

1 **15-205. Evaluation of qualifications, character and fitness.**

2           A.     **Purpose; burden.** To assure the protection of the public and to safeguard the  
3 justice system, an applicant for any methods of licensure must prove the applicant is qualified, has  
4 good character, and is fit to practice law.

5           B.     **Applicant's history.** To enable the board to evaluate an applicant's character and  
6 fitness, an applicant shall inform the board of applicant's history regarding the following:

- 7                   (1)     unlawful conduct;
- 8                   (2)     academic misconduct;
- 9                   (3)     misconduct in employment;
- 10                  (4)     acts involving dishonesty, fraud, deceit, or misrepresentation;
- 11                  (5)     acts which demonstrate disregard for the rights or welfare of others;
- 12                  (6)     abuse of legal process, including the filing of vexatious or frivolous  
13 lawsuits;
- 14                  (7)     neglect of financial responsibilities or professional obligations;
- 15                  (8)     violation of an order of a court, including child support orders;
- 16                  (9)     conduct that evidences current mental or emotional instability that may  
17 impair the ability to practice law;
- 18                  (10)    conduct that evidences current drug or alcohol dependence or abuse that  
19 may impair the ability to practice law;
- 20                  (11)    denial of admission to the bar in another jurisdiction on character and  
21 fitness grounds;
- 22                  (12)    disciplinary action by a lawyer disciplinary agency or other professional  
23 disciplinary entity;

1                   (13) suspension of a lawyer’s license by any entity, including suspensions for  
2 non-payment of dues and failure to comply with mandatory continuing legal education  
3 requirements;

4                   (14) making of false statements, including omissions, on bar applications in any  
5 state; or

6                   (15) as otherwise determined by the board for just and good cause.

7           C.     **Review.** The board shall review each application to determine whether an applicant  
8 is qualified for admission including whether the applicant’s present character and fitness qualifies  
9 the applicant for admission. To enable the board to reach a determination, an applicant shall supply  
10 additional information as requested by the board. The board may conduct further inquiry into an  
11 applicant’s qualifications by conducting investigations, interviews, and hearings as described in  
12 Article 4 of these rules.

13           D.     **Factors considered.** In making its determination, the board shall consider the  
14 following factors in assigning weight and significance to an applicant’s prior conduct:

- 15                   (1) the applicant’s age at the time of the conduct;
- 16                   (2) the recency of the conduct;
- 17                   (3) the reliability of the information about the conduct;
- 18                   (4) the seriousness of the conduct;
- 19                   (5) the factors underlying the conduct;
- 20                   (6) the cumulative effect of the conduct or information;
- 21                   (7) the evidence of rehabilitation;
- 22                   (8) the applicant’s positive social contributions since the conduct;
- 23                   (9) the applicant’s contributions to the practice of law in New Mexico;

1           ~~(9)~~(10)     the applicant’s candor in the admissions process; and

2           ~~(10)~~(11)    the materiality of any omissions or misrepresentations.

3           E.     **Conviction; rehabilitation.** An applicant who has been convicted of a serious  
4 crime must put forth clear and convincing evidence of good moral character by showing that the  
5 applicant is rehabilitated and satisfies all other requirements for good moral character.

6           F.     **Additional Factors.** In addition to the applicant’s history and the board’s  
7 investigation regarding an applicant, the board shall consider whether an applicant has:

8                   (1)     complied with payment of dues to other state licensing agencies;

9                   (2)     complied with mandatory continuing legal education requirements of any  
10 state in which the applicant is already admitted;

11                  (3)     been civil and professional in communications with the board, and any  
12 disciplinary or licensing agency; and

13                  (4)     adhered to the board’s orders, rules, and processes.

14 [As amended, effective November 14, 1988; November 1, 1994; July 17, 1995; July 24, 1996;  
15 July 6, 1998; February 28, 2002; as amended by Supreme Court Order No. 11-8300-032, effective  
16 September 1, 2011; as amended by Supreme Court Order No. 13-8300-048, effective December  
17 6, 2013, for applications for the July 2014 bar examination and subsequent bar examinations; as  
18 amended by Supreme Court Order No. 15-8300-018, effective November 1, 2015; as amended by  
19 Supreme Court Order No. 16-8300-004, effective immediately for applications for the February  
20 2017 bar examination and thereafter; as amended by Supreme Court Order No. S-1-RCR-2023-  
21 00036, effective December 31, 2023; as amended by Supreme Court Order No. S-1-RCR-2025-  
22 00122, effective January 2, 2026.]

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1 Committee commentary. —

2 [1] The requirements of this rule are intended to assist the board in assessing whether an  
3 applicant has demonstrated:

4 (a) the ability to reason, recall complex factual information, and integrate that  
5 information with complex legal theories;

6 (b) the ability to communicate with clients, attorneys, courts, and others with a high  
7 degree of organization and clarity;

8 (c) the ability to use good judgment on behalf of clients and in conducting one's  
9 professional business;

10 (d) the ability to conduct oneself with respect for and in accordance with the law;

11 (e) the ability to avoid acts that exhibit disregard for the rights, health, safety, and  
12 welfare of others;

13 (f) the ability to comply with the requirements of the Rules of Professional Conduct,  
14 applicable state, local, and federal laws, regulations, statutes, and any applicable order of a court  
15 or tribunal;

16 (g) the ability to act diligently and reliably in fulfilling one's obligations to clients,  
17 attorneys, courts, and others; and

18 (h) the ability to comply with deadlines and time constraints.

19 [Adopted by Supreme Court Order No. S-1-RCR-2025-00122.]