

1 **15-103. Qualifications**

2 A. **Requirements mandatory.** License to practice law shall be granted only to
3 applicants who fulfill all of the requirements of these rules. License to practice law shall not be
4 denied based solely on the applicant's citizenship or immigration status.

5 B. **Qualifications.** A person seeking admission to practice law in New Mexico shall
6 file a formal application as prescribed by these rules and as required by the [~~board~~] New Mexico
7 Board of Bar Examiners. Submission of the application shall constitute submission by the
8 applicant to the jurisdiction of the New Mexico Board of Bar Examiners until a final determination
9 on admission of the applicant may be completed. An applicant shall have the burden of establishing
10 to the satisfaction of the [~~board~~] Board of Bar Examiners that the applicant possesses all of the
11 following qualifications:

12 (1) is at least eighteen (18) years of age;

13 (2) is a graduate with a juris doctor or bachelor of laws and letters degree (at
14 the time of the bar examination for which application is made or at the time of application for
15 admission by transferred Uniform Bar Examination (UBE) score) of a law school formally
16 accredited by the American Bar Association or is a graduate of any law school who has been
17 engaged in the practice of law in another state or states for at least four (4) of the six (6) years
18 immediately preceding the person's application for admission to practice in New Mexico;

19 (3) is a person of good moral character, physically and mentally fit to practice
20 law;

21 (4) is, if ever admitted to practice in any other state or states, in good standing
22 in this state or states;

23 (5) is professionally qualified for admission to the bar of New Mexico; and

1 (6) is in compliance with all child support and spousal support obligations
2 imposed under a “judgment and order for support” as defined in the Parental Responsibility Act,
3 Sections 40-5A-1 through 40-5A-13 NMSA 1978, or imposed under a child support or spousal
4 support order entered by any other court of competent jurisdiction. If an applicant is not in
5 compliance with a child support or spousal support obligation, the applicant will not be
6 recommended for admission to the bar until the applicant provides the [~~board~~] Board of Bar
7 Examiners with evidence that the applicant is in compliance with the judgment or order. If the
8 applicant has appeared on the Human Services Department’s certified list of obligors, the applicant
9 shall submit a certified statement from the Human Services Department that the applicant is in
10 compliance with the judgment and order for support. In all other cases, the applicant shall provide
11 evidence acceptable to the [~~board~~] Board of Bar Examiners of compliance with all applicable child
12 and spousal support orders[~~; and~~].

13 [~~(7) is a citizen or national of the United States, an immigrant alien lawfully~~
14 ~~admitted for permanent residence in the United States, or an alien otherwise authorized to work~~
15 ~~lawfully in the United States.~~]

16 **C. Character and fitness standards and investigation.**

17 (1) The purpose of character and fitness investigation before admission to the
18 Bar is to assure the protection of the public and to safeguard the justice system.

19 (2) The applicant bears the burden of proving good character in support of the
20 application.

21 (3) The revelation of discovery of any of the following may be treated as cause
22 for further inquiry before the [~~board~~] Board of Bar Examiners determines whether the applicant
23 possesses the character and fitness to practice law:

- 1 (a) unlawful conduct;
- 2 (b) academic misconduct;
- 3 (c) misconduct in employment;
- 4 (d) acts involving dishonesty, fraud, deceit, or misrepresentation;
- 5 (e) acts which demonstrate disregard for the rights or welfare of others;
- 6 (f) abuse of legal process, including the filing of vexatious or frivolous
- 7 lawsuits;
- 8 (g) neglect of financial responsibilities or professional obligations;
- 9 (h) violation of an order of a court, including child support orders;
- 10 (i) conduct that evidences current mental or emotional instability that
- 11 may impair the ability to practice law;
- 12 (j) conduct that evidences current drug or alcohol dependence or abuse
- 13 that may impair the ability to practice law;
- 14 (k) denial of admission to the bar in another jurisdiction on character
- 15 and fitness grounds;
- 16 (l) disciplinary action by a lawyer disciplinary agency or other
- 17 professional disciplinary agency of any jurisdiction;
- 18 (m) making of false statements, including omissions, on bar applications
- 19 in this state or any other jurisdiction; or
- 20 (n) as otherwise determined by the [~~board~~] Board of Bar Examiners for
- 21 just and good cause.
- 22 (4) The [~~board~~] Board of Bar Examiners shall determine whether the present
- 23 character and fitness of an applicant qualifies the applicant for admission. In making this

1 determination, the following factors should be considered in assigning weight and significance to
2 prior conduct:

- 3 (a) the applicant's age at the time of the conduct;
- 4 (b) the recency of the conduct;
- 5 (c) the reliability of the information about the conduct;
- 6 (d) the seriousness of the conduct;
- 7 (e) the factors underlying the conduct;
- 8 (f) the cumulative effect of the conduct or information;
- 9 (g) the evidence of rehabilitation;
- 10 (h) the applicant's positive social contributions since the conduct;
- 11 (i) the applicant's candor in the admissions process; and
- 12 (j) the materiality of any omissions or misrepresentations.

13 (5) The applicant has a continuing obligation to update the application with
14 respect to all matters inquired of on the application. This obligation continues during the pendency
15 of the application, including the period when the matter is on appeal to the [~~board~~] Board of Bar
16 Examiners or the Supreme Court.

17 D. **Conviction; rehabilitation.** A person who has been convicted of a serious crime
18 as defined under these rules shall prove good moral character by demonstrating by clear and
19 convincing evidence that the applicant is rehabilitated and satisfies all other requirements for good
20 moral character.

21 E. **Examination.** Unless otherwise provided with respect to law faculty at the
22 University of New Mexico and applicants for admission by motion under Rule 15-107 NMRA, all

1 applicants shall be required to take and pass the bar examination in New Mexico or meet the
2 requirements of these rules for admission by transferred Uniform Bar Examination score.

3 F. **Ethics ~~[Exam]~~ exam.** Applicants must receive a minimum scaled score of eighty
4 (80) on the Multistate Professional Responsibility Examination (MPRE) prepared and
5 administered by the National Conference of Bar Examiners to be eligible for admission. Applicant
6 must pass the MPRE within one (1) year after the date of notification that the applicant has passed
7 the bar examination or within one (1) year after the date of administration of the Uniform Bar
8 Examination in which a transferred score was earned. For purposes of this paragraph, the date of
9 the notification shall be the date notification is mailed to the applicant by the secretary of the
10 ~~[board]~~ Board of Bar Examiners.

11 G. **Course on New Mexico law.** All applicants must submit evidence of in-person
12 attendance at, and successful completion of, a course approved by the Supreme Court, which shall
13 include Indian law, New Mexico community property law, and professionalism, within three (3)
14 years before being approved for admission.

15 H. **Certificate of understanding.** All applicants must submit a signed certificate
16 stating that the applicant has read and is familiar with the New Mexico Rules of Professional
17 Conduct, including the succession planning requirements set forth in Rule 16-119 NMRA; the
18 New Mexico Rules Governing Discipline, including the trust accounting requirements set forth in
19 Rule 17-204 NMRA; the Creed of Professionalism of the State Bar of New Mexico; and the rules
20 of the Supreme Court of New Mexico and the New Mexico statutes relating to the conduct of
21 attorneys.

22 [As amended, effective November 14, 1988; July 24, 1996; as amended by Supreme Court Order
23 No. 05-8300-010, effective September 1, 2005; by Supreme Court Order No. 08-8300-028,

1 effective for the February 2009 bar examination; as amended by Supreme Court Order No. 14-
2 8300-001, effective June 1, 2015; as amended by Supreme Court Order No. 15-8300-018, effective
3 November 1, 2015; as amended by Supreme Court Order No. 17-8300-022, effective December
4 31, 2017; as amended by Supreme Court Order No. 22-8300-013, effective October 1, 2022.]

5 **Committee commentary.** The requirements of this rule are intended to assist the Board
6 of Bar Examiners in assessing whether an applicant has demonstrated

7 (a) the ability to reason, recall complex factual information, and
8 integrate that information with complex legal theories;

9 (b) the ability to communicate with clients, attorneys, courts, and others
10 with a high degree of organization and clarity;

11 (c) the ability to use good judgment on behalf of clients and in
12 conducting one's professional business;

13 (d) the ability to conduct oneself with respect for and in accordance with
14 the law;

15 (e) the ability to avoid acts that exhibit disregard for the rights, health,
16 safety, and welfare of others;

17 (f) the ability to comply with the requirements of the Rules of
18 Professional Conduct, applicable state, local, and federal laws, regulations, statutes, and any
19 applicable order of a court or tribunal;

20 (g) the ability to act diligently and reliably in fulfilling one's obligations
21 to clients, attorneys, courts, and others; and

22 (h) the ability to comply with deadlines and time constraints.

RULES GOVERNING ADMISSION TO THE BAR
RULE 15-103

Supreme Court Approved
August 19, 2022

- 1 [Adopted by Supreme Court Order No. 10-8300-018, effective July 4, 2010; as amended by
- 2 Supreme Court Order No. 22-8300-013, effective October 1, 2022.]