

1 **27-404. Public censures.**

2 A. **General.** In disciplinary proceedings in which public censure is recommended, or
3 imposed by the Supreme Court under Rule 27-401(A)(4) NMRA, the commission must submit
4 proposed public censures to the Supreme Court in accordance with the procedures outlined in this
5 rule.

6 B. **Form.** Proposed public censures shall be prepared in the following form, unless
7 otherwise ordered by the Supreme Court:

8 (1) proposed public censures shall be limited to fifteen (15) pages, double-
9 spaced, and written in fourteen (14) point Times New Roman font;

10 (2) proposed public censures shall include, at minimum, a procedural history,
11 including an explanation of the rule(s) violated with rule citations, and background and discussion
12 sections with citations to relevant authority and the record proper; and

13 (3) all citations in proposed public censures shall conform to Rule 23-112
14 NMRA.

15 C. **Procedure.** The commission shall file proposed public censures with the Supreme
16 Court in accordance with one of the two procedures outlined below. Proposed public censures and
17 responses shall be filed and served in accordance with Rule 12-307 NMRA.

18 (1) For proceedings before the Supreme Court on petition to accept a stipulated
19 agreement and consent to discipline under JSC Rules 34 and 36 NMRA, proposed public censures
20 shall be stipulated to by the parties and filed with the petition. The commission shall also submit
21 a copy of the proposed public censure, in Microsoft Word format, to the Supreme Court clerk via
22 email.

1 (2) For proceedings before the Supreme Court on a decision and
2 recommendation for discipline entered under JSC Rules 32 and 36 NMRA, or if the Supreme Court
3 imposes public censure under Rule 27-401(A)(4) NMRA, proposed public censures shall be filed
4 with the Supreme Court within forty-five (45) days after the filing of an order imposing a public
5 censure as a form of discipline. The commission shall also submit a copy of the proposed public
6 censure, in Microsoft Word format, to the Supreme Court clerk via email.

7 (a) A response/objection to the proposed public censure shall be timely
8 if filed within fifteen (15) days of the filing of the proposed public censure, *see* Rule 12-309(E)
9 NMRA, but the findings and conclusions adopted by the Supreme Court in its order imposing
10 discipline are final.

11 (b) No reply to the response shall be permitted without further order of
12 the Supreme Court.

13 D. **Supreme Court decision.** The final form and substance of a public censure shall
14 be subject to the Supreme Court’s discretion, irrespective of whether the parties have consented or
15 stipulated to the proposed public censure.

16 [Adopted by Supreme Court Order No. S-1-RCR-2024-00108, effective December 31, 2024.]