

1 **24-101. Board of Bar Commissioners.**

2           A.     **Organization of the State Bar of New Mexico.** In order to aid the courts in  
3 improving the administration of justice, to promote the interests of the legal profession in the State  
4 of New Mexico, to promote and support the needs of all members, to be cognizant of the needs of  
5 individual and minority members of the profession, including the full and equal participation of  
6 minorities and women in the state bar and the profession at large, to improve the relations between  
7 the legal profession and the public, to encourage and assist in the delivery of legal services to all  
8 in need of ~~such~~ those services, to foster and maintain high ideals of integrity, learning,  
9 competence, and public service, to provide a forum for the discussion of subjects pertaining to the  
10 practice of law and law reform, to promote and provide continuing legal education in technical  
11 fields of substantive law and practice and to participate in the legislative, executive, and judicial  
12 processes by informing its membership about issues affecting the legal system and relating to the  
13 purpose of the state bar, and upon approval by the Board of Bar Commissioners, to take ~~such~~ any  
14 further action as may be necessary to present the views of the bar commission to the appropriate  
15 court, executive office, or legislative body for consideration; and to the end that the responsibility  
16 of the legal profession and the individual members thereof may be more effectively and efficiently  
17 discharged in the public interest, and acting within the powers vested in it by the constitution of  
18 this state and its inherent power over members of the legal profession as officers of the court, the  
19 Supreme Court of New Mexico does hereby create and continue an organization known as the  
20 State Bar of New Mexico, and all persons now or hereafter licensed in this state to engage in the  
21 practice of law shall be members of the State Bar of New Mexico in accordance with the rules of  
22 this Court. The State Bar of New Mexico may incorporate, sue and be sued, ~~may~~ enter into

1 contracts and acquire, hold, encumber, dispose of, and deal in and with real and personal property,  
2 and promote and further the aims as set forth herein and hereinafter in these rules.

3 Except as otherwise provided by rules adopted by the Supreme Court, no person shall  
4 practice law in this state or hold himself or herself out as one who may practice law in this state  
5 unless [~~such~~] that person is an active member of the state bar, and no suspended or disbarred  
6 member shall practice law in this state or hold himself or herself out as one who may practice law  
7 in this state, while suspended or disbarred.

8 **B. Divisions created.** The Supreme Court of New Mexico does hereby create the  
9 following divisions of the state bar:

10 (1) a young lawyers division. Membership in the Young Lawyers Division  
11 shall consist of all members of the State Bar of New Mexico in good standing under thirty-six (36)  
12 years of age and those members who have been admitted to the practice of law in any state less  
13 than five (5) years. Membership shall terminate automatically as of December 31 after a member  
14 attains thirty-six (36) years of age or five (5) years after admission to the practice of law in any  
15 state, whichever occurs last. However, a member elected to the office of chair-elect prior to  
16 reaching thirty-six (36) years of age may serve as chair-elect, chair, and past chair even if the  
17 member's service in those offices will extend beyond the date that the member attains thirty-six  
18 (36) years of age. Except as provided in this subparagraph, no person who is thirty-six (36) years  
19 of age or older may serve as an elected officer of the Young Lawyers Division. A person who  
20 qualifies for membership in the Young Lawyers Division because that person has not been  
21 admitted to any state bar for more than five (5) years shall not serve as an officer of the Young  
22 Lawyers Division if [~~such~~] the service would extend more [~~that~~] than five (5) years beyond that  
23 person's admission to any state bar. The Young Lawyers Division shall adopt bylaws applicable

1 to its division which shall be approved by the Board of Bar Commissioners. [~~Such~~] The bylaws  
2 shall not be inconsistent with these rules. The bylaws of the young lawyers division shall establish  
3 the process for the election of its officers and directors;

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

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

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

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

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

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

15 The senior lawyers division shall adopt bylaws applicable to its division which shall be  
16 approved by the Board of Bar Commissioners. [~~Such~~] The bylaws shall not be inconsistent with  
17 these rules. The bylaws of the senior lawyers division shall establish the process for the election  
18 of its officers and directors; and

19 (3) a paralegal division. A person may become a member of the paralegal  
20 division if the person meets the requirements of Rule 24-101A NMRA[~~of these rules~~]. The  
21 paralegal division shall adopt bylaws applicable to its division which shall have been approved by  
22 the Board of Bar Commissioners. [~~Such~~] The bylaws shall not be inconsistent with these

1 rules. The bylaws of the paralegal division shall establish the process for the election of its officers  
2 and directors.

3           **C. Board membership and powers.** The Board of Bar Commissioners shall be the  
4 governing board of the state bar. Each commissioner shall have one (1) vote. Except as otherwise  
5 provided by Paragraph I, the board shall consist of twenty-one (21) bar commissioners, consisting  
6 of those district bar commissioners elected under Paragraph D, and the chair of the young lawyers  
7 division and the elected delegate of the senior lawyers division. The board has perpetual  
8 succession and may use a common seal. The board may employ an executive director. The board  
9 may adopt bylaws applicable to the state bar and the board; provided, however, any ~~such~~ bylaws  
10 inconsistent with these rules shall be invalid.

11           **D. Bar commissioner districts.** The following bar commissioner districts are  
12 established and each district shall be represented by the indicated number of district bar  
13 commissioners, each of whom shall have their principal place of practice in the district represented  
14 and shall be nominated and elected by the members of the bar in accordance with the bylaws of  
15 the state bar:

16           (1) the first bar commissioner district, which consists of Bernalillo County,  
17 shall be represented by eight (8) bar commissioners;

18           (2) the second bar commissioner district, which consists of San Juan,  
19 McKinley, Cibola, and Valencia counties, shall be represented by one (1) bar commissioner;

20           (3) the third bar commissioner district, which consists of Rio Arriba, Sandoval,  
21 Los Alamos, and Santa Fe counties, shall be represented by three (3) bar commissioners;

1           (4)     the fourth bar commissioner district, which consists of Taos, Colfax, Union,  
2 Mora, Harding, San Miguel, and Guadalupe counties, shall be represented by one (1) bar  
3 commissioner;

4           (5)     the fifth bar commissioner district, which consists of Quay, Curry,  
5 Roosevelt, and DeBaca counties, shall be represented by one (1) bar commissioner;

6           (6)     the sixth bar commissioner district, which consists of Lea, Eddy, Chaves,  
7 Lincoln, and Otero counties, shall be represented by three (3) bar commissioners; and

8           (7)     the seventh bar commissioner district, which consists of Catron, Socorro,  
9 Torrance, Sierra, Hidalgo, Luna, Grant, and Dona Ana counties, shall be represented by two (2)  
10 bar commissioners.

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

15           F.     **Vacancies.** Vacancies on the board of the district bar commissioners shall be filled  
16 by appointment of the board, and district bar commissioners so appointed shall serve until  
17 December 31. An election of a district bar commissioner to fill the unexpired term shall be held  
18 with the next regular election of district bar commissioners following the appointment to fill the  
19 vacancy.

20           G.     **Nominations for district commissioners.** Nominations to the office of district bar  
21 commissioner shall be by the written petition of any ten (10) or more active status members of the  
22 bar in good standing. Any number of candidates may be nominated on a single petition which  
23 shall be received by the executive director within a period to be fixed by the bylaws of the State

1 Bar of New Mexico. No state or federal judge shall be eligible to serve as a member of the board  
2 of the state bar while in office.

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

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

13 J. **Extension of commissioner terms.** If a district bar commissioner's term of office  
14 expires while [~~such~~] the commissioner is serving in the position of secretary-treasurer, president-  
15 elect, or president, [~~such~~] that commissioner's term shall be extended until the completion of his  
16 or her term as immediate past president provided that the commissioner was elected to the board  
17 for his or her current term. During the extended term, there shall be elected from the district in  
18 which the commissioner resides, one less member to the board than [~~said~~] that district would be  
19 otherwise entitled to under these rules.

20 [As amended, effective January 1, 1987; July 1, 1987; June 1, 1992; October 1, 1992; December  
21 1, 1993; June 15, 1994; February 7, 1995; June 8, 1998; April 17, 2000; August 14, 2000; January  
22 30, 2004; August 31, 2004; as amended by Supreme Court Order 06-8300-035, effective January  
23 1, 2007; as amended by Supreme Court Order 13-8300-039, effective December 31, 2013; as

1 amended by Supreme Court Order No. 16-8300-036, effective immediately for the 2016 elections;  
2 as amended by Supreme Court Order No. 19-8300-007, effective July 1, 2019.]  
3 [EXPLANATORY NOTE: NOT FOR PUBLICATION. Please note that in addition to the  
4 substantive changes requested by the Senior Lawyers Division of the State Bar of New Mexico in  
5 Subparagraph (B)(2), staff has made stylistic changes throughout the rule to conform to the Court's  
6 style guide.]