

1 **17-203. Assessment of attorneys; child support compliance.**

2 A. **Annual disciplinary fee assessment.** Every attorney required to register in
3 accordance with Rule [~~17-202~~] 24-102.1 NMRA, other than attorneys who serve or retired as a
4 justice, judge, or magistrate and retired, suspended, or disbarred attorneys, shall, prior to January
5 of each year, pay to the Disciplinary Board an annual disciplinary fee in the amount of one hundred
6 fifty dollars (\$150.00). The annual disciplinary fee assessment shall be submitted to the state bar
7 at the time the registration statement required under Rule [~~17-202~~] 24-102.1 NMRA is submitted.
8 Annual disciplinary fee assessments collected by the state bar shall be deposited in an account in
9 a financial institution in the name of the Disciplinary Board. The funds deposited in the
10 Disciplinary Board account may be expended to defray the costs of processing attorney
11 registration, disciplinary enforcement, and for such other purposes as the Disciplinary Board shall,
12 with the approval of the Court, from time to time determine upon the signature of the chair or vice-
13 chair of the Board. The Disciplinary Board shall make a monthly financial report to the Supreme
14 Court of all receipts and disbursements.

15 B. **Failure to pay.** Any attorney who fails to pay the fee required under Paragraph A
16 of this rule shall be summarily suspended. Members whose fees are received after the last day of
17 February may be assessed a late penalty fee as determined by the Disciplinary Board and if
18 received after March 31 an additional late penalty fee may be assessed.

19 C. **Failure to comply with child support obligations.** Every attorney admitted to
20 practice in this state must comply with any “judgment and order for support” as defined in the
21 Parental Responsibility Act. Any attorney who fails to comply with a child support order shall be
22 summarily suspended upon the filing with the Supreme Court of a certificate of non-compliance
23 issued by the Child Support Enforcement Division of the Human Services Department and a

1 certified copy of the order of a court of competent jurisdiction finding non-compliance with the
2 attorney's child support obligation. A suspended attorney may be readmitted upon filing with the
3 Supreme Court a certificate of compliance issued by the Child Support Enforcement Division of
4 the Human Services Department, provided that the certificate of compliance is dated no later than
5 six (6) months after the effective date of the summary suspension of the attorney. If an attorney
6 remains suspended for more than six (6) months for failure to comply with a child support order,
7 the attorney shall seek reinstatement under Rule 17-214(B)(2), (D), (E), (F), and (G) NMRA.

8 **D. Payment of arrears.** Any attorney who has been suspended under the provisions
9 of Paragraph B of this rule shall, as a condition precedent to reinstatement, pay all arrears due from
10 the date of the attorney's last payment to the date of the attorney's request for reinstatement.

11 **E. Reinstatement.** Prior to the reinstatement of any attorney under Rule 17-
12 214 NMRA, the attorney shall pay the annual disciplinary and state bar fees for the year of
13 reinstatement and any costs or restitution ordered or agreed to be paid by the attorney in any
14 disciplinary matter.

15 [As amended, effective January 1, 1988; January 1, 1999; as amended by Supreme Court Order
16 No. 05-8300-015, effective August 26, 2005; as amended by Supreme Court Order No. 15-8300-
17 023, effective December 31, 2015; as amended by Supreme Court Order No. 18-8300-009,
18 effective December 31, 2018; as amended by Supreme Court Order No. 21-8300-030, effective
19 December 31, 2021.]

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