

16-505. Unauthorized practice of law; multijurisdictional practice of law.

A. A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction or assist another in doing so.

B. A lawyer shall not employ or continue the employment of a disbarred or suspended lawyer as an attorney.

C. A lawyer shall not employ or continue the employment of a disbarred or suspended lawyer as a law clerk, a paralegal, or in any other position of a quasi-legal nature if the suspended or disbarred lawyer has been specifically prohibited from accepting or continuing ~~[such]~~that employment by order of the Supreme Court or the disciplinary board.

D. A lawyer who is not admitted to practice in this jurisdiction shall not~~[:]~~

(1) except as authorized by the Rules of Professional Conduct or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or

(2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction.

E. A lawyer ~~[admitted]~~ authorized to practice law in another United States jurisdiction or before the highest court of record in any country, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that, in compliance with Rule 24-106 NMRA,

(1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; and

(2) are in or reasonably related to a pending or potential proceeding before a court, legislative body, administrative agency, or other tribunal in this or another jurisdiction, if

RULES OF PROFESSIONAL CONDUCT
RULE 16-505

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the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in ~~[such]~~that proceeding or reasonably expects to be so authorized.

F. A lawyer ~~[admitted]~~ authorized to practice law in another United States jurisdiction or before the highest court of record in any country, and not disbarred or suspended from practice in any jurisdiction may provide legal services in this jurisdiction that, without Rule 24-106 NMRA compliance,

(1) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or

(2) arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. In transactions involving issues specific to New Mexico law, the lawyer shall associate counsel admitted to practice in this jurisdiction;

(3) are provided to the lawyer's employer or its organizational affiliates as in-house counsel subject to any registration requirements and are not services for which the forum requires pro hac vice admission; or

(4) are services that the lawyer is authorized by federal or other law to provide in this jurisdiction.

[As amended, effective September 1, 1987; September 1, 2003; as amended by Supreme Court Order No. 13-8300-040, effective December 31, 2013; as amended by Supreme Court Order No. 22-8300-018, effective December 31, 2022.]