

1 **13-2307L. Constructive discharge.**

2 In order to establish that [~~he~~][~~she~~] _____ (*the plaintiff*) was constructively
3 discharged, _____ (*the plaintiff*) must demonstrate that _____ (*the*
4 *defendant*) made working conditions so intolerable, when viewed objectively, that a reasonable
5 person would be compelled to resign.

6 [Approved by Supreme Court Order No. 10-8300-024, effective September 27, 2010; as amended
7 by Supreme Court Order No. S-1-RCR-2025-00126, effective for all cases pending or filed on or
8 after December 31, 2025.]

9 **Committee commentary.** — See *Ulibarri v. State Corr. Acad.*, 2006-NMSC-009, ¶ 16, 139 N.M.
10 193, 131 P.3d 43; *Littell v. Allstate Ins. Co.*, 2008-NMCA-012, ¶ 40, 143 N.M. 506, 177 P.3d
11 1080.

12 [Approved by Supreme Court Order No. 10-8300-024, effective September 27, 2010.]