

# BAR BULLETIN

October 9, 2024 • Volume 63, No. 10



*Muses 3*, by Willy Bo Richardson (see page 5)

[www.willyborichardson.com](http://www.willyborichardson.com)

## Inside This Issue

Board of Bar Commissioners: Appointment to New Mexico Access to Justice Commission.....	6	<i>Communications Snippets</i> from the Alternative Dispute Resolution Committee.....	14
Annual Statement of Ownership.....	7	Hearsay & In Memoriam.....	15
U.S. District Court for the District of New Mexico: Solicitation for Service.....	8	Board of Bar Commissioners Election Notice 2024.....	18
A Message from State Bar of New Mexico President Erinna M. "Erin" Atkins.....	9	From the New Mexico Court of Appeals	
Annual Meeting 2024: Introducing the Annual Meeting's Inspiration Speakers and Programming.....	10	Formal Opinion.....	20
		Memorandum Opinions.....	21



Upcoming Programming from the  
CENTER FOR LEGAL EDUCATION



# Fighting the Fights for Our Clients

In-house expertise in all catastrophic cases including carbon monoxide and electrocutions.

Over \$25 million in co-counsel settlements in 2022 and more than \$1 billion in the firm's history.

Call us for your next case, [505.832.6363](tel:505.832.6363).  
[SpenceNM.com](http://SpenceNM.com).



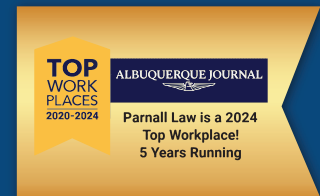
# JOIN OUR **GROWING** TEAM

We are ready to hire experienced **Senior** attorneys  
and enthusiastic **Junior** attorneys

**PARNALL**  
LAW *Hurt? Call BERT.®*



We are the  
**LARGEST**  
and *Most Highly Reviewed*  
Personal Injury Law Firm  
in New Mexico!



## Why **PARNALL LAW** ?



**Relocation Assistance**  
Expenses may vary



**Contingency Firm**  
No billable hours



**Dedicated Support Teams**  
Intake, Case Management,  
Property Damage, Investigation, etc.



**Work/Life Balance**  
PTO and Paid Sick Leave  
Annual Firm Goal Trip



\$25,000 hiring bonus



Compensation range 200k-400k  
(Performance-based)

Low Turnover Rate  
compared to competitors

**5.61%**

**Referral Bonus**  
of **\$10,000**  
for **ANYONE**  
who refers a **Senior attorney**  
hired by the firm\*\*

- ◆ \$2,500 paid when they start
- ◆ \$2,500 paid at 90 days
- ◆ \$2,500 paid at 6 months
- ◆ \$2,500 paid at 1 year

\*\*A Senior attorney must have 3+ years of experience, A Junior attorney has less than 3 years of experience. There is a \$3,000 Referral Bonus for anyone who refers a Junior attorney hired by the firm, which is paid out over the same time period as above.





# NEW MEXICO Select

THE STATE'S FINE HOME SPECIALISTS  
NMSelect.com

## Smart Start your House Hunt with just a click.

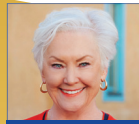
In this rapidly changing market, you need an efficient way to find the home that best suit your personal needs. The brokers who qualified to join New Mexico Select are ready to help. Visit [nmselect.com](http://nmselect.com) and you'll be in contact with one of the state's most highly respected brokers who can save you both time and money. Local Real Estate experts are just a click away at [nmselect.com](http://nmselect.com).



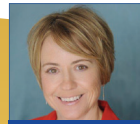
Alicia Feil  
505-235-9398



Amanda Gessler  
505-203-9710



Ann Taylor  
505-379-7774



Annie Smidt  
505-235-8143



Ainsley & Carol Sauder  
505-620-5464 / 620-3898



Cecilia Chavez  
505-463-5650



Cheryl Marlow  
505-238-1000



Daniel Vaquera  
505-730-3268



Dee Raspberry  
505-269-1505



Desiree Barton  
505-688-3310



Diana Griego  
505-238-6478



Gary Shaw  
505-506-9941



Gina Maes  
505-259-6220



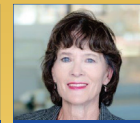
Greg Lobberegi / Angelo Ferreira  
505-269-4734 / 710-1005



Jan & James DeMay  
505-450-7635/306-1710



J Gilmore Daniels & K Gilmore Mosley  
505-259-0502 / 463-0680



Jeanne Kuriyan  
505-249-7666



Jeff Rose  
505-205-4175



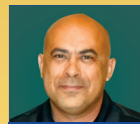
Jennifer Wilson  
505-440-1256



Jennice Phillips / Natalia Amerschek  
505-351-2280 / 926-1191



Jo Cook  
505-379-6099



JP Rael  
505-463-4305



Joi Banks Schmidt  
505-259-2033



Laurie Griffo  
505-429-6068



Lee Ann Pautz  
505-270-4852



Lynn Martinez  
505-263-6369



Mark Puckett  
505-269-6997



Marlene Vance  
505-203-1097



Megan England  
505-228-2212



Meghan Tate  
505-508-6298



Michael Seligman  
505-321-3928



Nancy Montoya  
505-480-2121



Nicole Ackerman  
505-610-5130



Patty Culp  
505-440-9895



Paul Holley  
505-363-1533



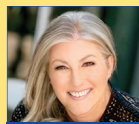
Rachael Fiance  
505-977-6569



Robin Riegler  
505-263-2903



Roberta Gore  
505-917-1447



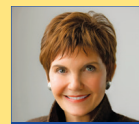
Sheryllyn Lucas  
505-710-0201



Silesha Montano  
505-804-2139



Susan & Dave Buchman  
505-554-4173/554-7730



Susan Nelson Anderson  
505-350-3235



Sylvia Benavidez  
505-908-7598



Tiffany Amber Paleo  
505-433-0109



Tyler Muxworthy  
505-307-4134



Joe Maez  
505-369-0094



Jeremy Navarro  
505-377-4070



Veronica Gonzales  
505-440-8956



Wendy Wallace  
505-250-2707



Keeping lending personal



Visit the NM Select Facebook page for all the hottest listings



**Terris Zambrano**  
Fidelity National Title  
505-967-9408



**Jorge Lopez**  
Fidelity National Title  
505-332-6218

### PARTICIPATING REAL ESTATE COMPANIES:

Advance Realty 505-203-1097 | Berkshire Hathaway NM Properties 505-798-6300 | Bright House Real Estate LLC 505-800-8210 | Castle Finders Realty 505-238-6478  
Century 21 Champions, Inc. 505-865-3381 | Coldwell Banker Legacy 505-898-2700; 505-292-8900; 505-293-3700; 505-828-1000 | Corrales Realty 505-890-3131  
EXP Realty LLC 505-554-3873 | Keller Williams Realty 505-271-8200; 505-983-5151; 505-897-1100 | La Puerta Real Estate Serv LLC 505-867-3388 | The Maez Group 505-369-0094  
Platinum Properties 505-332-1133 | Property Partners, Inc. 505-291-1234 | Real Brokers 505-448-8888 | Realty One of New Mexico 505-883-9400  
Re/Max Select 505-265-5111; 505-798-1000 | Sotheby's International 505-989-4677 | Vista Encantada Realtors, LLC 505-884-0020 | Westway Realty 505-463-4305





**State Bar of  
New Mexico**  
Est. 1886

**Officers, Board of Bar Commissioners**

Erinna M. "Erin" Atkins, President  
Aja N. Brooks, President-Elect  
Allison H. Block-Chavez, Secretary-Treasurer  
Benjamin I. Sherman, Immediate Past President

**State Bar Staff**

Executive Director, Richard Spinello  
Marketing Communications Manager,  
Celeste Valencia, celeste.valencia@sbnm.org  
Graphic Designer, Julie Sandoval,  
julie.sandoval@sbnm.org  
Advertising and Sales Manager,  
Marcia C. Ulibarri, 505-797-6058,  
marcia.ulibarri@sbnm.org  
Assistant Communications Manager,  
Brandon McIntyre, brandon.mcintyre@sbnm.org

©2024, State Bar of New Mexico. No part of this publication may be reprinted or otherwise reproduced without the publisher's written permission. The Bar Bulletin has the authority to edit letters and materials submitted for publication. Publishing and editorial decisions are based on the quality of writing, the timeliness of the article, and the potential interest to readers. Appearance of an article, editorial, feature, column, advertisement or photograph in the Bar Bulletin does not constitute an endorsement by the Bar Bulletin or the State Bar of New Mexico. The views expressed are those of the authors, who are solely responsible for the accuracy of their citations and quotations. State Bar members receive the Bar Bulletin as part of their annual licensing fees. The Bar Bulletin is available at the subscription rate of \$125 per year and is available online at [www.sbnm.org](http://www.sbnm.org).

The *Bar Bulletin* (ISSN 1062-6611) is distributed twice a month by the State Bar of New Mexico, 5121 Masthead St. NE, Albuquerque, NM 87109-4367. The first issue of each month is published and distributed in print and electronically. The second issue of each month is distributed electronically. Periodicals postage paid at Albuquerque, NM. Postmaster: Send address changes to *Bar Bulletin*, PO Box 92860, Albuquerque, NM 87199-2860.

505-797-6000 • 800-876-6227  
Fax: 505-828-3765 • [address@sbnm.org](mailto:address@sbnm.org)

October 9, 2024 • Volume 63, No. 10

[www.sbnm.org](http://www.sbnm.org)



# Table of Contents

Notices.....6  
U.S. District Court for the District of New Mexico: Solicitation for Service.....8  
A Message from State Bar of New Mexico President Erinna M. "Erin" Atkins .....9  
Annual Meeting 2024: Introducing the Annual Meeting's  
Inspirational Speakers and Programming..... 10  
Calendar for Legal Education..... 12  
Opportunities for Pro Bono Services & Resources for the Public Calendars..... 13  
*Communications Snippets* from the Alternative Dispute Resolution Committee..... 14  
Hearsay & In Memoriam..... 15  
Board of Bar Commissioners Election Notice 2024..... 18  
Nomination Petition for Board of Bar Commissioners..... 19

**From the New Mexico Court of Appeals**

Formal Opinions..... 20  
Memorandum Opinions..... 21  
Advertising ..... 22

## Make the State Bar Center Your Meeting Destination



Perfect for your conference, seminar, training, mediation, reception, networking event or meeting.

- Multi-media auditorium with seating to accommodate 160 people
- 3 spacious classrooms (equipped with removable walls to make a larger space)
- Small and large conference rooms with capacity from 6 to 12 people
- 2 multi-media boardrooms
- Ample parking
- Free Wi-Fi
- Snack and beverage service
- Hybrid meeting capabilities in most rooms



**5121 Masthead St. NE, Albuquerque, NM 87109**  
[www.sbnm.org/StateBarCenter](http://www.sbnm.org/StateBarCenter)

For more information, site visits and reservations, contact Guest Services at **505-797-6070** or [roomrental@sbnm.org](mailto:roomrental@sbnm.org)

About Cover Image and Artist: Willy Bo Richardson received an MFA from Pratt Institute in 2000. In 2011 his work was included in "70 Years of Abstract Painting" at Jason McCoy Gallery in New York, which assembled works by modern and contemporary painters, including Josef Albers, Hans Hofmann and Jackson Pollock. In 2012 he exhibited a body of watercolors at Phillips auction house in New York. His work and vision was featured on the PBS weekly arts series ;COLORES!. He was honored to be one of the eight SITE Santa Fe SPREAD Winalists in 2014. He exhibits his paintings nationally.

# Notices

Please email notices desired for publication to [notices@sbnm.org](mailto: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://nmonesource.com/nmos/en/nav\\_date.do](https://nmonesource.com/nmos/en/nav_date.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](mailto:libref@nmcourts.gov) or visit <https://lawlibrary.nmcourts.gov>.

## Administrative Office of the Courts

### Mandatory E-Filing in Magistrate and Metropolitan Courts

Attorneys must electronically submit subsequent filings in criminal cases in all magistrate courts statewide and the Bernalillo County Metropolitan Court starting Oct. 14. The Judiciary's website provides resources about the e-filing requirement.

## U.S. District Court, District of New Mexico Notice Concerning Reappointment of Incumbent U.S. Magistrate Judges Sweazea and Wormuth

The current terms of office of full-time United States Magistrate Judges Kevin R. Sweazea and Gregory B. Wormuth are due to expire on May 2, 2025, and May 17, 2025, respectively. The United States District Court is required by law to establish a panel of citizens to consider every reappointment of a magistrate judge to a new eight-year term. The duties of a magistrate judge in this court include: (1) presiding over most preliminary proceedings in criminal cases, (2) trial and disposition of misdemeanor cases, (3) presiding over various pretrial matters and evidentiary proceedings on delegation from a district judge, (4) taking of felony pleas and

## Professionalism Tip

**With respect to opposing parties and their counsel:**

I will not make improper statements of fact or of law.

(5) trial and disposition of civil cases upon consent of the litigants. Comments are as to whether either incumbent magistrate judge should be recommended by the panel for reappointment by the court are welcome. Comments may be submitted by email to [MJMSP@nmcourt.uscourts.gov](mailto:MJMSP@nmcourt.uscourts.gov). Please specify whether your comments pertain to Judge Sweazea or Judge Wormuth. Questions or issues may be directed to Monique Apodaca, 575-528-1439. Comments must be received by Oct. 19.

## Bernalillo County Metropolitan Court Request for Proposals

Bernalillo County Metropolitan Court Request for Proposals No. 24-003 for Professional Defense Attorney Team Member Services for Specialty Court Programs. The purpose of the RFP is to solicit sealed proposals to establish a contract through competitive negotiations to select offerors to provide professional legal services for the Court's Specialty Court programs. The RFP has been issued as of Sept. 20. Offerors may download the RFP at [metro.nmcourts.gov/about-this-court/request-for-proposals](https://metro.nmcourts.gov/about-this-court/request-for-proposals). Proposals must be received by Gary Markel, the procurement manager, by no later than 3 p.m. (MT) on Oct. 24. Proposals received after this deadline will not be accepted.

## STATE BAR NEWS 2024 Annual Meeting Registration is Open for the State Bar of New Mexico's 2024 Annual Meeting on Oct. 25

The Annual Meeting looks a little different this year! "Be Inspired" during one full day of legal education featuring keynote speaker Camille M. Vasquez, Esq., networking with colleagues, inspirational speakers and activities, entertainment and much more. Join us either in-person at the State Bar Center or virtually and earn all 12 of your CLE credits for the year for only \$199! Sponsorship opportunities are now available. Register today and view more information at <https://www.sbnm.org/AnnualMeeting2024>.

## Alternative Dispute Resolution Committee Invitation to National Conflict Resolution Day

The State Bar of New Mexico's ADR Committee and Statewide Alternative Dispute Resolution Commission of the New Mexico Supreme Court invite you to the National Conflict Resolution Day Reception. The event will take place Oct. 18 from 2 to 5 p.m. (MT) at the State Bar Center in Albuquerque, N.M. The deadline for reservation is Oct. 14. Visit [form.jotform.com/sbnm/rsvp--adr-committee-conflict-resolu](https://form.jotform.com/sbnm/rsvp--adr-committee-conflict-resolu) to sign up.

## Board of Bar Commissioners Appointment to New Mexico Access to Justice Commission

The Board of Bar Commissioners will make one appointment to the NM Access to Justice Commission for a three-year term. The Commission is dedicated to expanding and improving civil legal assistance by increasing pro bono and other support to indigent people in New Mexico. For more information about the Commission, visit <https://accesstojustice.nmcourts.gov/>. Active status attorneys in New Mexico who would like to serve on the Commission should send a letter of interest and brief resume by Nov. 22 to [bbc@sbnm.org](mailto:bbc@sbnm.org).

## Appointment to New Mexico State Bar Foundation Board

The Board of Bar Commissioners of the State Bar of New Mexico will appoint one director to the New Mexico State Bar Foundation Board for a three-year term. The New Mexico State Bar Foundation's mission is to advance the legal community's commitment to serve the legal profession and people of New Mexico. Through member donations, fundraising and programs, the Foundation provides and promotes access to legal services to underserved New Mexicans. The Foundation also supports public service, education, and diversity, as well as organizations consistent with its mission. For more information about the Bar Foundation, visit <https://www.sbnm.org/Bar-Foundation>. Active status members interested in serving on the Board should submit a letter of interest and resume to [bbc@sbnm.org](mailto:bbc@sbnm.org) by Nov. 22.



**Statement of Ownership, Management, and Circulation as of Sept. 25, 2024.**

*Bar Bulletin*, Publication No. 1062-6611. 24 issues annually (bi-monthly). \$125 annual subscription price. —  
 Featured— Publisher: State Bar of New Mexico, PO Box 92860 (87199-2860), 5121 Masthead NE, Albuquerque, NM 87109. Owner: State Bar of New Mexico, PO Box 92860 (87199-2860), 5121 Masthead NE, Albuquerque, NM 87109.  
 No other known bondholders, mortgages, and/or other security holders.

<b>Printed Circulation</b>	<b>Average</b>	<b>Actual (Vol. 63, No. 9)</b>
Total Number of Copies	7104	7206
Paid Subscriptions Outside-County	970	809
Paid Subscriptions In-County	5925	6213
Sales Through Dealers, Carriers, etc.	0	0
Other Classes Mailed Through the USPS	0	0
Total Paid Distribution	6895	7022
Free Distribution by Mail		
Outside-County	0	0
In-County	0	0
Other Classes Mailed Through the USPS	0	0
Free Distribution by Mail	18	15
Total Free Distribution	18	15
Total Distribution	6913	7037
Copies not Distributed	191	169
Total	7104	7206
<b>Electronic Circulation</b>	<b>Average</b>	<b>Actual (Vol. 63, No. 9-D)</b>
Requested Electronic Copies	9309	9337
Total Printed and Electronic Circulation	16222	16374
Percent Paid	99.89%	99.91%

**I Certify that the statements made above are true and complete.**

Celeste Valencia, *Bar Bulletin* Marketing & Communications Manager

## Election Notice 2024

Notice is hereby given for the 2024 State Bar of New Mexico Board of Bar Commissioners election. Five positions will expire Dec. 31 and will be filled by this election. For more information and a nomination petition, please visit [www.sbnm.org/BBCnomination2024](http://www.sbnm.org/BBCnomination2024).

## 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](http://lawlibrary.unm.edu).

## Proposed Constitutional Amendment

New Mexico Constitutional Amendment 3 is on the ballot this November. It can be found at <https://www.nmlegis.gov/Sessions/24%20Regular/final/SJR01.pdf>. Passage of the amendment would allow the Dean of the University of New Mexico School of Law to appoint a designee to chair judicial nominating commissions when needed. The Dean will continue to oversee all judicial nominating commissions and will continue to chair most commissions.

This change would allow the Dean to designate a faculty member, retired faculty member, associate dean, or former dean of the UNM School of Law to chair a commission in the case of the Dean's illness or if pressing matters require the Dean's presence at the School of Law.

## Invitation to UNM School of Law Alumni/ae Association Distinguished Achievement Awards Dinner

The UNM School of Law invites you to register for the UNM School of Law Alumni/ae Association Distinguished Achievement Awards Dinner happening on Oct. 18 at 5 p.m. (MT) in the Student Union Building ballrooms. Register at <https://lawschool.unm.edu/alumni/events/daad.html>. The Distinguished Achievement Honorees include Gloria Valencia-Weber, F. Michael Hart and The Hon. Deb Haaland. The Alumni Promise Honoree is Noell Sauer Huffmyer.

## OTHER NEWS N.M. Legislative Council Service

**Legislative Research Library Hours**  
 The Legislative Research Library at the Legislative Council Service is open to state agency staff, the legal community, and the general public. We can assist you with locating documents related to the introduction and passage of legislation as well as reports

— *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.

Clio also provides industry-leading security, 24 hours a day, 5 days a week customer support and more than 125 integrations with legal professionals' favorite apps and platforms, including Fastcase, Dropbox, Quickbooks and Google apps. Clio is the legal technology solution approved by the State Bar of New Mexico. Members of SBNM receive a 10 percent discount on Clio products.

Learn more at  
[landing.clio.com/nmbar](http://landing.clio.com/nmbar).

to the legislature. Hours of operation are Monday through Friday, 8 a.m. to 5 p.m. (MT), with extended hours during legislative sessions. For more information and how to contact library staff, please visit [https://www.nmlegis.gov/Legislative\\_Library](https://www.nmlegis.gov/Legislative_Library).

## New Mexico Christian Legal Aid Notice of Upcoming Training Seminar

New Mexico Christian Legal Aid invites New Mexico's legal community to join them for a Training Seminar on Nov. 1, from noon to 5 p.m. (MT) at the State Bar Center located at 5121 Masthead St NE, Albuquerque, N.M. 87109. Join them for free lunch, free CLE credits and training as they update skills on how to provide legal aid. For more information or to register, contact Jim Roach at 505-243-4419 or Jen Meisner at 505-610-8800 or [christianleg-aid@hotmail.com](mailto:christianleg-aid@hotmail.com).



## U. S. DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

### ***Service on Court Committee***

Chief Judge William P. Johnson and the Article III District Judges for the District of New Mexico would like to solicit interest from Federal Bar members for service on the Criminal Justice Act (CJA) Panel Committee. The Committee consists of Federal Bar members who are knowledgeable in federal criminal defense practice. This Committee recommends CJA Panel attorneys to the Court.

All interested Federal Bar members in good standing should submit a Letter of Interest no later than Wednesday, October 16, 2024, to the Clerk of Court, U. S. District Court, 333 Lomas Blvd. NW, Suite 270, Albuquerque, NM 87102; or by email to [clerkofcourt@nmd.uscourts.gov](mailto:clerkofcourt@nmd.uscourts.gov) to be considered for appointment to the Committee.

### ***Service on Court Committee***

Chief Judge William P. Johnson and the Article III District Judges for the District of New Mexico would like to solicit interest from Federal Bar members for service on the Committee on the Local Civil Rules. This Committee is charged with reviewing local rules, proposing amendments to the local rules, and soliciting public comment on proposed rule amendments. (Please see Administrative Order 20-MC-04-18 for more information regarding the Committee on Local Civil Rules.)

All interested Federal Bar members in good standing should submit a Letter of Interest no later than Wednesday, October 16, 2024, to the Clerk of Court, U. S. District Court, 333 Lomas Blvd. NW, Suite 270, Albuquerque, NM 87102; or by email to [clerkofcourt@nmd.uscourts.gov](mailto:clerkofcourt@nmd.uscourts.gov) to be considered for appointment to the Committee.

### ***Service on Court Committee***

Chief Judge William P. Johnson and the Article III District Judges for the District of New Mexico would like to solicit interest from Federal Bar members for service on the Committee on the Local Criminal Rules. This Committee is charged with reviewing local rules, proposing amendments to the local rules, and soliciting public comment on proposed rule amendments. (Please see Administrative Order 20-MC-04-11 for more information regarding the Committee on Local Criminal Rules.)

All interested Federal Bar members in good standing should submit a Letter of Interest no later than Wednesday, October 16, 2024, to the Clerk of Court, U. S. District Court, 333 Lomas Blvd. NW, Suite 270, Albuquerque, NM 87102; or by email to [clerkofcourt@nmd.uscourts.gov](mailto:clerkofcourt@nmd.uscourts.gov) to be considered for appointment to the Committee.

### ***Service on Court Panel***

Chief Judge William P. Johnson and the Article III District Judges for the District of New Mexico would like to solicit interest from Federal Bar members for service on the Magistrate Judge Merit Selection Panel (“the Panel”). In the District of New Mexico, there are five full time magistrate judges in Albuquerque, five full time magistrate judges in Las Cruces and two part time magistrate judges, with one in Farmington and the other in Roswell. Whenever there is a magistrate judge vacancy, the Panel is responsible for (i) reviewing the application packets submitted by all applicants, (ii) determining the list of qualified applicants to be interviewed by the Panel, and (iii) from those applicants interviewed by the Panel determining by majority vote of the Panel members the five most qualified applicants and then forwarding the names of those five most qualified applicants to the District Judges who will then interview the finalists and make a selection.

The Panel also has the responsibility of issuing a report and recommendation to the District Judges whenever a U.S. Magistrate Judge seeks another term. By statute, U.S. Magistrate Judges serve eight-year terms and may seek reappointment for additional eight-year terms. As part of the Magistrate Judge reappointment process, the Panel must seek input from attorneys, litigants and other members of the public concerning magistrate judges seeking reappointment and then issue a report and recommendation on whether said judges should be reappointed.

Any member of the Federal Bar in good standing and interested in being selected by the District Judges to serve on the Magistrate Judge Merit Selection Panel should submit a Letter of Interest no later than Wednesday, October 16, 2024, to the Clerk of Court, U. S. District Court, 333 Lomas Blvd. NW, Suite 270, Albuquerque, NM 87102; or by email to [clerkofcourt@nmd.uscourts.gov](mailto:clerkofcourt@nmd.uscourts.gov) to be considered for appointment to the Panel.





# A Message from State Bar of New Mexico President ERINNA M. “ERIN” ATKINS “Be Inspired” During the 2024 Annual Meeting!



As President of the State Bar, I have been given the opportunity to choose a theme for the 2024 State Bar of New Mexico Annual Meeting. As I reflected on what CLE programming I find interesting and what I would like to share with you, the idea of content that focuses on the joy of being a lawyer, the gift that you have earned

from your education, the unique ability to access justice for your clients, regardless of what type of law you practice, is at the front of my mind. This year’s theme is “Be Inspired” and I hope that you will attend, virtually or in person, and that you will find in the programming a day where you not only earn your required CLE credits but experience content that leaves you with inspiration and hope in your career.

The Annual Meeting will be held on October 25, 2024. It brings the opportunity for our legal community to gather for an inspiring day of education and legal insight, socializing and networking and a spectacular celebration of our profession. This year’s Annual Meeting has been created to assure an opportunity for every member of the State Bar to participate. From the mountains of the North to the glowing slopes of the White Sands in the South, from the caverns in the East, to the ranches in the West, there will be opportunities for every New Mexico attorney to enjoy this year’s event.

The meeting includes one full day of programming at the State Bar Center in Albuquerque, which can be attended in-person or virtually. Each participant will receive the opportunity to earn all 12 annually required CLE credits at a highly discounted rate of only \$199!

I am excited to announce that this year’s keynote speaker is the esteemed and motivational attorney Camille M. Vasquez, Esq. Ms. Vasquez is an inspirational attorney and most recently notable for her work in the widely publicized *Johnny Depp v. Amber Heard* defamation case. I recently saw her speak at the State Bar of Texas’s 2024 Annual Meeting, where Vasquez spoke at length both about the aforementioned celebrity defamation case as well as her journey to becoming an attorney. Her words left me with a sense of pride to be an attorney, and I am confident she will inspire every attendee during the Annual Meeting.

Our keynote speech will be followed by a few separate sessions, led by experienced and noteworthy members from New Mexico’s legal community and those affiliated with it. The session following the keynote speech will be the Judicial Roundtables session, hosted by members of New Mexico’s judiciary. This opportunity will allow attorneys and judges to interact together and discuss interesting topics in the profession. The Judicial Roundtables will be followed by a session hosted by the New Mexico Black Lawyers

Association Vice-President Nicole “Nikki” Berry, Esq. and State Bar of New Mexico President-Elect Aja N. Brooks. In reflecting on the importance of equity and justice in our profession, I asked Ms. Brooks to present as I find her work and advocacy very inspirational. Ms. Brooks will be the first Black Lawyer who is President of the State Bar of New Mexico when she serves in 2025. This program is titled, “Representation Matters: Debunking New Mexico’s Tri-Cultural Myth within the Legal Profession,” and I hope you will find it thought-provoking and interesting as you earn your mandatory EIJ credit. Our closing session will be led by popular CLE speaker Stuart I. Teicher, Esq., who will discuss professionalism in the legal community and its profound influence on the aspirations of up-and-coming attorneys and will qualify for your ethics credit. I believe our sessions will be very informative and expand upon some of New Mexico’s most relevant and timely legal topics.

This year’s Annual Meeting will also include raffle drawings to benefit the New Mexico State Bar Foundation. Visit <https://www.sbnm.org/2024raffle> for a complete list of the fabulous staycation packages and to purchase your ticket either online or in person. You do not have to be present to win, and your donation will support the New Mexico State Bar Foundation’s programs and mission.

Finally, the 2024 Annual Meeting will be fun! The State Bar will be hosting food trucks during the lunch break to serve in-person attendees with a fun variety of delicious meals. Following the CLEs, there will be a reception for the presentation of the State Bar’s Annual Awards to seven outstanding individuals and one organization followed by the President’s Reception, which is sure to be a great time.

As we approach the 2024 Annual Meeting, I want to re-emphasize its theme of “Be Inspired.” The legal profession can be a taxing and a challenging one, so staying inspired through the toughest of times is vital to our long-term success. Regardless of what area of law you practice, or what type of career you have created, the 2024 Annual Meeting is relevant to you because you are a Member of the State Bar of New Mexico. As your 2024 President, my vision is for all generations of legal professionals in this great state, from rural to a city practice, from large firm to solo and all those in between, to continually stay energized through the ups and downs of our careers and to constantly find inspiration in the pursuit of justice for the welfare of all New Mexicans.

Sincerely,

Erinna M. “Erin” Atkins, President  
State Bar of New Mexico





# ANNUAL MEETING 2024

October 25 • State Bar Center or Virtual

be  
inspired.

**Be Inspired and Earn All  
12 CLE Credits For The Year For Only \$199!**

## Introducing the Annual Meeting's Inspirational Speakers and Programming



### Keynote Presentation (1.5 G)

**Camille M. Vasquez, Esq.**

Keynote speaker Camille M. Vasquez, Esq., partner in the Business Trial Practice Group at Sheppard, Mullin, Richter & Hampton LLP, has over 10 years of experience as a trial lawyer in high-stakes disputes, as well as an impressive background in commercial litigation, entertainment law and defamation. Vasquez quickly became one of the nation's most recognized attorneys in 2022, when she held a key role in the *Johnny Depp v. Amber Heard* defamation case. Since then, Vasquez has joined NBC News as a legal analyst and has become an inspirational figure for ambitious attorneys.

### Judicial Roundtables (1.0 G)

#### Members of the New Mexico Judiciary

Members of New Mexico's judiciary, including representatives from the Appellate, District and Metro Courts, will be interacting with Annual Meeting attendees, both in-person and virtually, on a variety of issues, including content related to the 2024 Annual Meeting's "Be Inspired" theme and topics important to New Mexico's legal community. The judges and justices will also answer questions pertaining to the interests of legal professionals in New Mexico.







## Representation Matters: Debunking New Mexico's Tri-Cultural Myth Within The Legal Profession (1.0 EIJ)

**Jennifer Nicole "Nikki" Berry, Esq. and Aja N. Brooks, Esq.**



This presentation will highlight the contributions of Black attorneys in New Mexico and will include information on why diversity is vital to the future of the legal profession. Jennifer Nicole "Nikki" Berry, Esq. serves as the Vice-President of the New Mexico Black Lawyers Association and is a criminal defense attorney. Aja N. Brooks, Esq. is the President-Elect of the State Bar of New Mexico and is a Past President of the New Mexico Black Lawyers Association and New Mexico State Bar Foundation.

## Raising the Bar for the Bar... and the Rest of Society! (1.5 EP)

**Stuart I. Teicher, Esq.**

Join nationally recognized speaker Stuart I. Teicher, Esq. as he explains how concepts of professionalism encourage lawyers to aspire higher. Teicher explains that if we do so, we can elevate the profession's image and have a hugely positive impact on society.



**Registration is Now Open!**

Registration Information Available at **[www.sbnm.org/AnnualMeeting2024](http://www.sbnm.org/AnnualMeeting2024)**  
**Act fast!** In-person seating is limited!

**Earn all 12 CLE Credits for the year for ONLY \$199!**

Earn 5 CLE credits by attending the live 2024 Annual Meeting event, in person or virtually, on Oct. 25 and complete the remaining 7 CLE credits at your convenience with special access to the Annual Meeting on-demand CLE library. The on-demand library will be available starting on Oct. 28 and all credits must be completed no later than Jan. 31, 2025.

**[www.sbnm.org/AnnualMeeting2024](http://www.sbnm.org/AnnualMeeting2024)**

# Legal Education Calendar

## October

- |  |  |  |
|--|--|--|
| <p><b>1-31 Self-Study - Tools for Creative Lawyering: An Introduction to Expanding Your Skill Set with Eric Sotkin</b><br/>1.0 G, 2.0 EP<br/>Online On-Demand<br/>The Ubuntuworks Project<br/><a href="http://www.ubuntuworksschool.org">www.ubuntuworksschool.org</a></p> | <p><b>16 On the Horns of a Dilemma: Clarence Darrow and the McNamara Case</b><br/>1.0 EP<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>  | <p><b>18 Learn Mindfulness to Curtail Implicit Bias and Make Ethical Decisions</b><br/>1.0 EIJ<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>                  |
| <p><b>9 Income and Fiduciary Tax Issues for Trust and Estate Planners, Part 1</b><br/>1.0 G<br/>Teleseminar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>   | <p><b>16 Don't Blink, or it Will Probably Change: The Latest in the Legal Profession's Use of Generative A.I.</b><br/>1.0 EP<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>        | <p><b>22 Releasing Employees &amp; Drafting Separation Agreements</b><br/>1.0 G<br/>Teleseminar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>                             |
| <p><b>10 Income and Fiduciary Tax Issues for Trust and Estate Planners, Part 2</b><br/>1.0 G<br/>Teleseminar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>  | <p><b>16 Lincoln on Professionalism</b><br/>1.3 EP<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>  | <p><b>23 Ethics, Juror Misconduct, and Jury Tampering: The Murdaugh Motion for New Trial</b><br/>2.0 EP<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>         |
| <p><b>10 2024 Administrative Law Institute</b><br/>5.0 G<br/>In-Person &amp; Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>  | <p><b>16 Championing Pretrial Release With the PTR</b><br/>1.0 G<br/>Live Program<br/>Administrative Office of the US Courts<br/><a href="http://www.uscourts.gov">www.uscourts.gov</a></p>  | <p><b>23 Ethics and Virtual Law Offices</b><br/>1.0 EP<br/>Teleseminar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>  |
| <p><b>11 Subtenants in Commercial Leasing - How to Protect Your Client</b><br/>1.0 G<br/>Teleseminar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>  | <p><b>17 UNM Law Professor Series: A Step Toward Solving the Housing Crisis: Eviction Records Sealing in New Mexico</b><br/>1.0 EIJ<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p> | <p><b>29 Battling Gender Bias: How Bill Cosby and Other Sexual Predators Escape Punishment</b><br/>1.0 EIJ<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>      |
| <p><b>15 ChatGPT in the Legal Field: Benefits, Pitfalls, and Ethical Issues of Artificial Intelligence</b><br/>1.0 EP<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p>   |  | <p><b>30 Key Foundations and Frameworks for Diversity, Equity, and Inclusion in the Legal Field</b><br/>1.0 EIJ<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p> |

## November

- |  |  |  |
|--|--|--|
| <p><b>1 ChatGPT Unveiled: Revolutionizing the Practice of Law in the AI Era</b><br/>1.0 G<br/>Webinar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p> | <p><b>1 Ethics in Discovery Practice</b><br/>1.0 EP<br/>Teleseminar<br/>Center for Legal Education of NMSBF<br/><a href="http://www.sbnm.org">www.sbnm.org</a></p> | <p><b>1 November Hearing Panels</b><br/>4.0 G<br/>Live Program<br/>New Mexico Medical Review Commission<br/><a href="http://www.nmms.org">www.nmms.org</a></p> |
|--|--|--|

Listings in the *Bar Bulletin* Legal Education Calendar are derived from course provider submissions and from New Mexico Minimum Continuing Legal Education. All MCLE approved continuing legal education courses can be listed free of charge. Send submissions to [notices@sbnm.org](mailto:notices@sbnm.org). Include course title, credits, location/course type, course provider and registration instructions. For a full list of MCLE-approved courses, visit <https://www.sbnm.org/Search-For-Courses>.





# Opportunities for Pro Bono Service CALENDAR

## October

- |   |  |
|---|--|
| <p><b>18 Law-La-Palooza</b><br/>In-Person<br/>New Mexico Legal Aid<br/><a href="http://bit.ly/NMLALegalFairSignUp">bit.ly/NMLALegalFairSignUp</a><br/>Location: Albuquerque</p> | <p><b>25 Legal Fair</b><br/>In-Person<br/>New Mexico Legal Aid<br/><a href="http://bit.ly/NMLALegalFairSignUp">bit.ly/NMLALegalFairSignUp</a><br/>Location: Carlsbad</p> |
|---|--|

## November

- |  |   |   |
|--|---|---|
| <p><b>12 Legal Fair</b><br/>In-Person<br/>New Mexico Legal Aid<br/><a href="http://bit.ly/NMLALegalFairSignUp">bit.ly/NMLALegalFairSignUp</a><br/>Location: Alamogordo</p> | <p><b>15 Legal Fair</b><br/>In-Person<br/>New Mexico Legal Aid<br/><a href="http://bit.ly/NMLALegalFairSignUp">bit.ly/NMLALegalFairSignUp</a><br/>Location: Silver City</p> | <p><b>21 Statewide Legal Teleclinic</b><br/>New Mexico Legal Aid<br/><a href="http://bit.ly/NMLALegalFairSignUp">bit.ly/NMLALegalFairSignUp</a><br/>Location: Virtual</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

## October

- |   |  |  |
|---|--|--|
| <p><b>18 Law-La-Palooza</b><br/>In-Person<br/>New Mexico Legal Aid<br/><a href="http://bit.ly/NMLALegalFairSignUp">bit.ly/NMLALegalFairSignUp</a><br/>Location: Albuquerque</p> | <p><b>23 Consumer Debt/Bankruptcy Workshop</b><br/>Virtual<br/>State Bar of New Mexico<br/>Call 505-797-6094 to register<br/>Location: Virtual</p> | <p><b>25 Legal Fair</b><br/>In-Person<br/>New Mexico Legal Aid<br/><a href="http://bit.ly/NMLALegalFairSignUp">bit.ly/NMLALegalFairSignUp</a><br/>Location: Carlsbad</p> |
|---|--|--|

## November

- |  |  |   |
|--|--|---|
| <p><b>6 Divorce Options Workshop</b><br/>Virtual<br/>State Bar of New Mexico<br/>Call 505-797-6022 to register<br/>Location: Virtual</p> | <p><b>12 Legal Fair</b><br/>In-Person<br/>New Mexico Legal Aid<br/><a href="http://bit.ly/NMLALegalFairSignUp">bit.ly/NMLALegalFairSignUp</a><br/>Location: Alamogordo</p> | <p><b>12 Legal Resources for the Elderly Workshop</b><br/>Virtual<br/>State Bar of New Mexico<br/>Call 505-797-6005<br/>or 1-800-876-6657 to register<br/>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](mailto:probono@sbnm.org). Include the opportunity's title, location/format, date, provider and registration instructions.



State Bar of New Mexico  
Alternative Methods of  
Dispute Resolution

# COMMUNICATION SNIPPETS

*From the State Bar of New Mexico  
Alternative Methods of Dispute Resolution Committee*

## "THEY"

We always think that if "they" would change something, our lives would be better. Usually, "they" are thinking the same thing about us!

Regardless of what "they" are doing, it doesn't relieve us of the responsibility to communicate well. We can only do the "next right thing." Using opportunities like this to model good communication to others happens frequently and gives a positive model of good communication. Instead of using "you" messages, try "I" messages. Try not to use, "You always \_\_\_\_\_." Instead, try this: "When I hear you say that, it makes me think \_\_\_\_\_." Give the other party time to respond. You might find you both had different ideas of what the conversation was.

## INTERRUPTIONS

Did you know that interruptions are a sign of power imbalance? When someone interrupts you, they are saying, "What I have to say is more important than what you have to say." To reduce interruptions, try saying, "Thanks for giving that input, and I'll respond as soon as I finish saying what I was talking about." They may find out they were responding to something completely different than what you were saying. Allowing someone to complete their sentences is respectful and gives more clarity to the topic.

## DISTRACTIONS

Life is busy. Did you know that we make intentional choices when we are "too busy" to be present when others are talking to us? When we allow distractions to keep us too busy, we are telling the other party that we are not interested in allowing them space in our world. When someone comes to you for a conversation, try to stop what you are doing and turn toward the person and be fully present. It is respectful, compassionate and builds bridges that create future opportunities we might not otherwise get.

*"Being heard is so close to being loved that for the average individual it is almost indistinguishable." — David Augsburger*

Do you have any useful tips for the New Mexico legal community that you would like to see published? Submit them to [notices@sbnm.org](mailto:notices@sbnm.org) for publication in a future issue of the *Bar Bulletin*!

Gallagher & Kennedy is pleased to announce that 51 of its attorneys across 46 practice areas have been selected for inclusion in the 2025 edition of The Best Lawyers In America and Ones To Watch. Three G&K shareholders received the highest overall peer feedback for a specific practice area and geographic region and were named “Lawyer of the Year,” including **Kevin E. O’Malley** (Litigation – Municipal), **Robert W. Boatman** (Product Liability Litigation – Plaintiffs) and **Dalva L. Moellenberg** (Litigation – Environmental).

Gallagher & Kennedy is pleased to announce the addition of a family law practice group to its Phoenix office. The addition, which includes shareholder **Melissa F. Benson** and attorney **Elizabeth Nanez**, as well as their paralegal and legal support professional, will further enhance the firm’s capabilities and provide it with a broader capacity for legal service and support.



89 attorneys from **Brownstein Hyatt Farber Schreck** were selected by their peers for inclusion in the 2025 edition of Best Lawyers in America. The list includes three attorneys from New Mexico. **Eric R. Burris** and **Ross L. Crown** were on the list of Best Lawyers in America. **Debashree Nandy** was on the Best Lawyers: Ones to Watch in America list

**Jay F. Stein** and **James C. Brockmann** of Stein & Brockmann, P.A. have been named to Best Lawyers in America in the field of Water Law for 2025. Mr. Brockmann was selected “Lawyer of the Year” in this field.

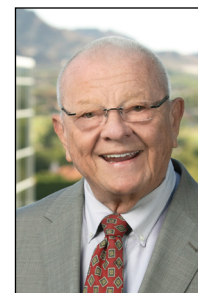


As of July 2024, **Hon. Carl J. Butkus** has been elected to the National Conference of Bar Foundations’ Board of Directors. Hon. Butkus was in practice for many years before being appointed District Judge in the Second Judicial District in New Mexico in 2005. He retired in 2020 and has since been centrally involved with the New Mexico State Bar Foundation and its contributions to the State of New Mexico and its residents.

The New Mexico Public Defender Commission has unanimously elected **Gina Maestas** to serve as chair. Maestas was appointed to the commission in 2022 and has since served as member at large. She is the first Hispanic female to chair the Commission.

89 attorneys from **Brownstein Hyatt Farber Schreck** were selected by their peers for inclusion in the 2025 edition of Best Lawyers in America. Four of the firm’s attorneys received “Lawyer of the Year” recognition, including **Airina L. Rodrigues** (copyright law) and **Carolynne C. White** (municipal law), both located in Denver, as well as **Peter H. Ajemian** (copyright law) and **Andrew S. Brignone** (litigation - ERISA) in Las Vegas.

Gallagher & Kennedy is thrilled to announce the return of two esteemed lawyers, **Janey Henze Cook** and **Tom Henze**. Janey Henze Cook returns to the firm as a shareholder, with a wide array of experience across numerous areas of law. Tom Henze returns as Of Counsel with over 50 years of experience in defense litigation.



**Saiz, Chanez, Sherrell + Kaemper, PC** proudly announces that all five of its partners are recognized in the 2025 **Best Lawyers in America** list. Denise M. Chanez was selected for Litigation-Health Care. Brenda M. Saiz and Michael Kaemper were selected for Personal Injury Litigation - Defendants and Product Liability Litigation - Defendants. Shannon M. Sherrell was selected for Medical Malpractice Law - Defendants and Product Liability Litigation - Defendants. Finally, Patrick Coronel was selected for Personal Injury Litigation - Defendants.



**Jeffrey C. Brown**, Attorney at Law, has announced his semi-entirement and the formation of **Brown and Thompson Law, P.C.** **Derek Thompson** is the managing partner of Brown and Thompson Law as of Sept. 1. Our sole area of practice will be Workers’ Compensation and we will continue to provide the same dedication and commitment to the injured workers of New Mexico.

**Raúl E. Burciaga** retired from the New Mexico Legislative Council Service after 24 years. Raúl served as Staff Attorney, Assistant Director for Drafting Services and the last 14 years as the agency’s Director. He was active with the National Conference of State Legislatures, serving five years on its Executive Committee, three of those as an officer. He was also active with the Council of State Governments, the National Uniform Law Commission and the NM Compilation Commission. Raúl hopes to travel with his wife as well as some part-time teaching.



# In Memoriam

www.sbnm.org

**Dawn Sturdevant Baum**, 46, passed away June 10th, 2023 from complications of metastatic breast cancer. She passed peacefully surrounded by family. Dawn's light continues to shine to many. Dawn was born to Mary Kay Baum and Michael Sturdevant in Pleasant Springs, WI during the sunrise of July 3rd, 1976. Fittingly, weeks before her birth, Grandmother Nellie Sturdevant had suggested to Mary Kay the name Meep, meaning Dawn. Dawn came to experience life with some of her Menominee relatives. These include her half-sister Michelle Sturdevant who at age 10 lived with Mary Kay for a year. Dawn guided many including Tara Sturdevant, Craig Sturdevant, and Marisa Soto. In addition to having Menominee relations, Dawn was proud to be enrolled in the Sokaogon Chippewa Community – Mole Lake Band of Ojibwe. In 1988 Dawn's mother Mary Kay married George Swamp. They welcomed Dawn's brother, Jake Swamp in 1989. George officially adopted Dawn as his daughter on Feb 1, 2019 after serving in that role for many important years. Dawn graduated with honors from Madison East High School in 1994 and graduated from Beloit College with a B.A. in Religious Studies in 1998. She was an active member of the swim teams for both Madison East and Beloit and enjoyed being in and around water for the rest of her life. She began Law School at the University of Colorado and transferred to UW-Madison Law School where she earned her J.D. in 2001. In 2005 she earned the distinguished L.L.M. degree in American Indian and Indigenous Law from the University of Tulsa. While in law school at UW-Madison, Dawn was a Victory Voice in what would become the Lambda Chapter of Alpha Pi Omega Sorority, Inc., the first historically Native American Sorority. Dawn continued her leadership in the Sorority becoming a founding member of the Zeta Pi Professional Chapter and its first president. Dawn served various leadership roles in the Sorority at both the local and national levels becoming a permanent part of Alpha Pi Omega history. Following Law School, Dawn served as Law Clerk for the Supreme Court Chief Justice of the Navajo Nation. She then worked as Legal Assistant to the Clerk of Supreme Court and Court of Appeals of Wisconsin. In 2005, Dawn moved to Washington, DC, where she worked for the renowned Native American Rights Fund. She then worked within the Bureau of Indian Affairs in the Department of the Interior with American Indian and Alaska Native colleges and elementary and secondary schools. Spread out over 64 reservations and 23 states, the officers of these educators were glad to have one person, Dawn, as their go-to staffer. Successful there, she was called to the Office of the Solicitor for the U S Department of the Interior which advises and represents the office in judicial, legislative, ethical and legal matters. If this is not broad enough Dawn took within these 12 years a position in the U. S. Environmental Protection Agency, the National Indian Gaming Commission and US Department of Justice in their Office of Tribal Justice. The latter mandate was to assure that federal agencies uphold Indian sovereignty and consultation requirements. Dawn was elected president of the Native American Bar Association of DC and later was a member of the American Bar Association's Council for Racial and Ethnic Diversity in Education. A founding member of the American Bar Association's Joint Task Force on Reversing the School-to-Prison Pipeline, Dawn helped develop the task force's 2016 report on how to reform and improve education for disenfranchised youth. As she moved to her Yurok position she helped implement more such reforms there. In 2017 Dawn moved to Crescent City, CA and began work for the Yurok Tribe where she would eventually become General Counsel. At the Yurok Tribe she developed a mentorship program for young attorneys and paralegals and inspired several young tribal members to continue their education and develop advocacy skills. Dawn had a gift

for bringing out the best in people. For six years she was Adjunct Professor of Indian Law at University of Tulsa College of Law, teaching Indian education and gaming law classes after work in her "free time." As part of her work with the Yurok she went to Egypt in November 2022 for the UN Climate Change Conference (COP27) where she spoke about the importance of using indigenous knowledge with sovereignty in addressing the climate crisis. An important part of her work with the Yurok was Dawn's speaking up for indigenous peoples around the world at the international UN Climate Change COP 26 in Glasgow, Scotland (COP26) and in Sharm el-Sheikh, Egypt (COP 27). Her words, calling for following indigenous ways, are at <https://soundcloud.com/culturalsurvival/dawn-baum-and-javier-kinney-on-climate-change>, and <https://insideclimatenews.org/news/15112022/cop27-deforestation-united-states-logging/>. In April 2023, she shared this recent episode of The Future as it relates to the Yurok: <https://www.youtube.com/watch?v=x3JdV5AVOQg>. Dawn found a disconnect between what officials are saying at the COP26 and 27 talks what they're doing at home. Meanwhile the Yurok are a model for accomplishing much by cooperation and partnering with businesses and governments. "We cannot achieve healthy living without including Native nations and their wise traditional ways. "It's really wonderful for us to bring our territory, and what used to be our territory, back into our control, to be able to use our traditional knowledge ... to prevent the massive wildfires by techniques like burning designated underbrush, keeping the forest healthy," she said. Clean, free-flowing river that will once again support one of America's greatest fisheries available for indigenous people and their traditional ways. We've done that for millennia and the rest of the world is finally catching onto what we were doing." Dawn considered herself a strong resilient indigenous woman. She survived a devastating car accident and fought her way back to mobility. She faced her first round against breast cancer in the middle of the pandemic at the height of isolation and uncertainty. She maintained her incredible resilience in the face of struggles large and small and held onto a belief in hope and the possibility of joy. Dawn and Jake shared an incredible bond and she took great joy in his life and friendship. They shared homes in Washington, DC, Crescent City, CA and most recently Green Bay WI, where Dawn said she wanted to be close to family, take time for recreation and nature while continuing her work as General Counsel of the Yurok Tribe in CA. Dawn said she wanted to grow old in this home. Jake is the best brother possible to Dawn. With Jake's selfless care, love and respect his priority was to ensure Dawn had everything she needed to fight the medical challenges she faced. Jake continues to serve as Dawn's cherished brother and champion by honoring her wishes, dreams and goals. While complications from cancer took their toll, Dawn's impact lives on through us. Dawn was incredibly selfless, never hesitating to give her time, care, and attention to anyone in need. She was a leader who conducted herself with compassion, humility, and grace – highly respected by others in her field and beloved by everyone who knew her. She spent her too-brief lifetime effecting change for the legal rights of Native people and the protection of the earth. A gentle but powerful force, she worked diligently – passionate but unassuming, always ready with good counsel and encouragement and an easy laugh. She had a unique gift for connecting with people, and connecting others, whether in Indian Country or some faraway corner of the world. She relished travel and time in nature and took time to experience as much of life as she possibly could as a solo pursuit or with friends and family. She made new friends wherever she went and traveled extensively, most recently paddling 90 miles down the Douro River in Portugal. Some of her other trips included Italy,

France, Iceland and all 50 states. Dawn was creative and artistic, she appreciated the arts and could often be found at wine and paint nights or working on beading and basket weaving. Though she was taken far too soon from us, she leaves behind her family and a vast network of friends and colleagues who will honor her memory, carry on her work, and remember and celebrate the singularly wonderful individual she was. How rare to shine so brightly for so many. Dawn is preceded in death by: her biological father Michael Sturdevant, grandmother Nellie Sturdevant, grandparents Buelah M. and Vincent J. Baum, step-grandmother Patricia Calnin Baum, grandparents Grace and George N. Swamp, and aunt Beverly Baum. Dawn is survived by her parents Mary Kay Baum and George Swamp, and her brother Jake Swamp. Also dearly missed by aunts and uncles: Sheri (Marlin) Mousseau, Sue (Ed) McDay, John Baum, Christine (Wade) Van Ryzin, Richard (Anna Threlfall) Baum, Edward (Mary) Baum, Kenneth (Jeanne) Baum, Charles (Sharie) Baum, Rosann (Douglas) Baum Milius and Rodger (Anna) Baum. Dawn is also missed by many more members of her Baum, Swamp and Sturdevant families and countless friends. The Family is also especially grateful to Aunt Rosann for all the extra support she provides.

**F. Chester Miller III** passed away on Nov. 14, 2023. He was born May 22nd, 1948 to Frank Chester Miller II and Mary Elizabeth Miller (nee Russell) (and, he was proud to note, a second-generation New Mexican). Although this was close to nine months from the Roswell incident, and with Frank working for the military as a JAG officer, we have been assured all of that is but mere coincidence. Because the Millers were a military family, Chester had a nomadic childhood, growing up in New Mexico, Alaska, Germany, and Nebraska. He spent two years at the New Mexico Military Institute after a rebellious incident that need not be written down and used as evidence, eventually graduating and proceeding to Denver University where he studied (and also drove a taxi, taught skiing, managed a bar and generally rabble-raised.) He grew his hair long when that was a controversial thing for a man to do and was, to be concise, a hippie whose sense of justice or fairness never left him. He eventually returned to the Land of Enchantment for his degree in Economics and History and ultimately his JD from UNM. Chester remained a resident of New Mexico for the rest of his life upon moving to Farmington. It's here that he met the love of his life, Dena Kay Short, who bore the brunt of his terrible puns for nearly four decades. Chester and Dena wed on March 29th, 1986 in Las Vegas, NV, surrounded by friends and family. Chester, ever the pragmatist, purchased a house on Dustin at what was then the edge of town where they would live together for the rest of his life. It's in this house they raised three children, two dogs, and three cats. He had, famously, opposed getting a kitty; his beloved Padme would go on to sleep on his chest every single night. Eventually, he would go on to adopt all the neighborhood stray cats with daily feedings starting at 4:30 AM. To say Chester was a brilliant man would be an understatement. His intelligence was only rivaled by his deep heart and witty sense of humor. Whether facing him in court or running into him in the grocery store, he would always have a kind word and a joke prepared. But most of all, Chester was fiercely loyal and loving. When he decided you were of kin, that was it and you were family. While he seemed gruff, anyone who knew him well knew that masked his sensitive soul. He was a man of many hobbies. He had a passion for soccer as can be seen by frequent viewings of the English Premier League before the sun would rise in Farmington, and this would lead to him volunteering as a soccer ref for many years while his children were growing up. Chester loved music and shared that love with his children, who would often be surprised when he was listening

to the same "cool bands" that they were (and often discovered them first!). His Doctor Who fandom led to watch Tom Baker during the birth of his only daughter. This would have been much less of a big deal if the doctor delivering Lindsey was not also watching Doctor Who at the same time. As an aging hippie in Farmington, he was a news junkie who adored a spirited debate about politics, where he was always outnumbered but never deterred. He was a magnificent chef, always experimenting with dishes and undertaking things like a paella or beef wellington for the fun of it. Chester was also fond of tech - any kind of tech - leading his wife to refer to him as Inspector Gadget for all of the gizmos he brought home. Chester is preceded in death by his parents, Mary and Frank Miller, and his brother Douglas. He is survived by his loving wife Dena, sister Martha Miller, sister Laura and her husband David Peterson, and his three children "Chet" Frank Chester Miller IV, Lindsey Dodd Miller, and Seth Benjamin Douglas Miller. If you would like to honor the life of a great and good man, the family suggests eating a bowl of ice cream and listening to "Wake Up" by Arcade Fire, a song he once told his daughter made him grateful to be alive.

**Stephen M. Rappoport**, 74, died Monday, May 13, 2024, at home with his loving family by his side. He was the beloved husband of Ella (Smith) Rappoport for thirty-eight years. Born in Providence, he was a son of the late Norton and Selma (Pass) Rappoport, and lived in Cranston for thirty-six years, previously living in Warwick. Devoted father of Jonathan Rappoport (Danielle) and Adam Rappoport (Jamie) both of Evanston, IL; and Lauren Rappoport Holloway (Mark) of North Attleboro, MA. Dear brother of Ronald Rappoport (Gloria) of Exeter; his identical twin, Harvey Rappoport (Lorraine) of Cranston; and Howard Rappoport of West Warwick. Fiercely loving grandfather of Ryan, Nathan, Jonah, Leo, Reese, Mila, and Matthew. Loving pet dad to Brady and so many other beloved golden retrievers before him. A larger-than-life presence known as "Rap" to many, he was an attorney for 50 years, most recently as Senior Partner at Rappoport, DeGiovanni & Caslowitz, Inc., where he practiced for more than three decades. A member of the Rhode Island Bar Association since 1974, he was also a member of the Massachusetts Bar since 1985 and the New Mexico State Bar since 1994. Stephen was educated at Boston University, where he received his Bachelor of Arts Degree in 1971, Magna Cum Laude, and was elected to Phi Beta Kappa. He received his law degree from The American University Washington College of Law in the District of Columbia in 1974. Stephen was also an Army reservist. An avid golfer and New England sports fan, he gleefully attended all six Patriots Super Bowl Championships and waited 59 years to see his cherished Red Sox win a World Series, followed by four more over the next 15 years.

# Board of Bar Commissioners Election Notice 2024



Notice is hereby given for the 2024 State Bar of New Mexico Board of Bar Commissioners election. Pursuant to Supreme Court Rule 24-101 NMRA, the Board of Bar Commissioners is the elected governing board of the State Bar of New Mexico (State Bar).

The five (5) commissioner positions described below expire December 31, 2024, and will be filled by this election. The positions are for three-year terms that run from January 1, 2025, through December 31, 2027. The election opens November 8, 2024, and closes at noon on December 2, 2024.

Nominations of State Bar active status members to fill the vacancies shall be made by petition of any ten (10) or more active status members of the State Bar who are in good standing and whose principal place of practice (address of record) is in the respective district. Members of the State Bar may nominate (sign a petition for) more than one candidate for a position.

Nominations must be made by completing the form at the link below or by completing the form on the next page. The nominee is responsible for collecting all nomination petitions and submitting them to the State Bar in either a single email or a single mailed packet **no later than 5:00 p.m. MT on October 9, 2024. Individual emails sent directly to the State Bar by a petitioner will not be counted.**

[www.sbnm.org/BBCnomination2024](http://www.sbnm.org/BBCnomination2024)

## Primary Responsibilities of the Board of Bar Commissioners:

- › Carry out the organization's mission and purposes and the current Strategic Plan.
- › Ensure effective organization planning and evaluate the State Bar's programs and operations in line with the strategic plan and budget.
- › Ensure financial accountability for the organization.
- › Promote the programs and activities of the State Bar and communicate regularly with constituents regarding State Bar activities.
- › Attend Board meetings (up to six per year), including the Annual Meeting of the State Bar and a full Board Retreat every three years.
- › Establish and enforce bylaws and policies.
- › Represent the State Bar at local bar-related meetings and events.
- › Select, support, and annually evaluate the Executive Director.
- › Serve on internal Board Committees and Supreme Court committees and boards.
- › Support the New Mexico State Bar Foundation's mission and purposes.

Pursuant to the State Bar Bylaws, following are the names of the commissioners whose terms are expiring and their districts from which they were elected:

### First Judicial District – One Position

*Los Alamos, Rio Arriba and Santa Fe Counties*

- › Currently held by Olga Serafimova

### Second Judicial District – Two Positions

*Bernalillo County*

- › One currently held by Tomas J. Garcia
- › One currently held by Benjamin I. Sherman  
(ineligible for reelection)

### Fourth and Eighth Judicial Districts – One Position

*Colfax, Guadalupe, Mora, San Miguel, Taos and Union Counties*

- › Currently held by Brett Phelps

### Out-of-State District – One Position

*Principal place of practice (address of record) in New Mexico*

- › Currently held by Sean M. FitzPatrick

#### Send all nomination petitions in one packet to:

Executive Director Richard B. Spinello, Esq.  
State Bar of New Mexico  
PO Box 92860, Albuquerque, NM 87199-2860  
5121 Masthead St. NE, Albuquerque, NM 87109  
or Email: [bbc@sbnm.org](mailto:bbc@sbnm.org)

— PETITIONS MUST BE RECEIVED BY 5 P.M. MT, OCT. 9, 2024 —

Direct inquiries to 505-797-6038 or [kbecker@sbnm.org](mailto:kbecker@sbnm.org).





State Bar of  
New Mexico  
Est. 1886

## Nomination Petition for Board of Bar Commissioners

I, the undersigned, State Bar member in good standing and who has a principal place of practice (address of record) in the \_\_\_\_\_ District<sup>1</sup>, hereby nominate \_\_\_\_\_, whose principal place of practice (address of record) is located in the \_\_\_\_\_ District.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address (principal place of practice)

\_\_\_\_\_  
Date

*<sup>1</sup>Members whose principal place of practice is located in El Paso County, Texas, are represented by, nominate and vote in the Third and Sixth Judicial Districts.*

To make a nomination, complete all information in this petition and send to the nominee by either method below:

- **Electronically** by going to [www.sbnm.org/BBCnomination2024](http://www.sbnm.org/BBCnomination2024); or
- **Hard copy** by printing the online form or completing this form and mailing or emailing it to the nominee.

*Do not submit this petition directly to the State Bar. The nominee is responsible for collecting all nomination petitions and submitting them to the State Bar in either a single email or a single mailed packet **no later than 5:00 p.m. MT on October 9, 2024.***

# In Memoriam

www.sbnm.org

**Dawn Sturdevant Baum**, 46, passed away June 10th, 2023 from complications of metastatic breast cancer. She passed peacefully surrounded by family. Dawn's light continues to shine to many. Dawn was born to Mary Kay Baum and Michael Sturdevant in Pleasant Springs, WI during the sunrise of July 3rd, 1976. Fittingly, weeks before her birth, Grandmother Nellie Sturdevant had suggested to Mary Kay the name Meep, meaning Dawn. Dawn came to experience life with some of her Menominee relatives. These include her half-sister Michelle Sturdevant who at age 10 lived with Mary Kay for a year. Dawn guided many including Tara Sturdevant, Craig Sturdevant, and Marisa Soto. In addition to having Menominee relations, Dawn was proud to be enrolled in the Sokaogon Chippewa Community – Mole Lake Band of Ojibwe. In 1988 Dawn's mother Mary Kay married George Swamp. They welcomed Dawn's brother, Jake Swamp in 1989. George officially adopted Dawn as his daughter on Feb 1, 2019 after serving in that role for many important years. Dawn graduated with honors from Madison East High School in 1994 and graduated from Beloit College with a B.A. in Religious Studies in 1998. She was an active member of the swim teams for both Madison East and Beloit and enjoyed being in and around water for the rest of her life. She began Law School at the University of Colorado and transferred to UW-Madison Law School where she earned her J.D. in 2001. In 2005 she earned the distinguished L.L.M. degree in American Indian and Indigenous Law from the University of Tulsa. While in law school at UW-Madison, Dawn was a Victory Voice in what would become the Lambda Chapter of Alpha Pi Omega Sorority, Inc., the first historically Native American Sorority. Dawn continued her leadership in the Sorority becoming a founding member of the Zeta Pi Professional Chapter and its first president. Dawn served various leadership roles in the Sorority at both the local and national levels becoming a permanent part of Alpha Pi Omega history. Following Law School, Dawn served as Law Clerk for the Supreme Court Chief Justice of the Navajo Nation. She then worked as Legal Assistant to the Clerk of Supreme Court and Court of Appeals of Wisconsin. In 2005, Dawn moved to Washington, DC, where she worked for the renowned Native American Rights Fund. She then worked within the Bureau of Indian Affairs in the Department of the Interior with American Indian and Alaska Native colleges and elementary and secondary schools. Spread out over 64 reservations and 23 states, the officers of these educators were glad to have one person, Dawn, as their go-to staffer. Successful there, she was called to the Office of the Solicitor for the U S Department of the Interior which advises and represents the office in judicial, legislative, ethical and legal matters. If this is not broad enough Dawn took within these 12 years a position in the U. S. Environmental Protection Agency, the National Indian Gaming Commission and US Department of Justice in their Office of Tribal Justice. The latter mandate was to assure that federal agencies uphold Indian sovereignty and consultation requirements. Dawn was elected president of the Native American Bar Association of DC and later was a member of the American Bar Association's Council for Racial and Ethnic Diversity in Education. A founding member of the American Bar Association's Joint Task Force on Reversing the School-to-Prison Pipeline, Dawn helped develop the task force's 2016 report on how to reform and improve education for disenfranchised youth. As she moved to her Yurok position she helped implement more such reforms there. In 2017 Dawn moved to Crescent City, CA and began work for the Yurok Tribe where she would eventually become General Counsel. At the Yurok Tribe she developed a mentorship program for young attorneys and paralegals and inspired several young tribal members to continue their education and develop advocacy skills. Dawn had a gift

for bringing out the best in people. For six years she was Adjunct Professor of Indian Law at University of Tulsa College of Law, teaching Indian education and gaming law classes after work in her "free time." As part of her work with the Yurok she went to Egypt in November 2022 for the UN Climate Change Conference (COP27) where she spoke about the importance of using indigenous knowledge with sovereignty in addressing the climate crisis. An important part of her work with the Yurok was Dawn's speaking up for indigenous peoples around the world at the international UN Climate Change COP 26 in Glasgow, Scotland (COP26) and in Sharm el-Sheikh, Egypt (COP 27). Her words, calling for following indigenous ways, are at <https://soundcloud.com/culturalsurvival/dawn-baum-and-javier-kinney-on-climate-change>, and <https://insideclimatenews.org/news/15112022/cop27-deforestation-united-states-logging/>. In April 2023, she shared this recent episode of The Future as it relates to the Yurok: <https://www.youtube.com/watch?v=x3JdV5AVOQg>. Dawn found a disconnect between what officials are saying at the COP26 and 27 talks what they're doing at home. Meanwhile the Yurok are a model for accomplishing much by cooperation and partnering with businesses and governments. "We cannot achieve healthy living without including Native nations and their wise traditional ways. "It's really wonderful for us to bring our territory, and what used to be our territory, back into our control, to be able to use our traditional knowledge ... to prevent the massive wildfires by techniques like burning designated underbrush, keeping the forest healthy," she said. Clean, free-flowing river that will once again support one of America's greatest fisheries available for indigenous people and their traditional ways. We've done that for millennia and the rest of the world is finally catching onto what we were doing." Dawn considered herself a strong resilient indigenous woman. She survived a devastating car accident and fought her way back to mobility. She faced her first round against breast cancer in the middle of the pandemic at the height of isolation and uncertainty. She maintained her incredible resilience in the face of struggles large and small and held onto a belief in hope and the possibility of joy. Dawn and Jake shared an incredible bond and she took great joy in his life and friendship. They shared homes in Washington, DC, Crescent City, CA and most recently Green Bay WI, where Dawn said she wanted to be close to family, take time for recreation and nature while continuing her work as General Counsel of the Yurok Tribe in CA. Dawn said she wanted to grow old in this home. Jake is the best brother possible to Dawn. With Jake's selfless care, love and respect his priority was to ensure Dawn had everything she needed to fight the medical challenges she faced. Jake continues to serve as Dawn's cherished brother and champion by honoring her wishes, dreams and goals. While complications from cancer took their toll, Dawn's impact lives on through us. Dawn was incredibly selfless, never hesitating to give her time, care, and attention to anyone in need. She was a leader who conducted herself with compassion, humility, and grace – highly respected by others in her field and beloved by everyone who knew her. She spent her too-brief lifetime effecting change for the legal rights of Native people and the protection of the earth. A gentle but powerful force, she worked diligently – passionate but unassuming, always ready with good counsel and encouragement and an easy laugh. She had a unique gift for connecting with people, and connecting others, whether in Indian Country or some faraway corner of the world. She relished travel and time in nature and took time to experience as much of life as she possibly could as a solo pursuit or with friends and family. She made new friends wherever she went and traveled extensively, most recently paddling 90 miles down the Douro River in Portugal. Some of her other trips included Italy,

France, Iceland and all 50 states. Dawn was creative and artistic, she appreciated the arts and could often be found at wine and paint nights or working on beading and basket weaving. Though she was taken far too soon from us, she leaves behind her family and a vast network of friends and colleagues who will honor her memory, carry on her work, and remember and celebrate the singularly wonderful individual she was. How rare to shine so brightly for so many. Dawn is preceded in death by: her biological father Michael Sturdevant, grandmother Nellie Sturdevant, grandparents Buelah M. and Vincent J. Baum, step-grandmother Patricia Calnin Baum, grandparents Grace and George N. Swamp, and aunt Beverly Baum. Dawn is survived by her parents Mary Kay Baum and George Swamp, and her brother Jake Swamp. Also dearly missed by aunts and uncles: Sheri (Marlin) Mousseau, Sue (Ed) McDay, John Baum, Christine (Wade) Van Ryzin, Richard (Anna Threlfall) Baum, Edward (Mary) Baum, Kenneth (Jeanne) Baum, Charles (Sharie) Baum, Rosann (Douglas) Baum Milius and Rodger (Anna) Baum. Dawn is also missed by many more members of her Baum, Swamp and Sturdevant families and countless friends. The Family is also especially grateful to Aunt Rosann for all the extra support she provides.

**F. Chester Miller III** passed away on Nov. 14, 2023. He was born May 22nd, 1948 to Frank Chester Miller II and Mary Elizabeth Miller (nee Russell) (and, he was proud to note, a second-generation New Mexican). Although this was close to nine months from the Roswell incident, and with Frank working for the military as a JAG officer, we have been assured all of that is but mere coincidence. Because the Millers were a military family, Chester had a nomadic childhood, growing up in New Mexico, Alaska, Germany, and Nebraska. He spent two years at the New Mexico Military Institute after a rebellious incident that need not be written down and used as evidence, eventually graduating and proceeding to Denver University where he studied (and also drove a taxi, taught skiing, managed a bar and generally rabble-raised.) He grew his hair long when that was a controversial thing for a man to do and was, to be concise, a hippie whose sense of justice or fairness never left him. He eventually returned to the Land of Enchantment for his degree in Economics and History and ultimately his JD from UNM. Chester remained a resident of New Mexico for the rest of his life upon moving to Farmington. It's here that he met the love of his life, Dena Kay Short, who bore the brunt of his terrible puns for nearly four decades. Chester and Dena wed on March 29th, 1986 in Las Vegas, NV, surrounded by friends and family. Chester, ever the pragmatist, purchased a house on Dustin at what was then the edge of town where they would live together for the rest of his life. It's in this house they raised three children, two dogs, and three cats. He had, famously, opposed getting a kitty; his beloved Padme would go on to sleep on his chest every single night. Eventually, he would go on to adopt all the neighborhood stray cats with daily feedings starting at 4:30 AM. To say Chester was a brilliant man would be an understatement. His intelligence was only rivaled by his deep heart and witty sense of humor. Whether facing him in court or running into him in the grocery store, he would always have a kind word and a joke prepared. But most of all, Chester was fiercely loyal and loving. When he decided you were of kin, that was it and you were family. While he seemed gruff, anyone who knew him well knew that masked his sensitive soul. He was a man of many hobbies. He had a passion for soccer as can be seen by frequent viewings of the English Premier League before the sun would rise in Farmington, and this would lead to him volunteering as a soccer ref for many years while his children were growing up. Chester loved music and shared that love with his children, who would often be surprised when he was listening

to the same "cool bands" that they were (and often discovered them first!). His Doctor Who fandom led to watch Tom Baker during the birth of his only daughter. This would have been much less of a big deal if the doctor delivering Lindsey was not also watching Doctor Who at the same time. As an aging hippie in Farmington, he was a news junkie who adored a spirited debate about politics, where he was always outnumbered but never deterred. He was a magnificent chef, always experimenting with dishes and undertaking things like a paella or beef wellington for the fun of it. Chester was also fond of tech - any kind of tech - leading his wife to refer to him as Inspector Gadget for all of the gizmos he brought home. Chester is preceded in death by his parents, Mary and Frank Miller, and his brother Douglas. He is survived by his loving wife Dena, sister Martha Miller, sister Laura and her husband David Peterson, and his three children "Chet" Frank Chester Miller IV, Lindsey Dodd Miller, and Seth Benjamin Douglas Miller. If you would like to honor the life of a great and good man, the family suggests eating a bowl of ice cream and listening to "Wake Up" by Arcade Fire, a song he once told his daughter made him grateful to be alive.

**Stephen M. Rappoport**, 74, died Monday, May 13, 2024, at home with his loving family by his side. He was the beloved husband of Ella (Smith) Rappoport for thirty-eight years. Born in Providence, he was a son of the late Norton and Selma (Pass) Rappoport, and lived in Cranston for thirty-six years, previously living in Warwick. Devoted father of Jonathan Rappoport (Danielle) and Adam Rappoport (Jamie) both of Evanston, IL; and Lauren Rappoport Holloway (Mark) of North Attleboro, MA. Dear brother of Ronald Rappoport (Gloria) of Exeter; his identical twin, Harvey Rappoport (Lorraine) of Cranston; and Howard Rappoport of West Warwick. Fiercely loving grandfather of Ryan, Nathan, Jonah, Leo, Reese, Mila, and Matthew. Loving pet dad to Brady and so many other beloved golden retrievers before him. A larger-than-life presence known as "Rap" to many, he was an attorney for 50 years, most recently as Senior Partner at Rappoport, DeGiovanni & Caslowitz, Inc., where he practiced for more than three decades. A member of the Rhode Island Bar Association since 1974, he was also a member of the Massachusetts Bar since 1985 and the New Mexico State Bar since 1994. Stephen was educated at Boston University, where he received his Bachelor of Arts Degree in 1971, Magna Cum Laude, and was elected to Phi Beta Kappa. He received his law degree from The American University Washington College of Law in the District of Columbia in 1974. Stephen was also an Army reservist. An avid golfer and New England sports fan, he gleefully attended all six Patriots Super Bowl Championships and waited 59 years to see his cherished Red Sox win a World Series, followed by four more over the next 15 years.



# Board of Bar Commissioners Election Notice 2024



Notice is hereby given for the 2024 State Bar of New Mexico Board of Bar Commissioners election. Pursuant to Supreme Court Rule 24-101 NMRA, the Board of Bar Commissioners is the elected governing board of the State Bar of New Mexico (State Bar).

The five (5) commissioner positions described below expire December 31, 2024, and will be filled by this election. The positions are for three-year terms that run from January 1, 2025, through December 31, 2027. The election opens November 8, 2024, and closes at noon on December 2, 2024.

Nominations of State Bar active status members to fill the vacancies shall be made by petition of any ten (10) or more active status members of the State Bar who are in good standing and whose principal place of practice (address of record) is in the respective district. Members of the State Bar may nominate (sign a petition for) more than one candidate for a position.

Nominations must be made by completing the form at the link below or by completing the form on the next page. The nominee is responsible for collecting all nomination petitions and submitting them to the State Bar in either a single email or a single mailed packet **no later than 5:00 p.m. MT on October 9, 2024. Individual emails sent directly to the State Bar by a petitioner will not be counted.**

[www.sbnm.org/BBCnomination2024](http://www.sbnm.org/BBCnomination2024)

## Primary Responsibilities of the Board of Bar Commissioners:

- › Carry out the organization's mission and purposes and the current Strategic Plan.
- › Ensure effective organization planning and evaluate the State Bar's programs and operations in line with the strategic plan and budget.
- › Ensure financial accountability for the organization.
- › Promote the programs and activities of the State Bar and communicate regularly with constituents regarding State Bar activities.
- › Attend Board meetings (up to six per year), including the Annual Meeting of the State Bar and a full Board Retreat every three years.
- › Establish and enforce bylaws and policies.
- › Represent the State Bar at local bar-related meetings and events.
- › Select, support, and annually evaluate the Executive Director.
- › Serve on internal Board Committees and Supreme Court committees and boards.
- › Support the New Mexico State Bar Foundation's mission and purposes.

Pursuant to the State Bar Bylaws, following are the names of the commissioners whose terms are expiring and their districts from which they were elected:

### First Judicial District – One Position

*Los Alamos, Rio Arriba and Santa Fe Counties*

- › Currently held by Olga Serafimova

### Second Judicial District – Two Positions

*Bernalillo County*

- › One currently held by Tomas J. Garcia
- › One currently held by Benjamin I. Sherman  
(ineligible for reelection)

### Fourth and Eighth Judicial Districts – One Position

*Colfax, Guadalupe, Mora, San Miguel, Taos and Union Counties*

- › Currently held by Brett Phelps

### Out-of-State District – One Position

*Principal place of practice (address of record) in New Mexico*

- › Currently held by Sean M. FitzPatrick

#### Send all nomination petitions in one packet to:

Executive Director Richard B. Spinello, Esq.  
State Bar of New Mexico  
PO Box 92860, Albuquerque, NM 87199-2860  
5121 Masthead St. NE, Albuquerque, NM 87109  
or Email: [bbc@sbnm.org](mailto:bbc@sbnm.org)

— PETITIONS MUST BE RECEIVED BY 5 P.M. MT, OCT. 9, 2024 —

Direct inquiries to 505-797-6038 or [kbecker@sbnm.org](mailto:kbecker@sbnm.org).

# CLE PLANNER

## Your Guide to Continuing Legal Education

October 9, 2024

### NEED TO KNOW...

Center for Legal Education courses pre-approved to meet new MCLE Requirements:

• **Newly required Equity in Justice Credit:** All attorneys must complete 1.0 Equity in Justice (EIJ) credit in each compliance year. Annual compliance now includes 2.0 EP credits, 1.0 EIJ credit and 9.0 General credits. For more details, read [Rule 18-201\(D\)](#) and [\(E\) NMRA](#). Note: In accordance with the Rule, excess EIJ credits “can be converted to be used toward the substantive (general) requirement.”

• **Cap on Self-Study Credits Lifted:**

Now all 12 required MCLE credits may be Self-Study, Virtual or In-Person credits. There is no longer a 4.0-credit cap on Self-Study courses; however, only pre-approved Self-Study courses are allowed. For more details, read [Rule 18-204\(C\) NMRA](#).

### INSIDE THIS ISSUE

- ▶ Equity in Justice Courses
- ▶ On-Demand Library
- ▶ Save the Date!  
Fall/Winter Institutes
- ▶ More October/November Programs

The Center for Legal Education is a non-profit New Mexico accredited CLE course provider dedicated to providing high-quality, affordable educational programs to the legal community. The Center offers a full range of educational services. For more information, contact us or visit us online.

[cleonline@sbnm.org](mailto:cleonline@sbnm.org) • 505-797-6020  
[www.cle.sbnm.org](http://www.cle.sbnm.org)



New Mexico State Bar Foundation  
Center for Legal Education

# Stay Ahead of the Pack:

## Earn Newly Required Equity in Justice (EIJ) Credits

### OCTOBER 17

**UNM Law Professor Series — A Step Toward Solving the Housing Crisis: Eviction Records Sealing in New Mexico**  
1.0 EIJ  
Noon–1 p.m.  
*Webinar*

### OCTOBER 18

**Learn Mindfulness to Curtail Implicit Bias and Make Ethical Decisions**  
1.0 EIJ  
11 a.m.–Noon  
*Webinar*

### OCTOBER 29

**Battling Gender Bias: How Bill Cosby and Other Sexual Predators Escape Punishment**  
1.0 EIJ  
11 a.m.–Noon  
*Webinar*

### OCTOBER 30

**Key Foundations and Frameworks for Diversity, Equity, and Inclusion in the Legal Field**  
1.0 EIJ  
Noon–1 p.m.  
*Webinar*

### NOVEMBER 8

**How to Maintain A Diverse Legal Workforce and Eliminate Bias, In Any Economic Environment**  
1.0 EIJ  
11 a.m.–Noon  
*Webinar*

### NOVEMBER 14

**Elimination of Bias—Combating Age Bias in the Legal Field**  
1.0 EIJ  
11 a.m.–Noon  
*Webinar*

### NOVEMBER 19

**Practical Lessons in Diversity, Equity & Inclusion in Law Practice**  
1.0 EIJ  
11 a.m.–Noon  
*Teleseminar*

### NOVEMBER 20

**Killers of the Flower Moon: The Osage Murders and How Attorneys Can Combat Bias**  
1.0 EIJ  
11 a.m.–Noon  
*Webinar*

*Any Center for Legal Education programs designated as EIJ credit are pre-approved to meet the new Equity in Justice Credit requirement found in Rule 18-201(D) and (E) NMRA. In accordance with the Rule, excess EIJ credits "can be converted to be used toward the substantive (general) requirement."*

## Our On-Demand/Self-Study Library is growing...



**The Cap on Self-Study Credits is Lifted:** Now all 12 required MCLE credits may be Self-Study, Virtual or In-Person credits. There is no longer a 4.0-credit cap on Self-Study courses; however, only pre-approved Self-Study courses are

allowed.

For more details, read Rule 18-204(C) NMRA.

For Center for Legal Education pre-approved Self-Study courses, visit our On-Demand/Self-Study library at:

[cle.sbnm.org/courses/8102](https://cle.sbnm.org/courses/8102).

***New courses will be added frequently!***



The State Bar of New Mexico's Annual Meeting Looks A Little **different** This Year.

Learn how at:  
[www.sbnm.org/AnnualMeeting2024](https://www.sbnm.org/AnnualMeeting2024)



# Plan Ahead for Fall/Winter CLE Institutes

## Save the Date!

- ▶ Oct. 10:  
**Administrative Law Institute**
- ▶ Oct. 25:  
**State Bar of New Mexico Annual Meeting**
- ▶ Nov. 7:  
**Indian Law Institute**
- ▶ Nov. 8:  
**10th Annual Symposium on Diversity & Inclusion**
- ▶ Nov. 13:  
**Cannabis Law Institute**
- ▶ Nov. 14:  
**Probate Law Institute**
- ▶ Nov. 15:  
**Real Property Institute**
- ▶ Nov. 19:  
**Business Law Institute**
- ▶ Nov. 20:  
**ADR Institute**
- ▶ Nov. 21:  
**Immigration Law Institute**
- ▶ Dec. 3:  
**Ethics Advisory Committee (Mock Meeting)**
- ▶ Dec. 3:  
**Lawyers Professional Liability Insurance Committee (LPLIC) Annual Course**
- ▶ Dec. 6:  
**Family Guardian Ad Litem Training**
- ▶ Dec. 7:  
**Paralegal Institute**
- ▶ Dec. 11:  
**Tax Law Institute**
- ▶ Dec. 12:  
**National Negotiation Programs featuring Marty Latz**
- ▶ Dec. 13:  
**Natural Resources, Energy and Environmental Law Institute**
- ▶ Dec. 17:  
**The CLE Performer—Stuart Teicher**
- ▶ Jan. 16:  
**4th Annual Women in the Law Conference**

*Check it Out:*  
Many Fall/Winter Institutes will include the newly required Equity in Justice credit.



## Did You Know?

The New Mexico State Bar Foundation's **Center for Legal Education (Center)** is an approved TEXAS CLE provider. If you are licensed in Texas, the **Center** can submit CLE credits to Texas MCLE on your behalf. Simply register for a **Center** offered course and then email [cleonline@sbnm.org](mailto:cleonline@sbnm.org) requesting TX credit at least **3 weeks before the course date**. This advance notice allows the **Center** to timely seek course approval with Texas MCLE.

# More

## October/November

## CLE Programs

### OCTOBER 9

#### Income and Fiduciary Tax Issues for Trust and Estate Planners, Part 1

1.0 G  
11 a.m.–Noon  
*Teleseminar*

### OCTOBER 10

#### Income and Fiduciary Tax Issues for Trust and Estate Planners, Part 2

1.0 G  
11 a.m.–Noon  
*Teleseminar*

### OCTOBER 10

#### 2024 Administrative Law Institute

5.0 G  
8:45 a.m.–3:45 p.m.  
*In-Person & Webinar*

### OCTOBER 11

#### Subtenants in Commercial Leasing - How to Protect Your Client

1.0 G  
11 a.m.–Noon  
*Teleseminar*

### OCTOBER 15

#### ChatGPT in the Legal Field: Benefits, Pitfalls, and Ethical Issues of Artificial Intelligence

1.0 EP  
11 a.m.–Noon  
*Webinar*

### OCTOBER 16

#### On the Horns of a Dilemma: Clarence Darrow and the McNamara Case

1.0 EP  
11 a.m.–Noon  
*Webinar*

### OCTOBER 16

#### Don't Blink, or It Will Probably Change: The Latest in the Legal Profession's Use of Generative A.I.

1.0 EP  
Noon–1 p.m.  
*Webinar*

### OCTOBER 16

#### Lincoln on Professionalism

1.3 EP  
1–2:20 p.m.  
*Webinar*

### OCTOBER 22

#### Releasing Employees & Drafting Separation Agreements

1.0 G  
11 a.m.–Noon  
*Teleseminar*

### OCTOBER 23

#### Ethics and Virtual Law Offices

1.0 EP  
11 a.m.–Noon  
*Teleseminar*

### OCTOBER 23

#### Ethics, Juror Misconduct, and Jury Tampering: The Murdaugh Motion For New Trial

2.0 EP  
11 a.m.–1 p.m.  
*Webinar*

### NOVEMBER 1

#### ChatGPT Unveiled: Revolutionizing the Practice of Law in the AI Era

1.0 G  
11 a.m.–Noon  
*Webinar*

### NOVEMBER 1

#### Ethics in Discovery Practice

1.0 EP  
11 a.m.–Noon  
*Teleseminar*

### NOVEMBER 7

#### How Secondary Trauma Affects Attorney Mental Health

1.0 G  
11 a.m.–Noon  
*Webinar*

### NOVEMBER 7

#### When Business Partners Want Out: Business Divorce, Part 1

1.0 G  
11 a.m.–Noon  
*Teleseminar*

### NOVEMBER 8

#### When Business Partners Want Out: Business Divorce, Part 2

1.0 G  
11 a.m.–Noon  
*Teleseminar*

## CLE Registration

### Ways to Register:

➔ Online: [www.cle.sbnm.org](http://www.cle.sbnm.org) ☎ Phone: 505-797-6020

@Email: [cleonline@sbnm.org](mailto:cleonline@sbnm.org)

Check our website for more updates to our program schedule!

**REGISTER EARLY!** Advance registration is recommended. Online registration closes one day ahead of each program. **CLE Cancellations & Refunds:** We understand that plans change. If you find you can no longer attend a program, please contact the Center for Legal Education. We are happy to assist you by transferring your registration to a future CLE event or providing a refund. **MCLE Credit Information:** The NM State Bar Foundation's Center for Legal Education is an accredited CLE course provider. **Note: Programs subject to change without notice.**

[cleonline@sbnm.org](mailto:cleonline@sbnm.org) • [www.cle.sbnm.org](http://www.cle.sbnm.org) • 505-797-6020

5121 Masthead NE, Albuquerque, NM 87109 • PO Box 92860, Albuquerque, NM 87199



State Bar of  
New Mexico  
Est. 1886

## Nomination Petition for Board of Bar Commissioners

I, the undersigned, State Bar member in good standing and who has a principal place of practice (address of record) in the \_\_\_\_\_ District<sup>1</sup>, hereby nominate \_\_\_\_\_, whose principal place of practice (address of record) is located in the \_\_\_\_\_ District.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address (principal place of practice)

\_\_\_\_\_  
Date

*<sup>1</sup>Members whose principal place of practice is located in El Paso County, Texas, are represented by, nominate and vote in the Third and Sixth Judicial Districts.*

To make a nomination, complete all information in this petition and send to the nominee by either method below:

- **Electronically** by going to [www.sbnm.org/BBCnomination2024](http://www.sbnm.org/BBCnomination2024); or
- **Hard copy** by printing the online form or completing this form and mailing or emailing it to the nominee.

*Do not submit this petition directly to the State Bar. The nominee is responsible for collecting all nomination petitions and submitting them to the State Bar in either a single email or a single mailed packet **no later than 5:00 p.m. MT on October 9, 2024.***

# FORMAL OPINION

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

**Filing Date: 8/13/2024**

**No. A-1-CA-40717**

**STATE OF NEW MEXICO,**

Plaintiff-Appellee,

v.

**HUGH SMITH,**

Defendant-Appellant.

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

Karen L. Townsend, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

Aletheia V.P. Allen, Solicitor General

Peter James O'Connor, Assistant Solicitor 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

Determining the credibility of witnesses at trial is a core function of the jury. See *State v. Alberico*, 1993-NMSC-047, ¶ 88, 116 N.M. 156, 861 P.2d 192. Nevertheless, in the present case, a forensic interviewer and an investigating officer (collectively, the Witnesses) testified about the credibility of the two victims (Victims) and Defendant. Thereafter, the jury returned a guilty verdict on seven counts of third degree criminal sexual contact of a minor (child under thirteen) (CSCM), contrary to NMSA 1978, Section 30-9-13(C)(1) (2003), two counts of bribery or intimidation of a witness, contrary to NMSA 1978, Section 30-24-3 (1997), and one count of false imprisonment, contrary to NMSA 1978, Section 30-4-3 (1963). In relevant part, Defendant requests that this Court reverse the convictions because the Witnesses improperly vouched for the credibility of Victims and disparaged Defendant's credibility. We conclude that the Witnesses improperly testified as experts regarding Victims' and Defendant's credibility, and in the context of the entire trial and despite Defendant's failure to object, the admission of this testimony was plain error. We therefore reverse Defendant's convictions. **View full PDF online.**

Katherine A. Wray, 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-40717>



# 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.*

**No. A-1-CA-40272**  
**State of New Mexico**  
**v. Jacob P. Gonzales**

### Introduction of Opinion

Defendant Jacob Gonzales appeals his convictions for kidnapping in the first degree, pursuant to NMSA 1978, Section 30-4-1 (2003), conspiracy to commit kidnapping, pursuant to NMSA 1978, Section 30-28-2(A) (1979), aggravated battery (deadly weapon), pursuant to NMSA 1978, Section 30-3-5(C) (1969), possession of a firearm by a felon, pursuant to NMSA 1978, Section 30-7-16 (2020, amended 2022), and interference with communications, pursuant to NMSA 1978, Section 30-12-1 (1979). Defendant argues for reversal because (1) the district court erred in granting the State's motion for forfeiture by wrongdoing; (2) the district court committed evidentiary errors; (3) the State committed prosecutorial misconduct; and (4) his sentence must be corrected based on a clerical error. **View full PDF online.**

J. Miles Hanisee, Judge  
WE CONCUR:  
Kristina Bogardus, Judge  
Megan P. Duffy, Judge

To read the entire opinion,  
please visit:  
<https://bit.ly/A-1-CA-40272>

**No. A-1-CA-41210**  
**State of New Mexico**  
**v. Christian Krone**

### Introduction of Opinion

Defendant Christian Krone was charged with violating NMSA 1978, Section 30-3-8(B) (1993), for shooting at or from a motor vehicle; and NMSA 1978, Section 30-3-2(A) (1963), for assaulting or striking Deandre Eugene Cooper with a firearm. Because the investigating officer did not collect Mr. Cooper's vehicle or its door containing the alleged bullet hole from the crime scene, Defendant moved to dismiss the criminal information. The district court granted the motion pursuant to *State v. Chouinard*, 1981-NMSC-096, 96 N.M. 658, 634 P.2d 680. **View full PDF online.**

Zachary A. Ives, Judge  
WE CONCUR:  
J. Miles Hanisee, Judge  
Jacqueline R. Medina, Judge

To read the entire opinion,  
please visit:  
<https://bit.ly/A-1-CA-41210>

**No. A-1-CA-40035**  
**Barbara Cordova**  
**v. City of Albuquerque**

### Introduction of Opinion

Plaintiffs, a family member and the personal representative of the estate of Daniel Saavedra (Decedent), appeal the district court's grant of summary judgment in favor of the City of Albuquerque (Defendant). Plaintiffs contend the district court erred by concluding that (1) their assault and battery claim failed as a matter of law because police officers used reasonable force when they shot and killed Decedent, and (2) the grant of summary judgment on their assault and battery claim necessarily resolved Plaintiffs' negligent supervision claim in Defendant's favor. We affirm.

Jennifer L. Attrep, Chief Judge  
WE CONCUR:  
J. Miles Hanisee, Judge  
Megan P. Duffy, Judge

To read the entire opinion,  
please visit:  
<https://bit.ly/A-1-CA-40035>



**Zia Trust, Inc.**  
*The Advisors' Trust Company<sup>®</sup>*

**INDEPENDENT**

**CORPORATE**

**TRUSTEE**

- Estate Settlement and Distributing Trusts.
- Special Needs and General Support Trust Administration.
- Serve as Financial Agent Under Power of Attorney.
- Charitable Trust Administration.

*We work alongside your clients'  
Investment advisors*

Serving New Mexican Families since 2001

505.881.3338  [ziatrust.com](http://ziatrust.com)

6301 Indian School Rd NE Suite 800 Albuquerque, NM 87110



Welcome to Lucy Sinkular!



**Of Counsel**

Family Law

Now accepting  
consultations in  
high asset, complex  
divorce matters

(505) 210-7441

8801 Jefferson Blvd.  
Bldg A, Ste 202  
Albuquerque, NM 87111

[www.ahm.law](http://www.ahm.law)

**HAVANA**

★ C U B A ★

February 13-17, 2025

6 CLE Hours

A Delegation in Support of  
the Cuban People



Visit [www.DestinationCLEs.com](http://www.DestinationCLEs.com)  
for more information.





# THE NATIONAL ACADEMY OF DISTINGUISHED NEUTRALS

## 2024 NEW MEXICO CHAPTER MEMBERS



Hon. Tim García  
Santa Fe



John Hughes  
Red River



Mark Jarmie  
Albuquerque



Andrew Lehrman  
Santa Fe



Hon. William Lynch  
Albuquerque



Hon. Alan Malott  
Albuquerque



Bruce McDonald  
Albuquerque



Hon. Jeff McElroy  
Santa Fe



Dirk Murchison  
Taos



Hon. Nan Nash  
Albuquerque



Raynard Struck  
Albuquerque



Denise Torres  
Albuquerque



Hon. Wendy York  
Albuquerque

The State's Top-Rated Mediators now posting Available Dates Calendars free at

# [www.NMMediators.org](http://www.NMMediators.org)

For more information on the National Academy of Distinguished Neutrals, please visit [www.NADN.org/about](http://www.NADN.org/about)



State Bar of  
New Mexico  
Est. 1886

Earn All  
**12 CLE Credits**  
For The Year  
For Only **\$199!**

Learn more at:  
[www.sbnm.org/  
AnnualMeeting2024](http://www.sbnm.org/AnnualMeeting2024)

## BUILD YOUR PRACTICE WITH US

# RECRUITING NOW

Diverse Practice  
Areas

Extensive Benefits  
Program

Remote Work  
Flexibility

Team-Centered  
Approach

Competitive  
Salary

SUTIN THAYER & BROWNE  
LAWYERS

VISIT [SUTINFIRM.COM/CAREERS](http://SUTINFIRM.COM/CAREERS) TO APPLY

# NOW OPEN AT PARK SQUARE UPTOWN!



## ELEVATE YOUR SPACE, INCREASE YOUR PRODUCTIVITY

Executive Suites and Co-working Spaces  
that blend your work and life styles effortlessly

Two Premier Locations in the WAFD Bank Building Downtown and Park Square at Uptown  
Daily, Monthly and Long-term Agreements · Onsite Retail, Food, Beverage and Other Amenities

**25% OFF**  
the first two months

Schedule a site tour today!

**10%**  
referral fee



505.264.5185 · [www.heritagerec.com](http://www.heritagerec.com)



Scan for current  
availability

Enhance your  
legal advocacy  
with strategic  
HR support from  
**REDW**



Expert Testimony

Unbiased Investigations

Proactive Documentation

HR Policy Development

**redw** Advisors  
& CPAs

[www.redw.com/hr-legal](http://www.redw.com/hr-legal)



## BAR BULLETIN Call for Cover Art

Make your artwork  
visible to more than 8,000  
attorneys, judges, paralegals  
and other members of the  
legal community!

We are soliciting for artists and  
galleries to submit artwork to  
be displayed on future covers  
of the *Bar Bulletin*.

For more information and  
submission guidelines, visit  
[www.sbnm.org/coverart](http://www.sbnm.org/coverart)





# SINGLETON SCHREIBER WELCOMES

## MICHAEL DURAN

AS SENIOR COUNSEL



*Personal Injury & Wrongful Death  
Fire Litigation  
Public Entity  
Motions, Writs & Appeals  
Mass Tort & Class Action  
Civil Rights*



6501 Americas Parkway NE #670  
Albuquerque, NM 87110  
[www.SingletonSchreiber.com](http://www.SingletonSchreiber.com)  
(505) 587-3473

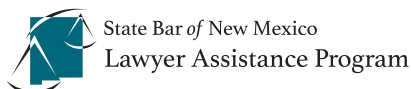
### FREE SERVICE FOR MEMBERS!

## Employee Assistance Program

*Get help and support for yourself, your family and your employees.*

**FREE** service offered by NM LAP.

To access this service call 505-254-3555 and identify with NM LAP. All calls are **CONFIDENTIAL.**



[www.sbnm.org/NMLAP](http://www.sbnm.org/NMLAP)

## Expert witnesses for complex financial & economic issues

Rely on Our Financial Expertise & Credibility



**redw** Advisors & CPAs

[www.redw.com/litigation-consulting](http://www.redw.com/litigation-consulting)



## Montgomery & Andrews is now Spencer Fane

Montgomery & Andrews' combination with Spencer Fane means our New Mexico team is now backed by a nationwide bench of experienced attorneys representing clients big and small. We're proud to join a network of more than 540 attorneys from 22 practice groups in 27 offices.

At Spencer Fane, we work to unlock and add value in new and inventive ways. This is our passion; it's what drives us. Our approach to serving our clients, colleagues, and communities has made us one of the highest-performing firms nationally in workplace satisfaction, client satisfaction, diversity traction, and growth.



Spencer Fane LLP | [spencerfane.com](http://spencerfane.com) | 505.982.3873  
325 Paseo De Peralta | Santa Fe, NM 87501

*Request for Proposals*





**BERNALILLO COUNTY METROPOLITAN COURT**

**Professional Defense Attorney Team Member Services for Specialty Courts**

Provide professional legal services for the Court's Specialty Court Programs.

Learn more! Downloadable RFP available on the [court's website](#).

Proposals must be received by 3:00 p.m. October 24, 2024.



**Changed Lives... Changing Lives**

**Free, confidential assistance** to help identify and address problems with alcohol, drugs, depression, and other mental health issues.


A healthier, happier future is a phone call away.

**Confidential assistance – 24 hours every day.**

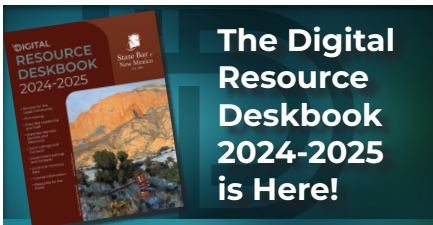
Statewide Helpline for Lawyers, Law Students and Legal Professionals: 505-228-1948

Judges Helpline: 505-420-8179

[www.sbnm.org/NMLAP](http://www.sbnm.org/NMLAP)







**The Digital Resource Deskbook 2024-2025 is Here!**

View & Download your FREE digital copy at [www.sbnm.org/Resource-Deskbook-2024-2025](http://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!



# BACA & HOWARD P.C.

CERTIFIED PUBLIC ACCOUNTANTS



*Samuel L. Baca, CPA/ABV/CFE, CVA, MAFF*

- CPA Expert Witness
- Commercial Damages
- Business Valuation
- Fraud and Forensic Analysis
- Mediation

2155 Louisiana Blvd NE Ste. 7000, Albuquerque, NM 87110  
505-200-3800 | [www.bacahoward.com](http://www.bacahoward.com)

## Make the State Bar Center Your Meeting Destination



Perfect for your conference, seminar, training, mediation, reception, networking event or meeting

5121 Masthead St. NE  
Albuquerque, NM 87109  
[www.sbnm.org/StateBarCenter](http://www.sbnm.org/StateBarCenter)

For more information, site visits and reservations, contact Guest Services at **505-797-6070** or [roomrental@sbnm.org](mailto:roomrental@sbnm.org)



## John Battle, CPA, CVA, MAFF, CM&AA Valuation and Consulting, LLC



### Economic Damages Consulting/Litigation Support

Commercial Lost Profits • Employment Economic Damages  
Contractual Economic Damages • Complex Damage Claims  
Permanent Injury and Wrongful Death Economic Damages  
Experienced Expert Witness Services for Plaintiff and Defendant

### Business Valuations

Estate, Trust and Gifting • Shareholder Disputes • Marital Dissolution  
Buying or Selling Business  
706 Court Appointed Expert/Experienced Expert Witness Services

PO Box 189, La Luz, NM 88337  
575.488.3410 (Office) • 575.921.7578 (Cell) • [jbattlecpa@tularosa.net](mailto:jbattlecpa@tularosa.net)

# We're Growing.

LARKIN & PADILLA FAMILY LAW

IS PLEASED TO WELCOME

## Darin Kyle McDougall

AS OUR NEWEST PARTNER.

Darin Kyle McDougall will continue to practice in all areas of family law including domestic violence protective order cases.

---

After almost 30 years in practice, Twila Larkin will be gradually focusing her practice on the following:

- Drafting of Premarital and Post-nuptial Agreements
- Drafting and processing of QDROs
- Special Master work • Settlement Facilitation and Arbitrations

Kimberly Padilla will continue to practice in all areas of family law with increasing focus on • Guardian ad Litem cases

- Mediated divorces/custody plans • Settlement Facilitations

-Our New Logo-

**LPM** FAMILY  
LAW

Larkin Padilla McDougall



We are all gratefully accepting referrals.

505.273.3113

Our New Website:


[LPMFamilyLaw.com](http://LPMFamilyLaw.com)



LIKE  
FOLLOW  
TWEET  
Share  
Comment  
Connect

f X Instagram

**LinkedIn**

 **State Bar of New Mexico**  
Est. 1886

**www.sbnm.org**



formerly operating as



We shop up to 22 professional liability insurance companies to find the right price and fit for your law firm.

**Make sure your insurance policy has:**

- | Prior acts coverage, to cover your past work.
- | Claim expenses outside the limit of liability, no PacMan.
- | "A" rating from A.M. Best, important, some companies are NOT!
- | Free tail options for retiring attorneys.

**Come see us at our new location!**

- 📍 5501 Eagle Rock Ave NE a2, Albuquerque, NM 87113
- 📞 833-263-0300

**eNews**

*Get Your Business Noticed!*  
Advertise in our email newsletter, delivered to your inbox every Friday.

**Benefits:**

- Circulation of 8,000
- Affordable pricing
- High open/click rates
- Schedule flexibility
- Popular content




*Winner of the 2016 NABE Luminary Award for Excellence in Electronic Media*

 **State Bar of New Mexico**  
Est. 1886

Contact Marcia Ulibarri,  
at 505-797-6058 or  
email [marcia.ulibarri@sbnm.org](mailto:marcia.ulibarri@sbnm.org)

**VERITAS ATHENA LLC**  
*Clarity, Competence, Purpose, Transparency*



**GUARDIANS, CONSERVATORS, AND TRUSTEES**  
[www.veritas-athena.com](http://www.veritas-athena.com) • 505-337-9151

**Gregory T. Ireland, Nationally Certified Guardian**  
[gti@veritas-athena.com](mailto:gti@veritas-athena.com)

**Crystal Anson, General Counsel**  
[ca@veritas-athena.com](mailto:ca@veritas-athena.com)

# Legal Economics Est. 1967

## Economic Damages Expert Witnesses

William Patterson  
Adrianna Patterson

[www.legaleconomicsllc.com](http://www.legaleconomicsllc.com) • (505) 242-9812

\$2,100 flat fee "Gets you to the courthouse steps". Testimony \$1,250/half day.  
Plaintiff or Defense counsel, proving up your damages case results in fair settlement.

## MEDIATION & ARBITRATION SERVICES

*In-Office or Zoom Mediations Statewide*

HON. WILLIAM A. SANCHEZ, RET.



42 years legal experience as  
State District Judge (21 years),  
Trial Lawyer and Mediator/Arbitrator



*Short Deadlines Accommodated*

SANCHEZ SETTLEMENT & LEGAL SERVICES LLC ♦ (505) 720-1904

[sanchezsettled@gmail.com](mailto:sanchezsettled@gmail.com) ♦ [www.sanchezsettled.com](http://www.sanchezsettled.com)

## Classified

### Positions

#### Senior Trial Attorneys, Trial Attorneys, and Assistant Trial Attorneys

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 invaluable 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](mailto:Bmartin@da.state.nm.us). Position to commence immediately and will remain open until filled.

#### 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: Multiple positions; Staff Attorney Positions: Multiple positions; Paralegal: Multiple positions. Please visit our website for all current openings, NMLA benefits, Salary Scales and instructions on how to apply - <https://newmexicolegalaid.isolvedhire.com/jobs/>

#### Full-Time Transactional Attorney

Blackgarden Law is looking for a full-time transactional Attorney with at least 2 years of meaningful experience in Business and Corporate Law. Corporate securities law is a requirement. This is an in-person or hybrid position. Visit our website at [blackgardenlaw.com/careers](http://blackgardenlaw.com/careers) for a full job description and application instructions.

#### Contract Prosecutor

The Eleventh Judicial District Attorney's Office, Div. II, in Gallup, New Mexico, McKinley County is seeking applicants for a Contract Prosecutor to assist in the prosecution of criminal misdemeanor cases, felony cases and conflict of interest cases. The Contract Prosecutor position requires substantial knowledge and experience in criminal prosecution, rules of evidence and rules of criminal procedure; trial skills; the ability to draft legal documents and to research/analyze information and situations and the ability to work effectively with other criminal justice agencies and Law Enforcement. This position is open to all attorneys who have knowledge in criminal law and who are in good standing with the New Mexico Bar. Limited License is okay. Salary will result in a contractual agreement between the contract prosecutor and the District Attorney. Submit letter of interest and resume to District Attorney Bernadine Martin, 201 West Hill, Suite 100, Gallup, NM 87301, or e-mail letter to [bmartin@da.state.nm.us](mailto:bmartin@da.state.nm.us).

#### 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 ( \$ 72,301.00 ) to a Senior Trial Attorney ( \$85,222.00), based upon experience. Must be licensed in the United States. These positions are located in the Carlsbad and Roswell, 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](mailto:nshreve@da.state.nm.us)

#### Entry Level and Experienced Attorneys

The Thirteenth Judicial District Attorney's Office is seeking both entry level and experienced attorneys. Positions available in Sandoval, Valencia, and Cibola Counties. Enjoy the convenience of working near a metropolitan area while gaining valuable trial experience in a smaller office, providing the opportunity to advance more quickly than is afforded in larger offices. The 13th Judicial District offers flex schedules in a family friendly environment. Competitive salary starting @ 83,000+ depending on experience. Contact Krissy Fajardo @ [kfajardo@da.state.nm.us](mailto:kfajardo@da.state.nm.us) or visit our website for an application @ <https://www.13th.nmdas.com/> Apply as soon as possible. These positions fill fast!

### Child Support Attorneys Needed

NO BILLABLE HOURS! STUDENT LOAN FORGIVENESS! ELEVEN PAID HOLIDAYS! The Child Support Services Division (CSSD) of the New Mexico Health Care Authority (previously the Human Services Department) is HIRING entry level and experienced attorneys to work in the Las Cruces, Los Lunas, Clovis, or Roswell offices. Salary is based on SPO's NEW pay bands (LH) with a midpoint of \$108,296.00, that is adjusted depending upon experience. CSSD offers fitness and wellness leave (2 hours/week) and alternative work schedules once you have completed probation. Newly licensed attorneys or those wishing to relocate to New Mexico are encouraged to apply. Apply online: State Personnel Office (<https://careers.share.nm.gov>), or contact Reina Owen DeMartino at Reina.OwenDeMartino@hca.nm.gov.

### Associate Attorney

Mid- size downtown Defense litigation firm looking for associate with 3-5 years to do litigation including depositions and trials. Pay range varies with experience \$70,000. To \$120,000. Congenial and easy-going firm. Please contact Karen Arrants at Stiff, Garcia & Associates, [karrants@stiffllaw.com](mailto:karrants@stiffllaw.com)

### Associate Attorney

Quiñones Law Firm LLC is a well-established defense firm in Santa Fe, NM in search of a full-time associate attorney with minimum 5 years of legal experience and willing to work minimum of 30 hours per week. Generous compensation and health benefits. Please send resume to [quinoneslaw@cybermesa.com](mailto:quinoneslaw@cybermesa.com)

### Appellate Attorney

Appellate boutique Durham, Pittard & Spalding LLP is looking for bright, motivated, and talented lawyers to join our growing and successful team in our office in Santa Fe. Our firm specializes in civil appeals and provides trial support to some of the best trial lawyers in New Mexico and throughout the country in high-stakes, complex litigation on behalf of plaintiffs. Our practice is heavily focused on catastrophic injury and wrongful death litigation, including product liability, toxic tort, medical malpractice, and trucking, but our attorneys also handle a wide variety of other civil matters including civil rights, employment, and the occasional domestic relations or criminal appeal. We are looking for candidates who enjoy researching, writing, and presenting oral argument to trial and appellate courts. The position offers the opportunity to learn from experienced practitioners and to develop the skills of a top-notch appellate attorney. If interested, please send a cover letter, resume, and writing sample to: [jkaufman@dpslawgroup.com](mailto:jkaufman@dpslawgroup.com).

### Pursue Justice as a Civil Assistant United States Attorney (Term Position)

The U.S. Attorney's Office for the District of New Mexico is hiring an Assistant United States Attorney for a two-year term in the civil division in Albuquerque. If you want to serve justice, make a difference in your community, and are looking for an exciting and challenging career, this is the position for you! The mission of the Office is to uphold the rule of law, keep New Mexico and the nation safe, and protect civil rights. This term position will work with a team of attorneys and staff defending the United States and the Federal Emergency Management Agency in civil litigation related to the Hermit's Peak-Calf Canyon Fire. The litigation involves defending the rules and programs that FEMA established to compensate people harmed by the Fire and judicial review of FEMA's adjudication of damages. The work raises interesting issues of administrative law, tort law, and environmental damages. The selected attorney will assist in the Office's mission and the mission of FEMA, which is to help people impacted by disasters. Qualifications: We welcome applicants from the many communities, identities, races, ethnicities, backgrounds, abilities, religions, and cultures of the United States who share our commitment to public service. Applicants must possess a J.D. Degree, be an active member in good standing of a bar (any jurisdiction) and have at least one (1) year of post-J.D. legal or other relevant experience. Salary: AUSA pay is administratively determined based, in part, on the number of years of professional attorney experience. The pay for this position is as follows, including locality pay: Albuquerque, N.M., Salary is \$73,317 to \$191,769, which includes a 18.05% locality pay. The complete vacancy announcement may be viewed at <https://www.usajobs.gov> and entering 12522105 in the search bar. All applicants must apply through USAJobs.

### Managing City Attorney – Policy

The City is seeking an individual to work on the analysis of proposed legislation. This position requires analytical and advocacy skills and will work closely with the Mayor's Office, City Council and Council Services, and City Departments. This position will analyze, evaluate, and assist with the drafting of legislation, track legislation through the process, address legal issues, and must be willing to support the City Attorney at City Council meetings. Attention to detail and strong writing and interpersonal skills are essential. Salary based upon experience. For more information or to apply please send a resume and writing sample to Angela Aragon at [amaragon@cabq.gov](mailto:amaragon@cabq.gov).

### Pursue Justice as a Civil Assistant United States Attorney

The U.S. Attorney's Office for the District of New Mexico is hiring an Assistant United States Attorney for the civil division in Albuquerque. If you want to serve justice, make a difference in your community, and are looking for an exciting and challenging career, this is the position for you! The mission of the Office is to uphold the rule of law, keep New Mexico and the nation safe, and protect civil rights. Civil AUSAs support this mission by representing the United States and its agencies in a wide range of interesting litigation, including challenges to federal agencies' actions under the Administrative Procedures Act, tort and employment litigation, and a regular docket of novel and unusual actions. Civil AUSAs both serve as lead counsel on cases and are part of a team of talented, collaborative, colleagues. Qualifications: We welcome applicants from the many communities, identities, races, ethnicities, backgrounds, abilities, religions, and cultures of the United States who share our commitment to public service. Applicants must possess a J.D. Degree, be an active member in good standing of a bar (any jurisdiction) and have at least one (1) year of post-J.D. legal or other relevant experience. Salary: AUSA pay is administratively determined based, in part, on the number of years of professional attorney experience. The pay for this position is as follows, including locality pay: Albuquerque, N.M., Salary is \$73,317 to \$191,769, which includes a 18.05% locality pay. The complete vacancy announcement may be viewed at <https://www.usajobs.gov> and entering 12531436 in the search bar. All applicants must apply through USAJobs.

### Santa Fe County - County Attorney

Santa Fe County is seeking an experienced attorney with a passion for public service to lead its internal legal office, which includes six other attorneys, two paralegals, and an administrative assistant. Salary range is from \$51.96/hr. to \$70.98/hr., depending upon qualifications and budget availability. Applicants must be licensed to practice law in the State of New Mexico and have ten (10) years of legal experience as an attorney, of which a minimum of two (2) years must have been in a supervisory capacity. The ideal candidate has experience in diverse practice areas, including litigation and transactional work, as well as a proven record of problem solving and working effectively with a diverse group of client constituents and Elected Officials. Candidates must apply through Santa Fe County's website, at [http://www.santafecountynm.gov/job\\_opportunities](http://www.santafecountynm.gov/job_opportunities).



## 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@gdsd.nm.gov

## Family Legal Assistance Attorney

Pueblo de Laguna, NM – Great employer and benefits, competitive pay DOE! Seeking full-time attorney to provide legal advice and representation to Laguna members on broad range of civil matters, including consumer, probate, benefits, and family issues. Leisurely commute from Albuquerque metro, Los Lunas, or Grants, and partial remote-work available. Apply now, will fill quickly. Application instructions and position details at: <https://www.lagunapueblo-nm.gov/elected-officials/secretarys-office/human-resources/employment/>

## Deputy General Counsel

The Office of the State Auditor (OSA) is looking for an attorney to assist in advising senior management on complex and difficult legal and management issues involving agency programs, budgets, legislation, human resources, and other legal matters. This position will study and analyze changes in the law to determine, anticipate, evaluate, and assess the impact on the OSA; draft, review, and evaluate legal documents, correspondence, pleadings, rules and regulations, and policies; and oversee the Inspection of Public Records Act (IPRA) for the office while working with the Records Custodian. The applicant must be licensed as an attorney by the Supreme Court of New Mexico or qualified to apply for limited practice license with two years of experience as an attorney, preferably in government practice. For further information, please contact Terese Vigil by email at [terese.vigil@osa.nm.gov](mailto:terese.vigil@osa.nm.gov) or go to <https://www.osa.nm.gov/job-opportunities/>.

## 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: Labor/Employment Attorney: 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; General Counsel: The City is seeking attorneys to provide a broad range of general counsel legal services to the Mayor's Office, City Council, various City departments, boards, commissions, and agencies in the Municipal Affairs and Real Estate and Operations divisions. The legal services provided by the divisions include, but are not limited to, drafting legal opinions, reviewing and drafting ordinances and executive/administrative instructions, reviewing and drafting contracts, and providing general advice and counsel on day-to-day operations for various Departments throughout the City; Land Use and Enforcement Division: The City is seeking an attorney to enforce traffic violations and provide general counsel support to various Departments and programs, including, but not limited to, Animal Welfare and automated speed enforcement; Air Quality Attorney: The City is seeking an attorney for the Real Estate and Operations Division. This attorney will 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. This attorney will provide a broad range of legal services to EHD including, but not limited to, administrative enforcement actions, litigation and appeals, stationary source permits and "fugitive dust" permits, air quality monitoring and quality assurance, guidance regarding EPA grants, control strategies, work with EHD teams to develop new or amended regulations to be proposed to the Albuquerque-Bernalillo County Air Quality Control Board ("Air Board"), attend and represent EHD staff at rulemaking and adjudicatory hearings, review and draft intergovernmental agreements regarding air quality issues, review and draft legislation regarding air quality. Attention to detail and strong writing and interpersonal skills are essential. Preferences include: experience with litigation, contract drafting and review, government agencies, government compliance, 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](mailto:amaragon@cabq.gov).

## Full-Time Associate Attorney

Whitener Law Firm, P.A. is seeking a full-time associate attorney to assist with briefing, to attend hearings, depositions, and mediations as well as managing a caseload of personal injury cases. Candidates must be highly motivated, client oriented and enjoy working in a fast-paced environment. Candidates must be licensed to practice in the state of New Mexico. Must have at least five years of experience. Salary competitive and commensurate to experience and qualifications. Please send resume to Leanne Duree, Whitener Law Firm, P.A., 4110 Cutler Avenue, N.E., Albuquerque, NM 87110, fax to 505-242-3322 or e-mail to [leanne@whitenerlawfirm.com](mailto:leanne@whitenerlawfirm.com).

## Legal Notice

### Request for Proposals RFP #24-25-2 Commodity Code # 96149

### Legal Services for the County of Lincoln

DUE: October 30, 2024, at 3:00 PM MST. NOTICE is hereby given that competitive sealed proposals will be received by the County of Lincoln, for Legal Services for the County of Lincoln. Complete Request for Proposal documents may be obtained at the County's Purchasing Office, 300 Central Ave., 2nd Floor, Carrizozo, NM 88301; download at [lincolncountynm.gov/government/purchasing](http://lincolncountynm.gov/government/purchasing); or contact the Purchasing Agent by email [purchasing@lincolncountynm.gov](mailto:purchasing@lincolncountynm.gov) or phone 575-648-2385 x 105. All proposals submitted must be in a sealed package or envelope with; the words "Sealed Proposal"; the RFP Title; RFP Number; and Due Date marked on the outside of the package and any inner package. Proposals must be addressed to the County of Lincoln Purchasing Dept, 300 Central Ave./PO Box 711, Carrizozo, NM 8830, by 3:00 PM MST, October 30, 2024. Proposals received after that date and time will be returned unopened. Electronic proposals will not be accepted. The Lincoln County Board of Commissioners will review evaluations and make their final determination at the regular Commission meeting following the scheduled evaluation. Lincoln County reserves the right to accept or reject any or all proposals and to waive all formalities. The order to proceed will be based upon the obtaining of necessary funds and acceptable contract negotiations. Toni T. Foligno, Chief Procurement Officer.



### Children's Court Attorney for CYFD

The Children, Youth and Families Department (CYFD) is hiring full-time and contract attorneys of all levels of experience, as well as law clerks, to fill multiple Children's Court Attorney vacancies in the Legal Department statewide. Children's Court Attorneys are established in the Children's Code for each judicial district and provide legal services in protective services cases (child abuse and neglect matters) including consultation, counsel, filing and initiation of new cases, interpretation of law, research, litigation, and mediation. These positions offer the opportunity for challenging and fast-paced litigation, including civil evidentiary trials, and to work with CYFD to find solutions for children and their families and to make a difference in the community. Qualifications: JD from an accredited law school, and admission to the NM state bar in good standing or if barred in another state, the ability to acquire a limited law license. Children's Court Attorneys are in pay band LH, with an annual salary range from \$77,354 to \$139,238 and a competitive full benefits package. Individual contracts will be negotiated up to \$60,000/year. For more information or to apply, please contact Dawn Walters (dawn.walters@cyfd.nm.gov; (505) 526-5925) or go to [www.spo.state.nm.us](http://www.spo.state.nm.us). The State of New Mexico is an EOE.

### Receptionist/Legal Assistant

Receptionist/Legal Assistant needed for criminal firm. Start immediately for part or full-time position. Phones, correspondence, simple legal drafting, transcription, case and client management. Court/legal experience preferred but not required \$17 and up DOE. Call Frechette & Associates at 505-247-8558 or email at [Frechette@frechettelaw.com](mailto:Frechette@frechettelaw.com)

### Full-Time Legal Assistant/ Legal Secretary

Madison, Mroz, Steinman, Kenny & Olexy, P.A., a well-established civil litigation firm, seeks a full-time Legal Assistant/Legal Secretary. The ideal candidate should have a minimum of 5 years civil litigation experience, with preference towards medical malpractice, the ability to multitask effectively in a fast-paced environment, possess excellent skills in case management and calendar procedures, ability to assess priorities, highly motivated, detail oriented, strong work ethic, knowledge of State and Federal court rules, and proficient in Odyssey and CM/ECF e-filing. We offer an excellent fully funded health insurance plan, 401(K) and Profit Sharing Plan, paid designated holidays, PTO, and a professional and team-oriented environment. Please submit your resume to: [becky@madisonlaw.com](mailto:becky@madisonlaw.com), or mail to Office Administrator, P.O. Box 25467, Albuquerque, NM 87125-5467.

### Experienced Full-Time Paralegal

Our law firm is a well-established and respected personal injury law firm in Santa Fe. We are seeking an experienced full-time paralegal to join our busy team. The position requires excellent attention to detail and organization as well as strong writing skills. Applicants must be able to prioritize and multi-task in our fast-paced environment. Litigation experience is a plus. The right candidate will be friendly, dedicated and a team player. The firm offers 100% employer paid health insurance premiums, competitive salary, and a 401K plan with profit sharing. Please send a resume to [santafepifirm@gmail.com](mailto:santafepifirm@gmail.com).

### Full-Time Paralegal

Armstrong Roth Whitley Johnstone Family Law is seeking a full-time paralegal to join our team. We are looking for someone with at least two years of work experience as a paralegal or other comparable employment position. Family law experience is preferred but not required. Responsibilities include: Drafting and preparing pleadings for filing, interacting with and handling client inquiries, assisting attorneys with discovery requests and trial and hearing preparations, scheduling of meetings and hearings, interacting with Court staff, and other duties as assigned. Our ideal candidate has excellent organizational skills, the ability to handle deadlines in a fast-paced environment, strong oral and written communication skills, the ability to work well under pressure, knowledge of computer programs, the ability to process and format complex documents, and the ability to learn and adapt to our client management software. Benefits include: 401(k) with employer matching, medical, dental and vision insurance, generous paid time off, short/long term disability and group life insurance. Pay to be determined commensurate with experience. To apply email resume and cover letter to [arwjllc@gmail.com](mailto:arwjllc@gmail.com)

### Seeking Entry Level and Experienced Legal Assistant and Paralegals

Peifer, Hanson, Mullins & Baker, P.A. is expanding and looking for entry level and experienced legal assistants and paralegals for our busy civil litigation practice. Must have strong organizational, time management, and interpersonal skills. Proficiency in Microsoft Office Suite is a plus. These positions offer competitive compensation packages, including benefits and incentive pay, and opportunities for mentorship and professional growth. Send resume and cover letter to [admin@peiferlaw.com](mailto:admin@peiferlaw.com).

### Paralegal

#### State of New Mexico Early Childhood Education and Care Department Office of the Secretary- Office of General Counsel

The New Mexico Early Childhood Education and Care Department (ECECD) is seeking a Paralegal for the Office of General Counsel. The Paralegal will provide administrative support to the attorneys within the Office of General Counsel. Job duties include overseeing incoming appeals, including monitoring court dockets and e-filing in state courts, handling filings with the Administrative Hearing Office, maintaining electronic and physical records, prepare routine court pleadings, and support attorneys as needed with related litigation matters. The Paralegal will also provide assistance to the Records Custodian when necessary and handle limited financial matters with regards to certain contracts between the Office of General Counsel and outside agencies. The ideal candidate will have experience working with the public through telephone, email, timely responds to correspondence and other communications, working with Microsoft Office and Adobe Acrobat, ability to work with many different divisions and individuals, ability to follow a process and procedure, and ability to manage multiple varied deadlines. The ideal candidate will be detail oriented, able to work in a face-paced environment, and be willing to learn new skills as needed to assist the Office of General Counsel and ECECD in general. The office location is in Santa Fe, New Mexico. Contact: Brendan Egan, Deputy Counsel at [brendan.egan2@eecd.nm.gov](mailto:brendan.egan2@eecd.nm.gov). (505) 551-2762.

### 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 \$28.01 per hour during an initial, proscribed probationary period. Upon successful completion of the proscribed probationary period, the salary will increase to \$29.50 per hour. Competitive benefits provided and available on first day of employment. Please apply at <https://www.governmentjobs.com/careers/cabq>.

### Join Our Award-Winning Team at Roybal-Mack & Cordova!

We are currently hiring for the following positions: Paralegal; Legal Assistant; Receptionist. What We Offer: Competitive salaries with opportunities for growth, comprehensive health, dental, and vision insurance, paid time off, including vacation, sick leave, and holidays, continuing education and professional development support, and a positive, collaborative work environment. Roybal-Mack & Cordova is an Equal Opportunity Employer. To apply, visit [roybalmacklaw.com/careers](http://roybalmacklaw.com/careers) or send your resume and cover letter to [brenda@roybalmacklaw.com](mailto:brenda@roybalmacklaw.com).

### Part-time Legal Assistant/Paralegal

Quinones Law Firm LLC is a well-established defense firm in Santa Fe, NM in search of a part-time legal assistant/paralegal with minimum 5 years of Legal Assistant/Paralegal experience. Generous compensation and health benefits. Please send resume to [quinoneslaw@cybermesa.com](mailto:quinoneslaw@cybermesa.com)

### Legal Assistant

Solo practitioner seeking an experienced, professional, full-time legal assistant. Practice limited to probate, elder law, guardianships, and an occasional plaintiff's personal injury case. The ideal candidate will have experience with MS Office, QuickBooks, Odyssey, SOPA, and legal billing software. The ideal candidate will possess above-average writing and speaking skills. Duties will include reception, answering multiple telephone lines, scheduling appointments, filing, client billing, bookkeeping, and general office administrative duties. Position offers a very pleasant working environment. Experience preferred but willing to train the right well-qualified candidate. Salary commensurate with experience. Please send a cover letter and resume to [ben@benhancocklaw.com](mailto:ben@benhancocklaw.com).

## Miscellaneous

### Will Search

Searching for a Will (or other estate planning documents) for decedent Alvin Leon Martin who died 1-24-24. Decedent was a resident of Rio Communities (Valencia County). Decedent reportedly had an attorney helping him with a dispute before the IRS as recently as fall of 2023. Anyone with knowledge of such documents please contact the Law Office of Benjamin Hancock at 505-508-4343, or via e-mail at [ben@benhancocklaw.com](mailto:ben@benhancocklaw.com).

# 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](mailto:marcia.ulibarri@sbnm.org)**

The publication schedule can be found at  
**[www.sbnm.org](http://www.sbnm.org).**



## ***A SINCERE THANK YOU***

**The First Judicial District Court's Judges  
and the Court's Pro Bono Committee  
want to recognize and thank all of the volunteers  
who generously gave their time and effort  
to help hundreds of pro se litigants in 2024  
at one of the Court's Free Legal Teleclinics and In-Person Free  
Legal Fairs held throughout the year.**

**Without each of you,  
the Court would not be able to provide the pro bono services  
that help to ensure equal access to justice  
for more New Mexicans.**

**Bardacke Allison Miller LLP  
Cuddy & McCarthy LLP  
Egolf + Ferlic + Martinez +  
Harwood LLC  
Hinkle Shanor LLP  
Holland & Hart LLP  
Spencer Fane LLP, formerly  
Montgomery & Andrews PA  
Saba Ahmed  
Stefanie Beninato  
Merrie Chappell  
Christie Coleman  
Tamara Couture  
Alexis Shannez Dudelczyk  
Pamela Emsden  
Krista Garcia**

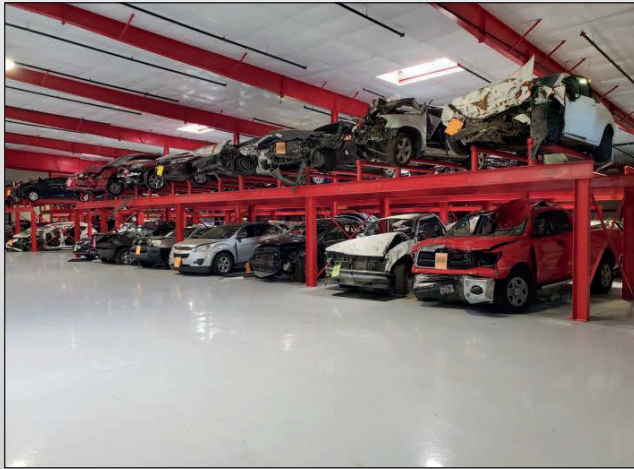
**Elege Simons Harwood  
Morgan Honeycutt  
David Humphreys  
William Ivry  
Tyr Loranger  
Dennis Manzanares  
Deian McBryde  
Patrick McDaniel  
Vanessa Peake  
Krishna Picard  
Brian Ray  
Sharon Shaheen  
Keely Simmonds  
Lucy Sinkular  
Michael Woods**





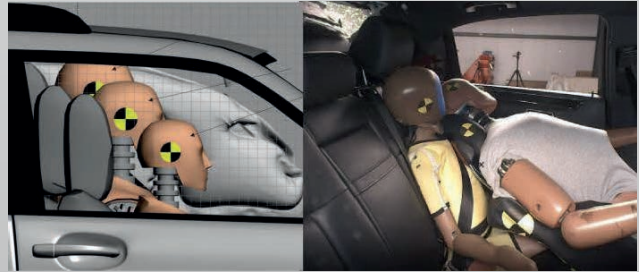
# IS YOUR CASE AT A RECOVERY DEAD-END?

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

4701 Bengal Street, Dallas, Texas 75235

214-324-9000

[www.vehiclesafetyfirm.com](http://www.vehiclesafetyfirm.com)