

[WITHDRAWN]

1 ~~[Appendix A—Regulations Implementing Continuing Education Requirements for State~~
2 ~~District and Appellate Court Judges~~

3 Pursuant to ~~NMRA, 18-103~~, the Judicial Continuing Education Committee hereby adopts
4 the following regulations implementing the continuing legal education requirement for state
5 district and appellate judges:

6 1. ~~Required Course Work.~~ Commencing January 1, 1987, and continuing each
7 calendar year thereafter, each state district and appellate court judge shall be required annually to
8 complete fifteen (15) hours of minimum continuing legal education of subject matter course work
9 which has been approved by the Judicial Continuing Education Committee. At least one (1) hour
10 of the fifteen (15) annual requirement hours shall include attendance of a program devoted to legal
11 ethics and Rules of Professional Conduct subjects, and judicial standards every other year. For
12 purposes of these regulations, credit for one (1) hour may be earned for each fifty (50) minutes
13 spent attending or participating in an approved judicial continuing education program.

14 2. ~~Number of Hours to be Credited.~~ The Judicial Continuing Education Committee
15 shall designate the number of hours to be credited for participation by a judge in any continuing
16 judicial education activity. Credit will be given only for hours earned in compliance with these
17 rules.

18 3. ~~Announcement of Approval.~~

19 (a) ~~Any provider may announce, as to a course that has been given approval by~~
20 ~~the Continuing Legal Education Committee, that: “This course has been approved by the New~~
21 ~~Mexico Continuing Legal Education Committee for _____ hours of credit.”~~

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1 ~~_____ (b) _____ Any provider may announce, as to a course that has been given approval by~~
2 ~~the Judicial Continuing Education Committee, that: “This course has been approved by the New~~
3 ~~Mexico Judicial Continuing Education Committee for _____ hours of credit.”*~~

4 ~~*(The number of hours approved by the Judicial Continuing Education Committee will be~~
5 ~~inserted.)~~

6 ~~4. **Earning of Credits in Lieu of Live Program Attendance.** A judge may earn up~~
7 ~~to a total of five (5) hours continuing education credit per year by complying with the requirements~~
8 ~~of one or more of the following alternatives:~~

9 ~~_____ (a) _____ Speakers at approved programs may receive credit computed as one hour~~
10 ~~for each fifty (50) minutes of preparation and presentation time.~~

11 ~~_____ (b) _____ Credit of one (1) hour may be earned for each fifty (50) minutes spent~~
12 ~~preparing an article which is actually published in a legal periodical or journal which is approved~~
13 ~~by the administrator or the Continuing Legal Education Committee.~~

14 ~~_____ (c) _____ Credit of one (1) hour may be earned for each fifty (50) minutes spent~~
15 ~~studying accredited video tapes, audio tapes or written material as self study.~~

16 ~~_____ (d) _____ An attorney shall receive credit for attending any course approved by the~~
17 ~~Continuing Legal Education Committee while serving as a judge.~~

18 ~~_____ (e) _____ A judge during the reporting year shall receive credit for any approved~~
19 ~~course attended, while a lawyer, before being appointed or elected judge.~~

20 ~~5. **Credits.** A judge who earns in excess of fifteen (15) hours of approved judicial~~
21 ~~continuing education credits may apply any excess hourly credits to the requirements of the next~~
22 ~~ensuing year or years (not to exceed two (2) years). Provided, however, a maximum of five (5)~~

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1 ~~hourly credits received for preparation and presentation as a program speaker may be carried~~
2 ~~forward for any ensuing reporting year or years.~~

3 ~~6. **Compliance.** Every judge shall submit his or her certificate of attendance from an~~
4 ~~accredited course or program to the Judicial Continuing Education Committee, within thirty (30)~~
5 ~~days of earning the credits.~~

6 ~~7. **Compliance Reporting Year.**~~

7 ~~—— (a) — All district court and appellate judges who are required to file reports with~~
8 ~~the clerk of the supreme court on or before April 15 of each year, pursuant to Canon 21-600 of the~~
9 ~~Code of Judicial Conduct, shall at the same time certify their compliance with the supreme court~~
10 ~~continuing education requirements for the preceding calendar year. The compliance statement will~~
11 ~~list all of the accredited courses and programs attended during the prior year.~~

12 ~~—— (b) — The reporting year for each judge shall be:~~

13 ~~—— (1) — the first full reporting year following January 1, 1987; or~~

14 ~~—— (2) — the first full reporting year following a judge taking judicial office.~~

15 ~~8. **Undue Hardship.** Upon petition, the Judicial Continuing Education Committee,~~
16 ~~with the approval of the supreme court, may exempt a judge from the obligation of minimum~~
17 ~~continuing judicial education, but not the reporting requirements of the supreme court rules, upon~~
18 ~~a finding by the committee of the existence of special circumstances constituting undue hardship.~~
19 ~~Any petition for exemption shall be accompanied with a specific plan for making up the deficiency.~~
20 ~~The deficiency must be made up within three (3) months unless a longer period is approved by the~~
21 ~~committee for a good cause.~~

22 ~~9. **Review and Appeal.**~~

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1 ~~—— (a) — If a state judge covered by these rules requests an extension of time for~~
2 ~~complying with these rules, he or she may file a written petition with the Judicial Continuing~~
3 ~~Education Committee, requesting an extension and setting out the reasons for noncompliance. The~~
4 ~~petition must be received sixty (60) days prior to the judge’s compliance reporting date. The~~
5 ~~committee may grant an extension of time not to exceed three (3) months.~~

6 ~~—— (b) — “Good cause” for noncompliance or for failure to file a report and~~
7 ~~consequently for an extension shall exist when a judge is unable to comply with this rule because~~
8 ~~of illness, extraordinary hardship or extenuating circumstances which were not willful and which~~
9 ~~were beyond his or her control.~~

10 ~~—— (c) — The committee shall review the petition within thirty (30) days after~~
11 ~~receiving it and shall notify the judge of its decision. If the committee finds that good cause has~~
12 ~~not been established for noncompliance, the judge shall be allowed fifteen (15) days within which~~
13 ~~to file with the committee a specific plan for correcting the noncompliance within thirty (30) days.~~
14 ~~Such plan shall be accepted by the committee unless within fifteen (15) days after its receipt the~~
15 ~~committee notifies the petitioner of the contrary and sets forth specific modifications to the makeup~~
16 ~~plan.~~

17 ~~10. — **Noncompliance.** The committee shall submit to the Supreme Court of New Mexico~~
18 ~~a list of any persons who are shown not to have complied with the judicial mandatory continuing~~
19 ~~education requirements, and who have not been exempted or excused from compliance thereunder.~~

20 ~~11. — **Fees.** Every appellate or district judge shall submit an annual fee of fifteen dollars~~
21 ~~(\$15.00) at the same time he or she files the annual compliance statement as provided in Canon~~
22 ~~21-600 of the Code of Judicial Conduct, and Paragraph D of Rule 18-301.]~~

[WITHDRAWN]

- 1 [As amended, effective December 30, 1987; withdrawn by Supreme Court Order No. 20-8300-
- 2 011, effective December 31, 2020.]