

1 **24-102. Annual license renewal requirements; noncompliance; reinstatement.**

2 A. **Scope.** This rule applies to all members of the state bar on active status, including  
3 judges who are attorneys licensed in New Mexico and attorneys holding limited licenses under  
4 [~~Rule 15-301.1 NMRA or Rule 15-301.2~~] Rules 15-304, 15-305, 15-306, 15-307, or 15-308  
5 NMRA, and applies to honorary judicial members, unless otherwise specified in this rule.

6 B. **Definitions.** The following definitions apply to this rule:

7 (1) “Active status” means

8 (a) an attorney admitted to the State Bar of New Mexico under  
9 [~~Rule 15-302(A)~~] Rule 15-201 NMRA who is not on inactive or withdrawn status under Rule 24-  
10 102.1 NMRA, who is not suspended under Subparagraph (E)(4) of this rule, and who is not  
11 suspended, disbarred, or on disability inactive status from the practice of law under the Rules  
12 Governing Discipline; or

13 (b) an attorney who holds a valid limited license under Rules [~~15-~~  
14 ~~301.1 or 15-301.2~~] 15-304, 15-305, 15-306, 15-307, or 15-308 NMRA.

15 (2) “Annual certifications” means all certifications required to be completed  
16 annually by New Mexico Supreme Court rule or order, including

17 (a) pro bono certification required by Rule 24-108(C) NMRA;

18 (b) professional liability insurance certification required by Rule 16-  
19 104(C)(7) NMRA;

20 (c) succession plan certification required by Rule 16-119 NMRA,  
21 effective for registration statements submitted on or after October 1, 2022;

22 (d) trust account certification required by Rules 24-109(B)(7) and 17-  
23 204 NMRA; and

1 (e) trust accounting continuing legal education certification required by  
2 Rule 17-204(C) NMRA.

3 (3) “Licensing year” means January 1 through December 31 of the  
4 current year for which annual license renewal is required under Paragraph C of this rule.

5 (4) “MCLE” means the educational requirements for attorneys under the  
6 Rules for Minimum Continuing Legal Education.

7 C. **Annual license renewal.** No later than February 1 of every licensing year, every  
8 member of the state bar in active status shall renew the member’s license to practice law in New  
9 Mexico in accordance with this rule. License renewal shall be comprised of

10 (1) completion of a registration statement as defined in Rule 24-102.1 NMRA;

11 (2) completion of required annual certifications;

12 (3) completion of MCLE for the calendar year preceding the licensing year in  
13 accordance with Rule 18-201 NMRA; and

14 (4) payment to the executive director of the state bar an annual license fee,  
15 which fee shall be determined and fixed by the Board of Bar Commissioners before January of  
16 each calendar year[~~or by Rule 15-301.1 NMRA or Rule 15-301.2 NMRA for holders of a limited~~  
17 ~~license~~].

18 (a) Full-time judges who are members of the state bar on active status  
19 and honorary judicial members shall be exempt from the annual license fee requirement as set  
20 forth under Subparagraph (C)(4) of this rule. This exemption does not apply to probate judges,  
21 judges pro tempore, retired judges, hearing officers, or court attorneys.

22 D. **Waiver.**

23 (1) ***Waiver requests.***

1                   (a)     *Extreme hardship waiver.* Upon petition and a finding of the Board  
2 of Bar Commissioners of extreme individual hardship, the board may waive all or part of the  
3 annual license renewal requirements in Subparagraphs (C)(3) and (C)(4) of this rule and any  
4 associated late fees if the annual license renewal requirements in Subparagraphs (C)(1) and (C)(2)  
5 are satisfied. If the board receives a petition for waiver of all or part of the license renewal  
6 requirements based on a physical, mental, or emotional infirmity, impairment, incapacity, or illness  
7 as an extreme individual hardship under this rule, the board shall refer the matter to the  
8 Disciplinary Board for a determination under Rule 17-208 NMRA. If the Disciplinary Board  
9 decides not to initiate proceedings under Rule 17-208 NMRA, the Board of Bar Commissioners  
10 shall be notified that it may proceed to consider whether the petition for waiver should be granted  
11 on the basis of an extreme individual hardship.

12                   (b)     *U.S. military active duty waiver.* Members of the state bar in active  
13 status who are in the armed services of the United States and serve one hundred eighty (180) days  
14 or more in any licensing year on full-time active duty may petition the Board of Bar  
15 Commissioners for waiver of the annual license renewal requirements in Subparagraphs (C)(3)  
16 and (C)(4) of this rule if the annual license renewal requirements in Subparagraphs (C)(1) and  
17 (C)(2) are satisfied during that year. To be eligible for this waiver, the member must provide to  
18 the state bar a certification of the member's military service dates.

19                   (2)     ***Petition requirements.*** Petitions for waiver must be in writing and filed with  
20 the Board of Bar Commissioners no later than February 1 of the licensing year. The petition must  
21 state briefly the facts supporting the petitioner's claim and may be accompanied by supporting  
22 evidence or documentation. The Board may accept an untimely petition for waiver upon a showing  
23 of excusable neglect or circumstances beyond the control of the petitioner.

1           (3)     ***Hearing and decision on petition.*** The board may, in its discretion, request  
2 that the petitioner appear before the board for a hearing on the petition. No record of the hearing  
3 is required, and the entire board need not be present at the hearing. The decision of the board to  
4 grant or deny a waiver request shall be final, but denied requests may be reviewed by the Supreme  
5 Court upon request of a member who responds to a citation and order to show cause issued under  
6 Subparagraph (E)(3) of this rule.

7           E.     **Delinquency certification, late fee, and suspension.**

8           (1)     Members of the state bar in active status who, by February 1 of the licensing  
9 year, do not comply with any of the license renewal requirements in Paragraph C of this rule or  
10 receive a waiver under Paragraph D of this rule shall be assessed a late fee of two hundred seventy-  
11 five dollars (\$275.00) to be paid no later than April 30 of the licensing year. Payment of the late  
12 fee does not eliminate the requirement to comply with the license renewal requirements in  
13 Paragraph C of this rule.

14           (2)     By the second Monday in May of the licensing year, the Board of Bar  
15 Commissioners, through its executive director, shall compile and certify to the Supreme Court a  
16 list of members of the state bar in active status who have failed or refused to comply with the  
17 license renewal requirements in Paragraph C of this rule or failed to pay the assessed late fee in  
18 Subparagraph (E)(1) of this rule.

19           (3)     After receipt of the certification from the executive director of the state bar,  
20 the clerk of the Supreme Court shall issue a citation and order to show cause requiring the  
21 delinquent member to show cause before the Court, within fifteen (15) days after service of the  
22 citation, why the member should not be suspended from the practice of law in this state. Service  
23 of the citation and order to show cause may be personal, by first class mail, or by electronic service

1 in accordance with Rule 12-307.2 NMRA through the Court’s electronic filing system using the  
2 member’s email address of record under Rule 17-202(A)(1)(d) NMRA. Completion of the  
3 licensing renewal requirements under Paragraph C of this rule and payment of assessed fees under  
4 Subparagraph (E)(1) of this rule on or before the response deadline in the citation and order to  
5 show cause shall be deemed sufficient showing of cause, and, unless otherwise ordered by the  
6 Supreme Court, the clerk shall issue an order dismissing the citation and order to show cause.

7 (4) Attorneys who fail to respond to the citation and order to show cause or fail  
8 to show that they have complied with the annual license renewal requirements in this rule shall be  
9 suspended from the practice of law in New Mexico. Suspension orders shall be served by certified  
10 mail and by electronic service in accordance with Rule 12-307.2 NMRA through the Court’s  
11 electronic filing system using the member’s email address of record under Rule 17-202(A)(1)(d)  
12 NMRA. The Board of Bar Commissioners shall report the names of attorneys suspended under  
13 this rule to the Disciplinary Board for a determination under Rule 17-208 NMRA.

14 **F. Reinstatement.**

15 (1) A member suspended under the provisions of this rule shall pay a  
16 reinstatement fee to the state bar of five hundred dollars (\$500.00), remedy the deficiencies that  
17 led to the suspension, and satisfy all other applicable requirements for an active status attorney in  
18 New Mexico as a condition precedent to a grant of reinstatement.

19 (2) A member suspended two or more times under the provisions of this rule  
20 after December 31, 2021, shall, in addition to the requirements listed in Subparagraph (F)(1) of  
21 this rule, submit an application to the Board of Bar Examiners for reinstatement under Rule [~~15-~~  
22 ~~302(B)(2)] 15-309 NMRA.~~

23 **G. Deposit, disbursement, and audit of fees collected.**

1           (1)     All moneys collected by the executive director in accordance with the  
2 provisions of this rule shall be deposited to an account designated as State Bar of New Mexico  
3 general fund and shall be disbursed by order of the Board of Bar Commissioners in carrying out  
4 the functions, duties, and powers vested in the board.

5           (2)     The Board of Bar Commissioners shall, on or before June 30 of each year,  
6 submit to the Supreme Court of New Mexico an accounting and audit of all funds received and  
7 disbursed during the prior calendar year. This audit shall be performed by an auditor to be selected  
8 by the board.

9           (3)     No member of the Board of Bar Commissioners or any committee member  
10 appointed by the board shall receive any compensation, but shall receive mileage and per diem at  
11 the same rate as provided for public officers and employees of the state and may be reimbursed  
12 with the approval of the Board of Bar Commissioners for expenses incurred in conjunction with  
13 travel on Board of Bar Commission business.

14 [As amended December 22, 1986; May 9, 1985; March 1, 1988; September 1, 1991; June 1, 1992;  
15 April 19, 2001; as amended by Supreme Court Order No. 06-8300-022, effective October 24,  
16 2006; as amended by Supreme Court Order No. 13-8300-039, effective December 31, 2013; as  
17 amended by Supreme Court Order No. 16-8300-035, effective for status changes on or after  
18 December 31, 2016; as amended by Supreme Court Order No. 21-8300-030, effective for all cases  
19 filed or pending on or after December 31, 2021; as amended by Supreme Court Order No. S-1-  
20 RCR-2023-00034, effective January 1, 2024; as amended by Supreme Court Order No. S-1-RCR-  
21 2024-00082, effective December 31, 2024.]