

**PROPOSED REVISIONS TO THE RULES GOVERNING ADMISSION TO THE BAR
PROPOSAL 2026-032**

March 6, 2026

The Board of Bar Examiners has recommended amendments to Rule 15-309 NMRA for the Supreme Court's consideration.

If you would like to comment on the proposed amendments set forth below before the Court takes final action, you may do so by either submitting a comment electronically through the Supreme Court's website at <https://supremecourt.nmcourts.gov/rules-forms-files/rules-forms/open-for-comment/> or sending your written comments by mail, email, or fax to:

Elizabeth A. Garcia, Chief Clerk of Court
New Mexico Supreme Court
P.O. Box 848
Santa Fe, New Mexico 87504-0848
rules.supremecourt@nmcourts.gov
505-827-4837 (fax)

Your comments must be received by the Clerk on or before April 5, 2026, to be considered by the Court. Please note that any submitted comments may be posted on the Supreme Court's website for public viewing.

15-309. Reinstated license method.

A. **Description.** As further specified in this rule, a person who was previously admitted to practice law in New Mexico on a non-limited license may apply for admission under this method of licensure if the applicant (1) withdrew from the practice of law before January 1, 2017, (2) transferred to inactive status under Rule 24-102.2(E) NMRA and has remained inactive for a period of two (2) years or more, (3) was suspended from the practice of law under Rule 24-102 NMRA and has remained in suspended status for a period of two (2) years or more;~~(3)~~ (4) was suspended from the practice of law under Rule 24-102 NMRA and is required to submit an application to the board under Rule 24-102(F) NMRA, or ~~(4)~~ (5) was ordered by the Supreme Court to reapply for licensure through the board.

B. **Application deadlines.** An application for a license under this rule may be submitted at any time.

C. **Qualifications.** An applicant for a license under this rule shall submit an application for this method of licensure as prescribed by the board, and shall prove the applicant:

- (1) meets the qualifications set forth in Rule 15-202 NMRA;
- (2) satisfies all applicable requirements for an active status attorney in New Mexico;
- (3) has the requisite character and fitness to practice law in New Mexico; and
- (4) if referred to the board under Rule 24-102(F)(2) NMRA or suspended under Rule 24-102 NMRA for any other reason:

(a) has remedied all deficiencies that led to the suspension;
(b) is current on dues owed to the State Bar of New Mexico;
(c) has satisfied all mandatory continuing legal education credits required under Rules 18-101 to -303 NMRA;
(d) has complied with any other requirements imposed by the Supreme Court, including, but not limited to, enrollment in and attendance of specific continuing legal education classes or bar review courses; and
(e) has, if applicable, paid the fee described in Rule 24-102(F)(1) NMRA.

D. **Character and fitness.** The board shall make a determination about the character and fitness of an applicant as set forth in Rule 15-205 NMRA for any applicant who has submitted an application for a license under this rule. An applicant shall pay any fees and costs associated with evaluating the applicant's character and fitness.

E. **Procedure for issuance.** On the board's receipt from an applicant of (a) a completed application for a license under this rule, (b) the required fees and costs, and (c) documents required by Paragraph C, then

(1) the board shall evaluate the applicant's character and fitness as described in Rule 15-205 NMRA; and

(2) on the board's determination that the applicant has the requisite character and fitness, is qualified, and has complied with any requirements for that applicant set by the Supreme Court, the board shall recommend to the Supreme Court that the applicant be reinstated, and the Clerk of the Supreme Court shall summarily issue the applicant a certificate of reinstatement to active status unless otherwise ordered by the Supreme Court.

F. **Fees and costs.** The following fees and costs must be paid by the applicant on submission of the application for a license under this rule, and shall not offset fees and costs required to apply for another method of licensure:

(1) **Application fee.** An application fee according to a published schedule of application fees promulgated by the board and approved by the Supreme Court; and

(2) **Investigation costs.** Investigation costs according to the schedule of pass-through costs promulgated by the board as described in Rule 15-204(B) NMRA.

G. **Specific ongoing requirements.** An applicant approved for a license under this rule shall comply with the requirements of Rule 15-206 NMRA and Rule 15-207 NMRA.

H. **Limitations.** A person practicing law under a license issued under this rule is not subject to any limitation, unless otherwise ordered by the Supreme Court.

I. **Expiration.** A license issued under this rule does not expire.

J. **Suspension of license.** A license issued under this rule is only subject to suspension as described in the Rules Governing Discipline, Rules 17-101 to -316 NMRA.

K. **Revocation.** A license issued under this rule is only subject to revocation as described in Rule 15-201(F) NMRA and the Rules Governing Discipline, Rules 17-101 to -316 NMRA.

[Adopted by Supreme Court Order No. S-1-RCR-2023-00036, effective December 31, 2023; as amended by Supreme Court Order No. _____, effective _____.]

Committee commentary. — This rule only permits reinstatement in the specified instances. An attorney suspended under the Rules Governing Discipline, Rules 17-101 to -316 NMRA, must seek reinstatement as described in those rules. An attorney who withdrew from the State Bar of

New Mexico on or after December 31, 2016, must apply for admission under another method of licensure. *See* Rule 24-102.2(G) NMRA.

An attorney suspended under Rule 24-102 NMRA is not required to submit an application to the board if it is that attorney's first suspension under that rule. *See* Rule 24-102(F)(2).

[Adopted by Supreme Court Order No. S-1-RCR-2023-00036, effective December 31, 2023.]