

BAR BULLETIN

DIGITAL ISSUE

April 24, 2024 • Volume 63, No. 4-D



Pizzo Pollo, by Kathleen Frank (see page 3)

www.kathleenfrankart.com

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Section, Division and Committee Meetings

Section, Committee, Division	April	May	Time, Format
Animal Law	N/A	8	12:30 p.m., Zoom
Appellate	2	7	Noon, Zoom
Bankruptcy Law	9	14	Noon, Bankruptcy Court & Zoom
Cannabis Law	12	10	9 a.m., Zoom
Children's Law	15	20	Noon, Zoom
Elder Law	5	3	Noon, Zoom
Employment and Labor Law	3	1	12:30 p.m., Zoom
Family Law	19	17	9 a.m., Zoom
Immigration Law	26	31	11 a.m., Zoom
Indian Law	N/A	19	Noon, Zoom
Intellectual Property Law	23	28	Noon, Zoom
NREEL	23	28	Noon, Zoom
Prosecutors	N/A	10	Noon, Zoom
Public Law	17	15	Noon, Zoom
Real Property, Trust and Estate	N/A	14	Noon, Zoom

About Cover Image and Artist: Santa Fe artist Kathleen Frank travels throughout the Southwest/West, seeking landscape paintings vistas. Using vibrant hues, she captures light, pattern and a glint of complex terrains. Exhibitions include Northwest Montana History Museum, UNM Valencia, International Art Museum of America, MonDak Heritage Center | Art History Museum, St. George Museum of Art, WaterWorks Museum, Sahara West Gallery, La Posada de Santa Fe, Roux & Cyr Fine Art Gallery and Jane Hamilton Fine Art. Press includes *LandEscape Art Review*, *MVIBE*, *Art Reveal*, Magazine 43 and Southwest Art. Art in Embassies/U.S. State Department selected her work for Kuala Lumpur, Malaysia.

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 Adjustment of Fee Schedule for Court-Appointed Attorneys Now Available

The Administrative Office of the Courts' Court Appointed Attorney Program ("AOC-CAAP") is pleased to announce that, effective March 20, the fee schedule for court-appointed attorneys has been adjusted to better reflect the hard work undertaken by court-appointed attorneys. The revised fee schedule and invoice forms can be reviewed at <https://courtpointedattorneys.nmcourts.gov/non-contract-attorneys/payment-guidelines-forms/>. Please submit invoices to aoccaaff@nmcourts.gov or contact the CAAP team if you have any questions at aoccaaff@nmcourts.gov.

First Judicial District Court Notice of Mass Reassignment of Cases

Effective April 1, a mass reassignment of all active cases previously assigned to Judge Sylvia LaMar and Division IV will occur pursuant to NMSC Rule 23-109, the Chief Judge Rule. The Hon. Denise Thomas has been appointed to Division IV of the First Judicial District and will maintain a Family Court Docket. Parties who have not previously exercised their right to challenge or

Professionalism Tip

With respect to my clients:

I will work to achieve lawful objectives in all other matters, as expeditiously and economically as possible.

excuse will have ten (10) days from April 24 to challenge or excuse Judge Denise Thomas, pursuant to Rule 1-088.1.

Second Judicial District Court Text Notification Service for Attorneys Now Available

The Second Judicial District Court will provide text notifications to attorneys to share information related to inclement weather delays and temporary closures. Sign up to receive texts by sending a text from your mobile device to 77295 and entering the word, "attorney2nd." Information provided will strictly be on behalf of the Second Judicial District Court and is not intended to relay information for any other courts.

Third Judicial District Court Notice of Investiture Ceremony

The Third Judicial District Court will be hosting an investiture ceremony for the Hon. Rebecca C. Duffin, Division IV on May 3 at 3 p.m. (MT). The investiture ceremony will be held in the ceremonial courtroom at the Third Judicial District Courthouse with a reception to follow at Salud! De Mesilla. The Third Judicial District Court and Doña Ana County Magistrate Courts will be closed to the public on May 3 at 2 p.m. (MT) for the ceremony. There will be limited seating to individuals who received an invitation and RSVP'd.

Tenth Judicial District Court Notice of Mass Reassignment of Cases

Gov. Michelle Lujan Grisham has announced the appointment of Timothy L. Rose to fill the vacancy in Division I of the Tenth Judicial District Court. Effective April 1, a mass reassignment of cases will occur. All cases previously assigned to District Judge Albert J. Mitchell, Jr., Division I, will be reassigned to District Judge Timothy L. Rose, Division I. Parties who have not previously exercised their right to challenge or excuse will have 10 days from April 24 to challenge or excuse the judge pursuant to Rule 1-088.1 and 5-106.

STATE BAR NEWS 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 3 to bbc@sbnm.org.

Appointment to Judicial Standards Commission

Pursuant to NMSA 1978, § 34-10-1(B) (1999), the Board of Bar Commissioners will make one appointment to the Judicial Standards Commission for a four-year term. Applicants must be licensed to practice law in New Mexico. The time commitment for service on this Commission is substantial and the workload is voluminous. Receiving, reviewing and analyzing substantial quantities of electronic documents are necessary to prepare for Commission matters. Strict adherence to constitutional, statutory and regulatory authority governing the Commission is mandatory, expressly including but not limited to confidentiality. Commissioners meet at least six (6) times per year for approximately three hours per meeting. A substantial amount of reading and preparation is required for every meeting. In addition to regular meetings, the Commission schedules at least three (3) weeklong trailing dockets of trials. Additional trials, hearings, or other events may be scheduled on special settings. Additionally, mandatory in-house training sessions may periodically take place. Unless properly recused or excused from a matter, all Commissioners are required to

faithfully attend all meetings and participate in all trials and hearings. Appointees should come to the Commission with limited conflicts of interest and must continually avoid, limit, or eliminate conflicts of interest with the Commission's cases, Commission members, Commission staff and with all others involved in Commission matters. Attorneys who wish to serve on the Commission should send a letter of interest and brief resume by May 3 to bbc@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 July 11 and Oct. 11. 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.

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): 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 NM LAP 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.

Young Lawyers Division Ask-a-Lawyer Call-In Day: Volunteers Needed for May 4

Once a year, New Mexico residents can get their legal questions answered free or receive brief legal advice through the Ask-a-Lawyer Call-in Program sponsored by the YLD. The YLD is recruiting volunteer attorneys virtually and in-person to answer questions from across the state on a variety of topics including: employment law, divorce, child support, landlord/tenant issues, personal injury, real estate and more. This year's program will take place from 9 a.m. to noon

— *Featured* —

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(MT) on May 4. Help us spread the word to you friends and family of this great event. For further questions, contact Member Services at memberservices@sbnm.org.

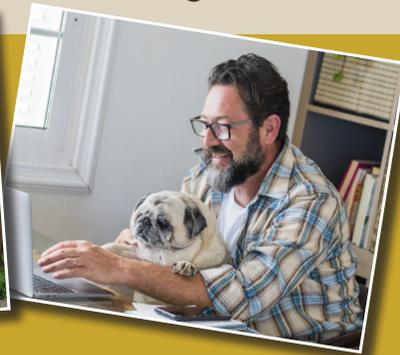
UNM SCHOOL OF LAW Law Library Hours

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.

2024 Law Scholarship Golf Classic

The UNM School of Law Alumni/ae Association's annual Law Scholarship Golf Classic is happening on June 7, 2024 with a shotgun start at 8 a.m. (MT) on the UNM Championship Golf Course (South). This is your chance to help with the Alumni/ae Association student scholarships and have an outstanding day of golf and friendly competition! Please go to <https://lawschool.unm.edu/alumni/events/golf.html> to register, or contact Lynn Taylor at lynn.taylor@law.unm.edu. We hope to see you on the green!

The State Bar of New Mexico's Annual Meeting looks a little **different** this year.



be
inspired.

Save the Date! October 25, 2024

Attend In-Person at the State Bar Center in Albuquerque or Virtually

Earn all 12 of your CLE credits for the year at a discounted rate!

Earn a portion of your CLE credits by attending the live (in-person or virtual) Annual Meeting event and complete the remaining credits with access to our CLE On-Demand courses. More information coming soon!

www.sbnm.org/AnnualMeeting2024

► Opportunities to Provide

**PRO
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SERVICES**

through the New Mexico State Bar Foundation Legal Service Programs

Volunteers are needed for the Modest Means Helpline and the Legal Resources for the Elderly Program referral panels.

**By signing up for the referral panel, you will also be added to the NMLA Volunteer Attorney Program's pool.*

The New Mexico State Bar Foundation provides legal services programs to **increase access to justice for low-income New Mexicans.**

www.sbnm.org/Member-Services/Pro-Bono-Opportunities

Sign-up
today



New Mexico
State Bar Foundation

You're Invited to Well-Being Week in Law!



WELL-BEING WEEK IN LAW

MAY 6-10, 2024

This year, the Institute for Well-Being in Law is kicking off Mental Health Awareness month with **Well-Being Week in Law** from **May 6 to 10**. The Institute for Well-Being in Law is providing individuals and organizations with a variety of tips, tools and ideas for activities designed to improve and optimize your well-being. Be on the look-out for emails and social media posts by the State Bar of New Mexico providing the legal community with useful information on how to recharge during Well-Being Week in Law and beyond! Learn more about Well-Being Week in Law at lawyerwellbeing.net.

Who's involved?

Too many lawyers and their support teams aren't thriving. It's time to take action. Well-Being Week in Law (WWIL) is one way to do so. You're invited to join individuals and organizations in leading and participating in activities that promote holistic well-being during WWIL and all year-round.

Who's involved?

The "who" is you! There are many different ways to maintain and improve your well-being, and in this often challenging profession, it is important to identify and address the unique challenges that you face in the workplace and your personal life as a member of the legal community.

WWIL is an event of the Institute for Well-Being in Law (IWIL), a 501(c)(3) charitable organization. The Institute for Well-Being In Law invites you to join them and many other individuals and organizations in being a champion for well-being in the legal profession.

Why participate?

Too many in the legal profession struggle with mental health and alcohol use disorders. Many others, while not dealing with a diagnosable illness, still are not fully well. The aim of WWIL is to raise awareness about mental health and encourage action and innovation across the profession to improve well-being all year-round.



Registration is
Now OPEN for the
2024 Professional
Development
Institute!



2024 Professional Development Institute

Thursday, May 9, 2024 • 9 a.m. to 4:45 p.m. (MT)
Earn 5.0 EP and 1.0 EIJ Credits

Offered via webcast or join us in-person at the State Bar Center!

In-person attendees will be provided with a continental breakfast and lunch, with a mocktail reception to follow the Institute for an opportunity for you to network with your colleagues!

The **State Bar of New Mexico Professional Development Program (PDP)** proudly presents a day-long Institute focused on attorney best practices, compliance with the Rules of Professional Conduct, Well-Being and Equity In Justice.

Register to attend in-person: https://bit.ly/PDI_inperson

Register to attend virtually: https://bit.ly/PDI_virtual

Professional Development Institute Sessions to include:

- **Basics of Trust Accounting** – Presented by Anne L. Taylor, Chief Disciplinary Counsel, NM Supreme Court Disciplinary Board and William D. Sleese, State Bar of New Mexico's Professional Development Program Director
- **Huh, So That's How It Works. Mock Meeting of the NM State Bar Ethics Advisory Committee** – Presented by members of the Ethics Advisory Committee
- **Are The Bots Coming For Your Job? Artificial Intelligence in the Practice of Law** – Presented by Hon. David K. Thomson, NM Supreme Court; Prof. Sonia Gipson Rankin, UNM School of Law and William D. Sleese, State Bar of New Mexico's Professional Development Program Director
- **Oops, Now What? What You Need To Know About Next Steps After Discovering That You've Made A Mistake** – Presented by Briggs F. Cheney, Dixon, Scholl, Carrillo, P.A.
- **An Honest Conversation About Well-Being** – Presented by Tenessa Eakins, State Bar of New Mexico's Lawyer Assistance Program Case Manager
- **Key Considerations For Interrupting Bias** – Presented by Dr. Amanda Parker, Equity and Inclusion Educator



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WRITE ARTICLES for the Bar Bulletin!



The *Bar Bulletin* isn't just a place for information; it's a hub for discourse and perspectives on timely and relevant legal topics and cases! From A.I. and technology to family law and pro bono representation, we welcome you to send in articles on a variety of issues pertaining to New Mexico's legal community and beyond!

By publishing your work in the Bar Bulletin, you will:



- Increase your law firm or organization's visibility



- Have your article read by over 8,000 State Bar of New Mexico members



- Get a FREE shoutout on social media for your published submissions



- Gain recognition by your colleagues and peers for your contributions to the State Bar of New Mexico's official publication

For information on submission guidelines and how to submit your articles, please visit www.sbnm.org/submitarticle.

We look forward to your submissions!



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Opportunities for Pro Bono Service CALENDAR

April

- | | | |
|--|--|---|
| <p>25 Asylum Initial Application and Work Permit Pro Se Clinic
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/asylum
Location: Announced prior to clinic</p> | <p>26 Special Immigrant Juvenile Status Pro Bono Clinic
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/sijs
Location: Modrall Sperling Law</p> | <p>27 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Hernandez</p> |
|--|--|---|

May

- | | | |
|---|--|---|
| <p>9 Economic Justice Workshop
In-Person/Remote
New Mexico Immigrant Law Center
www.nmilc.org/economic-justice
Location: NMILC</p> | <p>15 Citizenship & Residency Workshop
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/citizenship
Location: El Centro de Igualdad y Derechos</p> | <p>16 Legal Teleclinic
Virtual
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Virtual</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

April

- | | | |
|--|--|---|
| <p>25 Asylum Initial Application and Work Permit Pro Se Clinic
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/asylum
Location: Announced prior to clinic</p> | <p>26 Special Immigrant Juvenile Status Pro Bono Clinic
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/sijs
Location: Modrall Sperling Law</p> | <p>27 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Hernandez</p> |
|--|--|---|

May

- | | | |
|--|---|---|
| <p>1 Divorce Options Workshop
Virtual
State Bar of New Mexico
Call 505-797-6022 to register
Location: Virtual</p> | <p>9 Economic Justice Workshop
In-Person/Remote
New Mexico Immigrant Law Center
www.nmilc.org/economic-justice
Location: NMILC</p> | <p>14 Legal Resources for the Elderly Workshop
Virtual
State Bar of New Mexico
Call 505-797-6005
or 1-800-876-6657 to register
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.

Clerk's Certificates

From the Clerk of the New Mexico Supreme Court

Elizabeth A. Garcia, Chief Clerk of the New Mexico Supreme Court
PO Box 848 • Santa Fe, NM 87504-0848 • (505) 827-4860

CLERK'S CERTIFICATE OF CHANGE TO INACTIVE STATUS

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**CLERK'S CERTIFICATE OF
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Effective August 28, 2023:
Elizabeth A. Counce
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Seth Campbell McMillan
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Effective September 22, 2023:
Karen Budd-Falen
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Effective March 13, 2024:
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NAME CHANGE**

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As of January 17, 2024:

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As of February 27, 2024:

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**CLERK'S CERTIFICATE OF
CHANGE TO WITHDRAWN
STATUS**

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Effective March 1, 2024:

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Rachel L. Wisniewski

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**CLERK'S CERTIFICATE OF
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FORMAL OPINION

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

Filing Date: 3/11/2024

No. A-1-CA-40817

**IN THE MATTER OF THE ESTATE OF GRAHAM R.
GOLDEN, Deceased.**

ROBERT CAMPBELL, O. PRAEM.,
Probate Code Personal Representative,
Petitioner-Appellant,

v.

NORBERTINE COMMUNITY OF NEW MEXICO,
Interested Party-Appellant,

v.

DANIEL GOLDEN and DEBORAH GOLDEN,
father and mother of the deceased,
Respondents-Appellees.

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

Daniel E. Ramczyk, District Court Judge

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Robert D. Gorman
Albuquerque, NM

for Appellants

Mescall Law Firm, P.C.
Thomas J. Mescall, II
Phillip Patrick Baca
Albuquerque, NM

for Appellees

► Introduction of Opinion

Respondents Daniel and Deborah Golden (Parents), parents of Graham R. Golden (Father Golden), deceased, challenged the appointment of petitioner, Very Reverend Robert Campbell, O. Praem. (the Reverend), as the personal representative (PR) of the wrongful death estate of Father Golden, pursuant to the Wrongful Death Act (WDA), NMSA 1978, §§ 41-2-1 to -4 (1891, as amended through 2001). The district court eventually determined that Parents are the statutory beneficiaries under the WDA, and Parents could designate the PR. As a result, the district court removed the Reverend as PR and entered three orders (the Orders) that reflected these rulings. We hold that the district court entered the Orders based on a misapprehension of Section 41-2-3 and reverse.

Katherine A. Wray, Judge
WE CONCUR:
J. Miles Hanisee, Judge
Zachary A. Ives, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40817>

CLE PLANNER

Your Guide to Continuing Legal Education

April 24, 2024

NEED TO KNOW...

Center for Legal Education courses are **pre-approved** to meet new MCLE Requirements:

- **Newly required Equity in Justice Credit:** All attorneys must complete 1.0 Equity in Justice credit in each compliance year. Annual compliance now includes 2.0 Ethics credits, 1.0 Equity in Justice credit and 9.0 General credits. For more details, read [Rule 18-201\(D\) NMRA](#).
- **Cap on Self-Study Credits Lifted:** Now all 12 required MCLE credits may be Self-Study, Virtual or In-Person credits. There is no longer a 4.0-credit cap on Self-Study courses; however, *only pre-approved* Self-Study courses are allowed. For more details, read [Rule 18-204\(C\) NMRA](#).

INSIDE THIS ISSUE

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- ▶ On-Demand Library
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APRIL 26

Overcoming Barriers to Justice: Serving People Experiencing Poverty

1.0 EIJ
Noon-1 p.m.
Webinar

APRIL 29

Practical Lessons in Diversity, Equity & Inclusion in Law Practice

1.0 EIJ
11 a.m.-Noon
Teleseminar

APRIL 30

Why Women Attorneys Get Paid Less: What's Gender Bias Got to Do With It

1.0 EIJ
11 a.m.-Noon
Webinar

MAY 16

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

1.0 EIJ
3-4 p.m.
Webinar

MAY 22

Battling Gender Bias: How Bill Cosby and Other Sexual Predators Escape Punishment

1.0 EIJ
11 a.m.-Noon
Webinar

MAY 30

Why Women Attorneys Get Paid Less: What's Gender Bias Got to Do With It

1.0 EIJ
11 a.m.-Noon
Webinar

MAY 31

Learn Mindfulness to Curtail Implicit Bias and Make Ethical Decisions

1.0 EIJ
11 a.m.-Noon
Webinar

MAY 31

30 Counties Are Missing: Greening Legal Deserts in Rural New Mexico

1.0 EIJ
Noon-1 p.m.
Webinar

Our On-Demand/Self-Study Library is growing...

The Cap on Self-Study Credits is Lifted: Now all 12 required MCLE credits may be Self-Study, Virtual or In-Person credits. There is no longer a 4.0-credit cap on Self-Study courses; however, only pre-approved Self-Study courses are allowed. For more details, read Rule 18-204(C) NMRA.



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April/May

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APRIL 24

How Secondary Trauma Affects Attorney Mental Health

1.0 EP

11 a.m.-Noon

Webinar

APRIL 25

Ethics, Attorneys, and Social Media: How to Keep the Disciplinary Counsel from Knocking at Your Door

1.0 EP

11 a.m.-Noon

Webinar

APRIL 25

Health Law Legislative Roundup

1.5 G

11:30 a.m.-Noon

Webinar

APRIL 26

ChatGPT in the Legal Field: Benefits, Pitfalls, and Ethical Issues of Artificial Intelligence

1.0 EP

11 a.m.-Noon

Webinar

APRIL 30

The Great Reckoning: When Commercial Real Estate Loans Come Due

1.0 G

11 a.m.-Noon

Teleseminar

MAY 1

IOLTA 101: Ethically Handling Your Trust Account to Avoid Disciplinary Concerns

1.0 EP

11 a.m.-Noon

Webinar

MAY 2

Defending Estate and Gift Tax Audits

1.0 G

11 a.m.-Noon

Teleseminar

MAY 3

Drafting Waivers of Conflicts of Interest

1.0 EP

11 a.m.-Noon

Teleseminar

MAY 3

Find and Use Historical Web Information with the Internet Archive Wayback Machine

1.0 G

11 a.m.-Noon

Webinar

MAY 7

Closely Held Company Merger & Acquisitions, Part 1

1.0 G

11 a.m.-Noon

Teleseminar

MAY 8

Closely Held Company Merger & Acquisitions, Part 2

1.0 G

11 a.m.-Noon

Teleseminar

MAY 8

Clarence Darrow: Crimes, Causes, and the Courtroom

3.0 EP

11 a.m.-2:15 p.m.

Webinar

MAY 9

2024 Professional Development Institute

5.0 EP, 1.0 EIJ

9 a.m.-4:45 p.m.

In-Person or Webcast

MAY 9

Evidentiary Issues with Text and Chat Messages

1.0 G

11 a.m.-Noon

Teleseminar

MAY 10

Storytelling for Lawyers: How to Engage Clients, Judges, and Juries, and Move Them to Action

1.0 G

11 a.m.-Noon

Webinar

MAY 14

2024 Retaliation Claims Update

1.0 G

11 a.m.-Noon

Teleseminar

MAY 15

How to Hold Business Interests in a Trust

1.0 G

11 a.m.-Noon

Teleseminar

MAY 15

I've Got a Secret: Confidentiality, Privilege, and Work-Product- They Are Not All the Same

1.0 EP

Noon-1 p.m.

Webinar

Plan Ahead for Fall 2024 CLE Programs

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- ▶ Nov. 20: **ADR Institute**
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FORMAL OPINION

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Filing Date: 3/18/2024

No. A-1-CA-40100

ATLAS ELECTRICAL CONSTRUCTION INC.,

Plaintiff-Appellant,

v.

FLINTCO, LLC,

Defendant-Appellee,

and

TRAVELERS CASUALTY AND SURETY COMPANY

OF AMERICA and BORDER STATES ELECTRIC

SUPPLY OF NEW MEXICO,

Defendants.

APPEAL FROM THE DISTRICT COURT

OF BERNALILLO COUNTY

Nancy J. Franchini, District Court Judge

Holland & Hart LLP

Larry J. Montano

Judd C. West

Santa Fe, NM

for Appellant

Lorber, Greenfeld & Polito, LLP

Louis W. Horowitz

Linn E. Gillen

Albuquerque, NM

for Appellee

► Introduction of Opinion

Plaintiff Atlas Electrical Construction, Inc. appeals the district court's grant of Defendant Flintco, LLC's motion to compel arbitration¹ and stay proceedings in Plaintiff's claim for breach of contract. Plaintiff argues that the arbitration agreement provision of its subcontract with Defendant should not be enforced because the provision is facially one-sided and thus is substantively unconscionable. We conclude that the agreement is substantively unconscionable and thus reverse and remand.

Shammara H. Henderson, Judge

WE CONCUR:

Katherine A. Wray, Judge

Michael D. Bustamante, Judge, retired,
Sitting by designation

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40100>

FORMAL OPINION

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Filing Date: 3/20/2024

No. A-1-CA-40708

**ESPERANZA MARTINEZ, on her own behalf,
and on behalf of all others similarly situated,**

Plaintiff-Appellee,

v.

GALLES CHEVROLET COMPANY,

Defendant-Appellant.

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

Lisa C. Ortega, District Court Judge

Feferman, Warren & Mattison

Nicholas H. Mattison

Albuquerque, NM

for Appellee

Sutin, Thayer & Browne, P.C.

Christina M. Gooch

Andrew J. Simons

Albuquerque, NM

for Appellant

Park & Associates, LLC

Alfred A. Park

Geoffrey D. White

Albuquerque, NM

Amicus Curiae for New Mexico Automotive
Dealers Association

► Introduction of Opinion

Defendant Galles Chevrolet Company (Seller) appeals from the district court's denial of its motion to compel arbitration. See NMSA 1978, § 44-7A-29(a)(1) (2001) (providing for an interlocutory appeal as of right from a district court's denial of a motion to compel arbitration). Plaintiff Esperanza Martinez (Buyer) filed a class action complaint in district court alleging that Seller violated New Mexico consumer protection law by charging more than the advertised price for a vehicle that Buyer purchased from Seller. The sole issue before this Court is whether the parties entered into an enforceable arbitration agreement. In purchasing her vehicle, Buyer contemporaneously executed two contracts: a "New/Demo Vehicle Buyer's Order Agreement" (Buyer's Agreement), and a "Retail Installment Sale Contract" (RISC). Each contract included an arbitration provision. Reading the two contracts together, the district court found that the arbitration provisions in the two contracts were contradictory, there was, therefore, no meeting of the minds between the parties as to arbitration, and no enforceable agreement to arbitrate. **View full PDF online.**

Jane B. Yohalem, Judge

WE CONCUR:

Jacqueline R. Medina, Judge

Katherine A. Wray, Judge

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-40708>

FORMAL OPINION

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Filing Date: 3/25/2024

No. A-1-CA-40031

**LYNN POLLOCK, as Trustee of the Lewis G. and
Lynn J. Pollock Revocable Trust,
dated December 3, 2001, as amended,**
Plaintiff-Appellant/Cross-Appellee,

v.

**PAUL THOMPSON and PAUL
THOMPSON & ASSOCIATES, INC.,**
Defendants-Appellees/Cross-Appellants.

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

Bryan Biedscheid and David K. Thomson,
District Court Judges

Herdman MacGillivray Fullerton Cameron
Pumarejo Honeycutt, PC
Frank T. Herdman
David J. Pumarejo
Santa Fe, NM

for Appellant

Fuqua Law & Policy, P.C.
Scott Fuqua
Santa Fe, NM

for Appellees

► Introduction of Opinion

The issues in this case involve the meaning and effect of two one-page, handwritten documents—a promissory note for money lent (the Note), and a profit sharing agreement (the Agreement)—hastily negotiated, drafted and signed by the parties in April 2007. After a bench trial, the district court ruled, in part, that the Note and the Agreement comprised one contract enforceable against Defendants Paul Thompson and Paul Thompson & Associates, Inc. (collectively, Defendants), but that the Agreement terminated when the Note was paid in full. Plaintiff Lewis Pollock appeals from this judgment. Thompson and Paul Thompson & Associates, Inc. (the Company) defend the district court’s ruling in response to Pollock’s arguments, but cross-appeal, arguing that the district court erred in concluding that there was a meeting of the minds or sufficient consideration to support imposing any obligations on them under the Agreement. In addition, Defendants appeal from the district court’s summary judgment dismissing their counterclaim for malicious abuse of process against Pollock. We affirm, though on different grounds than the district court’s rationale.

Michael D. Bustamante, Judge, retired,
Sitting by designation.

Kristina Bogardus, Judge
Shammara H. Henderson, Judge

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-40031>

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: 3/7/2024

No. A-1-CA-39974

STATE OF NEW MEXICO,

Plaintiff-Appellant,

v.

JOSE GURROLA and JENNIFER MORGAN,

Defendants-Appellees.

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

George P. Eichwald, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Charles J. Gutierrez, Assistant Attorney General

Albuquerque, NM

for Appellant

Bennett J. Baur, Chief Public Defender

MJ Edge, Assistant Appellate Defender

Santa Fe, NM

for Appellees

► Introduction of Opinion

The State appeals from the district court's order granting a motion to suppress brought by James Morgan, who is not a party to this appeal, for evidence obtained through his unlawful seizure, which Jennifer Morgan and Jose Gurrola (collectively, Defendants) joined. On appeal, the State contends that Defendants did not assert a violation of their own constitutional rights in joining the motion to suppress, and therefore the district court erred in granting suppression. We agree and therefore reverse and remand.

Shammara H. Henderson, Judge

WE CONCUR:

Megan P. Duffy, Judge

Jane B. Yohalem, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-39974>

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: 3/12/2024

No. A-1-CA-40683

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

AHMAD RASHAD WILLIAMS,

Defendant-Appellant.

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

Jennifer J. Wernersbach, District Court Judge

Raúl Torrez, Attorney General
Laurie Blevins, Assistant Attorney General
Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender
Mary Barket, Assistant Appellate Defender
Santa Fe, NM

for Appellant

► **Introduction of Opinion**

Defendant Ahmad Williams appeals his convictions of two counts of aggravated battery on a peace officer, contrary to NMSA 1978, Section 30-22-25 (1971) and one count of battery on a peace officer, contrary to NMSA 1978, Section 30-22-24 (1971). On appeal, Defendant advances four arguments related to the district court's admission and exclusion of evidence. Defendant contends that such evidentiary rulings were erroneous and justify reversal either individually or cumulatively. Because none of the district court's evidentiary rulings, collectively or in isolation, amount to reversible error, we affirm.

J. Miles Hanisee, Judge
WE CONCUR:
Kristina Bogardus, Judge
Jane B. Yohalem, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40683>

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: 3/13/2024

No. A-1-CA-40104

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

ESTEVAN ROYBAL,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF SAN MIGUEL COUNTY**

Abigail Aragon, District Court Judge

Raúl Torrez, Attorney General

Maris Veidemanis, Assistant Attorney General
Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Jasmine J. Solomon, Assistant Appellate Defender
Santa Fe, NM

for Appellant

► Introduction of Opinion

Defendant Estevan Roybal appeals his convictions for negligent use of a deadly weapon, contrary to NMSA 1978, Section 30-7-4(A) (4) (1993), and aggravated assault with a deadly weapon, contrary to NMSA 1978, Section 30-3-2(A) (1963). Defendant argues that (1) the jury should have received instructions on self-defense and duress, (2) there was insufficient evidence presented at trial to support his convictions, and (3) the district court erred in failing to offer a curative instruction or grant a mistrial in response to hearsay testimony introduced at trial. We conclude that the evidence presented was sufficient to warrant a self-defense instruction and reverse.

Megan P. Duffy, Judge

WE CONCUR:

Kristina Bogardus, Judge

Michael D. Bustamante, Judge, retired,
Sitting by designation

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40104>

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: 3/13/2024

No. A-1-CA-39680

**IN THE MATTER OF THE ESTATE OF PERRY R.
TRUJILLO, Deceased,**

THE ESTATE OF PERRY R. TRUJILLO,
Petitioner-Appellant,

v.

PHILLIP TRUJILLO and MARK TRUJILLO,
Respondents-Appellees,
and

**PHILLIP TRUJILLO, as Trustee of the
PHILLIP TRUJILLO AND EVA TRUJILLO
JOINT LIVING TRUST DATED JUNE 7, 2017,**
Appellee.

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

Francis J. Mathew, District Court Judge

Atler Law Firm, P.C.
Timothy J. Atler
Jazmine J. Johnston
Albuquerque, NM

for Appellant

Durham, Pittard & Spalding, LLP
Caren I. Friedman
Justin R. Kaufman
Rosalind B. Bienvenu
Santa Fe, NM

for Appellees

► Introduction of Opinion

The Estate of Perry R. Trujillo appeals the district court's findings of fact, conclusions of law, and order (the Order) because the court did not distribute certain property according to the interest that the Estate claimed Perry R. Trujillo (Decedent) held. Of the multiple arguments made on appeal, we conclude only two are properly preserved: (1) that the district court erred when it did not apply promissory estoppel to enforce an agreement between Decedent and his two brothers, Phillip Trujillo Jr. and Mark Trujillo (Respondents); and (2) that the court erred by not applying a presumption of ownership in the Estate's favor for certain tangible personal property that Decedent possessed at the time of his death. Unpersuaded, we affirm.

Zachary A. Ives, Judge
WE CONCUR:
J. Miles Hanisee, Judge
Kristina Bogardus, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-39680>

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: 3/21/2024

No. A-1-CA-40590

**STATE OF NEW MEXICO,
Plaintiff-Appellant,**

v.

**ADAM LAFRANCE,
Defendant-Appellee.**

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

Robert A. Aragon, District Court Judge

Raúl Torrez, Attorney General
Santa Fe, NM

Walter Hart, Assistant Attorney General
Albuquerque, NM

for Appellant

Bennett J. Baur, Chief Public Defender
Santa Fe, NM

Mark A. Perlata-Silva, Assistant Appellate Defender
Albuquerque, NM

for Appellee

► **Introduction of Opinion**

The district court granted Defendant Adam LaFrance’s motion to suppress all evidence resulting from a traffic stop in which Defendant was a passenger. The State appeals arguing the district court lacked sufficient evidence to conclude the arresting officer had unlawfully expanded the scope of his investigation when questioning Defendant. We affirm, holding that the officer asked impermissible questions beyond the scope of the initial reason for the stop and did not otherwise develop independent reasonable suspicion. See *State v. Tuton*, 2020-NMCA-042, ¶ 10, 472 P.3d 1214.

Jacqueline R. Medina, Judge

WE CONCUR:

Megan P. Duffy, Judge

Jane B. Yohalem, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40590>

DISPOSITIONAL ORDER

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: 3/26/2024

No. A-1-CA-40468

MICHELLE LUCERO,
Petitioner-Respondent,

v.

**NEW MEXICO DEPARTMENT
OF WORKFORCE SOLUTIONS,**

Respondent-Petitioner,
and

AZTEC ABSTRACT & TITLE,
Respondent.

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

David P. Reeb, District Court Judge

New Mexico Legal Aid
Joel Jasperse
Gallup, NM

for Respondent

Office of General Counsel
Andrea Christman
Rachael Rembold
Albuquerque, NM

for Petitioner

► Dispositional Order

This matter is before this Court upon our grant of the Department of Workforce Solutions' (the Department) petition for a writ of certiorari to the district court under Rule 12-505 NMRA. The Department seeks review of the district court's determination that Petitioner-Respondent Michelle Lucero was entitled to unemployment compensation benefits. We quash the writ of certiorari and explain our reasons for doing so in this dispositional order.

...Read the full Dispositional Order at the link below.

Jennifer L. Attrep, Chief Judge
WE CONCUR:
Kristina Bogardus, Judge
Katherine A. Wray, Judge

To read the entire dispositional order, please visit the following link: <https://bit.ly/A-1-CA-40468>

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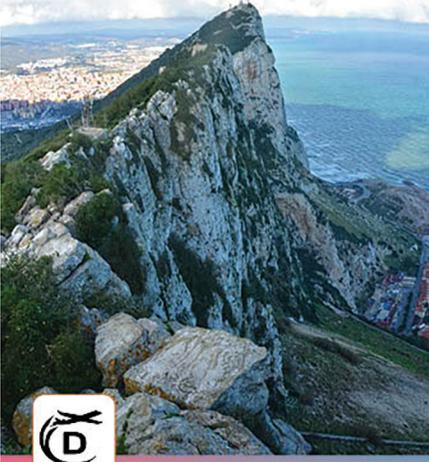


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IPRA Attorney

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.

Public Defender

Pueblo of Laguna, NM – Great employer and benefits, competitive pay DOE! Seeking full-time at-torney to represent adult criminal defendants and juveniles in delinquency cases in Laguna Pueblo Court. No murder cases or hard felonies. Office has assistant and significant behavioral resources are available as alternatives to incarceration. Leisurely commute from Albuquerque metro, Los Lunas, or Grants, with remote work available. Salary DOE. Apply now, will fill quickly. Application instructions and position details at: [Employment | Pueblo of Laguna \(lagunapueblo-nsn.gov\)](https://www.lagunapueblo-nsn.gov)

Various Assistant City Attorney Positions

The City of Albuquerque Legal Department is hiring for various Assistant City Attorney positions. Hybrid in person/remote work schedule available. The Legal Department's attorneys provide a broad range of legal services to the City and represent it in legal proceedings in court and before state, federal and administrative bodies. Current open positions include: Litigation Division: The City is seeking attorneys to join its in house Litigation Division, which defends claims brought against the City; Real Property: The City is seeking an attorney to represent it in all aspects of its real property needs. Responsibilities include negotiating, drafting, reviewing, advising and approving commercial contracts for the sale/purchase, lease/rent, license, use, exchange, grants of easements and donation of real property. This attorney will represent the City in any related litigation and condemnation actions; Employment/Labor: The City is seeking an attorney to represent it in litigation related to employment and labor law in New Mexico State and Federal Courts, before the City of Albuquerque Personnel Board, and before the City of Albuquerque Labor Board; Utilities/PRC: The City is seeking an attorney to represent it in matters regarding franchise and right of way agreements, public utilities, broadband and telecommunications, and will appear before the Public Regulation Commission ("PRC"); City Clerk General Counsel: The City is seeking an attorney to be general counsel for the City Clerk's Office. Responsibilities include advising on a broad range of IPRA and OMA issues, contract review, and other duties as assigned; Air Quality: The City is seeking an attorney to serve as general counsel to the City's Environmental Health Department ("EHD") regarding Air Quality issues throughout Bernalillo County including at federal and state facilities. Responsibilities include participating in rulemaking and appeals, enforcement actions, and other duties as assigned; Health, Housing and Homelessness and Youth and Family Services General Counsel: The City is seeking an attorney to serve as general counsel to the Department of Health, Housing and Homelessness and the Department of Youth and Family Services for contract review, and a broad range of general legal issues, including federal grant compliance, procurement, rulemaking and interpretation, and other duties as assigned; General Counsel to APD: The City is seeking an attorney to advise APD regarding policies, procedures and training, review and negotiate contracts, review uses of force, draft legal opinions, review and draft legislation and administrative instructions. Additional duties may be assigned based on experience. Attention to detail and strong writing and interpersonal skills are essential.

Preferences include: Three (3)+ years' experience as a licensed attorney; experience with government agencies, government compliance, litigation, contracts, and policy writing. Salary based upon experience. For more information or to apply please send a resume and writing sample to Angela Aragon at amaragon@cabq.gov.

Associate Attorney

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

Assistant Attorney Generals

The New Mexico Department of Justice is committed to recruiting high quality assistant attorney generals who are passionate about serving the citizens of New Mexico. There are opportunities in the following divisions: Civil Rights, Consumer Protection, Environmental Protection, Special Prosecutions, Criminal Appeals, Civil Appeals, Government Litigation and Government Counsel and Accountability. 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 Dean Woulard at dwoulard@nmag.gov.

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.

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 Attorney (Business and Corporate Law)

Sutin, Thayer & Browne APC is looking to hire a full-time Associate Attorney with an interest in Business and Corporate Law with 1-3 years of experience, whether it be through educational or working knowledge; Tax Law knowledge is also preferred. Please visit our website at sutfirm.com for full job description and application instructions.

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>

Pueblo of Acoma - Chief Judge

The Pueblo of Acoma is seeking a Chief Judge to fairly and impartially hear and decide judicial matters within the jurisdiction of the Pueblo of Acoma Tribal Courts pursuant to Acoma Laws, customs and traditions, ordinances, regulations, duly adopted policies, and applicable federal and local laws. The Chief Judge is responsible for protecting and enhancing the Pueblo's sovereignty and must conduct himself/herself according to the highest level of moral and ethical standards. Responsibilities may also include the administrative operations of the Acoma Tribal Court and supervision of its employees, including case management and timeliness of judgments and orders. Please refer to www.puebloofacoma.org to view the full position description and/or contact the Pueblo of Acoma Human Resources Department at (505) 552-6728.

Associate Attorney

Alcaraz Law, P.A., is seeking a full-time associate attorney with 2+ years' experience. Excellent salary and benefits package. Collaborative, connected, and friendly work environment. Please send resume to heather@alcarazlawnm.com.

Attorney

JGA is seeking an attorney, licensed/good standing in NM with at least 3 years of experience in Family Law, Probate, and Civil Litigation. All replies will be maintained as confidential. Please send cover letter, resume, and a references to: jay@jaygoodman.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. Managing Attorney: Multiple positions; Staff Attorney Positions: Multiple positions; Paralegal : Multiple positions. Please visit our website for all current openings, NMLA benefits, Salary Scales and instructions on how to apply - <https://newmexicolegalaid.isolvehire.com/jobs/>

Litigation Associates

Gordon Rees Scully Mansukhani is seeking Associate/Senior Counsel attorneys in our Albuquerque office with 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.

Bilingual Managing Attorney (Immigration)

Rebecca Kitson Law (RKL) is a small, vibrant law firm devoted to excellent representation and advocacy for immigrants and their families. RKL represents immigrants in family-based and humanitarian petitions, removal proceedings before the immigration court system, and appellate cases before administrative agencies and federal court. RKL has a unique opening for a bilingual Managing Attorney at our Albuquerque office. This position will be principally responsible for managing the legal support staff while working as part of a creative and collaborative attorney team. It is a shareholder-track position with the opportunity to help us grow and thrive while charting your own remarkable career path. Primary Qualifications: Juris Doctor and admission to NM or another state bar; fully bilingual in English/Spanish; Min. 3 yrs. postgraduate experience in immigration; Min. 1 yr. supervisory/management experience. RKL is an EEO. Salary DOE, full benefits, and re-location budget available. To see full posting and apply: <https://rebeccakitsonlaw.bamboohr.com/careers/47>

Court of Appeals

Appellate Attorney

THE NEW MEXICO COURT OF APPEALS is accepting applications for one or more full-time permanent Appellate-Attorney Senior, Appellate-Attorney Associate, or Appellate-Attorney Assistant positions. The positions may be located in either Santa Fe or Albuquerque, depending on the needs of the Court and available office space. The target pay for the Senior position is \$81,176-\$131,768, plus generous fringe benefits. The target pay for the Associate position is \$75,893-\$116,715 plus generous fringe benefits. The target pay for the Assistant position is \$70,250-\$98,762, plus generous fringe benefits. Eligibility for the Senior position requires seven years of practice. Eligibility for the Associate position requires five years of practice or judicial experience. Eligibility for the Assistant position requires three years of practice or judicial experience. These positions also require New Mexico State Bar admission and a current license to practice law in New Mexico. These positions require management of a heavy caseload of appeals covering all areas of law considered by the Court. Extensive legal research and writing is required. The work atmosphere is congenial, yet intellectually demanding. Interested applicants should submit a completed New Mexico Judicial Branch Resume Supplemental Form, along with a letter of interest, resume, law school transcript, and writing sample of 5-7 double-spaced pages to Cynthia Hernandez Madrid, Chief Appellate Attorney, c/o AOC Human Resources Division, aochrd-grp@nmcourts.gov, 237 Don Gaspar Ave., Santa Fe, New Mexico 87501. Position to commence immediately and will remain open until filled. More information is available at www.nmcourts.gov/careers. The New Mexico Judicial Branch is an equal-opportunity employer.

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.

Attorney

New Mexico Center on Law and Poverty seeks a dynamic attorney to work on major reforms to the healthcare system. NMCLP is working with community leaders to advance innovative solutions to make healthcare affordable for all New Mexicans, reduce medical debt, and ensure access to care. This work includes policy advocacy, legislative efforts, legal representation and impact litigation, and community education and coalition building with a focus of working with immigrant communities. Required: Spanish fluency; strong leadership skills; commitment to economic, racial, and gender justice. Preferred: two years of policy or legal advocacy; campaign strategy and coalition building experience. Apply in confidence by emailing your resume and a cover letter that describes what interests you about the mission of NMCLP to contact nmpovertylaw.org. We are an equal opportunity employer committed to a healthy, collaborative, and inclusive work environment for a diverse staff. We strongly encourage applications from Black, Native, and indigenous people, people of color, immigrants, LGBTQ+, and New Mexicans and individuals of multiple backgrounds and identities. Learn more at www.nmpovertylaw.org.

Attorney

The New Mexico Office of Superintendent of Insurance, through its Office of Legal Counsel, is soliciting proposals from attorneys to provide hearing officer services for administrative prosecutions and for rulemaking. All interested attorneys may obtain a copy of the Request for Proposals from the Office of Superintendent of Insurance's website, Office of Superintendent of Insurance (state.nm.us). The deadline for submitting Response is May 31, 2024, 3:00 P.M. MDT.

Associate Litigation Attorney

Jennings Haug Keleher McLeod, an A-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.jhklmlaw.com for further information about the firm. Please email your cover letter, resume, and writing sample to Cassandra Malone at crm@jhklmlaw.com.

Experienced Commercial Real Estate Attorney

Commercial Real Estate Development and Investment company seeking an attorney to join a dynamic team in carrying out the management of its existing portfolio and the expansion of a development pipeline. The General Counsel will handle a range of corporate matters and provide guidance to the company's leadership on a variety of real estate matters, including property acquisitions and dispositions, leases, development/zoning and land use, and financing. Requisite experience includes high-level knowledge and familiarity with a range of industry specific matters, including the preparation and negotiation of purchase and sale agreements, loan documents, commercial leases, site development agreements, and letters of intent. With a minimum of 5-7 years of experience in a similar capacity, the ideal candidate will bring a solid understanding and expertise in managing general corporate functions. Furthermore, the candidate will have exceptional negotiating skills across a spectrum of real estate domains including institutional capital, national retail tenants, construction (AIA), and development. Please direct expressions of interest to our Human Resources at the following email: gkritzinger@goodmanrealty.com.

County Attorney (Exempt, At-Will)

Located in Gallup, NM. McKinley County is accepting applications for a County Attorney to represent the county in administrative, litigation, and settlement proceedings; managing litigation; and advising the County Commission, County Management, elected officials, department heads, and supervisors in various aspects of the laws of the State of New Mexico. Other responsibilities include reviewing and negotiating contracts; developing, reviewing, and revising policies and procedures; and performing other duties as assigned. Minimum qualifications: a.) Juris Doctor Degree from an accredited law school, b.) Member of the State Bar of New Mexico, and c.) Five (5) years of experience in legal practice. Full compensated benefits package included. Open Until Filled. Applications, full job description, and additional information regarding position can be found at www.co.mckinley.nm.us

Attorney for the Juvenile Unit

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

Bookkeeper

Barnhouse Keegan Solimon & West LLP has an immediate opening for a part-time Bookkeeper. Our law firm practices in all areas of Native American Law. Applicant must have experience in bookkeeping, proficiency in accounting practices, and familiarity with software programs such as QuickBooks. A degree in accounting, finance, or a related field is preferred. Applicant must provide references. We are looking for a hard-working, dedicated team member who would enjoy working in a family-oriented law firm. We offer a great work environment, competitive salary and generous 401k package. Send your cover letter, resume, and list of references to L Vera@IndianCountryLaw.com

Office of General Counsel (OGC) Paralegal

The State Bar of New Mexico seeks qualified applicants to join our team as a full-time (40 hours/week) Office of General Counsel (OGC) Paralegal. The successful incumbent will provide clerical and administrative support to the Executive Director, the General Counsel and the OGC Deputy Director. This position will support all functions of the OGC including all Regulatory Programs, Committees and Commissions, and other programs of the OGC. \$21-\$24 per hour, depending on experience and qualifications. Generous benefits package included. This position qualifies for partial telecommuting. Qualified applicants should submit a cover letter and resume to HR@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions.

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>.

Legal Assistant

Harrison & Hart, LLC, is seeking applicants for a Legal Assistant to support our criminal defense and appellate practice. The position will require calendaring, filing, reviewing and organizing discovery, proofreading and editing briefs and motions, billing, and other tasks as necessary. Attention to detail is necessary. Experience with the federal courts is preferred but not necessary. New graduates are also encouraged to apply. The position offers a competitive salary, employer-paid health insurance, dental and vision insurance, a 401(k) and profit sharing plan, and generous vacation and sick leave. Please apply by sending a cover letter and resume to Nicholas Hart at nick@harrisonhartlaw.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.

Staff Accountant

The State Bar of New Mexico (SBNM) seeks qualified applicants to join our team as a full-time (40 hours/week) Staff Accountant. The successful applicant will perform general cost accounting functions in the accounting department, including bank reconciliations, accounts receivable, accounts payable, payroll, posting journal entries, performing month-end closing procedures, and producing financial reports. The Staff Accountant will also assist in the annual financial audit process and is responsible for maintaining accounting records and responding to inquiries received by the accounting department. \$50,000/year-\$60,000/year depending on experience and qualifications. Generous benefits package included. This position is eligible for partial telecommuting within NM. Qualified applicants should submit a cover letter and resume to hr@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions.

Client Protection Fund Commission Paralegal:

The State Bar of New Mexico seeks qualified applicants to join our team as a part-time (25 hours/week) Client Protection Fund (CPF) Commission Paralegal. The successful incumbent will provide clerical and administrative support to the CPF Commission, including investigating claims, gathering documents, and interviewing claimants and attorneys. \$22-\$25 per hour, depending on experience and qualifications. Generous benefits package included. This position qualifies for partial telecommuting. Qualified applicants should submit a cover letter and resume to HR@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions

Experienced Civil Litigation Paralegal Needed:

Albuquerque Plaintiffs firm with a significant focus on medical malpractice seeking experienced civil litigation paralegal. Upon hiring, the paralegal will be involved in all stages of litigation from discovery to trial prep/assistance. Ideal candidate will have seven years of prior experience in civil litigation with knowledge of State and Federal District Court rules and filing procedures, factual and legal online research and document management and processing. Remote work allowed. All inquiries confidential. Salary DOE, benefits included. Email resume and cover letter to: info@collinsattorneys.com

Equity in Justice Administrator

The State Bar of New Mexico seeks qualified applicants to join our team as a full-time (40 hours/week) Equity in Justice Administrator (Project Manager I or II). The successful applicant will provide support for State Bar committees, sections, and divisions implementing diversity, inclusion, and equity in justice projects/initiatives. The position works alongside various groups and State Bar members engaged in eliminating biases and inequalities within New Mexico's justice system and promoting participation by underrepresented communities in State Bar programs and activities. Project Manager I: \$45,000/year-\$52,000/year or Project Manager II: \$50,000/year-\$58,000/year depending on experience and qualifications. Generous benefits package included. This position qualifies for partial telecommuting. Qualified applicants should submit a cover letter and resume to HR@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions.

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.

Office Space

Office Suites-No Lease-All Inclusive

Office Suites-NO LEASE-ALL INCLUSIVE-virtual mail, virtual telephone reception service, hourly offices and conference rooms available. Witness and notary services. Office Alternatives provides the infrastructure for attorney practices so you can lower your overhead in a professional environment. 2 convenient locations-Journal Center and Riverside Plaza. 505-796-9600/ officealternatives.com.

820 Second Street NW

820 Second Street NW, office for rent, two blocks from courthouses, all amenities including copier, fax, telephone system, conference room, high-speed internet, phone service, receptionist, call Ramona at 243-7170

Miscellaneous

Search for Will

If you possess, or have information about, a Last Will and Testament for James (a/k/a "Jimbo") Robert Werhan, deceased, formerly of Albuquerque N.M., please contact Peter J. Armijo, Swaim, Carlow & Ames, P.C. at 4830 Juan Tabo Blvd. NE, Suite F, Al-buquerque, NM 87111, telephone 505-237-0064.



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"I have worked at a few different District Attorney Office's across the State from the North to the South and in between. The 13th allows for greater discretion and flexibility than any other office I have worked in. Further, it is an atmosphere with little contentiousness, especially compared to other offices. If you wish to be a career prosecutor, this is where you belong." John L. – Trial Attorney

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“I’m not only committed to a fair judicial process, but also to the creation and practice of principled policies for the People of the 13th Judicial District”
– District Attorney Barbara Romo



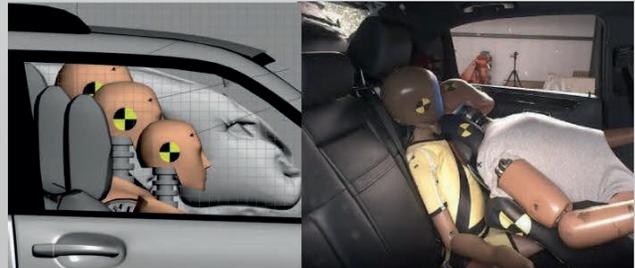
IS YOUR CASE AT A RECOVERY DEAD-END?

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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.



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