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From the New Mexico Court of Appeals

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
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
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 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.

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

**Court News**

**New Mexico Supreme Court Rule-Making Activity**

To view recent Supreme Court rule-making 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 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 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 three-year 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 preparation is required for every meeting. In addition to regular meetings, the Commission schedules at least three weeklong docket review sessions 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 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 legal profession. The NMJLAP Committee fosters a supportive environment that is conducive to recovery from addiction and substance abuse. The Committee recognizes the importance of addressing these issues in order to maintain the highest standards of professional conduct and to ensure the integrity and effectiveness of the legal profession.

LawPay is proud to be the preferred payment solution of more than 50,000 lawyers. LawPay is designed specifically for the legal industry. LawPay provides attorneys with a simple, secure way to accept online credit card and eCheck payments in their practice. To learn more, call 866-376-0950 or visit www.lawpay.com/nmbar.
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 Mysstress Tools which is an online suite of stress management and resilience-building 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 defendersinrecovery@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 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@umn.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
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 trust. 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 struggles. 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
As 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 ever-looming 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, on-campus 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

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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


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:

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

The Solutions Group

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.
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, revealing in our differences; this is the process that brings us closer, that gives us a world of shared values, of meaningful community.”—bell hooks

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**Endnotes**

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 well-being; 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.

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 well-being 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 lawyer’s 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.

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*Wellbeing at the Law School continued from page 10*
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

28
Five Steps to Effective Online Negotiations with Marty Latz
2.0 G
Webcast
Center for Legal Education of NMSBF
www.sbnm.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

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

6
Event Data Recorders (EDR) AKA Black Box
1.0 G
Web Cast
New Mexico Defense Lawyers Association
www.nmdla.org

9
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
Disorder in the Court: An Attorney’s Guide to Judicial Misconduct
2.0 EP
Webinar
Center for Legal Education of NMSBF
www.sbnm.org

10
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

12
Lawyer Ethics and Email
1.0 EP
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: An Afternoon of Legal Writing with Stuart Teicher (2021)
3.0 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
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**

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<td>New Mexico Legal Aid/Volunteer Attorney Program</td>
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<td>Live Seminar (San Antonio, Texas)</td>
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<td><a href="http://www.sbnm.org">www.sbnm.org</a></td>
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</table>
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
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
### PUBLISHED OPINIONS

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### UNPUBLISHED OPINIONS

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### Slip Opinions for Published Opinions may be read on the Court's website:
http://coa.nmcourts.gov/documents/index.htm
Clerk’s Certificates
From the Clerk of the New Mexico Supreme Court
Joey D. Moya, Chief Clerk New Mexico Supreme Court
PO Box 848 • Santa Fe, NM 87504-0848 • (505) 827-4860

Clerk’s Certificate of Limited Admission

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michael.gadomski@state.nm.us

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Native American Disability Law Center
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505-566-5889 (fax)
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505-827-5076 (fax)
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On March 1, 2022:
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On March 3, 2022:
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Clerk’s Certificate of Amended Limited Admission

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Lynna Shin
New Mexico Legal Aid, Inc.
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602-509-9098
kaelen25@hotmail.com

Clerk’s Certificate of Reinstatement to Active Status

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Effective February 11, 2022:
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505-690-8302
jamesvnpoble@gmail.com

Clerk’s Certificate of Withdrawal

Effective December 31, 2021:
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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
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Las Cruces, NM 88005

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

Effective January 25, 2022:
James G. Whitley III
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Durango, CO 81301

Effective January 31, 2022:
David M. Jones
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Houston, TX 77094

Effective February 1, 2022:
Dianne D. Miller
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Samuel Cotton-Betteridge
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Albuquerque, NM  87114

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Cornell Law School
Myron Taylor Hall
Ithaca, NY  14853

Tara Doyle
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Denver, CO  80205

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Elaine M. Thomas
P.O. Box 2107
Silverdale, WA  98383

Val Ann Van Buren
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El Paso, TX  79912

Effective December 8, 2021:
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Santa Fe, NM  87505

Effective December 10, 2021:
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Suite C
Albuquerque, NM  87109

Rebekah J. Phelps
30 E. Pikes Peak Avenue, Suite 200
Colorado Springs, CO  80903

Effective December 12, 2021:
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As of September 20, 2021:
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Albuquerque, NM 87107

As of March 7, 2021:
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joel@gaffneylaw.com
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 to determine whether evidence was illegally obtained, and (2) even if it does have this authority, 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 a determination at the preliminary hearing stage.

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.

[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.

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.

All references to Section 30-31-23 in this opinion are to the 2011 version of the statute.
court must find either that (1) there is no Rule 7-202 NMRA. we seek “to determine the underlying in-
806. When interpreting procedural rules, we seek “to determine the underlying in-

on a presentment or indictment of a grand

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.

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 examina-
tion before an examining magistrate, or having waived such preliminary examina-
tion.” 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.

Pursuant to Rule 5-302(D), the district court must find either that (1) there is no probable cause that the defendant has com-
mited 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.

"[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 pre-

Addressing this issue in the context of grand jury proceedings, our Supreme Court held that “absent statutory authoriza-

court's authority at a preliminary hear-
ing does not include the authority to review illegally obtained evidence based solely on the choice of proceed-
ings—grand jury proceedings as op-
served the district court in considering the fact that a separate rule exists that authorizes 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

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.

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.

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.”).
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).

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.

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”).

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.

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

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

KRISTINA BOGARDUS, Judge
WE CONCUR:
BRIANA H. ZAMORA, Judge
SHAMMARA H. HENDERSON, Judge
Congratulations to Chris Marquez, Elected Partner with JHKM

We are pleased to announce Chris Marquez was elected Partner with JHKM’s New Mexico office. His practice focuses on construction, real estate, and commercial litigation. He also defends governmental clients against claims brought under federal and state law.

Chris can be contacted at cm@jhkmlaw.com or 505.364.1316

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### ANNUAL ESTATE PLANNING UPDATE 2022

**Thursday May 19, 2022**  
7:45 a.m. – 4:00 p.m.

**New Mexico State Bar Center**  
5121 Masthead, N.E.  
Albuquerque, New Mexico 87109

**To Register:** Please visit the website at:  

We will provide you with a thumb drive of the seminar materials.  
No refunds will be given once you are registered.

Seating is limited, so you must register to attend.

Professional Credit Pending: CLE, CE, CFP, CPA, and Insurance

**Note:** CE credits for CFPs (and Insurance credits) may only be available for attendees who are present the entire day, per the governing regulations.

### AGENDA

<table>
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<tr>
<th>Time</th>
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<tbody>
<tr>
<td>7:45 – 8:15 a.m.</td>
<td><strong>Sign-in</strong></td>
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<tr>
<td>8:15 – 8:30 a.m.</td>
<td><strong>Introductory Remarks</strong></td>
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<tr>
<td>8:30 – 9:30 a.m.</td>
<td><strong>Federal and State Estate and Gift Tax Update 2022</strong></td>
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<td>Vickie R. Wilcox, J.D., LL.M.</td>
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| 9:30 – 10:30 a.m. | **Overview of Charitable Vehicles and**  
|                | Recommendations for 2022                                              |
|                | Madison R. Jones, J.D., M.B.A.                                        |
| 10:30 – 10:45 a.m. | **Break**                                                             |
| 10:45 – 11:45 a.m. | **Protecting Your Estate Planning Practice**                         |
|                | from Litigation                                                       |
|                | Seth L. Sparks, J.D.                                                  |
| 11:45 – 12:45 p.m. | **Lunch: Pizza, Beverages, and Networking in the Charity Exhibit Hall** |
| 12:45 – 1:45 p.m. | **From Able to the Grave: Advising Clients**                         |
|                | on Need Based Aid in New Mexico                                       |
|                | Susan K. Tomita, J.D.                                                 |
| 1:45 – 2:15 p.m. | **My RULONA: New Mexico’s New Notary Laws**                           |
|                | Jeffrey D. Myers, M.S., J.D.                                         |
| 2:15 – 2:30 p.m. | **Break**                                                             |
| 2:30 – 3:00 p.m. | **The “Life” of a Basic Probate Administration**                     |
|                | Jeffrey D. Myers, M.S., J.D.                                         |
| 3:00 – 4:00 p.m. | **Ethics: Following a Complaint Against an**                          |
|                | Estate Planner Through the DBoard Process                             |
|                | Anne Taylor, J.D.                                                     |

**Presented By:**  
Wilcox & Myers, P.C.  
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Closing Date: Continuous

Water & Environmental Law
Law & Resource Planning Associates, P.C., ("LRPA"), an AV-rated law firm, is accepting resumes for an experienced, personnel 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., PO. Box 27209 Alb., NM 87125. E-mail responses may be submitted to J. Brumfield at jbr@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 505-827-0100.

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 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 top-notch 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-visor, 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 - $55,872 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 sldnms@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. Wainwright, 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: Michelle.J.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 & Bacht 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.bbblaw.com to see the many areas of law practiced at BBT. BBT 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@bbblaw.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 to 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, Liliyana Atencio, Mediation Program Manager, 201 W. Picacho Ave., Las Cruces, NM 88005; lrcldxa@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://donaanaccountyda.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: Possess at least 10+ years of relevant experience; Strong communication, business law practice management 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-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, domestictions, trademark, and business disputes - is highly desired; Bilingual (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.

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**Full Time Office Assistant**

Barnhouse Keegan Solomon & 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 preferred. 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 L.Vera@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 Manager, P.O. Box 1888, Albuquerque, NM 87103.

**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; providing 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@ablrfirm.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)-750-0999.

Office Space

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

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 areas. Amenities include front-desk receptionist to assist with greeting clients, incoming calls, and incoming 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.

Executive Office Suites
Remodeled large offices with a conference room, a break room/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

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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