24-101. Board of Bar Commissioners.

A. Organization of the State Bar of New Mexico. In order to aid the courts in improving the administration of justice, to promote the interests of the legal profession in the State of New Mexico, to promote and support the needs of all members, to be cognizant of the needs of individual and minority members of the profession, including the full and equal participation of minorities and women in the State Bar of New Mexico and the profession at large, to improve the relations between the legal profession and the public, to encourage and assist in the delivery of legal services to all in need of those services, to foster and maintain high ideals of integrity, learning, competence, and public service, to provide a forum for the discussion of subjects pertaining to the practice of law and law reform, to promote and provide continuing legal education in technical fields of substantive law and practice, and to participate in the legislative, executive, and judicial processes by informing its membership about issues affecting the legal system and relating to the purpose of the State Bar of New Mexico, and upon approval by the Board of Bar Commissioners, to take any further action as may be necessary to present the views of the bar commission to the appropriate court, executive office, or legislative body for consideration; and to the end that the responsibility of the legal profession and the individual members of the legal profession may be more effectively and efficiently discharged in the public interest, and acting within the powers vested in it by the New Mexico Constitution and its inherent power over members of the legal profession as officers of the court, the Supreme Court does hereby create and continue an organization known as the State Bar of New Mexico, and all persons now or hereafter licensed in this state to engage in the practice of law shall be members of the State Bar of New Mexico in accordance with the rules of this Court. The State Bar of New Mexico may incorporate, sue and
be sued, enter into contracts, and acquire, hold, encumber, dispose of, and deal in and with real
and personal property, and promote and further the aims as set forth herein and hereinafter in these
rules.

Except as otherwise provided by rules adopted by the Supreme Court, no person shall
practice law in this state or hold himself or herself out as one who may practice law in this state
unless that person is an active member of the [state bar] State Bar of New Mexico, and no
suspended or disbarred member shall practice law in this state or hold himself or herself out as one
who may practice law in this state, while suspended or disbarred.

B. **Divisions created.** The Supreme Court[ of New Mexico] does hereby create the
following divisions of the [state bar] State Bar of New Mexico:

1. a young lawyers division. Membership in the Young Lawyers Division
shall consist of all members of the State Bar of New Mexico in good standing under thirty-six (36)
years of age and those members who have been admitted to the practice of law in any state less
than five (5) years. Membership shall terminate automatically as of December 31 after a member
attains thirty-six (36) years of age or five (5) years after admission to the practice of law in any
state, whichever occurs last. However, a member elected to the office of chair-elect prior to
reaching thirty-six (36) years of age may serve as chair-elect, chair, and past chair even if the
member’s service in those offices will extend beyond the date that the member attains thirty-six
(36) years of age. Except as provided in this subparagraph, no person who is thirty-six (36) years
of age or older may serve as an elected officer of the Young Lawyers Division. A person who
qualifies for membership in the Young Lawyers Division because that person has not been
admitted to any state bar for more than five (5) years shall not serve as an officer of the Young
Lawyers Division if the service would extend more than five (5) years beyond that person’s
admission to any state bar. The Young Lawyers Division shall adopt bylaws applicable to its division which shall be approved by the Board of Bar Commissioners. The bylaws shall not be inconsistent with these rules. The bylaws of the Young Lawyers Division shall establish the process for the election of its officers and directors;

(2) a senior lawyers division. Membership in the Senior Lawyers Division shall consist of

(a) all members of the State Bar of New Mexico in good standing who are fifty-five (55) years of age or older and who have practiced law for twenty-five (25) years or more; and

(b) any member of the State Bar of New Mexico in good standing who

(1) is fifty-five (55) years of age or older; or

(2) has practiced law for twenty-five (25) years or more; and

(3) gives written notice to the executive director of the State Bar of New Mexico of the member’s election to become a member of this division and of the member’s qualification of membership in the division.

The Senior Lawyers Division shall adopt bylaws applicable to its division which shall be approved by the Board of Bar Commissioners. The bylaws shall not be inconsistent with these rules. The bylaws of the Senior Lawyers Division shall establish the process for the election of its officers and directors; and

(3) a paralegal division. A person may become a member of the Paralegal Division if the person meets the requirements of Rule 24-101A of the NMRA. The Paralegal Division shall adopt bylaws applicable to its division which shall have been approved by the Board of Bar Commissioners. The bylaws shall not be
inconsistent with these rules. The bylaws of the [paralegal division] Paralegal Division shall establish the process for the election of its officers and directors.

C. **Board membership and powers.** The Board of Bar Commissioners shall be the governing board of the [state bar] State Bar of New Mexico. Each commissioner shall have one (1) vote. Except as otherwise provided by Paragraph [I] I, the [board] Board of Bar Commissioners shall consist of [twenty-one (21)] twenty-two (22) bar commissioners, consisting of those district bar commissioners elected under Paragraph D, and the chair of the [young lawyers division] Young Lawyers Division and the elected delegate of the [senior lawyers division] Senior Lawyers Division. The [board] Board of Bar Commissioners has perpetual succession and may use a common seal. The [board] Board of Bar Commissioners may employ an executive director. The [board] Board of Bar Commissioners may adopt bylaws applicable to the [state bar] State Bar of New Mexico and the [board] Board of Bar Commissioners; provided, however, any bylaws inconsistent with these rules shall be invalid.

D. **Bar commissioner districts.** [The following bar commissioner districts are established] Bar Commissioner Districts shall follow the established State Judicial Districts and each district shall be represented by the indicated number of district bar commissioners, each of whom shall have their principal place of practice in the [district] judicial district(s) represented and shall be nominated and elected by the members of the [bar] State Bar of New Mexico in accordance with this rule and the bylaws of the [state bar] State Bar of New Mexico, as follows:

1. the first judicial [bar commissioner] district, which consists of [Bernalillo County] Rio Arriba, Los Alamos, and Santa Fe counties, shall be represented by [eight (8)] three bar commissioners;
(2) the second judicial district, which consists of McKinley, Cibola, and Valencia counties Bernalillo County, shall be represented by six bar commissioners;

(3) the third and sixth judicial districts, which consist of Rio Arriba, Sandoval, Los Alamos, and Santa Fe counties Dona Ana, Grant, Hidalgo, and Luna counties, shall be represented by three bar commissioners;

(4) the fourth and eighth judicial districts, which consist of Taos, Colfax, Union, Mora, Harding, San Miguel, and Guadalupe counties, shall be represented by one bar commissioner;

(5) the fifth judicial district, which consists of Quay, Curry, Roosevelt, and De Baca Chaves, Eddy, and Lea counties, shall be represented by one bar commissioner;

(6) the seventh and thirteenth judicial districts, which consist of Lea, Eddy, Chaves, Lincoln, and Otero Catron, Sierra, Socorro, Torrance, Cibola, Sandoval, and Valencia counties, shall be represented by two bar commissioners;

(7) the seventh and tenth judicial districts, which consist of Catron, Socorro, Torrance, Sierra, Hidalgo, Luna, Grant, and Dona Ana Curry, Roosevelt, De Baca, Harding, and Quay counties, shall be represented by one bar commissioner;

(8) the eleventh judicial district, which consists of McKinley and San Juan counties, shall be represented by one bar commissioner; and
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(9) the twelfth judicial district, which consists of Lincoln and Otero counties, shall be represented by one (1) bar commissioner.

(10) Out-of-state district. There shall be one (1) bar commissioner whose principal place of practice is in New Mexico and who shall represent the interests of all out-of-state members except for those members who reside in El Paso County, Texas, who shall be represented by the commissioners of the third and sixth judicial districts. The commissioner for the out-of-state district shall be a full commissioner of the Board of Bar Commissioners and entitled to hold office, vote, participate in committees, and seek reimbursement as any commissioner.

E. Terms of office. The district bar commissioners shall be elected to terms of three (3) years and shall hold office until their successors are elected or appointed and qualified. No district bar commissioner shall be elected to more than three (3) consecutive three (3)-year terms or serve more than ten (10) consecutive years.

F. Vacancies. Vacancies [on the board] of [the] district bar commissioners shall be filled by appointment of the [board] Board of Bar Commissioners, and district bar commissioners so appointed shall serve until December 31. An election of a district bar commissioner to fill the unexpired term shall be held with the next regular election of district bar commissioners following the appointment to fill the vacancy.

G. Nominations for district commissioners. Nominations to the office of district bar commissioner shall be by the written petition of any ten (10) or more active status members of the [bar] State Bar of New Mexico in good standing. Any number of candidates may be nominated on a single petition which shall be received by the executive director within a period to be fixed by the bylaws of the State Bar of New Mexico. No state or federal judge shall be eligible to serve
as a member of the [board] Board of Bar Commissioners of the [state bar] State Bar of New Mexico while in office.

H. **Election results.** The annual election of commissioners shall close at noon on November 30th and the ballots canvassed by at least three (3) commissioners not running for reelection as appointed by the president, and the results shall be published in the Bar Bulletin and posted to the State Bar of New Mexico’s website.

I. **Officers of [board of commissioners] Board of Bar Commissioners; election.** In accordance with the bylaws of the [state bar] State Bar of New Mexico, the Board of Bar Commissioners shall elect a president, a president-elect, and a secretary-treasurer, who shall take office. The immediate past president shall also be an officer of the [board] Board of Bar Commissioners. All officers shall be members of the Board of Bar Commissioners and shall be officers of the [state bar] State Bar of New Mexico and of its Board of Bar Commissioners. Terms of office for the officers of the [board] Board of Bar Commissioners shall commence January 1st and those officers shall serve for one (1) year.

J. **Extension of commissioner terms.** If a district bar commissioner’s term of office expires [while the commissioner is serving in] after the commissioner has been elected to the position of secretary-treasurer, president-elect, or president, that commissioner’s term shall be extended until the completion of his or her term as immediate past president provided that the commissioner was elected to the [board] Board of Bar Commissioners for his or her current term. During the extended term, there shall be elected from [the] that commissioner’s district[ in which the commissioner resides,] one [less] fewer member to the [board] Board of Bar Commissioners than that district would be otherwise entitled to under these rules.
[As amended, effective January 1, 1987; July 1, 1987; June 1, 1992; October 1, 1992; December 1, 1993; June 15, 1994; February 7, 1995; June 8, 1998; April 17, 2000; August 14, 2000; January 30, 2004; August 31, 2004; as amended by Supreme Court Order No. 06-8300-035, effective January 1, 2007; as amended by Supreme Court Order No. 13-8300-039, effective December 31, 2013; as amended by Supreme Court Order No. 16-8300-036, effective immediately for the 2016 elections; as amended by Supreme Court Order No. 19-8300-007, effective July 1, 2019; as amended by Supreme Court Order No. 20-8300-016, effective December 31, 2020.]