

1 **24-101. Board of Bar Commissioners.**

2           A.     **Organization of the State Bar of New Mexico.** In order to aid the courts in  
3 improving the administration of justice, to promote the interests of the legal profession in the State  
4 of New Mexico, to promote and support the needs of all members, to be cognizant of the needs of  
5 individual and minority members of the profession, including the full and equal participation of  
6 minorities and women in the ~~[state bar]~~ State Bar of New Mexico and the profession at large, to  
7 improve the relations between the legal profession and the public, to encourage and assist in the  
8 delivery of legal services to all in need of those services, to foster and maintain high ideals of  
9 integrity, learning, competence, and public service, to provide a forum for the discussion of  
10 subjects pertaining to the practice of law and law reform, to promote and provide continuing legal  
11 education in technical fields of substantive law and practice, and to participate in the legislative,  
12 executive, and judicial processes by informing its membership about issues affecting the legal  
13 system and relating to the purpose of the ~~[state bar]~~ State Bar of New Mexico, and ~~[upon]~~ on  
14 approval by the Board of Bar Commissioners, to take any further action as may be necessary to  
15 present the views of the bar commission to the appropriate court, executive office, or legislative  
16 body for consideration; and to the end that the responsibility of the legal profession and the  
17 individual members ~~[thereof]~~ of the legal profession may be more effectively and efficiently  
18 discharged in the public interest, and acting within the powers vested in it by the ~~[constitution of~~  
19 ~~this state]~~ New Mexico Constitution and its inherent power over members of the legal profession  
20 as officers of the court, the Supreme Court~~[of New Mexico]~~ does hereby create and continue an  
21 organization known as the State Bar of New Mexico, and all persons now or hereafter licensed in  
22 this state to engage in the practice of law shall be members of the State Bar of New Mexico in  
23 accordance with the rules of this Court. The State Bar of New Mexico may incorporate, sue and

1 be sued, enter into contracts, and acquire, hold, encumber, dispose of, and deal in and with real  
2 and personal property, and promote and further the aims as set forth herein and hereinafter in these  
3 rules.

4 Except as otherwise provided by rules adopted by the Supreme Court, no person shall  
5 practice law in this state or hold himself or herself out as one who may practice law in this state  
6 unless that person is an active member of the ~~[state bar]~~ State Bar of New Mexico, and no  
7 suspended or disbarred member shall practice law in this state or hold himself or herself out as one  
8 who may practice law in this state, while suspended or disbarred.

9 **B. Divisions created.** The Supreme Court~~[of New Mexico]~~ does hereby create the  
10 following divisions of the ~~[state bar]~~ State Bar of New Mexico:

11 (1) a young lawyers division. Membership in the Young Lawyers Division  
12 shall consist of all members of the State Bar of New Mexico in good standing under thirty-six (36)  
13 years of age and those members who have been admitted to the practice of law in any state less  
14 than five (5) years. Membership shall terminate automatically as of December 31 after a member  
15 attains thirty-six (36) years of age or five (5) years after admission to the practice of law in any  
16 state, whichever occurs last. However, a member elected to the office of chair-elect prior to  
17 reaching thirty-six (36) years of age may serve as chair-elect, chair, and past chair even if the  
18 member's service in those offices will extend beyond the date that the member attains thirty-six  
19 (36) years of age. Except as provided in this subparagraph, no person who is thirty-six (36) years  
20 of age or older may serve as an elected officer of the Young Lawyers Division. A person who  
21 qualifies for membership in the Young Lawyers Division because that person has not been  
22 admitted to any state bar for more than five (5) years shall not serve as an officer of the Young  
23 Lawyers Division if the service would extend more than five (5) years beyond that person's

1 admission to any state bar. The Young Lawyers Division shall adopt bylaws applicable to its  
2 division which shall be approved by the Board of Bar Commissioners. The bylaws shall not be  
3 inconsistent with these rules. The bylaws of the [~~young lawyers division~~] Young Lawyers  
4 Division shall establish the process for the election of its officers and directors;

5 (2) a senior lawyers division. Membership in the Senior Lawyers Division  
6 shall consist of

7 (a) all members of the State Bar of New Mexico in good standing who  
8 are fifty-five (55) years of age or older and who have practiced law for twenty-five (25) years or  
9 more; and

10 (b) any member of the State Bar of New Mexico in good standing who

11 (1) is fifty-five (55) years of age or older; or

12 (2) has practiced law for twenty-five (25) years or more; and

13 (3) gives written notice to the executive director of the State Bar  
14 of New Mexico of the member's election to become a member of this division and of the member's  
15 qualification of membership in the division.

16 The [~~senior lawyers division~~] Senior Lawyers Division shall adopt bylaws applicable to its  
17 division which shall be approved by the Board of Bar Commissioners. The bylaws shall not be  
18 inconsistent with these rules. The bylaws of the [~~senior lawyers division~~] Senior Lawyers Division  
19 shall establish the process for the election of its officers and directors; and

20 (3) a paralegal division. A person may become a member of the [~~paralegal~~  
21 ~~division~~] Paralegal Division if the person meets the requirements of [~~Rule 24-101A~~] Rule 24-101.1  
22 NMRA. The [~~paralegal division~~] Paralegal Division shall adopt bylaws applicable to its division  
23 which shall have been approved by the Board of Bar Commissioners. The bylaws shall not be

1 inconsistent with these rules. The bylaws of the [~~paralegal division~~] Paralegal Division shall  
2 establish the process for the election of its officers and directors.

3       **C. Board membership and powers.** The Board of Bar Commissioners shall be the  
4 governing board of the [~~state bar~~] State Bar of New Mexico. Each commissioner shall have one  
5 (1) vote. Except as otherwise provided by Paragraph [~~I~~] J, the [~~board~~] Board of Bar  
6 Commissioners shall consist of [~~twenty-one (21)~~] twenty-two (22) bar commissioners, consisting  
7 of those district bar commissioners elected under Paragraph D, and the chair of the [~~young lawyers~~  
8 ~~division~~] Young Lawyers Division and the elected delegate of the [~~senior lawyers division~~] Senior  
9 Lawyers Division. The [~~board~~] Board of Bar Commissioners has perpetual succession and may  
10 use a common seal. The [~~board~~] Board of Bar Commissioners may employ an executive  
11 director. The [~~board~~] Board of Bar Commissioners may adopt bylaws applicable to the [~~state bar~~]  
12 State Bar of New Mexico and the [~~board~~] Board of Bar Commissioners; provided, however, any  
13 bylaws inconsistent with these rules shall be invalid.

14       **D. Bar commissioner districts.** [~~The following bar commissioner districts are~~  
15 ~~established~~] Bar Commissioner Districts shall follow the established State Judicial Districts and  
16 each district shall be represented by the indicated number of district bar commissioners, each of  
17 whom shall have their principal place of practice in the [~~district~~] judicial district(s) represented  
18 and shall be nominated and elected by the members of the [~~bar~~] State Bar of New Mexico in  
19 accordance with this rule and the bylaws of the [~~state bar~~] State Bar of New Mexico, as follows:

20           (1) the first judicial [~~bar commissioner~~] district, which consists of [~~Bernalillo~~  
21 ~~County~~] Rio Arriba, Los Alamos, and Santa Fe counties, shall be represented by [~~eight (8)~~] three  
22 bar commissioners;

1           (2)     the second judicial [~~bar commissioner~~] district, which consists of [~~San Juan,~~  
2 ~~McKinley, Cibola, and Valencia counties~~] Bernalillo County, shall be represented by [~~one (1)~~] six  
3 (6) bar [~~commissioner~~] commissioners;

4           (3)     the third and sixth judicial [~~bar commissioner district~~] districts, which  
5 [~~consists~~] consist of [~~Rio Arriba, Sandoval, Los Alamos, and Santa Fe counties~~] Dona Ana, Grant,  
6 Hidalgo, and Luna counties, shall be represented by three (3) bar commissioners;

7           (4)     the fourth and eighth judicial [~~bar commissioner district~~] districts, which  
8 [~~consists~~] consist of Taos, Colfax, Union, Mora, [~~Harding,~~] San Miguel, and Guadalupe counties,  
9 shall be represented by one (1) bar commissioner;

10          (5)     the fifth judicial [~~bar commissioner~~] district, which consists of [~~Quay,~~  
11 ~~Curry, Roosevelt, and DeBaca~~] Chaves, Eddy, and Lea counties, shall be represented by one (1)  
12 bar commissioner;

13          (6)     the [~~sixth~~] seventh and thirteenth judicial [~~bar commissioner district~~]  
14 districts, which [~~consists~~] consist of [~~Lea, Eddy, Chaves, Lincoln, and Otero~~] Catron, Sierra,  
15 Socorro, Torrance, Cibola, Sandoval, and Valencia counties, shall be represented by [~~three (3)~~]  
16 two (2) bar commissioners; [~~and~~]

17          (7)     the [~~seventh bar commissioner district~~] ninth and tenth judicial districts,  
18 which [~~consists~~] consist of [~~Catron, Socorro, Torrance, Sierra, Hidalgo, Luna, Grant, and Dona~~  
19 ~~Ana~~] Curry, Roosevelt, De Baca, Harding, and Quay counties, shall be represented by [~~two (2)~~]  
20 one (1) bar [~~commissioners.~~] commissioner;

21          (8)     \_\_\_\_\_ the eleventh judicial district, which consists of McKinley and San Juan  
22 counties, shall be represented by one (1) bar commissioner; and

1           (9) the twelfth judicial district, which consists of Lincoln and Otero counties,  
2 shall be represented by one (1) bar commissioner.

3           (10) Out-of-state district. There shall be one (1) bar commissioner whose  
4 principal place of practice is in New Mexico and who shall represent the interests of all out-of-  
5 state members except for those members who reside in El Paso County, Texas, who shall be  
6 represented by the commissioners of the third and sixth judicial districts. The commissioner for  
7 the out-of-state district shall be a full commissioner of the Board of Bar Commissioners and  
8 entitled to hold office, vote, participate in committees, and seek reimbursement as any  
9 commissioner.

10           E.     **Terms of office.** The district bar commissioners shall be elected to terms of three  
11 (3) years and shall hold office until their successors are elected or appointed and qualified. No  
12 district bar commissioner shall be elected to more than three (3) consecutive three (3)-year terms  
13 or serve more than ten (10) consecutive years.

14           F.     **Vacancies.** Vacancies [~~on the board~~] of [~~the~~] district bar commissioners shall be  
15 filled by appointment of the [~~board~~] Board of Bar Commissioners, and district bar commissioners  
16 so appointed shall serve until December 31. An election of a district bar commissioner to fill the  
17 unexpired term shall be held with the next regular election of district bar commissioners following  
18 the appointment to fill the vacancy.

19           G.     **Nominations for district commissioners.** Nominations to the office of district bar  
20 commissioner shall be by the written petition of any ten (10) or more active status members of the  
21 [~~bar~~] State Bar of New Mexico in good standing. Any number of candidates may be nominated  
22 on a single petition which shall be received by the executive director within a period to be fixed  
23 by the bylaws of the State Bar of New Mexico. No state or federal judge shall be eligible to serve

1 as a member of the [~~board~~] Board of Bar Commissioners of the [~~state bar~~] State Bar of New Mexico  
2 while in office.

3 H. **Election results.** The annual election of commissioners shall close at noon on  
4 November 30th and the ballots canvassed by at least three (3) commissioners not running for  
5 reelection as appointed by the president, and the results shall be published in the Bar Bulletin and  
6 posted to the State Bar of New Mexico's web site.

7 I. **Officers of [~~board of commissioners~~] Board of Bar Commissioners;**  
8 **election.** In accordance with the bylaws of the [~~state bar~~] State Bar of New Mexico, the Board of  
9 Bar Commissioners shall elect a president, a president-elect, and a secretary-treasurer, who shall  
10 take office. The immediate past president shall also be an officer of the [~~board~~] Board of Bar  
11 Commissioners. All officers shall be members of the Board of Bar Commissioners and shall be  
12 officers of the [~~state bar~~] State Bar of New Mexico and of its Board of Bar Commissioners. Terms  
13 of office for the officers of the [~~board~~] Board of Bar Commissioners shall commence January 1st  
14 and those officers shall serve for one (1) year.

15 J. **Extension of commissioner terms.** If a district bar commissioner's term of office  
16 expires [~~while the commissioner is serving in~~] after the commissioner has been elected to the  
17 position of secretary-treasurer, president-elect, or president, that commissioner's term shall be  
18 extended until the completion of his or her term as immediate past president provided that the  
19 commissioner was elected to the [~~board~~] Board of Bar Commissioners for his or her current  
20 term. During the extended term, there shall be elected from [~~the~~] that commissioner's district[~~in~~  
21 ~~which the commissioner resides,~~] one [~~less~~] fewer member to the [~~board~~] Board of Bar  
22 Commissioners than that district would be otherwise entitled to under these rules.

**RULES GOVERNING THE NEW MEXICO BAR**  
**RULE 24-101**

**Supreme Court Approved**  
**November 1, 2020**

1 [As amended, effective January 1, 1987; July 1, 1987; June 1, 1992; October 1, 1992; December  
2 1, 1993; June 15, 1994; February 7, 1995; June 8, 1998; April 17, 2000; August 14, 2000; January  
3 30, 2004; August 31, 2004; as amended by Supreme Court Order No. 06-8300-035, effective  
4 January 1, 2007; as amended by Supreme Court Order No. 13-8300-039, effective December 31,  
5 2013; as amended by Supreme Court Order No. 16-8300-036, effective immediately for the 2016  
6 elections; as amended by Supreme Court Order No. 19-8300-007, effective July 1, 2019; as  
7 amended by Supreme Court Order No. 20-8300-016, effective December 31, 2020.]