is required and it is preferred that a candidate meet the paralegal qualifications in NMRA Rule 20-115. Experience with discovery, motion practice, court filings, calendaring, and hearing and trial preparation desired. Salary D.O.E. Benefits include retirement, insurances, and paid time off. Please email your resume to nadine@ortiz-zamora.com.

Legal Secretary

The City of Albuquerque Legal Department (Litigation Division) is seeking a Legal Secretary to assist assigned attorneys in performing a variety of legal secretarial/administrative duties, which include but are not limited to: preparing and reviewing legal documents; creating and maintaining case files; calendaring; provide information and assistance, within an area of assignment, to the general public, other departments and governmental agencies. Please apply at https://www.governmentjobs. com/careers/cabq.

Seeking Part-Time Paralegal/Legal Writer

Rio Rancho Attorney seeking senior (over 64) with experience, common sense, and thick skin. Please contact Daniel at (505) 247-1110.

Paralegal or Legal Assistant

Paralegal or legal assistant needed for busy litigation firm. Please submit resumes to admin@millichlaw.com

Legal Assistant

Legal Secretary/Assistant with minimum of 3- 5 years' experience, including current working knowledge of State and Federal District Court rules and filing procedures, trial preparation, document and case management, calendaring, is technologically adept and familiar with use of electronic databases and legal-use software. Seeking organized and detail-oriented professional with excellent clerical, computer, and word processing skills for established commercial civil litigation firm. Benefits. If you are highly skilled, pay attention to detail & enjoy working with a team, email resume to e_info@abrfirm.com or Fax to 505-764-8374.

Services

Process Server

Will take care of your service needs in a quick, professional manner. \$45.00/person served and 50¢ per mile for the first service attempt. Contact Zachary Fitch at: (505)-750-0599.

Office Space

Purpose-Built Law Office For Lease

Modern office. 6 professional offices and 10 staff workstations. Stunning conference room, reception, kitchen. Fully furnished. Lots of file storage. Phones and copier available. 1011 Las Lomas Road NE, Albuquerque. Available immediately. Inquiries: admin@ kienzlelaw.com

Two Santa Fe Offices Available April 1, 2022

Two adjacent offices in a conveniently located professional office complex. The building has six offices, large reception area, kitchenette, and ample parking for clients and professionals. Four offices are currently occupied by two attorneys. Rent includes alarm, utilities, and janitorial services. \$950/mo Basement storage available. Call Donna 505-795-0077

Executive Office Suites

Remodeled large offices with a conference room, a breakroom/kitchen, controlled access, an alarm, some covered parking located in the uptown area. Owner/broker call Mike Contreras 505-263-7334, mike@ sentinelrealestate-inv.com. Sentinel Real Estate & Investment

Law Offices/Suites for Lease

Multiple spaces for legal offices available for lease in the beautiful historic Bond-Lovelace House. Spaces range from single attorney offices to multi-office suites with attorney offices and staff are-as. Amenities include front-desk receptionist to assist with greeting clients, incoming calls, and in-coming mail, large conference room, kitchen, and ample parking. Secure, gated office complex located at 201 12th Street NW, Albuquerque. E-mail inquiries to jhernandez@kennedyhernandez.com.

Office Space For Rent

Newly renovated office space for rent. Two large offices and reception area available at 12th and Lomas. Please call Lisa for more information 505-979-7080.

2022 Bar Bulletin Publishing and Submission Schedule

The *Bar Bulletin* publishes twice a month on the second and fourth Wednesday. Advertising submission deadlines are also on Wednesdays, three weeks prior to publishing by 4 pm.

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, three weeks prior to publication.**

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

The publication schedule can be found at **www.sbnm.org.**

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