

BAR BULLETIN

March 13, 2024 • Volume 63, No. 3



Interplay II, by Catherine Eaton Skinner (see page 5)

ceskinner.com

Inside This Issue

The Digital Resource Deskbook 2024-2025 Is Here!.....	11	Rules/Orders.....	16
Important Changes to the Rules of Minimum Continuing Legal Education Starting in 2024.....	12	Hearsay/In Memoriam.....	21
Get Involved with the YLD Programs!.....	13	Clerk's Certificates.....	25
A Note of Gratitude to Brian Sanchez.....	14	From the New Mexico Court of Appeals	
Well-Being Committee's 2024 Campaign.....	15	Formal Opinions.....	27
		Memorandum Opinions.....	28



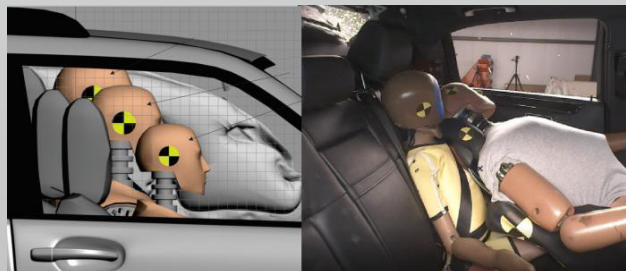
IS YOUR CASE AT A RECOVERY DEAD-END?

Maybe not because you may have a **CRASHWORTHINESS** case.



Crashworthiness

focuses on how the vehicle's safety systems performed, not who caused the accident. At my firm's Crash Lab, we continually study vehicle safety through engineering, biomechanics, physics, testing and innovation.



If you have any questions about a potential case, please call Todd Tracy. Vehicle safety system defects may have caused your client's injury or death.



Subject Vehicle



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New Mexico State Bar Foundation
Center for Legal Education

CLE PROGRAMMING

from the Center for Legal Education



MARCH 15

Special Issues in Small Trusts

1.0 G

11 a.m.–Noon

Teleseminar

MARCH 20

REPLAY: Pac-Man, Tails, Prior Acts, Claims Made – Ugh, What Does it all Mean? What You Need to Know About Professional Liability Insurance

1.0 EP

Noon–1 p.m.

Webinar

MARCH 27

Subleases & Assignments in Commercial Real Estate Part 1

1.0 G

11 a.m.–Noon

Teleseminar

MARCH 28

Subleases & Assignments in Commercial Real Estate Part 2

1.0 G

11 a.m.–Noon

Teleseminar

APRIL 3

Lawyer Ethics in Real Estate Practice

1.0 EP

11 a.m.–Noon

Teleseminar

APRIL 4

Charitable Giving Planning in Trusts and Estates Part 1

1.0 G

11 a.m.–Noon

Teleseminar

APRIL 5

Charitable Giving Planning in Trusts and Estates Part 2

1.0 G

11 a.m.–Noon

Teleseminar

APRIL 10

Ugh! I Feel so Conflicted Right Now! — Common Conflicts of Interest

1.0 EP

Noon–1 p.m.

Webinar

APRIL 12

Spring Family Law Institute

5.0 G

9 a.m.–3:45 p.m.

In Person and Webcast

Get a Head Start

on the NEW Equity in Justice CLE Credit Requirement

MARCH 13

2024 Americans with Disabilities Act Update

1.0 EIJ (Equity in Justice)

11 a.m.–Noon

Teleseminar

MARCH 27

“Would You Mind Making Some Copies?": Recent Research in Gender Bias

1.0 EIJ (Equity in Justice)

Noon–1 p.m.

Webinar

APRIL 5

REPLAY: Transgender Cultural Fluency

1.0 EIJ (Equity in Justice)

Noon–1 p.m.

Webinar

APRIL 18

REPLAY: Special Education Needs and Challenges

1.0 EIJ (Equity in Justice)

Noon–1 p.m.

Webinar

APRIL 19

Thurgood Marshall's Coming!

2.8 EIJ (Equity in Justice)

11 a.m.–2 p.m.

Webinar

APRIL 26

REPLAY: Understanding Public Housing Resources

1.0 EIJ (Equity in Justice)

Noon–1 p.m.

Webinar

APRIL 29

REPLAY: Practical Lessons in Diversity, Equity & Inclusion in Law Practice

1.0 EIJ (Equity in Justice)

11 a.m.–Noon

Teleseminar

APRIL 30

Why Female Attorneys Get Paid Less: What's Gender Bias Got to Do With it

1.0 EIJ (Equity in Justice)

11 a.m.–Noon

Webinar

More courses providing **Equity in Justice Credit** can be found in the Center for Legal Education On-Demand/Self-Study library:
<https://cle.sbnm.org/courses/8102>

Register online at cle.sbnm.org or call 505-797-6020



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March 13, 2024 • Volume 63, No. 3

www.sbnm.org



Table of Contents

Notices	6
Calendar for Legal Education	9
Opportunities for Pro Bono Services & Resources for the Public Calendars	10
The Digital Resource Deskbook 2024-2025 is Here!	11
Important Changes to the Rules of Minimum Continuing Legal Education Starting in 2024	12
Get Involved with the YLD Programs!	13
A Note of Gratitude to Brian Sanchez	14
Well-Being Committee's 2024 Campaign	15
Rules/Orders	16
Hearsay/In Memoriam	21
Clerk's Certificates	25

From the New Mexico Court of Appeals

Formal Opinions	27
Memorandum Opinions	28
Advertising	32

Section, Division and Committee Meetings

Section, Committee, Division	March	April	Time, Format
Animal Law	13	N/A	12:30 p.m., Zoom
Children's Law	18	15	Noon, Zoom
Family Law	15	19	9 a.m., Zoom
Immigration Law	29	26	11 a.m., Zoom
Indian Law	15	N/A	Noon, Zoom
Intellectual Property Law	26	23	Noon, Zoom
NREEL	26	23	Noon, Zoom
Public Law	20	17	Noon, Zoom
Solo and Small Firm	19	19	9 a.m., Zoom
Trial Practice	30	27	Noon
Senior Lawyers Division	19	N/A	3:30 p.m., Zoom

About Cover Image and Artist: Catherine Eaton Skinner (Seattle/Santa Fe) illuminates the balance of opposites, reflecting mankind's attempts at connection. Exhibitions include Pie Projects, Branigan Cultural Center/Las Cruces Museum, Summerlin Library and Performing Arts Center; Enterprise Library Gallery, 6-city traveling exhibition throughout Missouri, International Art Museum of America, Wilding Museum, Cape Cod Museum, Yellowstone Art Museum and the High Desert Museum and 40+ solo and group exhibitions. Publications include Magazine 43, Art Hole, MVIIE, LandEscape Art Review, Art Magazineium and her monograph 108 (Radius Books). Awards: U.S. Art in Embassies, Papua New Guinea and Tokyo, and Acclaimed Artists, New Mexico Department of Cultural Affairs.

Notices

Please email notices desired for publication to notices@sbnm.org.

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. (MT). Library Hours: Monday-Friday 8 a.m.-noon and 1-5 p.m. (MT). For more information call: 505-827-4850, email: libref@nmcourts.gov or visit <https://lawlibrary.nmcourts.gov>.

N.M. Administrative Office of the Courts

Learn About Access to Justice in New Mexico in the "Justice for All" Newsletter

Learn what's happening in New Mexico's world of access to justice and how you can participate by reading "Justice for All," the New Mexico Commission on Access to Justice's monthly newsletter! Email atj@nmcourts.gov to receive "Justice for All" via email or view a copy at <https://accesstojustice.nmcourts.gov>.

First Judicial District Court Judicial Nominating Commission Announcement of Candidates

The First Judicial District Court Judicial Nominating Commission convened at 9:30 a.m. (MT) on Feb. 22 at the First Judicial District Court, located at 225 Montezuma Ave, Santa Fe, N.M., and completed its evaluation of the four applicants to fill the vacancy on the First Judicial District Court due to the retirement of the Honorable Judge Sylvia LaMar, effective Jan. 31. The Judicial Nominating Commission recommends the following candidates to Gov. Michelle Lujan Grisham: **Elizabeth Allen, Jose Puentes and Denise Thomas.**

Professionalism Tip

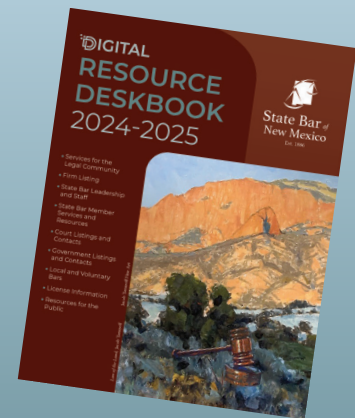
Lawyer's Preamble

As a lawyer, I will strive to make our system of justice work fairly and efficiently. In order to carry out that responsibility, I will comply with the letter and spirit of the disciplinary standards applicable to all lawyers, and I will also conduct myself in accordance with the Creed of Professionalism when dealing with my client, opposing parties, their counsel, the courts, and any other person involved in the legal system, including the general public.

The Resource Deskbook 2024-2025 is Here!

The Resource Deskbook 2024-2025 is available as of March 1 as a digital-exclusive FREE member benefit! The comprehensive publication includes information on State Bar Resources, Federal and State Courts, licensing and more! View and download your copy at www.sbnm.org/Resource-Deskbook-2024-2025!

Please note: The 2024-2025 Resource Deskbook is not available in print.



Eleventh Judicial District Court Judicial Nominating Commission Announcement of Vacancies

Two vacancies will occur in the Eleventh Judicial District Court, due to the retirements of Judge Louis E. DePauli, Jr. and Judge Karen L. Townsend. One vacancy is at the McKinley County-Gallup District Court in Gallup, New Mexico. The other vacancy is at the San Juan County-Aztec/Farmington District Court in Aztec, New Mexico. Inquiries regarding the details or assignment of these judicial vacancies should be directed to the Administrator of the Court. Applicants seeking information about election or retention if appointed should contact the Bureau of Elections in the Office of the Secretary of State. The Eleventh Judicial District Court Judicial Nominating Commission will convene at 9:30 a.m. (MT) on March 21 to interview applicants for both positions at the Eleventh Judicial District Court, located at the McKinley County-Gallup District Court, 207 W Hill Ave #100, Gallup, N.M. 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.

Bernalillo County Metropolitan Court Bench Trials in Civil Cases Now In-Person

Bench Trials in civil cases scheduled in the Metropolitan Court on or after Feb. 19 will now be held in-person at the Courthouse, 401 Lomas Blvd NW, Albuquerque, N.M., 87102, unless otherwise ordered by the judge.

STATE BAR NEWS Access to Justice Fund Grant Commission 2024-25 ATJ Fund Grant Cycle Now Accepting Applications

The State Bar of New Mexico ATJ Fund Grant Commission solicits grant applications from qualified civil legal service providers for the provision of civil legal services to low-income New Mexicans. The deadline for proposals is April 1, 2024. The Request for Proposals can be found at <https://www.sbnm.org/Leadership/Commissions/Access-to-Justice-Fund-Grant-Commission>.

Judicial Standards Commission Proposed Amendment

The Judicial Standards Commission is recommending the proposed amendment to its rules as summarized below. To comment on the proposed amendment before it is submitted for publication, you may submit your comments electronically at for-filingnmjsc@nmjsc.org. Your comments must be received on or before March 28.

The proposed rule amendment summarized below can be viewed in its entirety at the Judicial Standards Commission website: www.nmjsc.org

RULE 2(D)(1). DEFINITIONS

“Third party complaint.” A complaint, in substantially the form authorized by the Commission, made by a person or legal entity which is not a member of the Commission or an employee of the Commission.

Board of Bar Commissioners Appointment 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 (ABA) House of Delegates for a two-year term, which will expire at the conclusion of the 2026 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 8 to bbc@sbnm.org.

Historical Committee Announcement of Lunch & Learn

The Historical Committee will present a talk by Henry Rivera on April 12 from noon to 1 p.m. (MT), for a Lunch & Learn on Bernardo de Galvez, namesake of Galveston, Texas. Learn all about him and his contributions to America's War of Independence. Lunch will be served. To register for in-person attendance, please visit <https://form.jotform.com/sbnm/HistoricalCommitteeBernard-deGalvez>. Limited space is available. For virtual attendance, please use the following link: <https://us06web.zoom.us/j/84367022221?pwd=KsMJ3zVNjpy>

VMpetbUGfx7WWExgj.1 The Meeting ID is 843 6702 2221 and the Passcode is 091031. For more information, please contact memberservices@sbnm.org.

New Mexico Lawyer Assistance Program Monday Night Attorney Support Group

The Monday Night Attorney Support Group meets at 5:30 p.m. (MT) 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. Join the meeting via Zoom at <https://bit.ly/attorneysupportgroup>.

NM LAP Committee Meetings

The NM LAP Committee will meet at 4 p.m. (MT) on April 4, July 11 and Oct 11, 2024. The NM LAP 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 NM LAP Committee has expanded their scope to include issues of depression, anxiety, and other mental and emotional disorders for members of the legal community. This committee continues to be of service to the New Mexico Lawyer Assistance Program and is a network of more than 30 New Mexico judges, attorneys and law students.

— *Featured* —

Member Benefit



The
Solutions
Group

The Employee Assistance Program is provided by the New Mexico Lawyer Assistance Program in collaboration with The Solutions Group. Receive assistance and support for yourself, your family, and your employees. The services encompass up to four free counseling sessions per issue per year, addressing behavioral health, addiction, relationship conflicts, anxiety, and/or depression. Counseling sessions are conducted by licensed and professional therapists. Additional services include management consultation, stress management education, critical incident stress debriefing, substance use disorder assessments, video counseling, and access to a 24/7 call center.

Service providers are strategically located throughout the state. To utilize this service, visit www.solutionsbiz.com/solutions/employee-assistance-program/ or call 505-254-3555, referencing the NM LAP.

**To access this service call
855-231-7737 or 505-254-3555
and identify with NM LAP.
All calls are confidential.**

New Mexico Well-Being Committee Meetings

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. The Well-Being Committee will meet the following dates at 3 p.m. (MT) in 2024: March 26, May 28, July 30, Sept. 24 and Nov 26. Email Tenessa Eakins at Tenessa.Eakins@sbnm.org.

The Solutions Group Employee Assistance Program

Presented by the New Mexico Lawyer Assistance Program, the Solutions Group, the State Bar's Employee Assistance Program (EAP), extends its supportive reach by offering up to four complimentary counseling sessions per issue, per year, to address any mental or behavioral health challenges to all SBNM members and their direct family members. These counseling sessions are conducted by licensed and experienced

therapists. In addition to this valuable service, the EAP also provides a range of other services, such as management consultation, stress management education, webinars, critical incident stress debriefing, video counseling, and a 24/7 call center. The network of service providers is spread across the state, ensuring accessibility. When reaching out, please make sure to identify yourself with the NMLAP for seamless access to the EAP's array of services. Rest assured, all communications are treated with the utmost confidentiality. Contact 505-254-3555 to access your resources today.

New Mexico State Bar Foundation Pro Bono Opportunities

The New Mexico State Bar Foundation and its partner legal organizations gratefully welcome attorneys and paralegals to volunteer to provide pro bono service to underserved populations in New Mexico. For more information on how you can help New Mexican residents through legal service, please visit www.sbnm.org/probono.

UNM SCHOOL OF LAW Law Library Hours

The Law Library is happy to assist attorneys via chat, email, or in person by appointment from 8 a.m.-8 p.m. (MT) Monday through Thursday and 8 a.m.-6 p.m. (MT) on Fridays. Though the Library no longer has community computers for visitors to use, if you bring your own device when you visit, you will be able to access many of our online resources. For more information, please see lawlibrary.unm.edu.



Send in your articles!

Have your authored work read by over **8,000** attorneys, judges and other legal professionals when you send in articles for the *Bar Bulletin*! The *Bar Bulletin* is not only a place for information—it's a place for discourse and a hub for sharing your ideas on the legal topics of the day and beyond!

For information on how to submit articles and guidelines for submissions, please visit www.sbnm.org/News-Publications/Bar-Bulletin/Submit-An-Article.



Legal Education Calendar

March

- | | | |
|---|---|--|
| <p>1-31 Self-Study - Tools for Creative Lawyering: An Introduction to Expanding Your Skill Set with Eric Sotkin
1.0 G, 2.0 EP
Online On-Demand
The Ubuntuworks Project
www.ubuntuworksschool.org</p> | <p>15 Special Issues in Small Trusts
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>20 REPLAY: Pac-Man, Tails, Prior Acts, Claim Made - Ugh, What Does it all Mean? What You Need to Know About Professional Liability Insurance
1.0 EP
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> |
| <p>13 Evidence Wednesdays: A Defender's Guide to Evidence in Guns and Drugs Cases
1.2 G
Web Cast (Live Credits)
Administrative Office of the U.S. Courts
www.uscourts.gov</p> | <p>18 The AI Attorney - Introduction to Generative AI for Attorneys
Virtual via Zoom
First Judicial District Bar Association
www.fjdba.org</p> | <p>22 SSF CLE Roundtable: The New Corporate Transparency Act and Your Law Firm
1.0 G
Virtual, link with registration
Solo and Small Firm Section
www.L4SB.com</p> |
| <p>13 2024 Americans with Disabilities Act Update
1.0 EIJ
Teleseminar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>19 Adult Guardianship 101 - Part 3: Dealing with Family Conflict
1.0 G
Web Cast (Live Credits)
New Mexico Legal Aid/VAP
www.newmexicolegalaid.org</p> | <p>22 2024 Insurance Bad Faith Seminar
4.0 G
In-Person
New Mexico Defense Lawyers Association
www.nmdla.org</p> |
| | <p>20 The Law of Consignments: How Selling Goods for Others Works
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.sbnm.org</p> | |

April

- | | | |
|---|--|--|
| <p>1-30 Self-Study - Tools for Creative Lawyering: An Introduction to Expanding Your Skill Set with Eric Sotkin
1.0 G, 2.0 EP
Online On-Demand
The Ubuntuworks Project
www.ubuntuworksschool.org</p> | <p>9 Adult Guardianship 101 - Part 4: Post-Adjudication Issues
1.0 G
Web Cast (Live Credits)
New Mexico Legal Aid/VAP
www.newmexicolegalaid.org</p> | <p>12 Making Victim's Rights Meaningful: Representing Victims in Criminal Courts
1.5 G, 0.5 EP
In-Person or Webcast
DWI Resource Center/Victims Rights Project
www.victimrightsnm.org</p> |
| <p>5 REPLAY: Transgender Cultural Fluency
1.0 EIJ
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>10 Ugh! I Feel so Conflicted Right Now! Common Conflicts of Interest
1.0 EP
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>17 Master Microsoft Word's Most Useful Hidden Feature - Styles - to Easily Create Better Formatted Documents
1.0 G
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> |
| <p>5 New Mexico Water Rights Fundamentals
4.0 G
In-Person at the State Bar Center
WaterCourse CLE
www.watercoursecle.com</p> | <p>12 Spring Family Law Institute
5.0 G
In-Person or Webcast
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>18 Retain Your Clients: A Roadmap to Effective, Ethical Client Service
1.0 EP
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> |

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.



Opportunities for Pro Bono Service CALENDAR

March

- | | |
|---|---|
| <p>14 Asylum Initial Application and Work Permit Pro Se Clinic
In-Person
New Mexico Immigrant Law Center
New Mexico Legal Aid
www.nmilc.org/asylum
Location: Announced prior to clinic</p> | <p>20 Citizenship & Residency Workshop
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/citizenship
Location: El Centro de Igualdad y Derechos</p> |
|---|---|

April

- | | | |
|--|---|---|
| <p>5 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Socorro</p> | <p>13 Peter H. Johnstone Day Family Law Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Second Judicial District Courthouse</p> | <p>17 Citizenship & Residency Workshop
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/citizenship
Location: El Centro de Igualdad y Derechos</p> |
|--|---|---|

If you would like to volunteer for pro bono service at one of the above events, please contact the hosting agency.



Resources for the Public CALENDAR

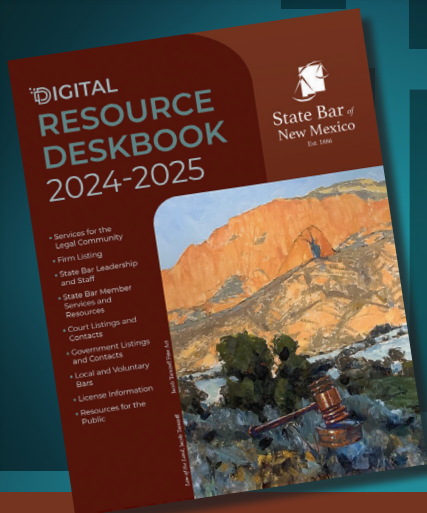
March

- | | | |
|---|---|--|
| <p>14 Asylum Initial Application and Work Permit Pro Se Clinic
In-Person
New Mexico Immigrant Law Center
New Mexico Legal Aid
www.nmilc.org/asylum
Location: Announced prior to clinic</p> | <p>20 Citizenship & Residency Workshop
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/citizenship
Location: El Centro de Igualdad y Derechos</p> | <p>20 Consumer Debt/Bankruptcy Workshop
Virtual
State Bar of New Mexico
Call 505-797-6094 to register
Location: Virtual</p> |
|---|---|--|

April

- | | | |
|--|--|--|
| <p>3 Divorce Options Workshop
Virtual
State Bar of New Mexico
Call 505-797-6022 to register
Location: Virtual</p> | <p>5 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Socorro</p> | <p>9 Legal Resources for the Elderly (LREP) Workshop
Virtual
State Bar of New Mexico
bit.ly/LREP-SignUp-Jan-16
Location: Virtual</p> |
|--|--|--|

Listings in the *Bar Bulletin* Pro Bono & Volunteer Opportunities Calendar are gathered from civil legal service organization submissions and from information pertaining to the New Mexico State Bar Foundation's upcoming events. All pro bono and volunteer opportunities conducted by civil legal service organizations can be listed free of charge. Send submissions to probono@sbnm.org. Include the opportunity's title, location/format, date, provider and registration instructions.



The Digital Resource Deskbook 2024-2025 is Here!

View & Download your FREE digital copy at
www.sbnm.org/Resource-Deskbook-2024-2025!

All active State Bar of New Mexico members were emailed a **FREE** digital copy of the ***Resource Deskbook 2024-2025*** as a member benefit on March 1.

View and download the comprehensive guide for State Bar of New Mexico resources for our members, New Mexico State and Federal Court contact information, License Renewal information and much more at
www.sbnm.org/Resource-Deskbook-2024-2025!

The convenient downloadable digital format will allow you to easily click through the sections of the ***Resource Deskbook*** to find the information that you need – whether you are working at your desk or on the go!

Please note that the *Resource Deskbook* will not be printed and mailed this year.



State Bar *of*
New Mexico
Est. 1886

Important Changes to the Rules of Minimum Continuing Legal Education Starting in 2024

In 2023, the New Mexico Supreme Court approved changes to the Rules regarding Minimum Continuing Legal Education. These changes modified the credit types required and revised the Rules related to self-study credits.

Self-Study Rule 18-204(C) NMRA

Beginning in compliance year 2024, attorneys can earn all 12 required credits using a self-study format. These courses, however, must be pre-approved by the State Bar. Due to this requirement, course providers must report these credits for you. This means, attorneys can no longer self-report self-study credits.

C. Self-study credit. Self-study credits may be earned by participating in legal activities or participating in previously recorded courses, providing the following conditions are met:

(2) Previously recorded courses. To be eligible for credit, the previously recorded course must be pre-approved by the board and must include procedures and/or technology that allows the course provider to independently verify an attorney's attendance and attentiveness during the program. The attorney seeking self-study credit must not previously have received self-study or live program credit for the same program.



Equity in Justice Rule 18-201(D) NMRA

Beginning in compliance year 2024, all attorneys actively licensed in New Mexico must earn 1 Equity in Justice (EIJ) Credit in addition to 9 general and 2 ethics, totaling 12 credits, by February 1, 2025. To learn more about the Equity in Justice Credit, please read the below excerpt from Rule 18-201(D) and its commentary.

D. Equity in justice credits. At least one (1) hour of the twelve (12) hours shall be devoted to board approved subjects dealing with equity in justice.

Equity in Justice Education

(1) Equity in Justice content focuses on ensuring that all persons will be treated fairly under the laws of New Mexico and promotes full and equal participation by all in the profession through identifying and eliminating the effects of prejudice, bias, and racism. Addressing topics on race, gender, national origin, sexual orientation, disability, and other issues of disparity and inequity will underscore and define how shortfalls can be addressed and dismantled. The practice of law is a profession in service to others and members of the Bar must have a clear understanding of the changes that are needed to truly be in service to others. The result of these changes will be equitable access to justice for the community and a more equitable Bar.

(2) Equity in Justice CLEs can incorporate topics that are relevant to the practice of law such as: implicit and explicit bias, systemic and structural oppression; equal access to justice; competent representation of diverse populations; diversity and inclusion initiatives in the legal profession; recognition, mitigation, or elimination of bias in the legal profession or the legal system; anti-racism; cultural competency in the practice of law or the administration of justice; and the historical and contemporary context of all of the preceding issues. Effective CLE content will include education as well as promote discussion and reflection. Instructors or lecturers must be either attorneys or judges with content expertise or other experts in the subject area based on their education and background.



State Bar of New Mexico
Minimum Continuing
Legal Education



Welcome Young Lawyers!
Due to a New Mexico Supreme Court amendment, attorneys who have practiced ten years or fewer, regardless of the state, are now automatically enrolled in the State Bar of New Mexico Young Lawyers Division.

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it's about shaping the future
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Programs



For more information, email State Bar Member Services:
memberservices@sbnm.org



State Bar of New Mexico
Young Lawyers Division





A Note of Gratitude to Brian Sanchez

Brian Sanchez joined the State Bar of New Mexico team in 1996 as part of the State Bar's offset press operation, serving the State Bar's membership and the larger New Mexico community. A long-time veteran in the printing industry, Brian arrived with the expertise to enhance the State Bar's print operation. He eventually led the transition to our trademark Digital Print Center!

Now, after nearly 28 years with the State Bar and a prolific career in the printing industry, Brian will be retiring from his role as Digital Print Center Manager.

Brian always provided high quality work for every customer. From printing items such as business cards and annual reports to overseeing the publishing of more than one million copies of the Bar Bulletin, Brian has played an important role in the always-evolving printing industry.

We thank Brian for his long-tenure with the State Bar of New Mexico. His expertise, professionalism and work ethic has made a significant impact. We wish Brian the best in his future endeavors.

Thank you, Brian!



State Bar of
New Mexico
Est. 1886



New Mexico
State Bar Foundation



Living: *Small Pivots That Matter* CAMPAIGN

In the hustle and bustle of our daily lives, it's easy to overlook the impact that small changes can have on our overall well-being. The campaign, **Living: Small Pivots That Matter**, is a call to action, encouraging individuals to make tiny adjustments in their lifestyle that can lead to profound improvements in their health and happiness.

This initiative is not about placing blame or instigating guilt; instead, it centers around self-awareness and personal empowerment. We understand that everyone's journey is unique, and what works for one person may not work for another. The emphasis is on recognizing the small shifts that resonate with each individual, promoting a sense of agency over one's own well-being.

Whether it's incorporating an extra hour of sleep a night, choosing a nutritious snack over processed foods, or dedicating a few minutes to mindfulness each day, the campaign highlights that these seemingly minor pivots can pave the way for long-lasting positive effects. It's about fostering a culture of self-care, understanding that taking care of oneself is not a luxury but a **necessity**.

The **Living: Small Pivots That Matter** campaign aims to inspire a collective mindset shift, encouraging the legal communities to support each other in making these incremental changes. By creating a dialogue around the importance of small, sustainable adjustments, the campaign seeks to build a healthier, happier profession where individuals feel empowered to prioritize their well-being in the midst of life's demands.

- What is one wellness pivot you would like to make in the next month? 6 months?
- At the end of 2024, what wellness pivot would you like to feel proud of?
- What would you need decrease or eliminate to increase well-being in your life?
- What aspect of well-being would you like to be educated on?

Send your answers to wbc@sbnm.org. We would love to hear from you!



State Bar of New Mexico
Well-Being Committee



Rules/Orders

<http://www.nmcompcomm.us/>

From the New Mexico Supreme Court

THE SUPREME COURT OF NEW MEXICO ANNOUNCES OUT-OF-CYCLE RULE AMENDMENTS

In accordance with Rule 23-106.1 NMRA, the Supreme Court has approved the following out-of-cycle rule amendments. What follows is a summary of those amendments that the Court approved on February 23, 2024, and February 27, 2024. The full text of the amendments in markup format and the related orders are available on the Court's website at <https://supremecourt.nmcourts.gov/supreme-court/opinions-rules-and-forms/approved-amendments-to-rules-and-forms/2024-2/>. The approved rule amendments will also be available on NMOneSource.com.

RULES OF CRIMINAL PROCEDURE FOR STATE COURTS COMMITTEE

References Pertaining to Intellectual and Developmental Disabilities – Amended Rules 5-602.2 and 5-602.3 NMRA

The Supreme Court approved the Rules of Criminal Procedure for State Courts Committee's recommendation to amend Rules 5-602.2 and 5-602.3 NMRA to replace terminology pertaining to intellectual and developmental disabilities to reflect recent statutory amendments. The amendments are effective February 23, 2024.

ELEVENTH JUDICIAL DISTRICT COURT

Automatic Sanctions for Technical Violations by Probationers in the Eleventh Judicial District Court – Withdrawn LR11-302 NMRA

On recommendation of the Eleventh Judicial District Court, the Supreme Court has withdrawn LR11-302 NMRA, which sets forth the District's technical violation program for probationers. The amendments are effective February 23, 2024.

NEW MEXICO COMMISSION ON ACCESS TO JUSTICE

Scribing for Self-Represented Litigants – Amended Rule 23-113 NMRA

The Supreme Court approved the New Mexico Commission on Access to Justice's recommendation to amend Rule 23-113 NMRA to facilitate the Supreme Court's Statewide Scribing Program implemented by Supreme Court Order No. S-1-AO-2024-00009. The amendments are effective June 1, 2024.

THE RULE AMENDMENTS SUMMARIZED ABOVE CAN BE VIEWED IN THEIR ENTIRETY AT THE NEW MEXICO SUPREME COURT WEBSITE

<https://supremecourt.nmcourts.gov/supreme-court/opinions-rules-and-forms/approved-amendments-to-rules-and-forms/2024-2/>

Rules/Orders

From the New Mexico Supreme Court

<http://www.nmcompcomm.us/>

NOTICE OF PUBLICATION FOR COMMENT

PROPOSED AMENDMENTS TO SUPREME COURT RULES OF PRACTICE AND PROCEDURE FEBRUARY 27, 2024

In accordance with the Supreme Court's out-of-cycle rulemaking process under Rule 23-106.1(C) NMRA, which includes publication of proposed rule amendments for public comment, the following proposed amendments are recommended to the rules of practice and procedure as summarized below. To view the text of the proposal, you may click on its corresponding proposal number below. To comment on the proposed amendments before they are submitted to the Court for final consideration, you may submit your comment electronically through the Supreme Court's website at <http://supremecourt.nmcourts.gov/open-for-comment.aspx>, by email to rules.supremecourt@nmcourts.gov, by fax to 505-827-4837, or by mail to:

Elizabeth A. Garcia, Chief Clerk of Court
New Mexico Supreme Court
P.O. Box 848
Santa Fe, New Mexico 87504-0848

Your comments must be received by the Clerk's Office on or before March 22, 2024, to be considered by the Court. Please note that submitted comments may be posted on the Supreme Court's website for public viewing.

SUPREME COURT

Proposal 2024-001 – Pretrial Release and Detention
[Rules 5-401, 5-403, 5-409, 6-401, 6-403, 7-401, 7-403, 8-401, and 8-403 NMRA]

The New Mexico Supreme Court is considering amending various criminal rules dealing with pretrial release and detention. The proposed amendments ensure that alleged violations of conditions of release are timely addressed and clarify procedures for setting conditions of release. The proposed amendments also require that a defendant, who was charged with certain felony or misdemeanor offenses and released after an initial pretrial detention hearing, be held without bond and without conditions of release, pending another pretrial hearing, if they are charged with certain offenses while released pending trial.

**THE PROPOSED RULE AMENDMENTS SUMMARIZED ABOVE
CAN BE VIEWED IN THEIR ENTIRETY AT THE
NEW MEXICO SUPREME COURT WEBSITE**

<http://supremecourt.nmcourts.gov/open-for-comment.aspx>

Rules/Orders

<http://www.nmcompcomm.us/>

From the New Mexico Supreme Court

NOTICE OF PUBLICATION FOR COMMENT

PROPOSED AMENDMENTS TO SUPREME COURT RULES OF PRACTICE AND PROCEDURE

MARCH 13, 2024

In accordance with the Supreme Court's annual rulemaking process under Rule 23-106.1 NMRA, which includes an annual publication of proposed rule amendments for public comment every spring, the following Supreme Court Committees are recommending proposed amendments to the rules of practice and procedure as summarized below. To view the text of a proposal, you may click on its corresponding proposal number on the Court's website at <http://supremecourt.nmcourts.gov/open-for-comment.aspx>. To comment on the proposed amendments before they are submitted to the Court for final consideration, you may submit your comment electronically through the Supreme Court's website at <http://supremecourt.nmcourts.gov/open-for-comment.aspx>, by email to rules.supremecourt@nmcourts.gov, by fax to 505-827-4837, or by mail to:

Elizabeth A. Garcia, Chief Clerk of Court
New Mexico Supreme Court
P.O. Box 848
Santa Fe, New Mexico 87504-0848

Your comments must be received by the Clerk's Office on or before April 12, 2024, to be considered by the Court. Please note that submitted comments may be posted on the Supreme Court's website for public viewing.

CHILDREN'S COURT RULES COMMITTEE

Proposal 2024-002 – Permanency Review Hearings
[Rules 10-345 and 10-346 NMRA]

The Children's Court Rules Committee recommends amendments to Rules 10-345 and 10-346 NMRA that require the Children, Youth, and Families Department to submit a court report five days before a judicial review hearing in child welfare cases. The proposed changes are intended to reflect and implement practices in numerous jurisdictions and mirror the court report requirement for permanency review hearings.

*Proposal 2024-003 –
Child's First Appearance on a Delinquency Petition*
[Form 10-711 NMRA]

The Committee recommends amendments to Form 10-711 NMRA that eliminate references to an arraignment and replace language that suggests a child in a delinquency proceeding is subject to criminal charges. The Committee also recommends amending the explanation of rights section to ensure consistency with Rule 10-224 NMRA.

RULES OF CIVIL PROCEDURE FOR STATE COURTS COMMITTEE

Proposal 2024-004 – Water Settlement Agreements
[New Rule 1-071.3 NMRA; Recompiled Rules 1-071.4, 1-071.5, and 1-071.6 NMRA]

The Court requested that the Rules of Civil Procedure for State Courts Committee provide a recommendation on whether the Court should establish, by rule, an injury requirement for non-settling parties to make a legally cognizable objection to an Indian water rights settlement agreement. As a result, the Committee has proposed the adoption of new Rule 1-071.3 NMRA that sets forth a procedure for proposed water rights settlement agreements in statutory stream system adjudication suits, including the required contents of a notice of intent to participate. The Committee also recommends the recompilation of existing Rules 1-071.3, 1-071.4, and 1-071.5 NMRA.

Proposal 2024-005 – Garnishment
[Rules 1-065.1, 1-065.2, 2-801, 2-802, 3-801, and 3-802 NMRA; Forms 4-805 and 4-805A NMRA; New Forms 4-803A, 4-806A, 4-807A, 4-808B, 4-808C, 4-809A, 4-810B, and 4-812A NMRA]

The Committee recommends the amendment of various civil rules and forms, as well as the adoption of new civil forms to incorporate recent statutory changes related to garnishment and execution. The Committee also proposes amendments that clarify when an application for writ of garnishment or execution is considered timely.

CODE OF JUDICIAL CONDUCT COMMITTEE

Proposal 2024-006 – Political Activity and Elections
[Rule 21-401 NMRA]

The Code of Judicial Conduct Committee proposes to amend Rule 24-101 NMRA to correct a typographical error in the title and to clarify what representations are prohibited in judicial political campaigns.

CODE OF PROFESSIONAL CONDUCT COMMITTEE

Proposal 2024-007 – Lawyer Succession Rule
[Rule 16-119 NMRA]

The Code of Professional Conduct Committee proposes amendments to Rule 16-119 NMRA that exempt justices, judges, and court hearing officers from the succession plan requirement for judicial duties. The Committee also proposes amendments to Rule 16-119 and its associated committee commentary that accommodate government departments and agencies and clarify the required contents of a succession plan, the potential role of a non-lawyer designee, and how confidentiality requirements apply to assisting lawyers.

Rules/Orders

From the New Mexico Supreme Court

<http://www.nmcompcomm.us/>

*Proposal 2024-008 –
Surreptitious Recording of Clients, Third Parties*
[Rule 16-804 NMRA]

The Committee recommends amending the committee commentary of Rule 16-804 NMRA to clarify that a one-party recording by a lawyer does not constitute misconduct unless the purpose of the recording is to engage in dishonesty, fraud, deceit, or misrepresentation.

Proposal 2024-009 – Providing Financial Assistance to Clients
[Rule 16-108 NMRA]

The Committee recommends amendments to Rule 16-108 NMRA and its associated committee commentary that would allow lawyers to provide indigent clients that they are representing pro bono with modest humanitarian aid.

RULES OF CRIMINAL PROCEDURE FOR STATE COURTS COMMITTEE

Proposal 2024-010 – Incorporation of Plea Deadlines
[Rules 5-304, 6-302, and 7-302 NMRA]

The Rules of Criminal Procedure for State Courts Committee recommends rule amendments that impose deadlines for the submission of plea agreements that would eliminate the need for a trial. These amendments are intended to conform with Supreme Court Order No. 22-8500-018. In 2023, the Committee proposed incorporating these amendments into Rules 6-302 and 7-302 NMRA and their associated committee commentary for implementation at the magistrate and metropolitan courts. The Committee now proposes similar plea deadline amendments to Rule 5-304 NMRA and its associated committee commentary for implementation at the district courts.

Proposal 2024-011 – Filing of Criminal Complaint Upon Arrest
[Rules 5-210, 6-201, 7-201, and 8-201 NMRA]

The Committee proposes amendments to Rules 5-210, 6-210, 7-210, and 8-201 NMRA and their associated committee commentary that require a copy of a criminal complaint be given to a defendant and the local detention center at the time of custody and that the complaint be filed with the court within seventy-two (72) hours if a defendant is not in custody.

Proposal 2024-012 – Consolidated Cases
[New Rules 5-305, 6-307, 7-307, and 8-307 NMRA]

In *Torres v. Santistevan*, 2023-NMSC-021, ¶ 17, 536 P.3d 465, the Court requested that the Committee define the effect of consolidation within the rules of criminal procedure. As a result, the Committee recommends the adoption of new rules that govern the consolidation of criminal cases, including the effect of consolidation.

Proposal 2024-013 – Plea Deadlines, Suppression Hearings, and Extensions for Trial
[Rules 5-212, 5-601, 6-304, 6-506, 7-304, and 7-506 NMRA]

In conjunction with the amendments regarding plea deadlines contained in Proposal 2024-010, the Committee recommends amendments to Rules 6-506 and 7-506 NMRA that clarify that the time for commencement of trial may be extended on withdrawal of a plea by a defendant or on rejection of a plea by the court. The Committee also proposes amendments to the committee commentary of Rules 5-212, 5-601, 6-304, and 7-304 NMRA that encourage courts to resolve substantive motions at least five (5) days prior to trial.

DOMESTIC RELATIONS RULES COMMITTEE

Proposal 2024-014 – Kinship Guardianship Forms
[Forms 4A-501, 4A-502, 4A-503, 4A-504, 4A-505, 4A-506, 4A-507, 4A-508, 4A-509, 4A-510, 4A-511, 4A-512, 4A-513, 4A-514, 4A-515, and 4A-516 NMRA; New Form 4A-503.1 NMRA]

The Domestic Relations Rules Committee recommends amendments to the kinship guardianship forms that are intended to comport with recent updates to the Kinship Guardianship Act, NMSA 1978, §§ 40-10B-1 to -15 (2001, as amended through 2023), and the enactment of the Indian Family Protection Act, NMSA 1978, §§ 32A-28-1 to -42 (2022, as amended through 2023). The Committee also proposes amendments that ensure a second parent is identified and notified from the inception of a kinship guardianship case.

Proposal 2024-015 – Parentage Forms
[New Forms 4A-404 and 4A-405 NMRA; Form 4A-401 NMRA; Withdrawn Form 4A-403 NMRA]

The Committee proposes the adoption of new Forms 4A-404 and 4A-505 NMRA, the amendment of Form 4A-401 NMRA, and the withdrawal of Form 4A-403 NMRA to streamline the filing of pleadings and orders in parentage cases. The proposed new forms and amendments also clarify procedures for child support and reflect statutory changes regarding child support.

UNIFORM JURY INSTRUCTIONS-CIVIL COMMITTEE

*Proposal 2024-016 –
Human Rights Act Intentional Discrimination*
[UJI 13-2307C NMRA]

The UJI-Civil Committee recommends amending UJI 13-2307C NMRA and its associated committee commentary to clarify the standard of discriminatory intent required to prove a violation of the Human Rights Act (HRA), NMSA 1978, §§ 28-1-1 to -14 (1969, as amended through 2023). The proposed amendments also provide updated use notes and reflect recent case law as well as legislative changes to the HRA.

Rules/Orders

From the New Mexico Supreme Court

<http://www.nmcompcomm.us/>

UNIFORM JURY INSTRUCTIONS- CRIMINAL COMMITTEE

Proposal 2024-017 – Firearm Enhancement
[UJIs 14-6013 and 14-6014 NMRA]

The UJI-Criminal Committee proposes amendments to UJIs 14-6013 and 14-6014 NMRA that implement recent changes to the firearm enhancement statute, NMSA 1978, Section 31-18-16 (2022), and the repeal of NMSA 1978, Section 31-18-16.1 (1993, repealed 2003).

Proposal 2024-018 – Multiple Defendants
[UJI 14-6003 NMRA]

The Committee recommends amending UJI 14-6003 NMRA and its associated committee commentary to clarify that the jury should consider evidence relating to each defendant separately and that the instruction should not be used in cases involving a charge of conspiracy. The proposed amendments are also intended to conform with the multiple defendants instruction used in other jurisdictions.

FIRST JUDICIAL DISTRICT COURT

Proposal 2024-019 - Case Management Program in the First Judicial District Court
[New LR1-307 NMRA]

The First Judicial District Court proposes the adoption of a new local rule that sets forth a case management pilot program for criminal cases originating in the District. The proposed case management pilot program is intended to establish clear and uniform time limits for the disposition of criminal cases within the District.

THIRD JUDICIAL DISTRICT COURT

Proposal 2024-020 -
Local Rules for the Third Judicial District Court
[LR3-102, LR3-105, LR3-106, LR3-112, LR3-203, and LR3-207 NMRA; New LR3-115, LR3-116, LR3-210, and LR3-304 NMRA]

The Third Judicial District Court recommends amending six of its local rules and adopting two new local rules. The proposed amendments and new rules are intended to ensure consistency with the Supreme Court's opinion in *In re Marshall*, 2023-NMSC-009, 528 P.3d 670, clarify the District's security policies, streamline and clarify court procedures for civil and criminal cases, and prepare for a paperless case management system.

SIXTH JUDICIAL DISTRICT COURT

Proposal 2024-021 -
Local Rules for the Sixth Judicial District Court
[LR6-104, LR6-105, LR6-107, LR6-109, LR6-110, LR6-204, LR6-205, LR6-206, LR6-208, LR6-210, LR6-301, and LR6-302 NMRA; Withdrawn LR6-103, LR6-111, LR6-201, LR6-202, LR6-209, LR6-212, LR6-303, LR6-305, LR6-Form 701, LR6-Form 702, LR6-Form 703, LR6-Form 704, LR6-Form 705, and LR6-Form 706 NMRA]

The Sixth Judicial District Court proposes comprehensive amendments to its local rule set including the withdrawal of various local rules and forms. The District recommends these amendments to ensure that the local rules are consistent with existing statutes and statewide rules and reflect current and best practices followed in the District.

ELEVENTH JUDICIAL DISTRICT COURT

Proposal 2024-022 -
Local Rules for the Eleventh Judicial District Court
[LR11-101, LR11-102, LR11-110, LR11-111, LR11-113, LR11-116, LR11-118, LR11-119, and LR11-120 NMRA; Withdrawn LR11-108 and LR11-115 NMRA]

The Eleventh Judicial District Court is proposing the amendment and withdrawal of various local rules to ensure consistency with statewide rules, reflect current policies and procedures followed in the District, and allow initial case filings in either district court location and payment by credit or debit card.

**THE PROPOSED RULE AMENDMENTS SUMMARIZED
ABOVE CAN BE VIEWED IN THEIR ENTIRETY AT THE
NEW MEXICO SUPREME COURT WEBSITE
<http://supremecourt.nmcourts.gov/open-for-comment.aspx>**



Brian Yardman-Frank has joined Sutin, Thayer & Browne as our newest attorney. His transactional law practice is focused in areas including renewable energy, commercial litigation, and regulatory and administrative law. Brian also holds a Certification in Natural Resources and Environmental Law. As a law clerk, he provided legal support on topics including civil rights litigation and more.

The 2023 Edition of U.S. News Best Law Firms® names **Sutin, Thayer & Browne** a top firm in 22 areas of law in Albuquerque and Santa Fe. Eight of these ranked practices achieved Tier 1 status, indicating the firm is considered to be the best in the city in these practice areas. The firm was recognized among multiple areas of law across Metropolitan Tier 1, Metropolitan Tier 2 and Metropolitan Tier 3, including Commercial Litigation, Administrative / Regulatory Law and Medical Malpractice Law - Defendants in Albuquerque, and Banking and Finance Law and Financial Services Regulation Law in Santa Fe.

Jennings Haug Keleher McLeod (JHKM) is pleased to announce that **Lauren Wilber** has joined the firm's estate planning and administration legal practice in the firm's New Mexico office. She represents clients in their estate and business planning matters, including estate and trust planning and administration, business succession planning, probate proceedings and probate litigation.



U.S. News & World Report and Best Lawyers have named **Giddens + Gatton Law, P.C.**, a 2024 Best Law Firm for four practice areas, including Real Estate Law (Metropolitan Tier 1) and Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, Commercial Litigation and Litigation – Bankruptcy (Metropolitan Tier 2).

Maria Montoya Chavez was elected as the new CEO of Sutin, Thayer & Browne. Maria joined Sutin, Thayer & Browne in 2000 and has led the firm in numerous different arenas, including serving on the Board of the New Mexico Collaborative Practice Group, Board of Keshet Dance Company and was the Vice President for Del Norte Rotary Club of Albuquerque. Maria's practice focuses exclusively in Family Law. She will lead Sutin attorneys, whose practice areas include Business Law, Tax, Estate Planning, Cannabis Law, Banking, and Employment law.



The New Mexico Judicial Evaluation Commission (JPEC) has appointed **Gregory Gaudette**, an attorney in Los Lunas, as its newest member. Gaudette has owned his own legal practice in Los Lunas for 25 years and specializes in criminal defense. He was admitted to the Massachusetts Bar in 1986 and to the New Mexico Bar in 1991.

In Memoriam

www.sbnm.org

Charles “Chuck” Harrington, a loyal Golden Bear proud of his San Joaquin Valley roots was born in Berkeley and raised in Wasco. A ‘53 Cal grad and Sigma Chi, he earned a Big C for Crew. As a U.S.A.F. lieutenant, he met and married the love of his life, Febe. Chuck was with the Alameda County Counsel’s office and retired as a Court Commissioner from the Alameda County Superior Court. Chuck was the greatest Dad to Kathy, Aileen, Janie, and Charlie teaching them to love Cal, the Sierras, and family. A longtime Moraga resident, a founder of the Oakland Strokes Rowing Club, he also served on the boards of the Big C Society and Friends of the Cal Crew. Due to Chuck’s efforts, a statue of his beloved coach Ky Ebright was installed at the Cal boathouse. Chuck directed the Cal Band in “Hail to California” at the dedication. Born to H. Clifford and Thelma Harrington, Chuck is survived by his wife, Febe (Forster) Harrington, and children Kathleen (Ken) Brantingham, Aileen (Jack) Parsons, Jane (John) Erdiakoff, and Charles (Melinda) Harrington, grandchildren Jimmy (Jessica) Parsons, Jenny (Kort Natali) Guerra, Johnny (Rachael) Parsons, Stephanie Guerra, Tim Guerra, Scott Erdiakoff, Kara Erdiakoff and Lisandra Harrington plus five great-grandchildren. To honor Chuck, we suggest a gift to the Cal Crew. Donations can be made by check payable to The Friends of the Cal Crew and memo, “In Honor of Chuck” sent to The Friends of the Cal Crew, 10 Clay St., Ste. 200, Oakland, CA 94607.

Bernice Geiger, 60, communications director for the New Mexico Regulation and Licensing Department, and her husband, **Mark Geiger**, 62, a New Mexico Activities Association attorney, died in the crash south of Holbrook. Both were heralded by their respective employers, who said the couple was traveling back from Phoenix. Andrea Brown, with NMRLD, said in a statement that the agency would “miss the wisdom and kindness Bernice brought to work each day.” “Bernice’s laugh and infectious smile could light up any room,” Brown said. “She was especially joyful when talking about her family.” She said Bernice Geiger’s “positive outlook and commitment” carried through her 15 years with NMRLD, where she would make sure to know everyone’s name and frequently bring coffee and snacks in for coworkers. Sally Marquez, executive director at the New Mexico Activities Association, said the organization was devastated by the loss of Mark Geiger, who had been representing the organization for over 25 years. “He wasn’t just an attorney. He was a friend of the NMAA, the superintendents, all the school employees,” she said. “He cared about kids, and that was his number one focus: making sure (the) NMAA was on a level playing field.” “It’s a huge loss for our schools,” she added. “... He believed in education-based athletics and was doing everything he could to protect (that).” Arizona authorities said around 5:30 p.m., a Chevrolet Malibu “veered into the southbound lane for an unknown reason” and struck a semi-tractor trailer on State Route 377 south of Holbrook. A driver and passenger were pronounced dead at the scene, and the driver of the semi was not injured, according to authorities. Bernice and Mark Geiger had two children and two grandchildren, with a third grandchild on the way, according to the Regulation and Licensing Department.

Alan Robert Taradash passed away suddenly at home in Albuquerque, New Mexico, on August 22, 2023. He was 79 years old. Born October 17, 1943, in Chicago, Illinois, he was the youngest of two sons born to Samuel Taradash and Rose Zelkin Taradash. His older brother, Michael Richard Taradash, preceded him in death. He is survived by one sister, Nadine Lou (Chuck) Boerner. In 1960 he graduated from a small school in Ohio, Liberty Township High School, where he was a star on the basketball team that competed for the state championship. Alan attended Ohio University on a basketball scholarship. After college he joined the Peace Corps and served two years in Mumbai, India (formerly Bombay). While in India he was selected for the All Bombay Basketball Team, the All Maharashtra State Basketball Team and the All India Team. He has maintained deep and lasting relationships with the members of India UCD XXIII, 1965-1967. Upon returning from India he enrolled in the John Marshall Law School in Chicago, Illinois, where he attended on a full academic excellence scholarship. He was named Associate Editor of the John Marshall Law Review, John Marshall Journal of Practice and Procedure. He graduated in 1970 earning a J.D. with honors. Alan worked at DinÁ’be’ina Nahilina be Aghadiit’ahii (DNA), on the Navajo Nation, the largest Indian legal services program in the country from 1970 to 1983. He joined the Nordhaus Law Firm in 1983, becoming a partner in 1984. During his more than forty years of accomplishments in Indian Law, Alan has received numerous recognitions including the prestigious 2011 Lawrence R. Baca Lifetime Achievement Award for Excellence in Federal Indian Law. It is said of Alan, “Over his long career he has developed an almost encyclopedic knowledge of not just what Indian law is, but also how it got to be that way, who made it, and why.” Monetary recovery for tribes has been in excess of \$1,000,000,000. It was on the Navajo Reservation where he met his soulmate, Gloria Williams and her daughter, Kimberly. They were married in 1976 and had three sons. Alan took great pride in watching his sons play competitive hockey and Kimberly achieve national status in speech and debate. Facetime with his grandchildren and great-grandchild were the highlights of his days. Through Gloria, Alan became a longtime friend of the founders and members of Fellowship Missionary Baptist Church. He is survived by his loving wife of 47 years, Gloria Taradash, matriarch, Gwendolyn Juanita Douglas, his children; Kimberly Marie (Steve) Peterson, Samuel Taylor Denetsone Taradash (Alice), Michael Duriel Zelkin Taradash (Alicia), Dr. Daniel Lawrence Sanders Taradash; his grandchildren; Diego Leonardo Granados, Malachi Samuel Taradash, and Franklin Kei Taradash; his great-grandchild Judah Alan Taradash (Diego), three cherished cousins and four beloved nieces and one nephew.

New Mexico Legal Aid's **Volunteer Attorney Program (VAP) Spotlight**

The mission of the Volunteer Attorney Program (VAP) is to expand and support active statewide pro bono efforts in the legal communities around the state. VAP works closely with the State Bar, the NM Supreme Court, the Access to Justice Commission and Equal Access to Justice to plan and coordinate the delivery of high-quality pro bono legal services through direct representation, individual client counseling, community legal fairs and other innovative strategies.

Volunteer Attorney Program *2023 Annual Awards Recipients*

The Volunteer Attorney Program is pleased to announce its 2023 Annual Awards Recipients. The following awards recognize outstanding commitment to pro bono service.



Felipe Quintana Memorial Award of Excellence

In memory of Felipe Quintana, the VAP legal secretary for 26 years who was dedicated to the advocacy of helping low-income New Mexicans receive pro bono civil legal services.

MERRIE CHAPPELL

I was raised to give to the community, and the gift of giving to our community was passed on to my son. My gift is my profession, and to help others with my legal knowledge and compassion is what I have to give. I am grateful that I am able to assist. It is an honor.

Direct Representation Pro Bono Attorney of the Year

BARBARA JOHNSON

I am always honored when any Client chooses me as his/her lawyer. The seriousness of the responsibility does not depend on the finances to me. I've wanted to be a lawyer since I was 12 years old and feel blessed every time I have any opportunity to do so.



Teleclinic Pro Bono Attorney of the Year

MICHAEL RUECKHAUS

has been a long time pro bono advocate and is actively volunteering his time with VAP and other legal service providers.



Direct Representation New Volunteer Attorney of the Year

DAVID LOTTER

Helping people in need of legal services is one of the most fulfilling aspects of my legal career.

Teleclinic New Volunteer Attorney of the Year



PAMELA FARRIS

Pro Bono is the intersection of remedy and access on the unbalanced, disproportionate road to justice. Pro Bono Service is NOT an idea, an aspiration, or a burden. Pro Bono Service IS an action, a necessity, a responsibility, a reciprocation, and an honor.



Direct Representation Going the Distance

DENNIS HILL

Pro bono work is a form of gratitude and a chance to help others.

Direct Representation Shining Star of the Year

ALLAN WAINWRIGHT

(Pro bono service) is a great part of practicing law these past 40+ years because it benefits both sides-the clients who are always so appreciative and for me the reward of hearing the thank you.

Direct Representation Shining Star of the Year

MARI KEMPTON

My pro bono work has substantially advanced my development as a lawyer and is a refreshing contrast from my day job.

Direct Representation Shining Star of the Year

MONICA BACA

Pro bono work provides me with the satisfaction that I can help someone receive legal services without the expectation of payment. I find it very rewarding.

Direct Representation Shining Star of the Year

MEREDITH BAKER

Pro bono work brings a bit of equity to the judicial system and means that someone who would otherwise be lost in a complicated system, will have a zealous advocate on their side.

A decorative border of yellow and grey stars of various sizes surrounds the text.

Teleclinic Shining Star of the Year

KATHYRN RUBI

Pro Bono work, to me, simply means providing equal access to the legal system to those without means.

Teleclinic Shining Star of the Year

LANCE WAINWRIGHT

For me it (pro bono service) is leveling the playing field for people in our community who deserve a fair fight.

Teleclinic Shining Star of the Year

MINGJIE HOEMANN

Doing pro bono means giving back and staying connected.

Teleclinic Shining Star of the Year

STEPHANIE BENINATO

Pro bono work is a way I can give back needed services to my community and feel good about being a lawyer.



Outstanding Legal Fair Organizer of the Year

TAMARA REICHEL

My pro bono work means I am helping my community with the opportunity of receiving access to justice that they otherwise could never afford.

Pro Bono Committee of the Year

12TH JUDICIAL DISTRICT,

IN RECOGNITION OF JUDGE SUGG

While our local bench and bar is small in number, our volunteers always rise to the challenge of providing access to justice to low-income, rural New Mexicans, and I am extremely honored to be able to play a small role in providing much-needed legal assistance to those most in need.



With Much Gratitude

To all of our volunteers who provided brief advice and counsel, limited representation, and full representation to those who would otherwise go unrepresented, **THANK YOU!!!**

Aaron Wolf	Brianna Feerer-Huss	Dave Romero Jr.	Hannah Kohler	Karlos Ulibarri	Matthew Wade	Ramona Martinez	Shelly Dalrymple
Adam Rafkin	Bridget Hazen	David Lotter	Heather Tanner	Kate Rubi	Mclee Kerolle	Randall Cooper	Sherrie Sanchez
Adam Oakey	Briggett Becerra	David Hernandez	Heather Garcia	Katherine Murray	Meghan Thomas	Ranee Samerthai	Sheryl Saavedra
Alan Morel	Bruce Thompson	David Frizzell	Heather Rice	Kathleen Burns	Melanie Scholer	Ray Floersheim	Silvia Delgado
Alejandra Chan	Charles McElhinney	David Humphreys	Hilary Noskin	Kathryn Grusauskas	Melissa Kennelly	Rebekah Courvoisier	Sitora Wirfel
Alexandra Bobbit	Calvin Lee	David Lutz	Hollie Barnett	Kedar Bhasker	Melynda Huff	Renee Lewis	Spencer Atkins
Alexis Shannez Dudelczyk	Candace Montoya	David Overstreet	Hope Eckert	Kerry Marinelli	Meredith Baker	Richard Moran	Spenser Baca
Alicia Gutierrez	Carli Marshall	David McCardle	Hugh Dangler	Kim McGinnis	Merrie Chappell	Richard Austin	Stefanie Beninato
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Amber Farrell	Charles Scott	Denisse Enriquez	Jacob Sanchez	Laurie Herrera	Michael Liebman	Roderick Ventura	Sue Katz
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Andrew Ottaway	Chelsey Pelzman	Dorene Kuffer	Jay Faurot	Lloyd Bates	Monica Rodriguez	Rosenda Chavez-Lara	Taylor Larson
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Antonia Roybal-Mack	Chrystian Gonzalez	Elege Harwood	Jeremiah Hall	Marc Grano	Natalie Hagen	Samantha Groom	Trey Arvizu
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Barbara Johnson	Clay Campbell	Elizabeth Ashton	Joelle Ataya	Mari Kempton	Nidia Gomez Pena	Samuel Calderon	Vanessa Silva
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Benjamin Ward	Clifford Gramer	Elsa Gomez	John Soltero	Mariah Poole	Ofelia Infante-Garcia	Sara Gonzalez	Virginia Lucero
Benjamin Hancock	Colby Weber	Emily Alvarez	Jonathan Melendez	Marion Rutter	Padraic Dugan	Sara Traub	Wayne Baker
Benjamin Jacobs	Connie Flores	Eric Dixon	Jordan Oglesby	Mark Curnutt	Pamela Faris	Sarah Luna	William Lock
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Brian Gaddy	Dathan Weems	Gillian Sherwood	Karl Rysted	Matthew Fox	Ramon Hernandez	Sharon Shaheen	Zach Cook

The Volunteer Attorney Program (VAP) of New Mexico Legal Aid (NMLA) offers its volunteers meaningful statewide pro bono opportunities.

DIRECT REPRESENTATION PROGRAM: receive recurring pro bono opportunities for consideration and choose the scope of service that you are willing to provide ranging from one-time advice and counsel, brief services, or extended services.

LEGAL FAIRS: provide one-time consultations during the scheduled event. In conjunction with each judicial district, VAP offers multiple in-person Legal Fairs around the state.

LEGAL TELECLINICS: provide one-time telephonic consultations from the comfort of your office or home! Typically scheduled on a Thursday from 1:00-4:00 pm (MST).

12 Earn up to 12 CLE Self-Study Credits per year. See Rule 18-204. (1 General CLE credit / 3 hours of pro bono services rendered)



Malpractice Insurance is provided



Free CLE's throughout the year

To start making a difference in the lives of low-income New Mexicans, contact:

Meryl Sutton, Direct Representation Paralegal, at meryls@nmlegalaid.org
Nedia ("Bella") Zayani, Statewide Pro Bono Coordinator, at nediaz@nmlegalaid.org

Volunteer Attorney Program, New Mexico Legal Aid, Inc. 505 Marquette NW, Suite 700 Albuquerque, NM 87102
P.O. Box 25486 Albuquerque, NM 87125-5486 • www.vapnm.org.

Kimerick Franklin Hayner, ESQ., died on May 14, 2023, after a gallant struggle with various cancers. He was born to William F. Hayner and Mildred Elam on June 13, 1941, at Hayner Ranch, south of Hatch, New Mexico. After graduation at Las Cruces High School with the class of 1959, he attended and graduated from New Mexico Universities: New Mexico State, Las Cruces; New Mexico Military Institute, Roswell; and University of New Mexico Law School, Albuquerque. Kimerick's law practice career focused primarily in estate planning and banking located in the New Mexico cities of Artesia, Carlsbad, Las Cruces, and in Montana. Kimerick had his first born, Kimerick (Chopper) Franklin II, in a marriage to Joy Proctor. Later in a marriage with Paulette Meyers, he had three more children: Mitchell, Bettina and Marion Claire. One of his bank investments took him to the First National Park Bank in Livingston, Montana, where he met the love of his life, Kathy. They were married in 1997 in Pampa, Texas. He loved fishing, riding the Harley, traveling, finding his happy place in the sun and near the ocean. He loved his grandkids, music, and was an accomplished musician on the banjo, piano and harmonica. He loved his authentic Southern New Mexico cuisine. He is survived by his wife, Kathy Hayner; and his children: Chopper (Stacy Weatherly) Hayner, Mitchell Hayner, Bettina (Patrick) Fenwick, and Marion Claire Hayner; stepchildren: Lucas (Brandi) Schweigert, Katie (Luke) Shelton. He is also survived by his grandchildren: Stephanie (Rustin) Brewer, Amanda Skye and Christopher Weatherly, Giverny and Leon Hayner, Dylan and Isabelle Fenwick; and his step grandchildren: Manu and Myalyan Melo, Cash Schweigert, and Gabriel and Peyton Shelton. He is also survived by his three sisters: Robin Dorfman, Star Herrmann and Faun (Kevin) Gall. Kimerick developed life-long friendships throughout the years. He will be deeply missed by his friends, family and all who knew him. He is preceded in death by his parents: William (Bill) Hayner and Mildred (Millie) Bird; his sister, Olga Hayner and brother, William Senderling (Sandy) Hayner. A Celebration of Life will be given at a later date this summer in Montana where Kimerick found his true home in the beautiful mountains of Montana.

James E. Thomson, Attorney-at-Law, died July 2, at the Lovelace Heart Hospital in Albuquerque. He was 87 years old; a man of integrity, humor, intelligence, and kindness. His wife, Carol, and children, Anne, Jamie, Chris and David, are grateful to have shared his love for so many years. We thank the medical teams of Presbyterian, St. Vincent and Lovelace Hospitals who worked so hard to repair his heart valves. May his memory be a blessing.

Neil Evan Weinbrenner was born on June 9th, 1937. He passed away on June 5th, 2022, at 84 years of age after a long life of academic, career and personal striving. He earned a bachelor's degree in business, master's in history and doctorate in law. He built a 12 person Las Cruces (LC) law firm. He became president of the New Mexico State Bar Association and Chairman of Memorial Medical Center in Las Cruces. Neil graduated from UTEP with honors; at UT Law School he won the Moot Court Competition before the Supreme Court. He practiced law in El Paso for 5 years and in Las Cruces for 45 years. He travelled to 13 countries and 42 states. He received his master's degree in history at NMSU after retirement. Beyond the daily grind, Neil enjoyed sports, arts, and travel. He loved watching football and basketball games with friends and family. He often donated to the Wounded Warriors Project and Tunnels to Towers. He acted in the Las Cruces Community Theater and wrote all manner of stories. He was best known though for his singing voice. He serenaded close friends and family to cheer them up with songs like 'Raindrops Keep Falling on My Head' and 'Close to You'. Even in the final stages of his dementia and Alzheimer's, caretakers were treated to his cheerful songs and whistled tunes. Neil Even was preceded in death by his wife Eddie Faye, three half-sisters and daughter Tracey. He is survived by his three children, Judith, Lance, and Kristy and three grandchildren: Kristen, Sierra, and Holly. Neil's memorial will start at 11 a.m. on June 13, 2022, at Funeraria del Angel Restlawn (8817 Dyer St, El Paso). Immediately following the memorial Neil will be laid to rest across the street at Restlawn Memorial Park.

Arthur O'Neal Beach, 78, passed away on Wednesday, November 22, 2023, after a 3 1/2-year battle with cancer. He is survived by his beloved wife Alex Clarke Doyle Beach of 53 years and their son, Eric Kronig Beach (Shanna Jensen). Beach was born in Albuquerque on February 8, 1945, to William Pearce Beach and Vivian Kronig Beach, the oldest of three boys. He was raised in Belen, attended the Belen public schools and graduated from Belen High School in 1963 (National Honor Society, Boys State, track team). He was an active member of the Belen Boy Scouts attaining the rank of Eagle Scout. Beach attended the University of New Mexico graduating in 1967 with a BBA degree (Men's junior and senior honoraries, Chakka and Blue Key, Student Senate, Who's Who in American Colleges and Universities). He is a member of the Sigma Chi Fraternity. Beach attended the UNM School of Law graduating in 1970 (JD) (Board of Editors Natural Resources Journal, National Moot Court Team). Beach was honored by the UNM School of Law Alumni Association with its Distinguished Achievement Award in 2006. Beach was admitted to the New Mexico Bar Association in 1970, a membership he retained for 50 years. His first years of practice were with the Albuquerque firm of Smith, Ransom, and Deaton. He spent his last 44 years of practice with Keleher and McLeod, PA, retiring at the end of 2017. Beach was also a member of the New Mexico Federal Bar, Tenth Circuit Court of Appeals and the United States Supreme Court. While in practice he was recognized by Martindale-Hubbell (AV), Best Lawyers in America and Southwest Super Lawyers. Beach was preceded in death by his parents and brother, Richard Cecil Beach. He is survived by his brother Davis Pearce Beach (Amelia) and his daughter Vivian Beach Cullen (Richard) and sister-in-law Dorothy Beach and her daughter Melisa Beach (Kevin Schwarz). Beach enjoyed traveling with family and friends, skiing, and playing golf.

Megan Jean Wells, 38, of Taylors, passed away on Monday, January 15, 2024. She was born in Pittsburgh, PA, to Curtis E. “Curt” and Margo Roberson Wells. Megan’s life was marked by academic achievements, legal expertise, and a deep commitment to family and friends. Megan pursued her education with determination, attending Oxford, Oxfordshire, England, where she earned her Juris doctorate degree. Additionally, she graduated from James Madison College at Michigan State University, obtaining a Bachelor of Arts degree. She was a proud member of the Michigan and New Mexico Bar, showcasing her dedication to the legal profession. Her professional journey led her to Washington, DC, where she worked in politics as part of the United States House of Representatives. Megan further honed her legal skills at Holt Mynatt and Martinez Law Firm in New Mexico and Dolley Law Firm in St. Louis. Her passion and dedication were evident in every aspect of her career. Megan’s vibrant and caring personality extended beyond her professional life. As the Vice President of Pi Beta Phi for Event Planning, she demonstrated her organizational skills and commitment to community. She was known for her fiery and passionate nature, traits that endeared her to those who had the privilege of knowing her. Family was paramount in Megan’s life, and she was deeply involved with her loved ones. Her social spirit thrived as she enjoyed planning parties and events for family and friends. Megan’s interests were diverse; she was a skilled swimmer and water polo player, a lover of horseback riding, and an avid dog enthusiast, especially devoted to her two boys, Winston and Cooper. A proud Spartan and devoted Steelers fan, Megan embraced life with enthusiasm. She leaves behind a legacy of love, laughter, and a warm heart. The promise she held dear, “Because the Lord is always with you, you need not be afraid,” reflects the strength and faith that guided her throughout her life. Megan will be remembered as a wonderful daughter, sister, and friend. Her absence leaves a void that will forever be felt by all who had the privilege of knowing and loving her. May her spirit live on in the cherished memories she created with those fortunate enough to share in her journey. In addition to her loving parents, she is survived by her brother, Eric Wells; aunts, Jill Robinson and Marsha Troutman; uncle, Richard Wells; special extended family, Tom and Deanna Lockie, Michael and Linda Zanaglio, Pastor Drew Martin, Stephen Young, and Steve and Vicki Gess. She was preceded in death by her grandparents Curtis and Mattie Jeanette Wells and Laurel “Spider” and Marjorie Jean Roberson.

Clerk's Certificates

From the Clerk of the New Mexico Supreme Court

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CLERK'S CERTIFICATE OF ADMISSION

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Austin, TX 78753
Sebastian.trevino@ymail.com
915-783-7791

FORMAL OPINION

Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/6/2024

No. A-1-CA-40849

STATE OF NEW MEXICO,

Plaintiff-Appellant,

v.

NATHANIEL HOBBS,

Defendant-Appellee.

**APPEAL FROM THE DISTRICT COURT
OF MCKINLEY COUNTY**

Louis E. DePauli, Jr., District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Emily Bowen, Assistant Attorney General

Albuquerque, NM

for Appellant

Bennett J. Baur, Chief Public Defender

Melanie C. McNett, Assistant Appellate Defender

Santa Fe, NM

for Appellee

► Introduction of Opinion

Defendant Nathaniel Hobbs faced various charges in magistrate court after police arrested him for driving under the influence. During a pretrial hearing, the magistrate court reportedly excluded all of the State's witnesses due to the State's late disclosure. Before the magistrate court entered its order, the State filed a nolle prosequi and re-filed the charges in district court to appeal the exclusion of its witnesses under State v. Heinsen (Heinsen II), 2005-NMSC-035, 138 N.M. 441, 121 P.3d 1040. In the absence of an order from the magistrate court suppressing the witnesses, the district court dismissed the State's case for failure to comply with Rule 6-506(B) NMRA, the magistrate court six-month rule.

[2] We hold that the district court could not exercise appellate review of the magistrate court's reported exclusion of witnesses, absent proof of an order from the magistrate court or other documentation in the magistrate court record of the exclusion, and the district court also erred by dismissing the case for violation of the magistrate court six-month rule. We therefore reverse and remand.

Jacqueline R. Medina, Judge

WE CONCUR:

Zachary A. Ives, Judge

Katherine A. Wray, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40849>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/6/2024

No. A-1-CA-40301

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

ASENCION M. SALAS,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF LUNA COUNTY**

Jarod K. Hofacket, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Jane A. Bernstein, Assistant Attorney General

Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Santa Fe, NM

Steven J. Forsberg, Assistant Appellate Defender

Albuquerque, NM

for Appellant

► **Introduction of Opinion**

Asencion Salas (Defendant) appeals his conviction on two counts of third degree criminal sexual contact of a minor (CSCM), contrary to NMSA 1978, Section 30-9-13 (2003). On appeal, Defendant claims that (1) the district court erred by instructing the jury on New Mexico's corroboration statute; (2) he received ineffective assistance of counsel; and (3) insufficient evidence supports his conviction. For the reasons stated below, we affirm the district court as to all three issues.

Gerald E. Baca, Judge

WE CONCUR:

J. Miles Hanisee, Judge

Jacqueline R. Medina, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40301>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/7/2024

No. A-1-CA-40067

**ANDRAS SZANTHO,
as Personal Representative of the Wrongful
Death ESTATE OF DIANE WILKINS**

Plaintiff-Appellee,
v.

**PEAK MEDICAL NEW MEXICO NO. 3, LLC d/b/a
RIO RANCHO CENTER; GENESIS HEALTHCARE,
LLC; SUMMIT CARE, LLC; SILLED HEALTHCARE,
LLC; GEN OPERATIONS I, LLC; GEN OPERATIONS
II, LLC; and GHC HOLDINGS II, LLC,,**
Defendants-Appellants.

**APPEAL FROM THE DISTRICT COURT
OF SANTA FE COUNTY**

Brian P. Biedscheid, District Court Judge

Ron Bell Injury Lawyers
Lee Coleman
Albuquerque, NM

Reddick Law, PLLC
Brian D. Reddick
Robert W. Francis
Matthew D. Swindle
Little Rock, AR

for Appellee

Quintairos, Prieto, Wood & Boyer, P.A.
Frank Alvarez
Dallas, TX

for Appellants

► Introduction of Opinion

This appeal concerns the validity and enforceability of two mandatory arbitration agreements signed on behalf of the deceased Diane Wilkins for her admission to the Rio Rancho Center, a skilled nursing and therapy rehabilitation center. Plaintiff Andras Szanthos, as personal representative of the estate of Ms. Wilkins, contested the legal validity and enforceability of the arbitration agreements based on the substantive unconscionability allegedly created by the carve-out provision permitted for small claims. Defendants Peak Medical New Mexico No. 3, LLC, along with various associated corporate entities affiliated with Rio Rancho Center (collectively, Defendants) appeal and contest the district court's order denying their motion seeking to compel arbitration and rather compelling discovery and evidentiary briefing on the substantive unconscionability issue. We reverse and remand with directions to refer the case to arbitration.

Bruce D. Black, Judge Pro Tem

WE CONCUR:

J. Miles Hanisee, Judge

Katherine A. Wray, Judge

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-40067>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/8/2024

No. A-1-CA-40070

ERIN O. ANDERSON,

Plaintiff-Appellant,

v.

SECOND JUDICIAL DISTRICT COURT,

Defendant-Appellee.

**APPEAL FROM THE DISTRICT COURT
OF BERNALILLO COUNTY**

Francis J. Mathew, District Court Judge

Michelle Garcia

Santa Fe, NM

for Appellant

Macke Law & Policy, LLC

Daniel J. Macke

Albuquerque, NM

for Appellee

► Introduction of Opinion

Erin Anderson (Plaintiff) appeals the district court's order granting summary judgment in favor of the Second Judicial District Court (Defendant) dismissing her claim of retaliation under the Whistleblower Protection Act (WPA), NMSA 1978, §§ 10-16C-1 to -6 (2010). Plaintiff argues that the district court (1) did not have jurisdiction to hear the case because the Second Judicial District was an improper venue, (2) failed to compel Defendant's discovery responses which would have provided genuine issues of material fact, and (3) erred in granting summary judgment. For the following reasons, we affirm.

Kristina Bogardus, Judge

WE CONCUR:

J. Miles Hanisee, Judge

Gerald E. Baca, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40070>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/8/2024

No. A-1-CA-39916

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

RICHARD MALISZEWSKI,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF BERNALILLO COUNTY**

Joseph Montano, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Michael J. Thomas, Assistant Attorney General

Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Mary Barket, Assistant Appellate Defender

Santa Fe, NM

for Appellant

► **Introduction of Opinion**

Defendant Richard Maliszewski appeals his conviction for voluntary manslaughter, contrary to NMSA 1978, Section 30-2-3(A) (1994). Defendant contends that (1) the district court committed evidentiary errors that deprived Defendant of a fair trial; (2) the district court erred in denying Defendant's request to include specific language in a jury instruction; and (3) the district court's errors amounted to cumulative error. For the following reasons, we affirm Defendant's conviction.

Kristina Bogardus, Judge

WE CONCUR:

Jennifer L. Attrep, Chief Judge

Zachary A. Ives, Judge

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-39916>



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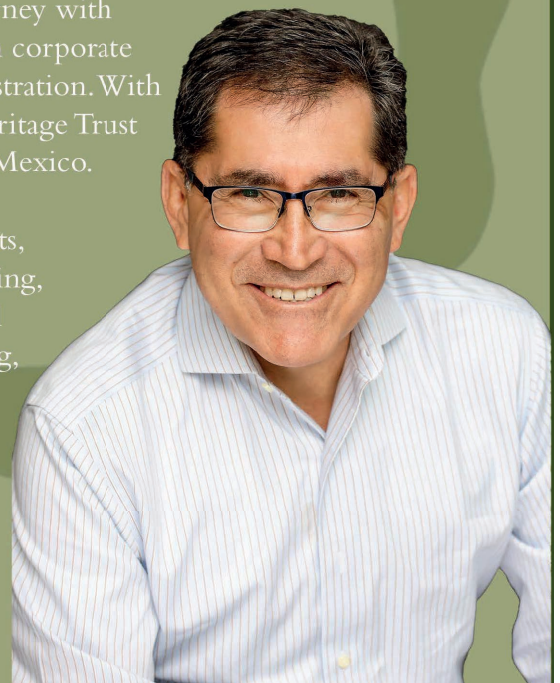
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The Fifth Judicial District Attorney's office has immediate positions open for new and/or experienced attorneys. Salary will be based upon the New Mexico District Attorney's Salary Schedule with salary range of an Assistant Trial Attorney (\$ 70,196.00) to a Senior Trial Attorney (\$82,739.00), based upon experience. Must be licensed in the United States. These positions are located in the Lovington, NM office. The office will pay for your New Mexico Bar Dues as well as the National District Attorney's Association membership. Please send resume to Dianna Luce, District Attorney, 102 N. Canal, Suite 200, Carlsbad, NM 88220 or email to nshreve@da.state.nm.us

Taos Pueblo Tribal Judge

Manages and oversees the administrative and daily operations of the Tribal Courts, ensuring compliance with tribal, state, and federal policies and regulations. Achieves financial objectives by assisting in preparing the annual budget and proposal, inclusive of operational plans and objectives; recommending staffing and expenditures. Provides technical and/or professional coordination and leadership in the execution of day-to-day program/project activities, as appropriate to program objectives and area of expertise. Hears, tries, and determines all cases of domestic, civil, criminal, juvenile/children, and custody and probate situations. Drafts all order, motions, opinions, or other pleading as each case may require. Examines testimony and evidence for compliance and enforcement of Tribal Law and Order Code. Listens to presentation of case, rules on admissibility of evidence, and methods of conducting testimony, and settles disputes between opposing parties. Entertains and reviews for procedural content all pleadings from outside jurisdictions and where necessary, holds hearings on such pleadings such as bench warrants, requests for search warrants, extradition proceedings, etc. Requests reports of follow-up on probationers for complete adherence to conditions of their probation. For additional information, contact HR at 575-758-8626 ext.124 or email resume to Jgarcia@taospueblo.com.

Full-Time Associate Attorney

Cuddy & McCarthy, LLP, one of the oldest law firms in New Mexico, with offices located in Albuquerque, Santa Fe and Las Cruces, has an immediate opening for a full-time Associate Attorney. This is a great opportunity to work in the firm's general civil practice, handling a caseload pertaining to litigation, insurance defense, labor & employment matters, real estate, trust & probate, as well as other areas of law. Candidates must have 3-4 years of relevant attorney experience. Our ideal candidate will be responsible, organized, a team player, possess strong people skills, as well as excellent time management skills. Strong research, writing, and oral communication skills are required. Candidates must be committed to serving the diverse needs of our clients. Salary based upon qualifications and experience. Please send cover letter, resume, law school transcript and a writing sample to our Executive Director at: agarcia@cuddymccarthy.com. All submissions will be kept confidential.

Attorney

Barnhouse Keegan Solimon & West LLP, a Chambers and Partners ranked law firm specializing in the representation of American Indian Tribes and tribal businesses, is seeking an associate attorney. An active New Mexico license to practice law is required. Prior federal Indian law or tribal representation experience preferred, but not required. The Firm is committed to the advancement of American Indians and offers a collaborative working environment with opportunities for mentorship and professional growth. To apply, submit a cover letter, resume, three references and a writing sample to Barnhouse Keegan Solimon & West LLP at lvera@indiancountrylaw.com.

Litigation Associates (3-5+ years)

Gordon Rees Scully Mansukhani is seeking Associate/Senior Counsel attorneys in our Albuquerque office with at least 3-5+ years of experience handling Commercial Litigation, Tort & Product Liability, Employment, Insurance Defense, and Healthcare. Candidates must have an excellent academic background, proven skills in writing, analysis, research, and be a self-starter who is able to handle a case from inception with minimal supervision. Additionally, a commitment to superior client service is essential. Trial experience is preferred, but not required. Candidates must reside and be licensed in New Mexico (additional States are a plus). GRSM is a full-service Am Law 100 firm with robust national and local practices and the first and only law firm with attorneys and offices in all 50 States. We have garnered national recognition for our demonstrated commitment to the recruitment, retention and advancement of qualified female and diverse attorneys. We offer flexible options for successful candidates, including fully remote, hybrid, and full-time opportunities. We offer competitive compensation and a full benefits package including eligibility for subjective and objective bonuses and student debt repayment assistance. For consideration, please submit a cover letter, resume and writing sample to: dmorris@grsm.com and note the practice group(s) you are applying to in the subject line. No recruiter or telephone calls please. Gordon Rees Scully Mansukhani is an equal opportunity employer.

Executive Director

The Public Employee Labor Relations Board is now seeking applications from parties interested in serving as its Executive Director. Details on the duties, qualifications, pay and benefits may be found at: <https://www.pelrb.nm.gov/wp-content/uploads/2024/01/PELRB-Job-Posting-2024-01-30.pdf>

IPRA Attorney

New Mexico Department of Justice

The New Mexico Department of Justice seeks a dynamic and experienced individual to join our team as an attorney for fulfilling Inspection of Public Records Act (IPRA) requests. IPRA Attorneys are responsible for managing legal matters related to IPRA requests to the Office. Their primary focus is the timely, efficient, and effective processing of requests to inspect public records. IPRA Attorneys work closely with the Special Counsel for the Attorney General, Deputy Attorney General for Civil Affairs, and Director of Government Counsel & Accountability and collaborate with attorneys and legal professionals throughout the Office. Qualifications include having a Juris Doctor (JD) degree from an accredited law school; Admission to the New Mexico state bar and in good standing or the ability to acquire a limited law license; Minimum of four (4) years of experience in the practice of law; Strong knowledge of IPRA law, and other relevant legal areas; Excellent leadership and management skills, with the ability to inspire and motivate a team of attorneys and legal professionals; Outstanding legal research, writing, and oral advocacy skills; Strong analytical and problem-solving abilities; Ability to work effectively under pressure, prioritize tasks, and meet deadlines; Exceptional interpersonal and communication skills, with the ability to collaborate effectively with diverse stakeholders; Demonstrated commitment to public service law; 6 years of experience in litigation, with a demonstrated experience processing IPRA requests and 3 years of management experience preferred. To apply please submit the following documents to Tim Maestas at recruiting@nmag.gov: Cover letter detailing your interest in the role and your relevant experience, Resume/CV with a detailed overview of your educational and professional background, Writing samples showcasing your legal research and writing abilities, Contact information for three professional references. Applicants are also encouraged to visit the State Personnel website at www.spo.state.nm.us, or our website at www.nmag.gov for additional job opportunities. If you have questions, please reach out to Tim Maestas at tmaestas@nmag.gov.

Request for Proposals (RFP)

The New Mexico Lottery Authority (NMLA) hereby provides notice of its intent to request proposals for Legal Services. The RFP will be available March 18, 2024. Law firms interested in submitting a proposal may contact the NMLA's Purchaser at rfp@nmlottery.com. Proposals are due by 4:00 p.m. MT on May 3, 2024. The NMLA reserves the right to accept or reject any or all proposals or parts thereof.

Proposals From Attorneys/Law Firms To Provide Legal Services

The New Mexico Office of Superintendent of Insurance, through its Title Insurance Bureau, is soliciting proposals from attorneys/law firms to provide legal services for the Title Insurance Bureau specifically related to the setting of uniform premium rates and the promulgation of all policy forms, including endorsement forms. All interested attorney or law firms may obtain a copy of the Request for Qualifications and Statement of Interest ("RFQ/SOI") from the Office of Superintendent of Insurance's website, Office of Superintendent of Insurance (state.nm.us). The deadline for submitting an RFQ/SOI is March 29, 2024, 5:00 P.M. MST.

Attorney with 0-3 Years' Experience

Madison, Mroz, Steinman, Kenny & Olexy, P.A., an AV-rated civil litigation firm, seeks an attorney with 0-3 years' experience to join our practice. We offer a collegial environment with mentorship, work from home flexibility, and opportunity to grow within the profession. Salary is competitive and commensurate with experience, along with excellent benefits. All inquiries are kept confidential. Please forward CVs to: hire@madisonlaw.com. Please include "Associate Attorney position" in the subject line. CVs can also be mailed to: Hiring Director, P.O. Box 25467, Albuquerque, NM 87125-5467.

Attorney with 3+ Years' Experience

Madison, Mroz, Steinman, Kenny & Olexy, P.A., an AV-rated civil litigation firm, seeks an attorney with 3+ years' experience to join our practice. We offer a collegial environment with mentorship, work from home flexibility, and opportunity to grow within the profession. Salary is competitive and commensurate with experience, along with excellent benefits. All inquiries are kept confidential. Please forward CVs to: hire@madisonlaw.com. Please include "Associate Attorney position" in the subject line. CVs can also be mailed to: Hiring Director, P.O. Box 25467, Albuquerque, NM 87125-5467.

Now Hiring

New Mexico Department of Justice

The New Mexico Department of Justice is committed to recruiting high quality Deputy Directors who are passionate about serving the citizens of New Mexico. There are opportunities in the Consumer Protection and Criminal Appeals. The New Mexico Department of Justice is an equal opportunity employer, and we encourage applicants from all backgrounds to apply. To apply please visit the State Personnel website at www.spo.state.nm.us. For additional job opportunities please visit our website at www.nmag.gov. If you have questions, please reach out to Tim Maestas at tmaestas@nmag.gov.

Deputy Solicitor General - Civil Appeals

New Mexico Department of Justice

The New Mexico Department of Justice is seeking a dynamic and experienced individual to join our team as the Deputy Solicitor General for Civil Appeals. The Deputy Solicitor General will be responsible for managing the Civil Appeals Division of the New Mexico Department of Justice (NMDJO). This involves managing and coordinating cases entailing constitutional litigation and civil appeals as they arise across the NMDJO, as well as supervising 3-5 civil appeals attorneys and a professional staff in both the Albuquerque and Santa Fe offices. The DSG will perform both substantive legal work and managerial and/or administrative responsibilities. Qualifications include having a Juris Doctor (J.D.) degree from an accredited law school; Admission to the New Mexico state bar and in good standing or the ability to acquire a limited law license; Advanced appellate attorney willing and able to handle both litigation and appellate matters in both state and federal courts on matters related to consumer protection, environmental protection, civil rights, constitutional rights, and other relevant legal areas; Proven track record of developing and executing successful litigation strategies; Excellent leadership and management skills, with the ability to inspire and motivate a team of attorneys and legal professionals; Outstanding legal research, writing, and oral advocacy skills; Strong analytical and problem-solving abilities; Ability to work effectively under pressure, prioritize tasks, and meet deadlines; Exceptional interpersonal and communication skills, with the ability to collaborate effectively with diverse stakeholders; Demonstrated commitment to social justice, equality, and public interest law. To apply please submit the following documents to Tim Maestas at recruiting@nmag.gov: Cover letter detailing your interest in the role and your relevant experience; Resume/CV with a detailed overview of your educational and professional background; Writing samples showcasing your legal research and writing abilities; Contact information for three professional references. Applicants are also encouraged to visit the State Personnel website at www.spo.state.nm.us, or our website at www.nmag.gov for additional job opportunities. If you have questions, please reach out to Tim Maestas at tmaestas@nmag.gov.

Division Director for Consumer Protection

New Mexico Department of Justice

The New Mexico Department of Justice is seeking a dynamic and experienced litigator to join our team as the Division Director for Consumer Protection. The Director is responsible for overseeing and managing legal matters related to consumer protection laws and regulations. The primary focus is to safeguard the rights and interests of consumers, combat fraudulent practices, and enforce consumer protection statutes. The Director will work closely with the Attorney General, Chief Deputy Attorney General, Deputy Attorney General for Affirmative Litigation and collaborate with a team of attorneys and legal professionals to develop and execute strategic litigation initiatives. Qualifications include having a Juris Doctor (J.D.) degree from an accredited law school, and admission to the New Mexico state bar and in good standing or the ability to acquire a limited law license; Strong knowledge of consumer protection law, and other relevant legal areas; Proven track record of developing and executing successful litigation strategies; Excellent leadership and management skills, with the ability to inspire and motivate a team of attorneys and legal professionals; Outstanding legal research, writing, and oral advocacy skills; Strong analytical and problem-solving abilities; Ability to work effectively under pressure, prioritize tasks, and meet deadlines; Exceptional interpersonal and communication skills, with the ability to collaborate effectively with diverse stakeholders; Demonstrated commitment to social justice, equality, and public interest law. 6 years of experience in litigation, with a demonstrated focus on affirmative litigation and 3 years of management experience preferred. To apply please submit the following documents to Tim Maestas at recruiting@nmag.gov: Cover letter detailing your interest in the role and your relevant experience, Resume/CV with a detailed overview of your educational and professional background, Writing samples showcasing your legal research and writing abilities, Contact information for three professional references. Applicants are also encouraged to visit the State Personnel website at www.spo.state.nm.us, or our website at www.nmag.gov for additional job opportunities. If you have questions, please reach out to Tim Maestas at tmaestas@nmag.gov.

Division Director for Civil Rights New Mexico Department of Justice

The New Mexico Department of Justice is seeking a dynamic and experienced individual to join our team as the Division Director for Civil Rights. The Director will be responsible for overseeing and managing legal matters related to civil rights enforcement and protection. Their primary focus is promoting equality, combating discrimination, and upholding constitutional and statutory rights. The Director will work closely with the Attorney General, Chief Deputy Attorney General, and Deputy Attorney General for Affirmative Litigation and collaborate with a team of attorneys and legal professionals to develop and execute strategic litigation initiatives. Qualifications include having a Juris Doctor (J.D.) degree from an accredited law school; Admission to the New Mexico state bar and in good standing or the ability to acquire a limited law license; Strong knowledge of civil rights law, and other relevant legal areas; Proven track record of developing and executing successful litigation strategies; Excellent leadership and management skills, with the ability to inspire and motivate a team of attorneys and legal professionals; Outstanding legal research, writing, and oral advocacy skills; Strong analytical and problem-solving abilities; Ability to work effectively under pressure, prioritize tasks, and meet deadlines; Exceptional interpersonal and communication skills, with the ability to collaborate effectively with diverse stakeholders; Demonstrated commitment to social justice, equality, and public interest law; 6 years of experience in litigation, with a demonstrated focus on affirmative litigation and 3 years of management experience preferred. To apply please submit the following documents to Tim Maestas at recruiting@nmag.gov: Cover letter detailing your interest in the role and your relevant experience; Resume/CV with a detailed overview of your educational and professional background; Writing samples showcasing your legal research and writing abilities; Contact information for three professional references. Applicants are also encouraged to visit the State Personnel website at www.spo.state.nm.us, or our website at www.nmag.gov for additional job opportunities. If you have questions, please reach out to Tim Maestas at tmaestas@nmag.gov.

Associate Litigation Attorney

Jennings Haug Keleher McLeod, an AV-rated regional law firm, is seeking a full-time associate with 2 to 5 years of litigation experience to join a busy and varied general civil litigation practice in the Albuquerque office. Must be currently licensed to practice law in the state of New Mexico. Experience with depositions and court appearances is a plus, legal analysis and excellent research and writing skills are required. All inquiries will be held in strict confidence. The firm offers a competitive salary and benefits with a professional working environment. Please see www.jhkmlaw.com for further information about the firm. Please email your cover letter, resume, and writing sample to Cassandra Malone at crm@jhkmlaw.com.

New Mexico Legal Aid – Current Job Opportunities

New Mexico Legal Aid (NMLA) provides civil legal services to low income New Mexicans for a variety of legal issues including domestic violence/family law, consumer protection, housing, tax issues and benefits. NMLA has locations throughout the state including Albuquerque, Santa Fe, Las Cruces, Gallup, Roswell, Silver City, Clovis, Hobbs, Las Vegas, Taos, and Santa Ana. Community Justice Worker – Disaster Relief Project; Managing Attorney – Hobbs, Roswell and Clovis Office; Staff Attorney Positions: (1) Disaster Relief, Northern NM; LGBTQ – Safe To Be You; Paralegal – Housing Stability and Veteran's Project. Please visit our website for all current openings, NMLA benefits, Salary Scales and instructions on how to apply - <https://newmexicolegalaid.isolvedhire.com/jobs/>

Attorney

Tired of billable hours? The Law Offices of Erika E. Anderson is looking for an attorney with a minimum of 3-5 years of experience. The law firm is a very busy and fast-paced AV rated firm that specializes in civil litigation on behalf of Plaintiffs. We also do Estate Planning and Probate litigation. The candidate must be highly motivated and well organized, pay close attention to detail, be willing to take on multiple responsibilities, and be highly skilled when it comes to both legal research and writing. This is a wonderful opportunity to join an incredible team that works hard and is rewarded for hard work! The position offers a great working environment, competitive salary and a generous benefits package. If interested, please send a resume to accounting@eandersonlaw.com.

Experienced Full-Time Paralegal

Our law firm is a well-established and respected personal injury law firm in Santa Fe. We are seeking an experienced full-time paralegal to join our busy team. Position requires excellent attention to detail and organization as well as strong word processing and writing skills. Applicants must be able to multi-task and work in a fast-paced environment. Litigation experience is a plus. The right candidate will be friendly, dedicated and a team player. The firm offers 100% employer paid health insurance premiums, competitive salary, and a 401K plan with profit sharing. Please send a resume to santafepifirm@gmail.com

Part-Time or Full-Time Paralegal

Madison, Mroz, Steinman, Kenny & Olexy, P.A., an AV-rated civil litigation firm, seeks a part-time or full-time paralegal. We offer a collegial environment with mentorship, work from home flexibility, and opportunity to grow within the profession. Salary is competitive and commensurate with experience, along with excellent benefits. All inquiries are kept confidential. Please forward CVs to: hiring@madisonlaw.com. Please include "Paralegal position" in the subject line. CVs can also be mailed to: Hiring Director, P.O. Box 25467, Albuquerque, NM 87125-5467.

Legal Support Staff - Legal Secretary (5 years)

We have an immediate opening for a Litigation Legal Secretary in our Albuquerque office as noted below. Ideal candidates should have experience working in a fast-paced defense firm and five or more years of experience. This is a full time position. The firm offers a competitive compensation and full benefits package, including Medical, Dental, Vision, 401K, PTO, Disability & Life Insurance. For consideration, please submit a cover letter and resume to: dmorris@grsm.com with Legal Secretary in the subject line. No Recruiter or telephone calls please. Gordon Rees Scully Mansukhani is an equal opportunity employer. Qualifications: Candidates must be familiar with New Mexico State and Federal rules of civil procedure; Provide administrative support to multiple Attorneys; Work independently on pleadings, discovery, motion preparation and e-discovery; Experience and knowledge of e-filing in state and federal court, case management, docketing procedures, motion procedures, calendaring procedures, document review and exhibit preparation; Exceptional attention to detail and excellent organizational skills are required; Candidates must be proficient in Microsoft Office products; Compulaw experience is beneficial and a Plus; Candidates must have excellent analytical and written communication skills.

Resort Paralegal

Angel Fire Resort is actively seeking a skilled and experienced Paralegal to play a key role in performing foreclosures on delinquent timeshare owners. In this vital position, you will work collaboratively with our legal team, focusing on the meticulous preparation and handling of legal documents, case management, and ensuring adherence to deadlines. Your contributions will be crucial in streamlining the foreclosure process, aiding in the effective recovery of timeshare units and maintenance of operational continuity. This role demands a high degree of accuracy, legal acumen, and the ability to manage multiple cases simultaneously. You will be responsible for locating, contacting and discussing foreclosure options as required by NM law. Health, Dental, Vision, Long-Term Disability, Life Insurance and 401k. Lots of Unique Resort Perks: Free Skiing, Golf, Mountain Biking, Country Club. Read Full Description and apply at <https://www.angelfireresort.com/work-for-us/>

City of Albuquerque Paralegal

The City of Albuquerque Legal Department is seeking a Paralegal to assist an assigned attorney or attorneys in performing substantive administrative legal work from time of inception through resolution and perform a variety of paralegal duties, including, but not limited to, performing legal research, managing legal documents, assisting in the preparation of matters for hearing or trial, preparing discovery, drafting pleadings, setting up and maintaining a calendar with deadlines, and other matters as assigned. Excellent organization skills and the ability to multitask are necessary. Must be a team player with the willingness and ability to share responsibilities or work independently. Starting salary is \$25.54 per hour during an initial, proscribed probationary period. Upon successful completion of the proscribed probationary period, the salary will increase to \$26.80 per hour. Competitive benefits provided and available on first day of employment. Please apply at <https://www.governmentjobs.com/careers/cabq>.

Business Manager

The Moses Law Firm has an immediate opening for a full-time Business Manager with at least five years' experience in an accounting or law firm administration role. If you are seeking a challenging position in a thriving firm, we are looking for you! The firm provides a collegial and collaborative environment from the top down. We are an AV Preeminent® firm serving New Mexico clients for 70 years and the only New Mexico firm invited to be a member of Meritas®, a global alliance of leading independent law firms and the world's premier legal network. Candidates must have a working knowledge of basic bookkeeping principles, strong computer skills, and the ability to prioritize and perform multiple tasks. Experience with QuickBooks is desirable. The Firm offers a competitive compensation and benefits package. Please send your letter of interest, resume and salary requirement to Lucas N. Frank at lucas@moseslaw.com.

Part-Time Front Desk Legal Assistant

Egolf + Ferlic + Martinez + Harwood is seeking a detail-oriented and reliable Part-Time Front Desk Legal Assistant to join our team. As the first point of contact for clients and visitors, you will play a crucial role in creating a positive impression of our firm. The ideal candidate will possess excellent communication skills, a professional demeanor, and the ability to multitask effectively in a fast-paced environment. Previous experience as a receptionist or administrative role is preferred, preferably in a legal setting but not required. The work schedule is Monday through Friday 12:00 pm – 5:00 pm. We offer a competitive hourly wage and other great benefits. Please submit your resume and cover letter to Annette@EgolfLaw.com.

Front Desk/Guest Services Coordinator

The State Bar of New Mexico seeks qualified applicants to join our team as a full-time (40 hours/week) Front Desk/Guest Services Coordinator. The successful applicant will coordinate and schedule State Bar Center room rentals, internal meetings, ensure set-up for rooms, greet visitors, and field incoming phone calls and emails to SBNM general phone line and email inbox. \$17-\$19/hour, depending on experience and qualifications. Generous benefits package included. This position is in office only (not eligible for remote work). Qualified applicants should submit a cover letter and resume to HR@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions.

Office Space

620 Roma NW

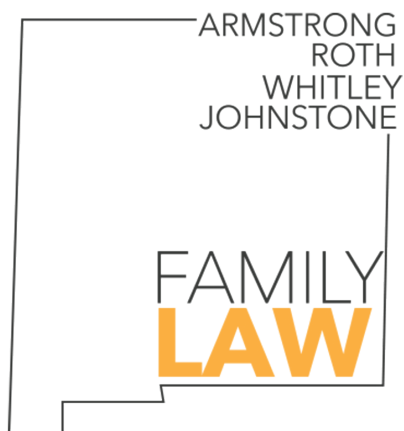
The building is located a few blocks from the federal, state and metropolitan courts. Monthly rent of \$500 includes utilities (except phones), internet access, fax, copiers, front desk receptionist and janitorial service. You will have access to a law library, four conference rooms, a waiting area, off-street parking. Several office spaces are available. Call (505) 243 3751 for an appointment.

2024 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. Ulbarri at 505-797-6058 or email marcia.ulbarri@sbnm.org



We are proud to
announce that
Hallie C. Rossbach
has joined our firm as
an Associate Attorney.

Hallie brings with her
years of experience in the
family law community
and a compassionate
approach towards the
clients she serves. We are
excited about the positive
impact Hallie will have in
the representation of our
clients, our firm, and our
legal community.



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