



1           **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2                           **October 8, 2024**

3   **S-1-AO-2024-00036**

4   **IN THE MATTER OF THE APPROVAL OF**  
5   **A RECLASSIFICATION INITIATIVE FOR**  
6   **ATTORNEYS, APPELLATE TECHNICAL**  
7   **LEGAL EDITORS, PARALEGALS, AND**  
8   **LAW CLERKS EMPLOYED WITHIN THE**  
9   **NEW MEXICO JUDICIAL BRANCH**

10                           **ORDER**

11           WHEREAS, this matter came on for consideration by the Supreme Court of  
12   New Mexico for the implementation of a reclassification and compensation structure  
13   for attorneys, appellate technical legal editors, paralegals, and law clerks in the New  
14   Mexico Judicial Branch to promote the recruitment and retention of appellate  
15   attorneys, appellate technical legal editors, paralegals, and law clerks;

16           WHEREAS, this Court issued Supreme Court Order No. S-1-AO-2024-  
17   00014, *In the Matter of the Approval of a Reclassification Initiative for Attorneys,*  
18   *Appellate Technical Legal Editors, Paralegals, and Law Clerks Employed within the*  
19   *New Mexico Judicial Branch for Fiscal Year 2024*; and

20           WHEREAS, in light of the foregoing, and the Court being sufficiently  
21   advised, Chief Justice David K. Thomson, Justice Michael E. Vigil, Justice C.  
22   Shannon Bacon, Justice Julie J. Vargas, and Justice Briana H. Zamora concurring;

1           NOW, THEREFORE, IT IS ORDERED that Supreme Court Order No. S-1-  
2 AO-2024-00014 is hereby WITHDRAWN;

3           IT IS FURTHER ORDERED that all attorneys employed by either the Court  
4 of Appeals or the Supreme Court (“appellate attorneys”) shall be reclassified as  
5 either an Appellate Attorney - Assistant (At Will); Appellate Attorney - Associate  
6 (At Will); Appellate Attorney - Senior (At Will); or Appellate Attorney - Supervisor  
7 (At Will), with the exception of the General Counsel to the Chief Justice of the  
8 Supreme Court of New Mexico, the Chief Appellate Attorney of the Supreme Court,  
9 the Chief Appellate Attorney of the Court of Appeals, the Chief Clerk of the  
10 Supreme Court of New Mexico, the Chief Clerk of the Court of Appeals, and the  
11 Deputy Clerks of Court of the Supreme Court and Court of Appeals;

12           IT IS FURTHER ORDERED that any appellate attorney, who is a classified  
13 employee, may elect to be reclassified as an at-will appellate attorney with an  
14 associated pay increase, or elect to remain a classified employee for the duration of  
15 their employment with the New Mexico Judicial Branch without an associated pay  
16 increase;

17           IT IS FURTHER ORDERED that all New Mexico Judicial Branch attorneys,  
18 appellate technical legal editors, paralegals, and law clerks hired, provided an out-

1 of-cycle salary increase, transferred, or reclassified after the date of this order shall  
2 be hired, provided an increase, transferred, or reclassified as at-will employees; and

3 IT IS FURTHER ORDERED that the compensation structure for attorneys,  
4 paralegals, and law clerks in the Appellate Courts shall ensure that Court of Appeals  
5 appellate attorneys, appellate technical legal editors, paralegals, and law clerks are  
6 compensated at a rate of at least 5% lower than Supreme Court appellate attorneys,  
7 the Chief Clerk of Court, the Chief Deputy Clerk of Court, the Deputy Clerk of  
8 Court, the General Counsel to the Chief Justice, the Chief Appellate Attorney,  
9 appellate technical legal editors, paralegals, and law clerks; and, that district court  
10 and metropolitan court attorneys, paralegals, and law clerks are compensated at a  
11 rate no higher than 85% of the lowest paid employee of the Supreme Court in the  
12 corresponding job classification.

13 IT IS SO ORDERED.



WITNESS, the Honorable David K. Thomson, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 8th day of October, 2024.

  
Elizabeth A. Garcia, Chief Clerk of the Supreme Court  
of the State of New Mexico

I CERTIFY AND ATTEST:  
A true copy was served on all parties  
or their counsel of record on date filed.  
Elizabeth A. Garcia  
Chief Clerk of the Supreme Court  
of the State of New Mexico