

BAR BULLETIN

DIGITAL ISSUE

March 27, 2024 • Volume 62, No. 3-D



Club, by Brian McPartlon (see page 4)

www.brianmcpartlonstudio.com

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SALUTING OUR TRAILBLAZING WOMEN

According to the ABA National Lawyer Population Survey in 2022, the percentage of women lawyers in the United States was 38.3%.

The percentage of women lawyers at the Modrall Sperling firm is 60%! In fact, more than half of our partners are women, and women currently lead all three of our practice group departments. Modrall Sperling's women lawyers continue the legacy of leadership in the profession - including Roberta Cooper Ramo, the first woman president of both the American Bar Association and the American Law Institute, and the first lawyer to have led both organizations. Modrall Sperling's women lawyers also serve in key positions among community organizations.

This Women's' History Month, Modrall Sperling salutes our women lawyers who continue to make history and make us all proud.



Front row from left: Laura Unklesbay, Vanessa Kaczmarek, Karen Kahn, Marjorie Rogers, Joan Drake, Maria O'Brien, Kateri Garcia West, Michelle Hernandez, Tiffany Roach Martin

Back row from left: Sarah Stevenson, Susan Miller, Meg Meister, Amanda Krasulick, Yarithza Peña, Celina Baca, Deana Bennett



From left: Katherine McKinney, Tessa Chrisman, Jennifer Kittleson, Jamie Allen, Liliana Benitez De Luna, Taryn Hanrahan, Margaret Hickey



From left: Shannon Nairn, Jennifer Noya, Mia Lardy, Nadine Shea, Sonya Burke, Abby Bannon-Schneebeck



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From the New Mexico Court of Appeals

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Section, Division and Committee Meetings

Section, Committee, Division	April	May	Time, Format
Animal Law	N/A	8	12:30 p.m., Zoom
Appellate	2	7	Noon, Zoom
Bankruptcy Law	9	14	Noon, Bankruptcy Court & Zoom
Cannabis Law	12	10	
Children's Law	15	20	Noon, Zoom
Elder Law	5	3	
Employment and Labor Law	3	1	12:30 p.m., Zoom
Family Law	19	17	9 a.m., Zoom
Immigration Law	26	31	11 a.m., Zoom
Indian Law	N/A	19	Noon, Zoom
Intellectual Property Law	23	28	Noon, Zoom
NREEL	23	28	Noon, Zoom
Prosecutors	N/A	10	Noon, Zoom
Public Law	17	15	Noon, Zoom
Real Property, Trust and Estate	N/A	14	Noon, Zoom
Solo and Small Firm	16	21	9 a.m., Zoom
Tax	9	14	9 a.m.
Trial Practice	27	25	Noon
Senior Lawyers Division	N/A	21	3:30 p.m., Zoom

About Cover Image and Artist: Brian McPartlon attended the School of Visual Arts, New York and San Francisco Art Institute. He was involved with the 1970s South of Market art scene in San Francisco as a gallery director of 63 Bluxome. He has also run a successful roofing business in Santa Fe, New Mexico for decades.

Notices

Please email notices desired for publication to notices@sbnm.org.

COURT NEWS New Mexico Supreme Court Rule-Making Activity

To view recent Supreme Court rule-making activity, visit the Court's website at <https://supremecourt.nmcourts.gov>. To view all New Mexico Rules Annotated, visit New Mexico OneSource at <https://mnesource.com/nmos/en/nav.do>.

Supreme Court Law Library

The Supreme Court Law Library is open to the legal community and public at large. The Library has an extensive legal research collection of print and online resources. The Law Library is located in the Supreme Court Building at 237 Don Gaspar in Santa Fe. Building hours: Monday-Friday 8 a.m.-5 p.m. (MT). Library Hours: Monday-Friday 8 a.m.-noon and 1-5 p.m. (MT). For more information call: 505-827-4850, email: libref@nmcourts.gov or visit <https://lawlibrary.nmcourts.gov>.

N.M. Administrative Office of the Courts

Learn About Access to Justice in New Mexico in the "Justice for All" Newsletter

Learn what's happening in New Mexico's world of access to justice and how you can participate by reading "Justice for All," the New Mexico Commission on Access to Justice's monthly newsletter! Email atj@nmcourts.gov to receive "Justice for All" via email or view a copy at <https://accesstojustice.nmcourts.gov>.

Second Judicial District Court Notice of Reassignment of Cases

Pursuant to Rule 1-088.1, NMRA, the Second Judicial District Clerk of Court hereby serves notice that a mass reassignment of all Children's Court cases assigned to the Honorable Marie C. Ward and Division XIX in the Children's Court, will be automatically reassigned to the Hon. Diana Garcia Division XIX, effective April 1. Any party may file a peremptory excusal within 10 days upon completion of this publication which is on or before April 10.

Professionalism Tip

In all matters

"My Word is My Bond."

Tenth Judicial District Court Judicial Nominating Commission Announcement of Candidates

The Tenth Judicial District Court Judicial Nominating Commission convened at 10:30 a.m. (MT) on Feb. 28 at the Tenth Judicial District Court located at 300 S. 3rd Street, Tucumcari, NM 88401, and completed its evaluation of the three applicants to fill the vacancy on the Tenth Judicial District Court due to the retirement of the Honorable Judge Albert J. Mitchell, Jr., effective Feb. 2. The applicants include **Nancy English** and **Timothy L. Rose**.

Bernalillo County Metropolitan Court Bench Trials in Civil Cases Now In-Person

Bench Trials in civil cases scheduled in the Metropolitan Court on or after Feb. 19 will now be held in-person at the Courthouse, 401 Lomas Blvd NW, Albuquerque, N.M., 87102, unless otherwise ordered by the judge.

STATE BAR NEWS Access to Justice Fund Grant Commission 2024-25 ATJ Fund Grant Cycle Now Accepting Applications

The State Bar of New Mexico ATJ Fund Grant Commission solicits grant applications from qualified civil legal service providers for the provision of civil legal services to low-income New Mexicans. The deadline for proposals is April 1, 2024. The Request for Proposals can be found at <https://www.sbnm.org/Leadership/Commissions/Access-to-Justice-Fund-Grant-Commission>.

Board of Bar Commissioners Appointment to ABA House of Delegates

Pursuant to the American Bar Association Constitution and Bylaws (Rules of the Procedure House of Delegates) Article 6, Section 6.4, the Board of Bar Commissioners will make one appointment to the American

Bar Association (ABA) House of Delegates for a two-year term, which will expire at the conclusion of the 2026 ABA Annual Meeting. The delegate must be a licensed New Mexico attorney and a current ABA member in good standing and be willing to attend meetings or otherwise complete his/her term and responsibilities without reimbursement or compensation from the State Bar; however, the ABA provides reimbursement for expenses to attend the ABA mid-year meetings. Members wishing to serve on the House of Delegates should send a letter of interest and brief resume by May 3 to bbc@sbnm.org.

Appointment to Judicial Standards Commission

Pursuant to NMSA 1978, § 34-10-1(B) (1999), the Board of Bar Commissioners will make one appointment to the Judicial Standards Commission for a four-year term. Applicants must be licensed to practice law in New Mexico. The time commitment for service on this Commission is substantial and the workload is voluminous. Receiving, reviewing and analyzing substantial quantities of electronic documents are necessary to prepare for Commission matters. Strict adherence to constitutional, statutory and regulatory authority governing the Commission is mandatory, expressly including but not limited to confidentiality. Commissioners meet at least six (6) times per year for approximately three hours per meeting. A substantial amount of reading and preparation is required for every meeting. In addition to regular meetings, the Commission schedules at least three (3) weeklong trailing dockets of trials. Additional trials, hearings, or other events may be scheduled on special settings. Additionally, mandatory in-house training sessions may periodically take place. Unless properly recused or excused from a matter, all Commissioners are required to faithfully attend all meetings and participate in all trials and hearings. Appointees should come to the Commission with limited conflicts of interest and must continually avoid, limit, or eliminate conflicts of interest with the Commission's cases, Commission members, Commission staff and with all others involved in Commission matters. Attorneys who wish to serve on the Commission should send a letter of interest and brief resume by May 3 to bbc@sbnm.org.

Corrections

In the Feb. 28, 2024 issue of the Bar Bulletin, “A Message From New Mexico State Bar Foundation President Gerald G. Dixon: Uploading the Mission of the Bar Foundation” stated that, as of Fall of 2022, there were “two part-time attorneys” providing services through the Modest Means Helpline. The correct information is that there were two full-time attorneys.

It is later stated that Modest Means Helpline expanded to eight “staff attorneys” as of February. This is incorrect as well, as there are eight “staff members,” including 4.75 attorneys.

Meeting Summary

The Board of Bar Commissioners of the State Bar of New Mexico met on Feb. 23 at the State Bar Center in Albuquerque, N.M. Action taken at the meeting follows:

- NM Supreme Court Senior Justice Michael E. Vigil attended the meeting to conduct the swearing-in of the new commissioners, including Andréa Salazar, First Judicial District; Randy Taylor, Young Lawyers Division Chair; and Meryl Sutton, Paralegal Division Liaison;
- Approved the Dec. 6, 2023 meeting minutes;
- Discussed Rule 24-101(A) NMRA, Objective #3, Promote and Support the Needs of All Members;
- Received a report on the January 26, 2024 Executive Committee and Senior Staff Retreat;
- Received an update on and discussed the mandatory bar litigation;
- Reported that we’re on track with the 2023-2025 Three-Year Strategic Plan and no changes were made from the last update;
- Appointed Joy Applewhite from the Third Congressional District and reappointed Luz Valverde from the First Congressional District to the New Mexico Legal Aid Board for three-year terms;
- Approved the 2024 Standing Committee Chairs;
- Approved transitioning the Legal Specialization Commission into a Special Committee when needed;
- Appointed the following commissioners as liaisons to the NM Supreme Court Committees for 2024: Randy Taylor to the UJI – Civil Committee, Andrea Salazar to the Children’s Court Rules Committee, and Brett Phelps to the UJI – Criminal Committee;

- Received a report from the Finance Committee, which included: 1) approval of the Dec. 6 Finance Committee meeting minutes; 2) acceptance of the 2024 Year-End Financials; 3) accepted the 2024 recurring / ACH payments; 4) received a summary on the intercompany payments from 2019-2022 between the Bar Foundation and the State Bar; 5) received a report on the new Bill.com accounts payable system; 6) updated check signers on the bank accounts; 7) received the CPF, ATJ and JLAP 2023 Year-End Financials; and 8) received a report on the 2024 Licensing Renewals;
- Received an update on the activities and programs of the Indian Law Section;
- Received reports from the Presidents of the State Bar and NM State Bar Foundation;
- Received a report from the Executive Director; and
- Received reports from the Senior Lawyers, Young Lawyers, and Paralegal Divisions, Bar Commissioner Districts, and Supreme Court Board and Committee Liaisons.

Note: The minutes in their entirety will be available on the State Bar’s website following approval by the Board at the May 17 meeting.

Historical Committee Announcement of Lunch & Learn

The Historical Committee will present a talk by Henry Rivera on April 12 from noon to 1 p.m. (MT), for a Lunch & Learn on Bernardo de Galvez, namesake of Galveston, Texas. Learn all about him and his contributions to America’s War of Independence. Lunch will be served. To register for in-person attendance, please visit <https://form.jotform.com/sbnm/HistoricalCommitteeBernardodeGalvez>. Limited space is available.

— *Featured* —

Member Benefit



Clio’s groundbreaking suite combines legal practice management software (Clio Manage) with client intake and legal CRM software (Clio Grow) to help legal professionals run their practices more successfully. Use Clio for client intake, case management, document management, time tracking, invoicing and online payments and a whole lot more.

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Learn more at
landing.clio.com/nmbar.

For virtual attendance, please use the following link: <https://us06web.zoom.us/j/84367022221?pwd=KsMJ3zVNngJpyVMpetbUGfx7WWExgj.1> The Meeting ID is 843 6702 2221 and the Passcode is 091031. For more information, please contact memberservices@sbnm.org.

New Mexico Lawyer Assistance Program Monday Night Attorney Support Group

The Monday Night Attorney Support Group meets at 5:30 p.m. (MT) on Mondays by Zoom. This group will be meeting every Monday night via Zoom. The intention of this support group is the sharing of anything you are feeling, trying to manage or struggling with. It is intended as a way to connect with colleagues, to know you are not in this alone and feel a sense of belonging.

We laugh, we cry, we BE together. Join the meeting via Zoom at <https://bit.ly/attorneysupportgroup>.

NM LAP Committee Meetings

The NM LAP Committee will meet at 4 p.m. (MT) on April 4, July 11 and Oct 11, 2024. The NM LAP Committee was originally developed to assist lawyers who experienced addiction and substance abuse problems that interfered with their personal lives or their ability to serve professionally in the legal field. The NM LAP Committee has expanded their scope to include issues of depression, anxiety, and other mental and emotional disorders for members of the legal community. This committee continues to be of service to the New Mexico Lawyer Assistance Program and is a network of more than 30 New Mexico judges, attorneys and law students.

New Mexico Well-Being Committee Meetings

The N.M. Well-Being Committee was established in 2020 by the State Bar of New Mexico's Board of Bar Commissioners. The N.M. Well-Being Committee is a standing committee of key stakeholders that encompass different areas of the legal community and cover state-wide locations. All members have a well-being focus and concern with respect to the N.M. legal community. It is this committee's goal to examine and create initiatives centered on wellness. The Well-Being Committee will meet the following dates at 3 p.m. (MT) in 2024: March 26, May 28, July 30, Sept. 24 and Nov 26. Email Tenessa Eakins at Tenessa.Eakins@sbnm.org.

The Solutions Group Employee Assistance Program

Presented by the New Mexico Lawyer Assistance Program, the Solutions Group, the State Bar's Employee Assistance Program (EAP), extends its supportive reach by offering up to four complimentary counseling sessions per issue, per year, to

address any mental or behavioral health challenges to all SBNM members and their direct family members. These counseling sessions are conducted by licensed and experienced therapists. In addition to this valuable service, the EAP also provides a range of other services, such as management consultation, stress management education, webinars, critical incident stress debriefing, video counseling, and a 24/7 call center. The network of service providers is spread across the state, ensuring accessibility. When reaching out, please make sure to identify yourself with the NM LAP for seamless access to the EAP's array of services. Rest assured, all communications are treated with the utmost confidentiality. Contact 505-254-3555 to access your resources today.

New Mexico State Bar Foundation Modest Means Helpline Increases Hours of Operation

The Modest Means Helpline (MMH) is pleased to share that its hours have expanded to 8 a.m. to 4 p.m. (MT), Monday through Friday. Members of the public can leave voicemails during this time by calling 505-797-6013. MMH provides advice to New Mexico residents of modest means in most areas of civil law in both English and Spanish.

Young Lawyers Division Ask-a-Lawyer Call-In Day: Volunteers Needed for May 4

Once a year, New Mexico residents can get their legal questions answered free or receive brief legal advice through the Ask-a-Lawyer Call-in Program sponsored by the YLD. The YLD is recruiting volunteer attorneys virtually and in-person to answer questions from across the state on a variety of topics including: employment law, divorce, child support, landlord/tenant issues, personal injury, estate planning, real estate and more. This year's program will take place from 9 a.m. to noon (MT) on May 4. Help us spread the word to you friends and family of this great event. For further questions, contact Member Services at memberservices@sbnm.org.

UNM SCHOOL OF LAW Law Library Hours

The Law Library is happy to assist attorneys via chat, email, or in person by appointment from 8 a.m.-8 p.m. (MT) Monday through Thursday and 8 a.m.-6 p.m. (MT) on Fridays. Though the Library no longer has community computers for visitors to use, if you bring your own device when you visit, you will be able to access many of our online resources. For more information, please see lawlibrary.unm.edu.

2024 Law Scholarship Golf Classic

The UNM School of Law Alumni/ae Association's annual Law Scholarship Golf Classic is happening on June 7, 2024 with a shotgun start at 8 a.m. (MT) on the UNM Championship Golf Course (South). This is your chance to help with the Alumni/ae Association student scholarships and have an outstanding day of golf and friendly competition! Please go to <https://lawschool.unm.edu/alumni/events/golf.html> to register, or contact Lynn Taylor at lynn.taylor@law.unm.edu. We hope to see you on the green!

OTHER NEWS United States Department of Justice Notice of Address Change

Effective immediately, the United States Attorney's Office address is changed to U.S. Attorney's Office, 201 3rd Street NW, Suite 900, Albuquerque, N.M. 87102. They are no longer using the P.O. Box 607, Albuquerque, N.M. 87103 address.

2024 New BBC Commissioners' *Swearing-In* at the State Bar of New Mexico



First Judicial District Commissioner Andréa Salazar takes the oath as a new commissioner on the Board of Bar Commissioners.

Three new commissioners were sworn into the State Bar of New Mexico's Board of Bar Commissioners on Feb. 23 at the State Bar Center in Albuquerque by N.M. Supreme Court Senior Justice Michael E. Vigil. The new commissioners included First Judicial District Commissioner Andréa Salazar, Young Lawyers Division Chair Randy Taylor and Paralegal Division Liaison Meryl Sutton.

Present were the Board of Bar Commissioners, including State Bar of New Mexico President Erinna M. "Erin" Atkins, President-Elect Aja N. Brooks, Secretary-Treasurer Allison H. Block-Chavez and Immediate Past President Benjamin I. Sherman.



Young Lawyers Division Chair Randy Taylor gets sworn in as a new commissioner on the Board of Bar Commissioners.



Paralegal Division Liaison Meryl Sutton takes the oath as a new commissioner on the Board of Bar Commissioners.





— STATE BAR OF NEW MEXICO —
2024 Annual Awards
Call for Nominations

Nominations are being accepted for the **2024 State Bar of New Mexico Annual Awards** to recognize those who have distinguished themselves or who have made exemplary contributions to the State Bar or legal profession in the past year. The awards will be presented at the **2024 Annual Meeting on Fri., Oct. 25**, at the State Bar Center in Albuquerque, NM. All awards are limited to one recipient, whether living or deceased, with the exception of the Justice Pamela B. Minzner Professionalism Award, which can have two recipients—an attorney and a judge. Nominees may be nominated for more than one award category. Previous recipients for the past three years are listed below.

To view last year’s recipients and the full list of previous recipients, visit:

www.sbnm.org/AnnualAwards

Distinguished Bar Service Award – Nonlawyer

◆ Recognizes nonlawyers who have provided valuable service and contributions to the legal profession over a significant period of time.

Previous recipients: Mary Galves, Juan Abeyta, Bernice Ramos

Excellence in Well-Being Award

◆ Many individuals have made significant contributions to the improvement of legal professional well-being including destigmatizing mental health, strengthening resiliency, and creating a synergic approach to work and life. This award was created to recognize an individual or organization that has made an outstanding positive contribution to the New Mexico legal community’s well-being. As the State Bar of New Mexico is committed to improving the health and wellness of New Mexico’s legal community, we strongly encourage self-nominations and peer nominations for any lawyer, judge or nonlawyer working in some capacity with the N.M. legal community.

Previous recipients (created in 2022): Joy Applewhite, Pamela Moore

◆ Recognizes attorneys who have provided valuable service and contributions to the legal profession, the State Bar of New Mexico and the public over a significant period of time.

Previous recipients: David Stout, Michael P. Fricke, Joey D. Moya

**This award was renamed in 2019 in memory of Judge Singleton (1949-2019) for her tireless commitment to access to justice and the provision of civil legal services to low-income New Mexicans. She also had a distinguished legal career for over four decades as an attorney and judge.*

Judge Sarah M. Singleton* Distinguished Service Award

◆ Recognizes attorneys and/or judges who, over long and distinguished legal careers, have by their ethical and personal conduct exemplified for their fellow attorneys the epitome of professionalism.

Previous recipients: Justice Edward L. Chavez, Judge James J. Wechsler and Quentin P. Ray, Frederick M. Hart (posthumously) and F. Michael Hart

**Known for her fervent and unyielding commitment to professionalism, Justice Minzner (1943–2007) served on the New Mexico Supreme Court from 1994 to 2007.*

Justice Pamela B. Minzner* Professionalism Award

◆ Recognizes outstanding, extraordinary law-related organizations or programs that serve the legal profession and the public.

Previous recipients: Judicial Branch IT Staff, Pueblo of Pojoaque Path to Wellness Court, Intellectual Property Law Section Pro Bono Fair, New Mexico Center on Law and Poverty

Outstanding Legal Organization or Program Award

Outstanding Young Lawyer of the Year Award

◆ Awarded to attorneys who have, during the formative stages of their legal careers by their ethical and personal conduct, exemplified for their fellow attorneys the epitome of professionalism; nominee has demonstrated commitment to clients' causes and to public service, enhancing the image of the legal profession in the eyes of the public; nominee must have practiced no more than five years or must be no more than 36 years of age.

Previous recipients: Shasta N. Inman, Lauren E. Riley, Maslyn K. Locke

Robert H. LaFollette* Pro Bono Award

◆ Presented to an attorney who has made an exemplary contribution of time and effort, without compensation, to provide legal assistance over his or her career to people who could not afford the assistance of an attorney.

Previous recipients: Ella Joan Fenoglio, Darlene T. Gomez, Torri A. Jacobus

**Robert LaFollette (1900–1977), Director of Legal Aid to the Poor, was a champion of the underprivileged who, through countless volunteer hours and personal generosity and sacrifice, was the consummate humanitarian and philanthropist*

◆ Recognizes judges who have distinguished themselves through long and exemplary service on the bench and who have significantly advanced the administration of justice or improved the relations between the bench and the bar; generally given to judges who have or soon will be retiring.

Previous recipients: Judge Lorenzo F. Garcia, Judge Henry A. Alaniz, Judge Mary W. Rosner

**Justice Montgomery (1937–1998), a brilliant and widely respected attorney and jurist, served on the New Mexico Supreme Court from 1989 to 1994 decades as an attorney and judge.*

Seth D. Montgomery* Distinguished Judicial Service Award

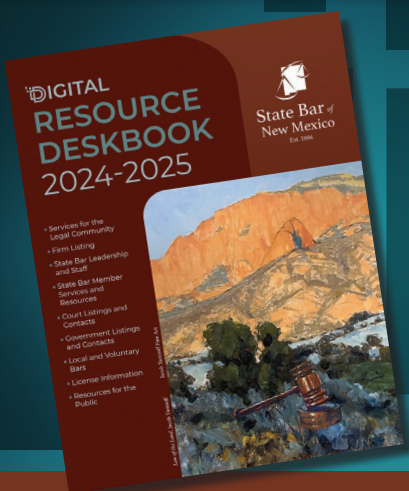
Nominations should be submitted through the following link:

form.jotform.com/sbnm/2024sbnmawards

Additional information or letters may be uploaded with the form and submitted with the nomination.

Deadline for Nominations: Monday, July 8, 5 p.m. (MT)

For more information or questions, please contact Kris Becker at kris.becker@sbnm.org or 505-797-6038.



The Digital Resource Deskbook 2024-2025 is Here!

View & Download your FREE digital copy at www.sbnm.org/Resource-Deskbook-2024-2025!

All active State Bar of New Mexico members were emailed a **FREE** digital copy of the *Resource Deskbook 2024-2025* as a member benefit on March 1.

View and download the comprehensive guide for State Bar of New Mexico resources for our members, New Mexico State and Federal Court contact information, License Renewal information and much more at www.sbnm.org/Resource-Deskbook-2024-2025!

The convenient downloadable digital format will allow you to easily click through the sections of the *Resource Deskbook* to find the information that you need – whether you are working at your desk or on the go!

Please note that the *Resource Deskbook* will not be printed and mailed this year.



State Bar *of*
New Mexico

Est. 1886



Send in your articles!

Have your authored work read by over **8,000** attorneys, judges and other legal professionals when you send in articles for the Bar Bulletin! The Bar Bulletin is not only a place for information—it's a place for discourse and a hub for sharing your ideas on the legal topics of the day and beyond!

We look forward to publishing your articles and compositions!

Topics may include:

- Pro Bono Work
- Artificial Intelligence
- Housing
- Tribal Law
- Public Law
- And much more!

For information on how to submit articles and guidelines for submissions, please visit www.sbnm.org/News-Publications/Bar-Bulletin/Submit-An-Article.



State Bar
of
New Mexico

Est. 1886



Opportunities for Pro Bono Service CALENDAR

April

- | | | |
|---|--|--|
| <p>5 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Socorro</p> | <p>13 Peter H. Johnstone Day Family Law Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Second Judicial District Courthouse</p> | <p>17 Citizenship & Residency Workshop
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/citizenship
Location: El Centro de Igualdad y Derechos</p> |
| <p>25 Asylum Initial Application and Work Permit Pro Se Clinic
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/asylum
Location: Announced prior to clinic</p> | <p>26 Special Immigrant Juvenile Status Pro Bono Clinic
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/sijs
Location: Modrall Sperling Law</p> | <p>27 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Hernandez</p> |

If you would like to volunteer for pro bono service at one of the above events, please contact the hosting agency.



Resources for the Public CALENDAR

April

- | | | |
|--|--|--|
| <p>3 Divorce Options Workshop
Virtual
State Bar of New Mexico
Call 505-797-6022 to register
Location: Virtual</p> | <p>5 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Socorro</p> | <p>9 Legal Resources for the Elderly (LREP) Workshop
Virtual
State Bar of New Mexico
bit.ly/LREP-SignUp-Jan-16
Location: Virtual</p> |
| <p>13 Peter H. Johnstone Day Family Law Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Second Judicial District Courthouse</p> | <p>17 Citizenship & Residency Workshop
In-Person
New Mexico Immigrant Law Center
www.nmilc.org/citizenship
Location: El Centro de Igualdad y Derechos</p> | <p>24 Consumer Debt/Bankruptcy Workshop
Virtual
State Bar of New Mexico
Call 505-797-6094 to register
Location: Virtual</p> |

Listings in the *Bar Bulletin* Pro Bono & Volunteer Opportunities Calendar are gathered from civil legal service organization submissions and from information pertaining to the New Mexico State Bar Foundation's upcoming events. All pro bono and volunteer opportunities conducted by civil legal service organizations can be listed free of charge. Send submissions to probono@sbnm.org. Include the opportunity's title, location/format, date, provider and registration instructions.

Clerk's Certificates

From the Clerk of the New Mexico Supreme Court

Elizabeth A. Garcia, Chief Clerk of the New Mexico Supreme Court
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Katherine W. Hall
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FORMAL OPINION

Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/12/2024

No. A-1-CA-39929

**D.R. HORTON, INC.
and DRH SOUTHWEST CONSTRUCTION, INC.,**

Plaintiffs-Appellants,

v.

**TRINITY UNIVERSAL INSURANCE
COMPANY; KEMPER CORPORATION;
MERASTAR INSURANCE COMPANY;
and AMTRUST INSURANCE COMPANY
OF KANSAS, INC. f/k/a TRINITY UNIVERSAL
INSURANCE COMPANY OF KANSAS, INC.,**

Defendants-Appellees.

**APPEAL FROM THE DISTRICT COURT
OF SANTA FE COUNTY**

Francis J. Mathew, District Court Judge

Landry & Ludewig, L.L.P.

Stephanie Landry

Glenn R. Smith

Albuquerque, NM

Stalter Law LLC

Kenneth H. Stalter

Albuquerque, NM

for Appellants

Modrall, Sperling, Roehl, Harris & Sisk, P.A.

Jennifer A. Noya

Jeremy K. Harrison, Et al.

Albuquerque, NM

for Appellees

► Introduction of Opinion

Having granted the motion for rehearing and considered the response, we withdraw the opinion filed December 18, 2023, and substitute the following in its place. This case involves the intersection of an insurer's well-established duty to defend and an insured's contractual duties under an insurance policy. In the district court, Appellants D.R. Horton, Inc. and DRH Southwest Construction, Inc. (collectively, Horton) alleged, in addition to many other claims, that the insurers, Appellees Trinity Universal Insurance Company (Trinity Universal), Trinity Universal Insurance Company of Kansas (Trinity Kansas), and Amtrust Insurance Company of Kansas, Inc. (Amtrust) (collectively, Defendants), had a duty to defend a series of claims relating to construction defects. We refer to Trinity Kansas and Trinity Universal collectively as "Trinity." The district court concluded that Defendants suffered substantial prejudice from Horton's multi-year delay in providing notice of the claims to Defendants and granted summary judgment in Defendants' favor. **View full PDF online.**

Katherine A. Wray, Judge

WE CONCUR:

J. Miles Hanisee, Judge

Gerald E. Baca, Judge

To read the entire opinion, please visit
the following link:

<https://bit.ly/A-1-CA-39929-Update>

FORMAL OPINION

Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/14/2024

No. A-1-CA-39295

TIFFANY SOUTH,
Plaintiff-Appellant,
v.

**POLICE CHIEF ISAAC LUJAN and
POLICE CAPTAIN WILL DURAN,
in their individual capacities,**

Defendants-Appellees,
and

MARY-ALICE BROGDON,
Defendant.

**APPEAL FROM THE DISTRICT COURT
OF SANDOVAL COUNTY**

Louis P. McDonald, District Court Judge

Law Office of George Geran
George T. Geran
Santa Fe, NM

for Appellant

Keleher & McLeod, P.A.
David W. Peterson
Thomas C. Bird
Albuquerque, NM

for Appellee Isaac Lujan

► Introduction of Opinion

Plaintiff Tiffany South, a former police officer for the Sandia Pueblo Police Department, appeals the district court's decision to dismiss her claims for sexual harassment and retaliation pursuant to the New Mexico Human Rights Act (NMHRA), NMSA 1978, §§ 28-1-1 to -14 (1969, as amended through 2023), against Defendant Isaac Lujan, then Sandia Pueblo Police Chief, and Defendant Will Duran, then Sandia Pueblo Police Captain. Plaintiff argues that the district court erred in determining that Defendants cannot be held individually liable in aiding employment discrimination because Sandia Pueblo is not an employer subject to the NMHRA. We affirm.

Michael D. Bustamante, Judge, retired,
Sitting by designation

WE CONCUR:

Kristina Bogardus, Judge

Jane B. Yohalem, Judge

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-39295>

FORMAL OPINION

Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/14/2024

No. A-1-CA-39908

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

WALINDA HOLTSOI,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF RIO ARRIBA COUNTY**

Jason Lidyard, District Court Judge

Raúl Torrez, Attorney General
Santa Fe, NM

Charles J. Gutierrez, Assistant Attorney General
Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender
Santa Fe, NM

Luz C. Valverde, Assistant Appellate Defender
Albuquerque, NM

for Appellant

► Introduction of Opinion

Defendant Walinda Holtsoi appeals her convictions of two counts of aggravated battery, contrary to NMSA 1978, Section 30-3-5(C) (1969); one count of leaving the scene of an accident, contrary to NMSA 1978, Section 66-7-201(C) (1989); and one count of tampering with evidence, contrary to NMSA 1978, 30-22-5 (2003). Defendant presents three primary arguments on appeal: (1) the district court violated her right to an impartial jury by denying her motions to strike several allegedly biased members of the venire for cause; (2) her convictions for leaving the scene of an accident and tampering with evidence violate double jeopardy principles and the general/specific rule of statutory construction; and (3) her conviction for tampering was not supported by sufficient evidence. For reasons set forth below, we reverse Defendant's convictions and issue this opinion to clarify aspects of existing law applicable to assessing partiality exhibited by potential jurors who are the subject of a motion to excuse for cause.

J. Miles Hanisee, Judge

WE CONCUR:

Kristina Bogardus, Judge

Jane B. Yohalem, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-39908>

FORMAL OPINION

Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/27/2024

No. A-1-CA-40312

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

BOBBY DIRICKSON,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF OTERO COUNTY**

Angie K. Schneider, District Court Judge

Raúl Torrez, Attorney General

Maris Veidemanis, Assistant Attorney General

Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Kimberly Chavez Cook,

Assistant Appellate Defender

Santa Fe, NM

for Appellant

► Introduction of Opinion

Defendant Bobby Dirickson challenges the district court's refusal to hear and decide his motion to dismiss on speedy trial grounds on the basis that it was untimely filed. We conclude that the district court erred as a matter of law in summarily denying Defendant's motion as a sanction for late-filing when its scheduling order did not set a deadline applicable to a speedy trial motion. Absent an intentional violation of a deadline set by court scheduling order, the district court may not summarily deny a constitutionally-based pretrial motion. The court must consider culpability, prejudice, and the availability of lesser sanctions before imposing such a severe sanction. See *State v. Le Mier*, 2017-NMSC-017, ¶ 20, 394 P.3d 959. We conclude that the district court's refusal to consider and decide Defendant's speedy trial motion was based on a misapprehension of the law and was, therefore, an abuse of the district court's discretion. We reverse and remand to the district court for hearing and decision on Defendant's motion to dismiss on speedy trial grounds.

Jane B. Yohalem, Judge

WE CONCUR:

Kristina Bogardus, Judge

Shammara H. Henderson, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40312>

FORMAL OPINION

Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/28/2024

No. A-1-CA-39928

PATSY TAVAREZ,
Plaintiff-Appellant,
v.

AB STAFFING SOLUTIONS and AMY SANCHEZ,
in her official and individual capacities,
Defendants-Appellees.

**APPEAL FROM THE DISTRICT COURT
OF BERNALILLO COUNTY**

Nancy J. Franchini, District Court Judge

Heather Burke
Santa Fe, NM

for Appellant

Wiggins, Williams & Wiggins,
A Professional Corporation
Lorna M. Wiggins
Albuquerque, NM

for Appellees

► Introduction of Opinion

Plaintiff Patsy Tavarez appeals the grant of a motion to dismiss her claim for violations the New Mexico Human Rights Act (NMHRA), NMSA 1978, §§ 28-1-1 to -14 (1969, as amended through 2023), and the Family and Medical Leave Act (FMLA), 29 U.S.C. §§ 2611 to -54. The district court granted the motion to dismiss in favor of Defendant AB Staffing Solutions because Plaintiff signed an employment agreement that designated Arizona as the proper forum and source of law for all employment-related disputes, and because Plaintiff did not meet her burden of showing the employment agreement was invalid. On appeal, Plaintiff challenges the forum selection and choice-of-law provisions, arguing that the Arizona Civil Rights Act (ACRA), Ariz. Rev. Stat. Ann. §§ 41-1401 to -1492.12 (1965, as amended through 2022), does not provide the same protections as the NMHRA; that she could not have exhausted her administrative remedies in Arizona; and that the forum selection clause violated public policy. Although it would be unfair to deprive Plaintiff of the exceptionally important remedy enshrined in the NMHRA, Plaintiff could have sought equivalent relief in Arizona. We therefore affirm.

Jacqueline R. Medina, Judge

WE CONCUR:

Shammara H. Henderson, Judge

Katherine A. Wray, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-39928>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/12/2024

No. A-1-CA-39865

DAVID J. TERNLUND,

Plaintiff and Counterdefendant and Third-Party
Defendant-Appellant/ Cross-Appellee,

v.

**JEAN J. DANON and TARA L. DANON Trustees
of the JEAN J. DANON**

and TARA L. DANON LIVING TRUST,

Defendants and Counterclaimants- Appellees/
Cross-Appellants,

and

**JEAN J. DANON and TARA L. DANON,
as individuals,**

Third-Party Plaintiff-Appellees/Cross-Appellants.

**APPEAL FROM THE DISTRICT COURT
OF TAOS COUNTY**

Emilio J. Chavez, District Court Judge

Egolf + Ferlic + Martinez + Harwood, LLC
Luke Pierpont
Brian Egolf
Santa Fe, NM

for Appellant

New Mexico Legal Center, P.C.
Lee Boothby
Taos, NM

for Appellees

► **Introduction of Decision**

Plaintiff appeals from a stipulated final judgment entered into by the parties, and Defendants cross-appeal from the district court's denial of their post-judgment motion to quash the appeal and sanction Plaintiff. We conclude the stipulated final judgment is not appealable because Plaintiff did not expressly reserve the right to appeal. Accordingly, we affirm and decline to reach the merits of either party's appeal.

Megan P. Duffy, Judge
WE CONCUR:
J. Miles Hanisee, Judge
Zachary A. Ives, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-39865>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/19/2024

No. A-1-CA-39446

ROGER ROMERO,
Petitioner-Appellee,

v.

STATE OF NEW MEXICO,
Respondent-Appellant.

APPEAL FROM THE DISTRICT COURT OF LINCOLN COUNTY

James Waylon Counts, District Court Judge

Gary C. Mitchell, P.C.
Gary C. Mitchell
Ruidoso, NM

Zach J. Cook
Ruidoso, NM

for Appellee

Raúl Torrez, Attorney General
Santa Fe, NM
John Kloss, Assistant Attorney General
Albuquerque, NM

for Appellant

► Introduction of Opinion

The State of New Mexico (Respondent) appeals from the district court's "Order Setting Aside Conviction" (the Order), which set aside Roger Romero's (Petitioner) magistrate court conviction of a county ordinance related to the unlawful accumulation of waste on his property (the underlying case). The Order stemmed from a "Petition for Writ of Habeas Corpus" (the Petition), in which Petitioner sought to set aside the conviction because he was incompetent to stand trial at the time of his trial in the magistrate court. On appeal, Respondent contends that (1) the district court lacked jurisdiction to consider the Petition under Rules 5-802(A) NMRA and 5-803 NMRA; (2) the district court's finding that Petitioner appeared pro se was contrary to the evidence in the record;¹ and (3) the district court's finding that Petitioner was incompetent at the time of trial in the underlying case was not supported by the record. Respondent originally appealed this matter to our Supreme Court; however, the Supreme Court transferred the matter to this Court for resolution. See Dispositional Order of Transfer, *Romero v. State of N.M.*, S-1-SC-37602 (N.M. Jan. 8, 2021). For the reasons that follow, we reverse and remand.

Gerald E. Baca, Judge
WE CONCUR:
Kristina Bogardus, Judge
Shammara H. Henderson, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-39446>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/20/2024

No. A-1-CA-39969

HEATHER SANDERS,

Plaintiff-Appellant,

v.

**BOARD OF COMMISSIONERS
FOR BERNALILLO COUNTY,**

Defendant-Appellee.

**APPEAL FROM THE DISTRICT COURT
OF BERNALILLO COUNTY**

Nancy J. Franchini, District Court Judge

Gilpin Law Firm, LLC

Donald G. Gilpin

Christopher P. Machin

Albuquerque, NM

for Appellant

Kennedy, Moulton & Wells, P.C.

Deborah D. Wells

Albuquerque, NM

for Appellee

► Introduction of Opinion

Plaintiff Heather Sanders sued her former employer, Defendant Board of Commissioners for Bernalillo County (the County), for employment discrimination under the Human Rights Act (HRA), NMSA 1978, §§ 28-1-1 to -15 (1969, as amended through 2023), following the termination of her employment as an emergency communications officer. Sanders appeals the district court's grant of summary judgment in favor of the County on her claims of hostile work environment on the basis of sex and wrongful termination on the basis of sex and in retaliation for reporting discrimination. We affirm.

Jennifer L. Attrep, Chief Judge

WE CONCUR:

J. Miles Hanisee, Judge

Jane B. Yohalem, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-39969>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/20/2024

No. A-1-CA-40565

STATE OF NEW MEXICO,

Plaintiff-Appellant,

v.

**YURIDIA RODRIGUEZ a/k/a JUDY RODRIGUEZ
a/k/a YURIDIA RODRIGUEZ- RUIZ a/k/a YORIDIA
RODRIGUEZ a/k/a YURIDIA RUIZ RODRIGUEZ
a/k/a YURIDIA RAMIREZ a/k/a
YURIDIA R. RODRIGUEZ,**
Defendant-Appellee.

**APPEAL FROM THE DISTRICT COURT
OF DOÑA ANA COUNTY**

Douglas R. Driggers, District Court Judge

Raúl Torrez, Attorney General
Emily C. Tyson-Jorgenson,
Assistant Attorney General
Santa Fe, NM

Michael J. Thomas, Assistant Attorney General
Albuquerque, NM

for Appellant

Bennett J. Baur, Chief Public Defender
Joelle N. Gonzales, Assistant Appellate Defender
Santa Fe, NM

for Appellee

► Introduction of Opinion

The State appeals from an order of the district court revoking and reinstating Defendant Yurida Rodriguez's probation. The State argues that the district court violated NMSA 1978, Section 31-20-5(B)(2) (2003), when it awarded credit toward completion of Defendant's probation for time Defendant spent in custody as a sanction for a parole violation. Because the State failed to preserve this issue, or indeed any issue concerning the length of Defendant's remaining probation, and failed to provide this Court with the record necessary for review of this issue, we affirm.

Jane B. Yohalem, Judge

WE CONCUR:

Kristina Bogardus, Judge

Zachary A. Ives, Judge

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-40565>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/21/2024

No. A-1-CA-39471

THE GEO GROUP INC.,

Protestant-Appellant,

v.

**NEW MEXICO TAXATION
& REVENUE DEPARTMENT,**

Respondent-Appellee,

**IN THE MATTER OF THE PROTEST OF THE
GEO GROUP INC. TO ASSESSMENT ISSUED
UNDER LETTER ID NO. L0928375088.**

**APPEAL FROM
THE ADMINISTRATIVE HEARING OFFICE**

Brian VanDenzen, Hearing Officer

Rodey, Dickason, Sloan, Akin & Robb, P.A.

Charles K. Purcell

Albuquerque, NM

for Appellant

Peifer, Hanson, Mullins & Baker, P.A.

Mark T. Baker

Matthew E. Jackson

Albuquerque, NM

for Appellee

► Introduction of Opinion

The Geo Group, Inc. (Taxpayer) is a private prison company that contracted with two counties to build and maintain two prisons, then subsequently supervise, house, and provide services to prisoners within the New Mexico Corrections Department (NMCD). Taxpayer had claimed a deduction for many of the gross receipts taken in service of the aforementioned contracts under NMSA 1978, Section 7-9-47 (1994, amended 2021) on grounds that the receipts were for the re-sale of a license rather than that of services. Though the Department of Taxation and Revenue (the Department) had previously approved this deduction, the Department subsequently conducted an assessment and audit of Taxpayer and, reversing course, determined that Taxpayer was ineligible to claim the deduction.

J. Miles Hanisee, Judge

WE CONCUR:

Kristina Bogardus, Judge

Katherine A. Wray, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-39471>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/21/2024

No. A-1-CA-40208

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

MATHEW VARGAS,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF MCKINLEY COUNTY**

Robert A. Aragon, District Court Judge

Raúl Torrez, Attorney General
Santa Fe, NM

Van Snow, Assistant Attorney General
Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender
Caitlin C.M. Smith, Assistant Appellate Defender
Santa Fe, NM

for Appellant

► Introduction of Opinion

Defendant Mathew Vargas appeals his conviction for vehicular homicide (driving under the influence), contrary to NMSA 1978, Section 66-8-101(C) (2016). Defendant argues that fundamental error occurred because the causation instruction tendered to the jury affirmatively misstated the law. We agree and reverse Defendant's conviction.

Kristina Bogardus, Judge

WE CONCUR:

Megan P. Duffy, Judge

Jane B. Yohalem, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40208>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/22/2024

No. A-1-CA-41320

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

JASON J., JR.,

Child-Appellant.

APPEAL FROM THE

DISTRICT COURT OF LEA COUNTY

Michael H. Stone, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Van Snow, Acting Deputy Solicitor General

Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Joelle N. Gonzales, Assistant Appellate Defender

Santa Fe, NM

for Appellant

► Introduction of Opinion

Child-Appellant Jason J. (Child), appeals the children's court judgment in which Child was adjudged as a delinquent child based on the jury's finding that Child committed battery upon a school employee, contrary to NMSA 1978, Section 30-3-9(E) (1989). This case arose from an incident during a high school assembly at which Child, as a student, was accused of spitting in the face of a teacher, Cheyenne Chavarria. Child's sole argument on appeal is that his adjudication is not supported by sufficient evidence because the State failed to prove that Child knew Ms. Chavarria was a teacher at the time of the incident. For the reasons that follow, we affirm.

J. Miles Hanisee, Judge

WE CONCUR:

Jacqueline R. Medina, Judge

Zachary A. Ives, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-41320>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/26/2024

No. A-1-CA-40213

ANTHONY MCFARLAND,

Plaintiff-Appellant,

v.

**M.J. ELECTRIC, LLC; TAYLOR WIETING; LAZY
LIZARD, INC.; and BRANDON'S LLC d/b/a LAZY**

LIZARD GRILL,

Defendants-Appellees.

**APPEAL FROM THE DISTRICT COURT
OF BERNALILLO COUNTY**

Lisa C. Ortega, District Court Judge

Atler Law Firm, P.C.

Timothy J. Atler

Jazmine J. Johnston

Albuquerque, NM

Garrett & Smith Law

Aaron Garrett

Albuquerque, NM

for Appellant

YLAW, P.C.

Josh A. Harris, Et al.

Albuquerque, NM

for Appellee M.J. Electric, LLC

► Introduction of Opinion

Plaintiff Anthony McFarland appeals the district court's dismissal of his lawsuit with prejudice, pursuant to Rule 1-037(D) NMRA. Plaintiff's complaint sought damages for injuries he sustained as a passenger in a single-car rollover accident he alleges was caused by the negligence of Defendants M.J. Electric, LLC; Taylor Wieting; and Brandon's LLC, doing business as the Lazy Lizard Grill (collectively, Defendants). The district court found that Plaintiff repeatedly provided false answers in his deposition about his prior injuries, history of employment, and other topics relevant to the litigation, and that he did so willfully and in bad faith in order to minimize and conceal his preexisting medical conditions. Concluding that Plaintiff's false testimony undermined the integrity of the discovery process, and that dismissal was the appropriate sanction, the district court dismissed the case. Plaintiff appeals, claiming that the district court abused its discretion in refusing to impose a lesser sanction. **View full PDF online.**

Jane B. Yohalem, Judge

WE CONCUR:

J. Miles Hanisee, Judge

Katherine A. Wray, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40213>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/26/2024

No. A-1-CA-39275

KELLEY MATHENY and JOHNATHAN MATHENY,

Plaintiffs-Appellees,

v.

STEVEN J. CLARK and STELLA A. LAVIS,

Defendants-Appellants.

**APPEAL FROM THE DISTRICT COURT
OF BERNALILLO COUNTY**

Clay Campbell, District Court Judge

Kelley Matheny
Johnathan Matheny
Albuquerque, NM

Pro Se Appellees

Steven J. Clark
Stella A. Lavis
Albuquerque, NM

Pro Se Appellants

► Introduction of Opinion

Defendants Steven J. Clark and Stella A. Lavis, appeal from the district court’s memorandum opinion and order affirming the metropolitan court’s judgment, finding in favor of Plaintiffs Kelley Matheny and Jonathan Matheny, and awarding Plaintiffs damages, attorney fees and costs in the amount of \$5,877.92 based on their complaint alleging violations of the Uniform Owner-Resident Relations Act (UORRA), NMSA 1978, §§ 47-8-1 through 47-8-52 (1975, as amended through 2007). On appeal, Defendants contend that, pursuant to NMSA 1978, Section 34-8A-6(C) (2019), they were entitled to a trial de novo¹ in the district court on their appeal from the metropolitan court’s judgment finding against them on Plaintiffs’ allegations of violations of UORRA and that the district court erred by “simply act[ing] as a typical appellate court” in conducting its appellate review. For the reasons that follow, we reverse.

Gerald E. Baca, Judge

WE CONCUR:

J. Miles Hanisee, Judge

Zachary A. Ives, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-39275>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/26/2024

No. A-1-CA-40769

ARROYO DEL OSO PROPERTY MANAGEMENT,

Plaintiff-Appellee,

v.

RAQUEL GONZALES and ERNEST PARSON,

Defendants-Appellants.

**APPEAL FROM THE DISTRICT COURT
OF VALENCIA COUNTY**

James Lawrence Sanchez, District Court Judge

Ronald A. Tucker LLC
Ron A. Tucker
Albuquerque, NM

for Appellee

Ernest R. Parson
Albuquerque, NM
Raquel Gonzales
Albuquerque, NM

Pro se Appellants

► Introduction of Decision

Defendants Raquel Gonzales and Ernest Parson appeal two orders—a magistrate court’s writ of restitution and a district court’s partial judgment for restitution—issued in an eviction proceeding and subsequent appeal under the Uniform Owner-Resident Relations Act, NMSA 1978, §§ 47-8-1 to -52 (1975, as amended through 2007). Exercising our jurisdiction to review the restitution orders, see *White v. Farris*, 2021-NMCA-014, ¶ 24, 485 P.3d 791, we affirm. **View full PDF online.**

Zachary A. Ives, Judge

WE CONCUR:

Katherine A. Wray, Judge

Michael D. Bustamante, Judge, retired,
sitting by designation.

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-40769>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/26/2024

No. A-1-CA-40476

**NEW MEXICO ENVIRONMENT DEPARTMENT
RESOURCE PROTECTION DIVISION,**

Complainant-Appellee,

v.

HRV HOTEL PARTNERS, LLC,

Respondent-Appellant,

and

BL SANTA FE, LLC,

Respondent.

**APPEAL FROM THE WORKERS'
COMPENSATION ADMINISTRATION**

Gregory A. Chakalian,
Workers' Compensation Judge

Christopher N. Atencio, Deputy General Counsel
Albuquerque, NM

Kathryn S. Becker, Assistant General Counsel
Santa Fe, NM

for Appellee

Domenici Law Firm
Pete Domenici
Lorraine Hollingsworth
Albuquerque, NM

for Appellant

► Introduction of Opinion

HRV Hotel Partners, LLC (HRV) appeals the decision of the New Mexico Environment Department (NMED), which found four violations of the New Mexico Solid Waste Act (SWA), NMSA 1978, §§ 74-9-1 to -43 (1990, as amended 2011) and certain Solid Waste Regulations (SWR), see 20.9.2 to 20.9.10 NMAC, in relation to the disposal of solid waste on the Pueblo of Pojoaque (the Pueblo). HRV contends that several findings made by the administrative hearing officer and adopted by the NMED Secretary were not supported by the evidence; the decision oversteps the jurisdiction of NMED; the civil penalty was assessed without notice or basis; and liability was improperly apportioned. We affirm.

Katherine A. Wray, Judge

WE CONCUR:

J. Miles Hanisee, Judge

Gerald E. Baca, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40476>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/28/2024

No. A-1-CA-37950

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

EDDIE M. MARES,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF SAN JUAN COUNTY**

John A. Dean, Jr., District Judge

Raúl Torrez, Attorney General

Santa Fe, NM

John Kloss, Assistant Attorney General

Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Santa Fe, NM

Luz C. Valverde, Assistant Appellate Defender

Albuquerque, NM

for Appellant

► Introduction of Opinion

Defendant appeals his conviction of two counts of criminal sexual penetration (CSP) in the second degree of a child between thirteen and eighteen, contrary to NMSA 1978, Section 30-09-11(E)(1) (2009), arguing that (1) the district erred in denying his motion to suppress because police interviewed him in violation of his right to counsel under the Sixth Amendment to the Constitution of the United States; (2) the district erred in denying his motion to suppress because police violated his Fifth Amendment to the Constitution of the United States right to silence because they did not stop the interview when Defendant said he felt “uncomfortable”; and (3) the district court improperly denied the jury’s request to review the transcripts of Defendant’s interview with police.

[2] We previously certified the first issue of whether Defendant’s Sixth Amendment right was violated to the New Mexico Supreme Court, see Order of Certification to the New Mexico Supreme Court, *State v. Mares*, A-1-CA-37950 (N.M. Ct. App. June 4, 2021), because we perceived a conflict between the New Mexico Supreme Court’s precedent construing the Sixth Amendment and the later-decided United States Supreme Court case, *Montejo v. Louisiana*, 556 U.S. 778 (2009). **View full PDF online.**

Kristina Bogardus, Judge

WE CONCUR:

Jennifer L. Attrep, Chief Judge

Shammara H. Henderson, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-37950>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/28/2024

No. A-1-CA-40608

ONEMAIN FINANCIAL GROUP, LLC,

Plaintiff-Appellee,

v.

PATRICK PENNINGTON

and CARLTON PENNINGTON,

Intervenors/Third-Party Plaintiffs/

Counterclaimants-Appellants,

and

**CARMEN J. PENNINGTON; ASSOCIATES
FINANCIAL SERVICES COMPANY OF NEW
MEXICO, INC, Et al.**

Defendants,

and

SPS, INC. a/k/a SELECT PORTFOLIO SERVICING;

and JOHN DOES 1-4,

Third-Party Defendants,

and

**CARLTON PENNINGTON
and PATRICK PENNINGTON,**

Plaintiffs-Appellants,

v.

**HOUSE & ALLISON, APCA, a New Mexico
company and an Arizona company, Et al.**

Defendants-Appellees.

**APPEAL FROM THE DISTRICT COURT
OF BERNALILLO COUNTY**

Benjamin Chavez, District Court Judge

Carlton Pennington
Patrick Pennington, Et al.
Albuquerque, NM

Pro Se Appellants

► Introduction of Opinion

Patrick and Carlton Pennington (Penningtons) appeal from the district court's order granting OneMain Financial Group, LLC's (OneMain) motion for summary judgment on its claim for in rem judicial foreclosure, rejecting Penningtons' affirmative defenses. The district court also granted summary judgment to OneMain and Houser & Allison, APCA; OneMain Financial Holding, Inc.; Select Portfolio Services, Inc.; Rose L. Brand & Associates PC; and John Does 1-6 on the claims made by Penningtons in their complaint in the district court case No. D-202-CV-2019-07273, consolidated with the foreclosure case, alleging malicious abuse of process, in violation of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692; the New Mexico Unfair Practices Act, NMSA 1978, Sections 57-12-1 to -26 (1967, as amended through 2019), racketeering; fraudulent misrepresentation; negligent misrepresentation; intentional infliction of emotional distress; civil conspiracy, and prima facie tort, all allegedly committed in the foreclosure process. We affirm.

Jane B. Yohalem, Judge

WE CONCUR:

Gerald E. Baca, Judge

Katherine A. Wray, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40608>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/28/2024

No. A-1-CA-40834

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

ROBERT ALTON JONES a/k/a ROBERT A. JONES,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF LINCOLN COUNTY**

Daniel A. Bryant, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Erica Schiff, Assistant Attorney General

Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Nina Lalevic, Assistant Appellate Defender

Santa Fe, NM

for Appellant

► Introduction of Opinion

Defendant Robert Alton Jones appeals his conviction of aggravated assault with a deadly weapon, contrary to NMSA 1978, Section 30-3-2(A) (1963). On appeal, Defendant argues the district court committed plain error by admitting lapel camera video of Victim's statements to police. Defendant claims that the video contained hearsay, irrelevant, unduly prejudicial information, and inadmissible character evidence that the district court should have excluded regardless of defense counsel's failure to object. We reverse and remand because the admission of this video "constituted an injustice that creates grave doubts concerning the validity of the verdict." *State v. Antonio M.*, 2023-NMSC-022, ¶ 17, 536 P.3d 487 (internal quotation marks and citation omitted).

Jacqueline R. Medina, Judge

WE CONCUR:

Shammara H. Henderson, Judge

Michael D. Bustamante, Judge, retired,
Sitting by designation.

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40834>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/28/2024

No. A-1-CA-40210

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

ALEJANDRO AZAMAR-NOLASCO,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF COLFAX COUNTY**

Emilio J. Chavez, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Michael J. Thomas, Assistant Attorney General

Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Allison H. Jaramillo, Assistant Appellate Defender

Santa Fe, NM

for Appellant

► Introduction of Opinion

After a jury trial, Defendant Alejandro Azamar-Nolasco was convicted of two counts of possession of a deadly weapon by a prisoner, contrary to NMSA 1978, Section 30-22-16 (1986) and tampering with evidence, contrary to NMSA 1978, Section 30-22-5 (2003). On appeal, Defendant argues that (1) insufficient evidence supports the convictions; (2) double jeopardy principles prohibit him from being convicted of two counts of possession of a deadly weapon by a prisoner, and from being convicted of possession of a deadly weapon by a prisoner after receiving administrative punishment for the same conduct; and (3) the failure to provide a special verdict form for tampering with evidence resulted in fundamental error. We agree that Defendant's double jeopardy rights were violated when he was convicted of two counts of possession and we therefore reverse and remand for one of the convictions to be vacated. We affirm in all other respects.

Zachary A. Ives, Judge

WE CONCUR:

Gerald E. Baca, Judge

Michael D. Bustamante, Judge, retired,
Sitting by designation.

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-40210>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 2/29/2024

No. A-1-CA-40830

STATE OF NEW MEXICO,

Plaintiff-Appellant,

v.

ESTEVAN MAESTAS

a/k/a ESTEVAN A. MAESTAS,

Defendant-Appellee.

**APPEAL FROM THE DISTRICT COURT
OF BERNALILLO COUNTY**

Jennifer J. Wernersbach, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Meryl Francolini, Assistant Attorney General

Albuquerque, NM

for Appellant

Bennett J. Baur, Chief Public Defender

Caitlin C.M. Smith, Assistant Appellate Defender

Santa Fe, NM

for Appellee

► Introduction of Opinion

The State of New Mexico appeals the district court's grant of Defendant's motion to suppress evidence. The State argues that the district court erred by improperly relying on after-the-fact surveillance footage to determine whether Deputy Young had reasonable suspicion to stop Defendant, rather than relying on the facts known to Deputy Young at the time of the facts known to Deputy Young at the time of the stop. We agree and reverse the district court's grant of Defendant's motion to suppress.

Kristina Bogardus, Judge

WE CONCUR:

J. Miles Hanisee, Judge

Jacqueline R. Medina, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40830>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 3/4/2024

No. A-1-CA-40872

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

GREGORY D. VIGIL,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT
OF OTERO COUNTY**

Angie K. Schneider, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Aletheia V.P. Allen, Solicitor General

Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Jasmine J. Solomon, Assistant Appellate Defender

Santa Fe, NM

for Appellant

► Introduction of Opinion

After a jury trial, Defendant Gregory Vigil was convicted of tampering with evidence, contrary to NMSA 1978, Section 30-22-5 (2003). On appeal, Defendant argues that the jury instruction for tampering with evidence given at trial was erroneous because it did not include a legally sufficient actus reus. Unpersuaded, we affirm.

Zachary A. Ives, Judge

WE CONCUR:

Kristina Bogardus, Judge

Gerald E. Baca, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40872>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 3/4/2024

No. A-1-CA-40976

**STATE OF NEW MEXICO ex rel. CHILDREN,
YOUTH & FAMILIES DEPARTMENT,**

Petitioner-Appellee,

v.

FRANKIE W.,

Respondent-Appellant,

IN THE MATTER OF FAITH M.,

Child.

**APPEAL FROM THE DISTRICT COURT
OF VALENCIA COUNTY**

Allen Smith, District Court Judge

Children, Youth & Families Department
Mary McQueeney, Chief Children's Court Attorney
Santa Fe, NM

Kelly P. O'Neill, Children's Court Attorney
Albuquerque, NM

for Appellee

Susan C. Baker
El Prado, NM

for Appellant

Law Office of Shasta N. Inman, LLC
Shasta N. Inman
Albuquerque, NM

Guardian Ad Litem

► Introduction of Opinion

Respondent Frankie W. (Mother) appeals the district court's adjudicatory judgment and dispositional order finding that, as to Mother, Child was neglected as defined in the Children's Code, NMSA 1978, § 32A-4-2(G)(2) (2023). We affirm.

Megan P. Duffy, Judge

WE CONCUR:

Shammara H. Henderson, Judge

Jane B. Yohalem, Judge

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-40976>

MEMORANDUM OPINION

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

Filing Date: 3/4/2024

No. A-1-CA-40420

ARLENA JACKSON,
Plaintiff-Appellant,

v.

CHAVEZ SECURITY, INC.,
Defendant-Appellee,
and
COLUMBUS CAPITAL, LLC,
Defendant.

**APPEAL FROM THE DISTRICT COURT
OF SANTA FE COUNTY**

Francis J. Mathew, District Court Judge

Hunt Law Firm
Lee R. Hunt
Aimee S. Bevan
Santa Fe, NM

for Appellant

Moses, Dunn, Farmer & Tuthill, P.C.
Lucas N. Frank
Jared A. Armijo
Albuquerque, NM

for Appellee

► **Introduction of Opinion**

Plaintiff Arlena Jackson appeals from the district court's order granting Defendant Chavez Security, Inc.'s (Defendant CSI) motion for summary judgment. Plaintiff argues that (1) the district court erred in granting Defendant CSI's motion for summary judgment without ruling whether Defendant CSI owed Plaintiff a duty independent of the duty established by its contract agreement (Agreement) with Defendant Columbus Capital, LLC (Defendant Columbus), to provide security services as a matter of law under the Restatement (Second) of Torts § 324A (1965), or whether Defendant CSI owed Plaintiff a duty as an intended third-party beneficiary under the Agreement;¹ and (2) the district court abused its discretion by granting summary judgment without permitting Plaintiff to complete discovery pursuant to Rule 1-056(F) NMRA, or submit a response on the merits. We affirm.

Shammara H. Henderson, Judge
WE CONCUR:
Kristina Bogardus, Judge
Katherine A. Wray, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40420>

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Agenda

Sign-in		7:45 – 8:15 a.m.
Introductory Remarks	Vickie R. Wilcox, J.D., LL.M.	8:15 – 8:30 a.m.
Federal and State Estate and Gift Tax Update 2024	Vickie R. Wilcox, J.D., LL.M.	8:30 – 9:30 a.m.
Corporate Transparency Act – Current NEWances	Madison R. Jones, J.D., M.B.A.	9:30 – 10:30 a.m.
Break		10:30 – 10:45 a.m.
2024 Legislative Update: The State of the State	Fred Nathan, Jr., J.D.	10:45 – 11:45 a.m.
Lunch: Pizza, Beverages, and Networking in the Charity Exhibit Hall		11:45 – 12:45 p.m.
Uh, I Want That: Highlights of Spendthrift Litigation	Gregory MacKenzie, J.D.	12:45 – 1:45 p.m.
Watching the Sunset – Estate Planning Strategies for 2026 (or Before?)	Vickie R. Wilcox, J.D., LL.M. & Madison R. Jones, J.D., M.B.A.	1:45 – 2:45 p.m.
Break		2:45 – 3:00 p.m.
Ethics: Use of Artificial Intelligence in Estate Planning and the Legal Profession	Anne Taylor, J.D.	3:00 – 4:00 p.m.

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Positions

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The Eleventh Judicial District Attorney's Office, Div. II, in Gallup, New Mexico, McKinley County is seeking applicants for Assistant Trial Attorneys, Trial Attorneys and Senior Trial Attorneys. You will enjoy working in a community with rich culture and history while gaining in-valuable experience and making a difference. The McKinley County District Attorney's Office provides regular courtroom practice, supportive and collegial work environment. You are a short distance away from Albuquerque, Southern parts of Colorado, Farmington, and Arizona. We offer an extremely competitive salary and benefit package. Salary commensurate with experience. These positions are open to all licensed attorneys who are in good standing with the bar within or without the State of New Mexico. Please Submit resume to District Attorney Bernadine Martin, 201 West Hill, Suite 100, Gallup, NM 87301, or e-mail letter to Bmartin@da.state.nm.us. Position to commence immediately and will remain open until filled.

Attorney Associate

The Third Judicial District Court in Las Cruces is accepting applications for a permanent, full-time Attorney Associate. Requirements include admission to the NM State Bar plus a minimum of three years experience in the practice of applicable law, or as a law clerk. Under general direction, as assigned by a judge or supervising attorney, review cases, analyze legal issues, perform legal research and writing, and make recommendations concerning the work of the Court. For a detailed job description, requirements and application/resume procedure please refer to <https://www.nmcourts.gov/careers.aspx> or contact Briggett Becerra, HR Administrator Senior at 575-528-8310. Open until filled.

Assistant District Attorney

The Fifth Judicial District Attorney's office has immediate positions open for new and/or experienced attorneys. Salary will be based upon the New Mexico District Attorney's Salary Schedule with salary range of an Assistant Trial Attorney (\$ 70,196.00) to a Senior Trial Attorney (\$82,739.00), based upon experience. Must be licensed in the United States. These positions are located in the Lovington, NM office. The office will pay for your New Mexico Bar Dues as well as the National District Attorney's Association membership. Please send resume to Dianna Luce, District Attorney, 102 N. Canal, Suite 200, Carlsbad, NM 88220 or email to nshreve@da.state.nm.us

Attorney with 3+ Years' Experience

Madison, Mroz, Steinman, Kenny & Olexy, P.A., an AV-rated civil litigation firm, seeks an attorney with 3+ years' experience to join our practice. We offer a collegial environment with mentorship, work from home flexibility, and opportunity to grow within the profession. Salary is competitive and commensurate with experience, along with excellent benefits. All inquiries are kept confidential. Please forward CVs to: hiring@madisonlaw.com. Please include "Associate Attorney position" in the subject line. CVs can also be mailed to: Hiring Director, P.O. Box 25467, Albuquerque, NM 87125-5467.

IPRA Attorney New Mexico Department of Justice

The New Mexico Department of Justice seeks a dynamic and experienced individual to join our team as an attorney for fulfilling Inspection of Public Records Act (IPRA) requests. IPRA Attorneys are responsible for managing legal matters related to IPRA requests to the Office. Their primary focus is the timely, efficient, and effective processing of requests to inspect public records. IPRA Attorneys work closely with the Special Counsel for the Attorney General, Deputy Attorney General for Civil Affairs, and Director of Government Counsel & Accountability and collaborate with attorneys and legal professionals throughout the Office. Qualifications include having a Juris Doctor (JD) degree from an accredited law school; Admission to the New Mexico state bar and in good standing or the ability to acquire a limited law license; Minimum of four (4) years of experience in the practice of law; Strong knowledge of IPRA law, and other relevant legal areas; Excellent leadership and management skills, with the ability to inspire and motivate a team of attorneys and legal professionals; Outstanding legal research, writing, and oral advocacy skills; Strong analytical and problem-solving abilities; Ability to work effectively under pressure, prioritize tasks, and meet deadlines; Exceptional interpersonal and communication skills, with the ability to collaborate effectively with diverse stakeholders; Demonstrated commitment to public service law; 6 years of experience in litigation, with a demonstrated experience processing IPRA requests and 3 years of management experience preferred. To apply please submit the following documents to Tim Maestas at recruiting@nmag.gov: Cover letter detailing your interest in the role and your relevant experience, Resume/CV with a detailed overview of your educational and professional background, Writing samples showcasing your legal research and writing abilities, Contact information for three professional references. Applicants are also encouraged to visit the State Personnel website at www.spo.state.nm.us, or our website at www.nmag.gov for additional job opportunities. If you have questions, please reach out to Tim Maestas at tmaestas@nmag.gov.

Litigation Associates (3-5+ years)

Gordon Rees Scully Mansukhani is seeking Associate/Senior Counsel attorneys in our Albuquerque office with at least 3-5+ years of experience handling Commercial Litigation, Tort & Product Liability, Employment, Insurance Defense, and Healthcare. Candidates must have an excellent academic background, proven skills in writing, analysis, research, and be a self-starter who is able to handle a case from inception with minimal supervision. Additionally, a commitment to superior client service is essential. Trial experience is preferred, but not required. Candidates must reside and be licensed in New Mexico (additional States are a plus). GRSM is a full-service Am Law 100 firm with robust national and local practices and the first and only law firm with attorneys and offices in all 50 States. We have garnered national recognition for our demonstrated commitment to the recruitment, retention and advancement of qualified female and diverse attorneys. We offer flexible options for successful candidates, including fully remote, hybrid, and full-time opportunities. We offer competitive compensation and a full benefits package including eligibility for subjective and objective bonuses and student debt repayment assistance. For consideration, please submit a cover letter, resume and writing sample to: dmorris@grsm.com and note the practice group(s) you are applying to in the subject line. No recruiter or telephone calls please. Gordon Rees Scully Mansukhani is an equal opportunity employer.

Attorney

Tired of billable hours? The Law Offices of Erika E. Anderson is looking for an attorney with a minimum of 3-5 years of experience. The law firm is a very busy and fast-paced AV rated firm that specializes in civil litigation on behalf of Plaintiffs. We also do Estate Planning and Probate litigation. The candidate must be highly motivated and well organized, pay close attention to detail, be willing to take on multiple responsibilities, and be highly skilled when it comes to both legal research and writing. This is a wonderful opportunity to join an incredible team that works hard and is rewarded for hard work! The position offers a great working environment, competitive salary and a generous benefits package. If interested, please send a resume to accounting@eandersonlaw.com.

Associate Attorney

Alcaraz Law, P.A., is seeking a full-time associate attorney with 2+ years' experience. Excellent salary and benefits package. Collaborative, connected, and friendly work environment. Please send resume to heather@alcarazlawnm.com.

Taos Pueblo Tribal Judge

Manages and oversees the administrative and daily operations of the Tribal Courts, ensuring compliance with tribal, state, and federal policies and regulations. Achieves financial objectives by assisting in preparing the annual budget and proposal, inclusive of operational plans and objectives; recommending staffing and expenditures. Provides technical and/or professional coordination and leadership in the execution of day-to-day program/project activities, as appropriate to program objectives and area of expertise. Hears, tries, and determines all cases of domestic, civil, criminal, juvenile/children, and custody and probate situations. Drafts all order, motions, opinions, or other pleading as each case may require. Examines testimony and evidence for compliance and enforcement of Tribal Law and Order Code. Listens to presentation of case, rules on admissibility of evidence, and methods of conducting testimony, and settles disputes between opposing parties. Entertains and reviews for procedural content all pleadings from outside jurisdictions and where necessary, holds hearings on such pleadings such as bench warrants, requests for search warrants, extradition proceedings, etc. Requests reports of follow-up on probationers for complete adherence to conditions of their probation. For additional information, contact HR at 575-758-8626 ext.124 or email resume to Jgarcia@taospueblo.com.

Attorney with 0-3 Years' Experience

Madison, Mroz, Steinman, Kenny & Olexy, P.A., an AV-rated civil litigation firm, seeks an attorney with 0-3 years' experience to join our practice. We offer a collegial environment with mentorship, work from home flexibility, and opportunity to grow within the profession. Salary is competitive and commensurate with experience, along with excellent benefits. All inquiries are kept confidential. Please forward CVs to: hiring@madisonlaw.com. Please include "Associate Attorney position" in the subject line. CVs can also be mailed to: Hiring Director, P.O. Box 25467, Albuquerque, NM 87125-5467.

Now Hiring

New Mexico Department of Justice

The New Mexico Department of Justice is committed to recruiting high quality Deputy Directors who are passionate about serving the citizens of New Mexico. There are opportunities in the Consumer Protection and Criminal Appeals. The New Mexico Department of Justice is an equal opportunity employer, and we encourage applicants from all backgrounds to apply. To apply please visit the State Personnel website at www.spo.state.nm.us. For additional job opportunities please visit our website at www.nmag.gov. If you have questions, please reach out to Tim Maestas at tmaestas@nmag.gov.

Division Director for Civil Rights New Mexico Department of Justice

The New Mexico Department of Justice is seeking a dynamic and experienced individual to join our team as the Division Director for Civil Rights. The Director will be responsible for overseeing and managing legal matters related to civil rights enforcement and protection. Their primary focus is promoting equality, combating discrimination, and upholding constitutional and statutory rights. The Director will work closely with the Attorney General, Chief Deputy Attorney General, and Deputy Attorney General for Affirmative Litigation and collaborate with a team of attorneys and legal professionals to develop and execute strategic litigation initiatives. Qualifications include having a Juris Doctor (J.D.) degree from an accredited law school; Admission to the New Mexico state bar and in good standing or the ability to acquire a limited law license; Strong knowledge of civil rights law, and other relevant legal areas; Proven track record of developing and executing successful litigation strategies; Excellent leadership and management skills, with the ability to inspire and motivate a team of attorneys and legal professionals; Outstanding legal research, writing, and oral advocacy skills; Strong analytical and problem-solving abilities; Ability to work effectively under pressure, prioritize tasks, and meet deadlines; Exceptional interpersonal and communication skills, with the ability to collaborate effectively with diverse stakeholders; Demonstrated commitment to social justice, equality, and public interest law; 6 years of experience in litigation, with a demonstrated focus on affirmative litigation and 3 years of management experience preferred. To apply please submit the following documents to Tim Maestas at recruiting@nmag.gov: Cover letter detailing your interest in the role and your relevant experience; Resume/CV with a detailed overview of your educational and professional background; Writing samples showcasing your legal research and writing abilities; Contact information for three professional references. Applicants are also encouraged to visit the State Personnel website at www.spo.state.nm.us, or our website at www.nmag.gov for additional job opportunities. If you have questions, please reach out to Tim Maestas at tmaestas@nmag.gov.

Entry Level Trial Attorney

\$100,000 year/Bonuses. Work from home 3 days a week. Have fun. Never do billable hours again. Defense Attorneys encouraged to apply. You deserve better. Big cases. 3-5 years' experience. Apply directly to Rick@sandovalfirm.com

Senior Trial Attorneys, Trial Attorneys, and Assistant Trial Attorneys

The Third Judicial District Attorney's Office in Las Cruces is seeking Senior Trial Attorneys, Trial Attorneys, and Assistant Trial Attorneys. You will enjoy the convenience of working in a metropolitan area while gaining valuable trial experience alongside experienced Attorney's. Please see the full position descriptions on our website <http://donaanacountyda.com/> Submit Cover Letter, Resume, and references to Whitney Safranek, Human Resources Administrator at wsafranek@da.state.nm.us

New Mexico Legal Aid – Current Job Opportunities

New Mexico Legal Aid (NMLA) provides civil legal services to low income New Mexicans for a variety of legal issues including domestic violence/family law, consumer protection, housing, tax issues and benefits. NMLA has locations throughout the state including Albuquerque, Santa Fe, Las Cruces, Gallup, Roswell, Silver City, Clovis, Hobbs, Las Vegas, Taos, and Santa Ana. Managing Attorney – Hobbs, Roswell and Clovis Office; Staff Attorney Positions: (1) Disaster Relief, Northern NM; LGBTQ – Safe To Be You; Paralegal – Housing Stability and Veteran's Project; Paralegal – Volunteer Attorney Program. Please visit our website for all current openings, NMLA benefits, Salary Scales and instructions on how to apply - <https://newmexicolegalaid.isolvedhire.com/jobs/>

Manager, Employer Outreach

The Office of Student and Career Services ("SACS") at the University of New Mexico School of Law seeks a Manager, Employer Outreach. For best consideration, please apply by April 1st at UNM Career Site UNMJobs Req28676, Req28676. This position reports to the Director, SACS and manages the promotion of employer outreach services throughout the legal community and other relevant employment markets. Main duties include: liaises with employers, creates and implements on and off-campus recruitment initiatives, publicity for career fairs, speakers, and other services; provides law student and alumni career advisement. Serves as a representative of the Law School on a statewide, regional and national basis to potential employers. Upon consultation and feedback from employers, provides guidance and instruction for professional development and career opportunities to law students and alumni. Preferred Qualifications: Juris Doctor degree from an ABA accredited law school strongly preferred; Experience providing guidance to and mentoring law students; Excellent writing and editing skills and close attention to detail; Familiarity with the NM judiciary and legal community; Strong customer service and interpersonal skills.

Attorney

JGA is seeking an attorney, licensed/good standing in NM with at least 3 years of experience in Family Law, Probate, and Civil Litigation. All replies will be maintained as confidential. Please send cover letter, resume, and a references to: jay@jaygoodman.com.

Associate Attorney

Atkinson, Baker & Rodriguez, P.C. is a successful and established Albuquerque-based complex civil commercial and tort litigation firm seeking motivated and talented associate attorney candidates with great academic credentials. Join our small but growing focused Firm and participate in litigating cases from beginning to end with the support of our nationally recognized, experienced attorneys! Come work for a team that fosters development and growth to become a stand-out civil litigator. Highly competitive compensation and benefits. Send resumes, references, writing samples, and law school transcripts to Atkinson, Baker & Rodriguez, P.C., 201 Third Street NW, Suite 1850, Albuquerque, NM 87102 or e_info@abrfirm.com. Please reference Attorney Recruiting.

Attorney Associate or Senior (At-Will) (Position #00027916) Second Judicial District Court

The Second Judicial District Court is accepting applications for an Attorney Associate (At-Will) or Attorney Senior (At-Will) (dependent upon qualifications) to act as Deputy General Counsel. Qualifications: Must be a graduate of a law school meeting the standards of accreditation of the American Bar Association, possess and maintain a license to practice law in the State of New Mexico, and three (3) years of experience (Attorney Associate (At-Will)) or five (5) years of experience (Attorney Senior (At-Will)) in the practice of applicable law. The Attorney will be assigned to Court Administration, Office of General Counsel. The Attorney can expect to provide legal advice, perform legal research and analysis, and make recommendations on administrative and court related matters, including employment matters, contract law, finance, procurement, and public records. TARGET PAY: \$102,194 annually OR \$49,131/per hour (Attorney Associate (At-Will)); or \$109,857 annually OR \$52,816/per hour (Attorney Senior (At-Will)), plus a comprehensive benefits package. Send application or resume supplemental form with proof of education, one (1) writing sample, and copy of active Bar license to 2ndjobapply@nmcourts.gov or the Second Judicial District Court, Human Resource Office, P.O. Box 488, Albuquerque, NM, 87102. The resume supplemental form can be found at: <https://www.nmcourts.gov/careers/>. Applications without copies of information requested on the employment application will be rejected. Open until filled.

Various Assistant City Attorney Positions

The City of Albuquerque Legal Department is hiring for various Assistant City Attorney positions. Hybrid in person/remote work schedule available. The Legal Department's attorneys provide a broad range of legal services to the City and represent it in legal proceedings in court and before state, federal and administrative bodies. Current open positions include: Litigation Division: The City is seeking attorneys to join its in house Litigation Division, which defends claims brought against the City; Real Property: The City is seeking an attorney to represent it in all aspects of its real property needs. Responsibilities include negotiating, drafting, reviewing, advising and approving commercial contracts for the sale/purchase, lease/rent, license, use, exchange, grants of easements and donation of real property. This attorney will represent the City in any related litigation and condemnation actions; Employment/Labor: The City is seeking an attorney to represent it in litigation related to employment and labor law in New Mexico State and Federal Courts, before the City of Albuquerque Personnel Board, and before the City of Albuquerque Labor Board; Utilities/PRC: The City is seeking an attorney to represent it in matters regarding franchise and right of way agreements, public utilities, broadband and telecommunications, and will appear before the Public Regulation Commission ("PRC"); City Clerk General Counsel: The City is seeking an attorney to be general counsel for the City Clerk's Office. Responsibilities include advising on a broad range of IPRA and OMA issues, contract review, and other duties as assigned; Air Quality: The City is seeking an attorney to serve as general counsel to the City's Environmental Health Department ("EHD") regarding Air Quality issues throughout Bernalillo County including at federal and state facilities. Responsibilities include participating in rulemaking and appeals, enforcement actions, and other duties as assigned; Health, Housing and Homelessness and Youth and Family Services General Counsel: The City is seeking an attorney to serve as general counsel to the Department of Health, Housing and Homelessness and the Department of Youth and Family Services for contract review, and a broad range of general legal issues, including federal grant compliance, procurement, rulemaking and interpretation, and other duties as assigned; General Counsel to APD: The City is seeking an attorney to advise APD regarding policies, procedures and training, review and negotiate contracts, review uses of force, draft legal opinions, review and draft legislation and administrative instructions. Additional duties may be assigned based on experience. Attention to detail and strong writing and interpersonal skills are essential.

Preferences include: Three (3)+ years' experience as a licensed attorney; experience with government agencies, government compliance, litigation, contracts, and policy writing. Salary based upon experience. For more information or to apply please send a resume and writing sample to Angela Aragon at amaragon@cabq.gov.

City of Albuquerque – Chief Administrative Hearing Officer UN

The City of Albuquerque is seeking a Chief Administrative Hearing Officer UN to direct, manage and coordinate the programs and activities of the Office of Administrative Hearings, including oversight of quality control; coordinate activities with other divisions and the general public; preside over public and administrative hearings as described by ordinance; may mediate and resolve conflicts within the community; provide technical expertise in the development of ordinances, policies, procedures and programs. A law degree from an accredited college or university; and five (5) years of working experience as an attorney with extensive knowledge of administrative law is required. View full position announcement and to apply, or visit www.governmentjobs.com/careers/cabq.

Attorneys

The State of New Mexico, Risk Management Division -Legal Bureau ("RMD") is seeking attorneys interested in "protecting the State of New Mexico's human, physical, and financial assets." RMD has two convenient locations in Albuquerque and Santa Fe. The Santa Fe location is located within walking distance from the South Capitol Rail Runner stop. RMD offers a competitive employment package including benefits, and a great Monday through Friday schedule. Senior Litigation Attorneys evaluate cases, manage varied case loads, manage outside counsel defending the State of New Mexico, collaborate and strategize with experienced attorneys, attend and participate in mediations and trials, and work with a wonderful supportive staff. Applicants are required to have a current license to practice law in New Mexico and be in good standing with the State Bar. We are an equal opportunity employer and encourage all qualified candidates to apply. Please contact Evan.Cochnar@gsd.nm.gov

Part-Time Staff Attorney

The New Mexico Victim's Rights Project seeks an attorney to represent victims of violent crime around the state to protect and assert their constitutional and statutory rights as victims in criminal proceedings and assist with Orders of Protection occasionally. Work is intermittent and would be in collaboration with NMVRP's current staff attorney. If you are interested, please send a resume to latkinson@victimsrightsnm.org or contact Carolyn Callaway at 505-291-9774 for more information. New Mexico Victim's Rights Project is a project of DWI Resource Center, Inc., a 501(c)(3) organization.

Public Defender

Pueblo of Laguna, NM – Great employer and benefits, competitive pay DOE! Seeking full-time attorney to represent adult criminal defendants and juveniles in delinquency cases in Laguna Pueblo Court. No murder cases or hard felonies. Office has assistant and significant behavioral resources are available as alternatives to incarceration. Leisurely commute from Albuquerque metro, Los Lunas, or Grants, with remote work available. Salary DOE. Apply now, will fill quickly. Application instructions and position details at: [Employment | Pueblo of Laguna \(lagunapueblo-nsn.gov\)](https://www.pueblooflaguna.org/employment)

City of Albuquerque Paralegal

The City of Albuquerque Legal Department is seeking a Paralegal to assist an assigned attorney or attorneys in performing substantive administrative legal work from time of inception through resolution and perform a variety of paralegal duties, including, but not limited to, performing legal research, managing legal documents, assisting in the preparation of matters for hearing or trial, preparing discovery, drafting pleadings, setting up and maintaining a calendar with deadlines, and other matters as assigned. Excellent organization skills and the ability to multitask are necessary. Must be a team player with the willingness and ability to share responsibilities or work independently. Starting salary is \$25.54 per hour during an initial, proscribed probationary period. Upon successful completion of the proscribed probationary period, the salary will increase to \$26.80 per hour. Competitive benefits provided and available on first day of employment. Please apply at <https://www.governmentjobs.com/careers/cabq>.

Experienced Legal Assistant

Modrall Sperling: Leading New Mexico law firm has an excellent opportunity for an experienced legal assistant in one of our business practice groups. In this role, you will provide a broad range of legal assistant services to two or more attorneys in our Santa Fe office. Candidates with experience in public finance, including bond transactions, highly preferred. Key Responsibilities: Provide administrative support to attorneys; Handle communications with clients and others; Organize transactional materials; Draft and file legal documents; Manage attorney calendars; Assist with client billing; Maintain client contacts. Basic Requirements: 2 or more years' experience as a legal secretary, legal assistant, or paralegal in a business practice group; Strong Word, PDF, Outlook, and calendaring skills; Excellent communication and client service skills; Editing and proofreading skills; Strong organizational and document assembly skills. This position requires a legal assistant who is self-motivated, detail-oriented, and able to multi-task and work under pressure. Modrall Sperling offers an outstanding compensation and benefits package. Please forward your resume to Susan Harris: susanh@modrall.com

Staff Accountant

The State Bar of New Mexico (SBNM) seeks qualified applicants to join our team as a full-time (40 hours/week) Staff Accountant. The successful applicant will perform general cost accounting functions in the accounting department, including bank reconciliations, accounts receivable, accounts payable, payroll, posting journal entries, performing month-end closing procedures, and producing financial reports. The Staff Accountant will also assist in the annual financial audit process and is responsible for maintaining accounting records and responding to inquiries received by the accounting department. \$50,000/year-\$60,000/year depending on experience and qualifications. Generous benefits package included. This position is eligible for partial telecommuting within NM. Qualified applicants should submit a cover letter and resume to hr@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions.

Seeking Part-Time Paralegal/ Legal Writer

Rio Rancho Attorney seeks motivated senior with experience, common sense, and thick skin. Please contact Daniel at (505) 247-1110.

Executive Assistant

Wanted: Executive Assistant proficient in Google Workspace including managing a rapidly changing Google Calendar for a busy executive. Must have the know how to insert briefing materials for each meeting on the calendar. Must have the ability to calculate travel time and ensure that the executive can arrive on time for sequential meetings. Must be highly proficient regarding attention to detail. Must be willing to work with team members in different time zones which necessitates irregular hours and weekend work. Ability to organize and multi-task. Ability to work under pressure in a fast paced but highly rewarding environment. Compensation highly competitive. Please provide resume and cover letter of interest to mghoranburg@gmail.com

Front Desk/Guest Services Coordinator

The State Bar of New Mexico seeks qualified applicants to join our team as a full-time (40 hours/week) Front Desk/Guest Services Coordinator. The successful applicant will coordinate and schedule State Bar Center room rentals, internal meetings, ensure set-up for rooms, greet visitors, and field incoming phone calls and emails to SBNM general phone line and email inbox. \$17-\$19/hour, depending on experience and qualifications. Generous benefits package included. This position is in office only (not eligible for remote work). Qualified applicants should submit a cover letter and resume to HR@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions.

Intake Specialist

Are you passionate about connecting with people and assisting them in navigating legal processes? Do you possess excellent communication skills and a knack for utilizing technology to streamline workflows? If so, we have an exciting opportunity for you! The Law Offices of Erika E. Anderson is looking for an Intake Specialist to serve as the first point of contact for potential clients, demonstrating empathy and professionalism. Key responsibilities include client communication, technology utilization, data entry and organization, and problem solving. Qualifications include excellent verbal and written communication skills, strong interpersonal skills, tech-savvy with proficiency in Microsoft 365 products, detail-oriented, and organized. Prior experience in the legal field is advantageous. This is a wonderful opportunity to join an incredible team that works hard and is rewarded for hard work! The position offers a great working environment, competitive salary, and a generous benefits package. If interested, please send resume to accounting@eandersonlaw.com

Legal Support Staff - Legal Secretary (5 years)

We have an immediate opening for a Litigation Legal Secretary in our Albuquerque office as noted below. Ideal candidates should have experience working in a fast-paced defense firm and five or more years of experience. This is a full time position. The firm offers a competitive compensation and full benefits package, including Medical, Dental, Vision, 401K, PTO, Disability & Life Insurance. For consideration, please submit a cover letter and resume to: dmorris@grsm.com with Legal Secretary in the subject line. No Recruiter or telephone calls please. Gordon Rees Scully Mansukhani is an equal opportunity employer. Qualifications: Candidates must be familiar with New Mexico State and Federal rules of civil procedure; Provide administrative support to multiple Attorneys; Work independently on pleadings, discovery, motion preparation and e-discovery; Experience and knowledge of e-filing in state and federal court, case management, docketing procedures, motion procedures, calendaring procedures, document review and exhibit preparation; Exceptional attention to detail and excellent organizational skills are required; Candidates must be proficient in Microsoft Office products; Compulaw experience is beneficial and a Plus; Candidates must have excellent analytical and written communication skills.

Experienced Civil Litigation Paralegal Needed

Albuquerque Plaintiffs firm with a significant focus on medical malpractice seeking experienced civil litigation paralegal. Upon hiring, the paralegal will be involved in all stages of litigation from discovery to trial prep/assistance. Ideal candidate will have seven years of prior experience in civil litigation with knowledge of State and Federal District Court rules and filing procedures, factual and legal online research and document management and processing. Remote work allowed. All inquiries confidential. Salary DOE, benefits included. Email resume and cover letter to: info@collinsattorneys.com

Part-Time or Full-Time Paralegal

Madison, Mroz, Steinman, Kenny & Olexy, P.A., an AV-rated civil litigation firm, seeks a part-time or full-time paralegal. We offer a collegial environment with mentorship, work from home flexibility, and opportunity to grow within the profession. Salary is competitive and commensurate with experience, along with excellent benefits. All inquiries are kept confidential. Please forward CVs to: hiring@madisonlaw.com. Please include "Paralegal position" in the subject line. CVs can also be mailed to: Hiring Director, P.O. Box 25467, Albuquerque, NM 87125-5467.

Equity in Justice Administrator

The State Bar of New Mexico seeks qualified applicants to join our team as a full-time (40 hours/week) Equity in Justice Administrator (Project Manager I or II). The successful applicant will provide support for State Bar committees, sections, and divisions implementing diversity, inclusion, and equity in justice projects/initiatives. The position works alongside various groups and State Bar members engaged in eliminating biases and inequalities within New Mexico's justice system and promoting participation by underrepresented communities in State Bar programs and activities. Project Manager I: \$45,000/year-\$52,000/year or Project Manager II: \$50,000/year-\$58,000/year depending on experience and qualifications. Generous benefits package included. This position qualifies for partial telecommuting. Qualified applicants should submit a cover letter and resume to HR@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions.

Office Space

620 Roma NW

The building is located a few blocks from the federal, state and metropolitan courts. Monthly rent of \$500 includes utilities (except phones), internet access, fax, copiers, front desk receptionist and janitorial service. You will have access to a law library, four conference rooms, a waiting area, off-street parking. Several office spaces are available. Call (505) 243 3751 for an appointment.

Two Furnished Office Spaces

Two shared office spaces available. Excellent downtown location near courts. Monthly rent of \$550.00 includes utilities, internet, conference room with video technology, and off-street parking. 6 month or yearly lease options. Call (505) 242-6317 for an appointment.

2024 Bar Bulletin Publishing and Submission Schedule

The Bar Bulletin publishes twice a month on the second and fourth Wednesday. Advertising submission deadlines are also on Wednesdays, three weeks prior to publishing by 4 pm.

Advertising will be accepted for publication in the *Bar Bulletin* in accordance with standards and ad rates set by publisher and subject to the availability of space. No guarantees can be given as to advertising publication dates or placement although every effort will be made to comply with publication request. The publisher reserves the right to review and edit ads, to request that an ad be revised prior to publication or to reject any ad. **Cancellations must be received by 10 a.m. on Thursday, three weeks prior to publication.**

**For more advertising information, contact:
Marcia C. Ulibarri at 505-797-6058 or
email marcia.ulibarri@sbnm.org**

The publication schedule can be found at
www.sbnm.org



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BARBARA ROMO

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WORK WITH US!

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The 13th Judicial District Attorney Has Positions Open for Trial Attorneys in Three Different Offices Bernalillo, Belen, and Grants, New Mexico

The 13th Judicial District Attorney prioritizes your work life balance and mental health, while ethically and vigorously prosecuting offenders.

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- Comprehensive training and mentoring for new prosecutors.
- Emphasis on collegiality with Law Enforcement, Courts & Defense Bar

"I have worked at a few different District Attorney Office's across the State from the North to the South and in between. The 13th allows for greater discretion and flexibility than any other office I have worked in. Further, it is an atmosphere with little contentiousness, especially compared to other offices. If you wish to be a career prosecutor, this is where you belong." John L. – Trial Attorney

APPLY NOW <https://www.13th.nmdas.com/careers>

“I’m not only committed to a fair judicial process, but also to the creation and practice of principled policies for the People of the 13th Judicial District”
– District Attorney Barbara Romo



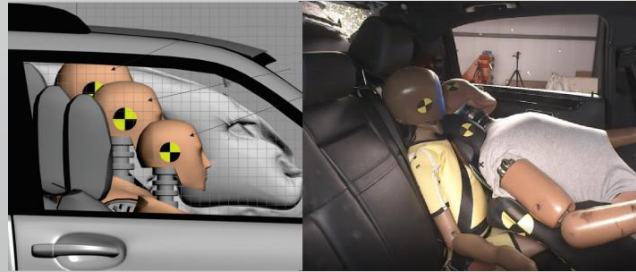
IS YOUR CASE AT A RECOVERY DEAD-END?

Maybe not because you may have a **CRASHWORTHINESS** case.



Crashworthiness

focuses on how the vehicle's safety systems performed, not who caused the accident. At my firm's Crash Lab, we continually study vehicle safety through engineering, biomechanics, physics, testing and innovation.



If you have any questions about a potential case, please call Todd Tracy. Vehicle safety system defects may have caused your client's injury or death.



The TRACY law firm
A Nationwide Practice Dedicated to Vehicle Safety
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214-324-9000
www.vehiclesafetyfirm.com