

Official Publication of the State Bar of New Mexico

DIGITAL BAR BULLETIN

February 12, 2025 • Volume 64, No. 3



Fall in St. Stephen's Green Park, by Brandon McIntyre

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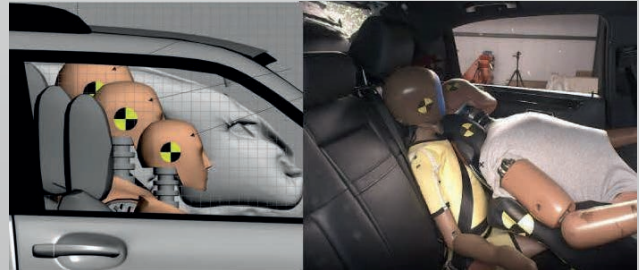
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COURT NEWS New Mexico Supreme Court Rule-Making Activity

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.

Supreme Court Law Library

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

Notice of Reappointment of Incumbent United States Magistrate Judge

The current term of office of United States Magistrate Judge Jerry H. Ritter is due to expire on Sept. 4. The United States District Court for the District of New Mexico is required by law to establish a panel of citizens to consider the reappointment of the magistrate judge to a new eight-year term. The duties of a magistrate judge in this court include the following: (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 (5) trial and disposition of civil cases upon consent of the litigants. Comments from members of the bar and the public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the court. Comments may be submitted by email to MJMSP@nmcourt.uscourts.gov. Questions or issues may be directed to Monique Apodaca, 575-528-1439. Comments must be received by Feb. 21.

Professionalism Tip

With respect to opposing parties and their counsel:

In the preparation of documents and in negotiations, I will concentrate on substance and content.

Second Judicial District Notice of Reassignment of Cases

Pursuant to Rule 1-088.1 NMRA, the Second Judicial District Clerk of Court hereby serves notice that a mass reassignment of all cases previously assigned to the Hon. Debra Ramirez, Division XXIV, will be automatically reassigned to the Hon. Crystal Lees, effective Jan. 18. Individual notices will not be sent out. Any party may file a peremptory excusal within ten (10) days the completion of this publication; the final publication will occur on Feb. 26.

Notice of Reassignment of Cases (Revised)

Pursuant to Rule 1-088.1 NMRA, the Second Judicial District Clerk of Court hereby serves notice that a mass reassignment of all cases previously assigned to the Hon. Gerard Lavelle, Division XI, will be automatically reassigned to the Hon. Bryan Fox, Division XI, effective Dec. 21, 2024. Individual notices will not be sent out. Any party may file a peremptory excusal within ten (10) days following the completion of this publication; the final publication will occur on Feb. 12.

Second Judicial District Family Court Judicial Nominating Commission Candidate Announcement

The Second Judicial District Court Judicial Nominating Commission convened at 9 a.m. (MT) on Jan. 14 at the State Bar Center located at 5121 Masthead St. N.E., Albuquerque, N.M., and completed its evaluation of the ten applicants to fill the vacancy on the Second Judicial District Court due to the retirement of the Hon. Stan Whitaker, effective Dec. 21, 2024. The Second Judicial District Family Court Judicial Nominating Commission recommends the following applicants to Gov. Michelle Lujan Grisham: **Matthew Chavez, Judge**

Shonnetta Estrada, Kristopher Houghton, Rose Osborne, Jeremy Pena and Niki Tapia-Brito.

STATE BAR NEWS Access to Justice Fund Grant Commission 2025-26 ATJ Fund Grant Cycle Now Accepting Applications

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

Board of Bar Commissioners Appointment of Commissioner for the Third and Sixth Judicial Districts

One vacancy exists on the Board of Bar Commissioners in the Third and Sixth Judicial Districts. Pursuant to Rule 24-101(F), vacancies of district bar commissioners shall be filled by appointment of the Board of Bar Commissioners, and district bar commissioners so appointed shall serve until Dec. 31. An election of a district bar commissioner to fill the unexpired term shall be held with the next regular election of bar commissioners following the appointment to fill the vacancy. The Board of Bar Commissioners will make an appointment at its February 28th meeting. Active status members with a principal place of practice (address of record) in these districts are eligible to apply. The 2025 Board of Bar Commissioners meetings are scheduled for: May 15-17 (Las Cruces, in conjunction with a board retreat), July 31-Aug. 2 (Sandia

Resort, in conjunction with the State Bar of New Mexico Annual Meeting), Oct. 24 (Albuquerque) and Dec. 10 (Santa Fe). Members interested in serving on the Board should submit a letter of interest and resume to bbc@sbnm.org by COB (MT) on Feb. 14.

Save the Date for the State Bar of New Mexico's 2025 Annual Meeting

The State Bar of New Mexico's 2025 Annual Meeting will take place at Sandia Resort & Casino in Albuquerque, N.M. from July 31 through Aug. 2. This year's keynote speaker is Bryan Stevenson, a widely acclaimed public interest lawyer who has dedicated his career to helping the poor, the incarcerated and the condemned. Bryan Stevenson is the author of the critically acclaimed New York Times Bestselling book, *Just Mercy*. More information and registration will be coming soon to <https://www.sbnm.org/AnnualMeeting2025>.

New Mexico Lawyer Assistance Program Monday Night Attorney Support Group

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

New Mexico State Bar Foundation Pro Bono Opportunities

The New Mexico State Bar Foundation and its partner legal organizations gratefully welcome attorneys and paralegals to volunteer to provide pro bono service to underserved populations in New Mexico. For more information on how you can help New Mexican residents through legal service, please visit www.sbnm.org/probono.

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. to 6 p.m. (MT) Monday through Friday. 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.

OTHER NEWS Center for Civic Values Judges Needed for Gene Franchini New Mexico High School Mock Trial Competition

The Gene Franchini New Mexico High School Mock Trial Competition is seeking judges. The qualifying rounds will take place on February 21 and 22, 2025, in Albuquerque and Las Cruces, at the Bernalillo County Metropolitan Court, Second Judicial District Court and U.S. District Court in Albuquerque and the Third Judicial District Court and U.S. District Court in Las Cruces. To volunteer as a judge, please register by February 4, 2025, at <https://civicvalues.org/mock-trial/registration>. For any questions, contact Kristen at the Center for Civic Values at 505-764-9417 or via email at Kristen@civicvalues.org.

Conference of State Court Administrators Invitation to the Judicial CLEAR Survey

The Conference of State Court Administrators ("COSCA") invites law students and practicing attorneys in New Mexico to take an anonymous survey about their legal education and experience. The survey is intended to help the Committee on Legal Education and Education Reform ("CLEAR") determine its recommendations regarding the bar admission process and more. To complete the survey, visit https://ncsc2.iad1.qualtrics.com/jfe/form/SV_6sy7YVcPg5yaqdU.

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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 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.

STATE BAR OF NEW MEXICO 2025 Annual Meeting

July 31 – August 2

Sandia Resort & Casino • Albuquerque, New Mexico

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the Date!

Featuring Keynote Speaker Bryan Stevenson!



BRYAN STEVENSON is a widely acclaimed public interest lawyer who has dedicated his career to helping the poor, the incarcerated, and the condemned. Bryan Stevenson is the founder and Executive Director of the Equal Justice Initiative, a human rights organization in Montgomery, Alabama. Under his leadership, EJI has won major legal challenges eliminating excessive and unfair sentencing, exonerating innocent death row prisoners, confronting abuse of the incarcerated and the mentally ill, and aiding children prosecuted as adults.

Bryan Stevenson is the author of the critically acclaimed New York Times bestseller, *Just Mercy*, which was named by Time Magazine as one of the 10 Best Books of Nonfiction for 2014 and has been awarded several honors, including the American Library Association's Carnegie Medal for best nonfiction book of 2015 and a 2015 NAACP Image Award. *Just Mercy* was adapted as a major motion picture and the film won the American Bar Association's 2020 Silver Gavel Award as well as four NAACP Image Awards. Mr. Stevenson is also the subject of the Emmy Award-winning HBO documentary *True Justice*. He is a graduate of the Harvard Law School and the Harvard School of Government.

More information and registration coming soon!

www.sbnm.org/AnnualMeeting2025



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Legal Education Calendar

February

- | | | |
|---|---|--|
| <p>12 Assessing Injury Causation: The Role of the Biomechanical Engineer
1.0 G
Web Cast (Live Credits)
New Mexico Defense Lawyers Association
www.nmdla.org</p> | <p>18 Real Estate Operating Agreements Part 1
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>24 Poverty Law 2025
10.0 G, 1.0 EP, 1.0 EIJ
Live Program
University of New Mexico School of Law
lawschool.unm.edu</p> |
| <p>13 Why Women Attorneys Get Paid Less: What's Gender Bias Got to Do With It
1.0 EIJ
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>19 Back to Basics Part 1: The Rules of Professional Conduct
1.0 EP
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>25 Learn Mindfulness to Curtail Implicit Bias and Make Ethical Decisions
1.0 EIJ
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> |
| <p>14 Cloud Contracts: Drafting and Reviewing IT Sourcing Agreements
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>19 Real Estate Operating Agreements Part 2
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>26 When the Law or Facts Are Against You: Ethical Considerations for Lawyers
1.0 EP
Teleseminar
Center for Legal Education of NMSBF
www.sbnm.org</p> |
| <p>14 Is This My Job? Ethical Issues for Prosecutors of Sensitive Victim Crimes
1.5 EP
Live Program
New Mexico Coalition of Sexual Assault Programs
www.nmcsap.org</p> | <p>20 2025 Wage & Hour Update: Adapting to New Overtime Rules
1.0 G
Teleseminar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>27 2025 Basics of Trust Accounting
1.0 EP
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> |
| <p>18 REPLAY: Democracy's Battle: Understanding the Legacy and Tactics of Voter Suppression
1.0 EIJ
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>20 Navigating the Maze: Strategies for Insurance Company Interactions
6.0 G
Web Cast (Live Credits)
New Mexico Trial Lawyers Association & Foundation
www.nmtla.org</p> | <p>27 Ethics, Juror Misconduct, and Jury Tampering: The Murdaugh Motion For New Trial
2.0 EP
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> |
| <p>18 Understanding Income and Self-Employment When Calculating Child Support
1.0 G
Web Cast (Live Credits)
Third Judicial District Court
thirddistrict.nmcourts.gov</p> | <p>21 REPLAY: 'Would You Mind Making Some Copies?': Recent Research in Gender Bias
1.0 EIJ
Webinar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>28 Collaborative Family Law Sp 2025
10.0 G, 0.5 EP
Live Program
University of New Mexico School of Law
lawschool.unm.edu</p> |
| | <p>21 Generative AI in Law Practice: Opportunities and Ethical Perils
1.0 EP
Teleseminar
Center for Legal Education of NMSBF
www.sbnm.org</p> | <p>28 Clemency Seminar
13.7 G
Live Program
Administrative Office of the US Courts
www.uscourts.gov</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. 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

February

- | | | |
|---|--|--|
| <p>15 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Chaparral</p> | <p>20 Legal Fair
Virtual
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Teleclinic</p> | <p>27 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Grants</p> |
|---|--|--|

March

- | | | |
|---|---|--|
| <p>14 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Roswell</p> | <p>15 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Hobbs</p> | <p>28 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Law-La-Palooza</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

February

- | | | |
|---|--|--|
| <p>15 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Chaparral</p> | <p>20 Legal Fair
Virtual
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Teleclinic</p> | <p>26 Consumer Debt/Bankruptcy
Workshop
Virtual
State Bar of New Mexico
Call 505-797-6094
Location: Virtual</p> |
| <p>27 Legal Fair
In-Person
New Mexico Legal Aid
bit.ly/NMLALegalFairSignUp
Location: Grants</p> | | |

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

What is the Difference Between a Paralegal Certificate *and* Certification?

By Janis Walter, J.D



State Bar of New Mexico Paralegal Division

As a division of the State Bar of New Mexico, one of the goals of the Paralegal Division is to educate members of the legal community about the paralegal profession, including qualifications and utilization. The New Mexico Supreme Court's Rules Governing Paralegal Services sets forth requirements to call oneself a paralegal in New Mexico ([Rule 20-115 NMRA](#)). Further, the Court created a division of the State Bar with very similar but distinct membership qualifications ([Rule 24-101.1 NMRA](#)).

One of the categories of qualification in both of the above-referenced rules is *certification* by examination administered by an approved certifying entity such as NALA or NFPA (www.nala.org and www.paralegals.org). Another category of qualification is the receipt of a *certificate* such as a post-baccalaureate certificate in paralegal studies earned through an educational institution. Note: Certificate programs vary widely from institution to institution in entry prerequisites, length, and cost; and not all of them meet the requirements of the Supreme Court rules nor can they be considered "certification." Careful reading of the rules is strongly advised prior to enrolling in a certificate program.

The distinction between "certification" and "certificated" has often been the source of confusion. To help clarify that distinction for aspiring paralegals and members as well as the legal community as a whole, the following article is being reprinted with permission from the American Bar Association Standing Committee on Paralegals.

The Paralegal Division encourages paralegals and members to pursue certification as a means of advancing their professional status and offers reimbursement to eligible members who successfully pass an approved certification examination. For more information, see Paralegal Division Standing [Rule H.1.b.](#) or contact the Scholarship and Member Benefits or Membership Committees. [Contact the Paralegal Division 2024.pdf \(sbnm.org\)](#)

For further information on qualifications and to apply for Paralegal Division membership, visit our website at [Join The Division \(sbnm.org\)](#)

It is important to distinguish between a paralegal certificate and certification, as the terms are often confused. The terms are not interchangeable and have separate meanings. A certificate is a credential that verifies a student has successfully completed a paralegal educational program. Generally, these programs are offered at universities and colleges. The prerequisites may vary but many require the student seeking a certificate to have already earned an associate or bachelor's degree in another area of study. So, if a program offers a post-baccalaureate paralegal certificate, the student will have already obtained a bachelor's degree in an area other than paralegal studies. It is possible that the student will take only legal specialty courses as part of their certificate work, as their general education requirements were satisfied by completing an associate or bachelor's degree. Upon successful completion of the institution's educational requirements, the student is issued a certificate of completion. The student is now *certificated* in paralegal studies and able to work in the field as a paralegal.

The terms "paralegal certificate" and "certification" are not interchangeable and have separate meanings.

In contrast, certification is the process through which an organization grants formal recognition to an individual who meets certain established requirements. After completing a paralegal educational program, the graduates may pursue certification to validate their mastery of the subject matter. Certification may enhance their employment prospects and increase their income. To become certified,





a paralegal must successfully complete a certification exam and/or other requirements of the certifying organization. The other requirements generally include educational requirements and paralegal work experience. Once the paralegal has met the established criteria, they may use a special designation namely, “*certified paralegal*.” To maintain their certification, paralegals may need to complete yearly continuing education units.

Currently, all certification programs in the United States are voluntary. Two of the national paralegal organizations, NALA and the National Federation of Paralegal Associations (NFPA) offer certification exams. The scope, length and requirements for the credential are determined by each organization.

The requirements differ, so it is important to check with the credentialing organization to determine the requirements. Some state bar associations, such as North Carolina and Ohio, and state paralegal associations, such as Kentucky, also offer voluntary certification by examination for paralegals working in those states. Other states, including Texas and California, offer certification in select areas of law.

California is currently the only state that has issued specific paralegal regulations. Persons using the titles “paralegal,” or “legal assistant,” must meet certain educational/experiential qualifications and comply with continuing

education requirements. Paralegals in Indiana, who have met specified education and experience requirements, can register with the Indiana Bar Association. This enables the paralegal to identify themselves as an Indiana Registered Paralegal. Several states recognize certified paralegals if they have successfully completed a national paralegal examination. Paralegals should check with their state authority to ascertain the necessary requirements for certification within their own state.

The American Bar Association (ABA) does not certify individual paralegals. Instead, the ABA approves paralegal studies educational programs that have applied for and passed a comprehensive self-study. The ABA also reapproves programs that apply for reapproval and demonstrate that they are in compliance with the *Guidelines for the Approval of Paralegal Education Programs*. The ABA’s approval process applies to the paralegal education program rather than to the individual paralegal. Therefore, graduates of ABA approved paralegal programs offering paralegal certificate degrees are *certificated paralegals* and may state that they graduated from an ABA approved paralegal education program. They may not identify themselves as an “ABA Certified Paralegal” or claim that they have “ABA Certification”. ■



Janis Walter, J.D., Professor Emeritus and former Paralegal Program Coordinator, University of Cincinnati, and past Chair, ABA Standing Committee on Paralegals Approval Commission—reprinted with approval of the ABA Standing Committee on Paralegals.

Read Full Article Here: <https://www.americanbar.org/groups/paralegals/blog/Certificate-Certified/>

► From the New Mexico Supreme Court

From the New Mexico Supreme Court

Filing Date: January 27, 2025

No: S-1-SC-40571

INQUIRY CONCERNING A JUDGE JSC Inquiry No. 2024-003

IN THE MATTER OF HON. JOHNNY VALDEZ, Cibola County Magistrate Court

The New Mexico Judicial Standards
Commission
Phyllis A. Dominguez
Marcus J. Blais

Albuquerque, NM

for Petitioner

Johnny Valdez
Pro se
Grants, NM

for Respondent

{1} This matter came before this Court on a petition to accept the Stipulation Agreement and Consent to Discipline (Stipulation) between the Judicial Standards Commission (Commission) and Hon. Johnny Valdez, a magistrate court judge in Cibola County.

{2} We granted the petition and approved the terms of the Stipulation adopting the Commission's request and Judge Valdez's stipulation to discipline, including issuance of a public censure. We now publish this public censure in the State Bar of New Mexico Bar Bulletin in accordance with our order, the Stipulation, and Rule 27-401(A)(4) NMRA.

I. BACKGROUND

{3} A complaint was filed against Judge Valdez with the Commission. The Commission completed its initial investigation, including completion of an informal conference which allowed Judge Valdez to personally discuss the allegations with the Commission. The Commission filed a notice of formal proceedings against Judge Valdez on June 13, 2024. The Commission and Judge Valdez entered into the Stipulation after that filing. As part of the Stipulation, Judge Valdez denied committing willful misconduct but agreed that the Commission could find willful misconduct based on the following facts:

A. On or between December 2022 and July 2023, [Judge Valdez] had inappropriate physical contact with [a magistrate court clerk] by poking him

with a gel-filled keyboard wrist-rest.

B. On or between December 2022 and July 2023, [Judge Valdez] made inappropriate and/or denigrating comments to [a magistrate court clerk], stating words to the effect: He is starting to get fat and needs to lose weight; his facial hair is not appropriate and is shaggy for work; he needs haircuts; he looks like a punching bag; he should do push-ups and sit ups to lose weight; and that he has a gut.

C. On or about July 6, 2023, [Judge Valdez] became upset with [a magistrate court clerk] and angrily slammed files down on his desk after hearing about [the clerk's] complaint that [Judge Valdez] did not sign documents in a timely fashion.

Stipulation at 2.

{4} Judge Valdez agreed that the described conduct violated the following Rules of the Code of Judicial Conduct: Rule 21-101 NMRA (requiring compliance with the law); Rule 21-102 NMRA (promoting confidence in the judiciary); Rule 21-203 NMRA (prohibiting bias, prejudice, and harassment); and Rule 21-208 NMRA (requiring decorum and appropriate demeanor). Judge Valdez also agreed that the Commission, looking at the facts, evidence, and totality of the circumstances,

<http://www.nmcompcomm.us/>

could find willful misconduct in office sufficient for this Court to impose discipline pursuant to Article VI, Section 32 of the New Mexico Constitution. As part of that discipline, Judge Valdez agreed to receive a public censure to be published in the State Bar of New Mexico Bar Bulletin. For the reasons discussed below, we issue this public censure.

II. DISCUSSION

{5} Article VI, Section 32 of the New Mexico Constitution creates the Commission and provides that "any justice, judge or magistrate of any court may be disciplined or removed for willful misconduct in office." We have defined willful misconduct in office as "improper and wrong conduct of a judge acting in his official capacity done intentionally, knowingly, and generally in bad faith. It is more than a mere error of judgment or an act of negligence." In re Locatelli, 2007-NMSC-029, ¶ 8, 141 N.M. 755, 161 P.3d 252 (internal quotation marks and citation omitted). In imposing discipline, "[t]here need not be clear and convincing evidence to support each and every one of the Commission's evidentiary findings. Rather, we must be satisfied by clear and convincing evidence that there is willful judicial misconduct which merits discipline." In re Castellano, 1995-NMSC-007, ¶ 37, 119 N.M. 140, 889 P.2d 175.

{6} Judge Valdez agrees that the conduct described in the Stipulation violated Rules 21-101, 21-102, 21-203, and 21-208. Stipulation at 2. While a violation of the Code of Judicial Conduct alone may not require the imposition of discipline, it does provide evidence of misconduct. Locatelli, 2007-NMSC-029, ¶ 8. We agree that the stipulated facts support the conclusion that Judge Valdez violated Rules 21-101, 21-102, 21-203, and 21-208, and for that reason, he should be formally censured.

{7} The preamble to the Code of Judicial Conduct states, "An independent, fair, and impartial judiciary is indispensable to our system of justice." Rule 21-001(A) NMRA. To promote the public's trust and to maintain and enhance confidence in the legal system, "[j]udges should maintain the dignity of judicial office at all times and avoid both impropriety and the appearance of impropriety in their professional and personal lives." Rule 21-001(B). In violating the Code of Judicial Conduct, Judge Valdez failed to uphold the dignity of judicial office and behaved in a manner that undermines public confidence in the integrity and professionalism of the judiciary.

{8} Rule 21-101 requires a judge to "respect and comply with the law, including the Code of Judicial Conduct." Rule

► From the New Mexico Supreme Court

21-102 requires a judge to “act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and [to] avoid impropriety and the appearance of impropriety.” “Actual improprieties include violations of the law, court rules, or provisions of th[e] Code. The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated th[e] Code.” *Id.* comm. cmt. 5.

{9} Judge Valdez’s actions violated Rules 21-101 and 21-102. As a judge, he must strive to act at all times in a manner that promotes public confidence in the integrity of the judiciary. See Rule 21-001(A), (B). Judge Valdez failed to uphold that standard by subjecting a magistrate court clerk to inappropriate personal comments and actions that demeaned and denigrated the clerk. These actions were contrary to Rule 21-101 and the New Mexico Judicial Branch General Personnel Policy and Procedure on Harassment, Including Sexual Harassment, Discrimination and Retaliation Prevention.¹ These actions also created the appearance that he was harassing the court clerk, an appearance of impropriety in violation of Rule 21-102.

{10} Under Rule 21-203(B), “[a] judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment.” Judge Valdez violated Rule 21-203 when he repeatedly subjected a magistrate court clerk to remarks denigrating the clerk’s physical appearance and suggesting that the clerk should lose weight. These harassing comments were heard by other court staff.

{11} Rule 21-208(B) mandates that “[a] judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity.” (Emphasis added.) Upon hearing that a magistrate court clerk had complained that Judge Valdez was not signing paperwork in a timely manner, Judge Valdez became upset, took paperwork to the clerk’s desk, and slammed the paperwork down. This conduct was not patient, dignified, or courteous to the court clerk as required by Rule 21-208.

{12} These violations erode the public’s confidence, reflect negatively on the New Mexico judiciary as a whole, and are prejudicial to the effective administration of justice. A public censure is therefore appropriate under the Court’s power to discipline judges under the New Mexico

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Constitution Article VI, Section 32, and the Court’s power of superintending control under the New Mexico Constitution Article VI, Section 3. The imposition of judicial discipline protects the public, preserves the public’s confidence in the integrity, independence, and impartiality of the judicial system, and enforces the standards of conduct established by the Code of Judicial Conduct.

{13} Having considered the stipulated facts, violations of the Code of Judicial Conduct, and the approved Stipulation, we hereby publicly censure Judge Valdez for willfully violating the rules and standards that govern every New Mexico judge’s conduct. We issue this public censure to ensure the public’s confidence in the integrity, impartiality, and independence of the judiciary and to remind all judges that misconduct, which erodes the public’s confidence, will not be tolerated.

{14} For the foregoing reasons, Hon. Johnny Valdez is hereby publicly censured for willful misconduct as set forth fully in the Stipulation, which this Court accepted, adopted, and confirmed.

{15} IT IS SO ORDERED.

DAVID K. THOMSON, Chief Justice
MICHAEL E. VIGIL, Justice
C. SHANNON BACON, Justice
JULIE J. VARGAS, Justice
BRIANA H. ZAMORA, Justice

¹ See New Mexico Judicial Branch General Personnel Policy and Procedure: Harassment, Including Sexual Harassment, Discrimination & Retaliation Prevention, Policy No. 2014.NMJB.120 (1997) (amended 2024), <https://humanresources.nmcourts.gov/wp-content/uploads/sites/63/2023/11/Order-No.-S-1-AO-2024-00007-Adoption-of-Harassment-Policy-ATTACHMENT-1-Policy-1.pdf> (last visited Jan. 2, 2025).

Formal Reprimand

► From the Disciplinary Board of the New Mexico Supreme Court

<https://nmdisboard.org>

From the Disciplinary Board of the New Mexico Supreme Court

Disciplinary No. 2024-09-4579

IN THE MATTER OF

Rachel Nicole Cochran, Esq.

An Attorney Licensed to Practice Law
before the Courts of the State of New Mexico

FORMAL REPRIMAND

You are being issued this Formal Reprimand pursuant to a *Conditional Agreement Admitting the Allegations and Consent to Discipline* which was approved by a Hearing Committee and a Disciplinary Board Panel.

You admit having violated the following Rules of Professional Conduct:

- 16-106(A) – by revealing information relating to the representation of a client without informed consent;
- 16-404(A), by using means that have no substantial purpose other than to embarrass a third person;
- 16-804(C) – by engaging in conduct involving dishonesty; and
- 16-804(D), by engaging in conduct that is prejudicial to the administration of justice.

You were conditionally licensed to practice law on May 7, 2024. In just over two months after licensure you were terminated from your employment with the Law Offices of the Public Defender (“LOPD”) and a disciplinary complaint was filed against you.

The LOPD informed the Office of Disciplinary Counsel that you had posted video and commentary to your social media regarding your public defender clients. You posted a transcript of your client from the arresting police officer’s lapel camera and captioned the posting, “Things at the public defenders that just

makes sense. Transcript of my client from a cop’s lapel footage.” This statement was followed by four emojis of a smiling face with hearts. You also posted a photo of yourself with the caption, “Things at the public defenders that just makes sense. Being yelled at by a client’s PARENT for calling bc client gave me their number as contact info and the parent hates their kid.” This statement was followed by two emojis of a smiling face with hearts. You posted a video of your client’s arrest with the caption, “Look I’m a pretty good actor.” – my client immediately after faking his 5th heart attack and proceeding to laugh it off everytime (sic). I’m so glad I went to law school for this.” You posted a recitation of a conversation with a client’s parent with the caption, “At least I didn’t tell him that his son was a fucking wackadoodle.” Finally, you posted a Brady-Giglio Disclosures list stating, “He’s on the Giglio Disclosure list and I’m a lawyer.” The statement was followed by a heart face emoji and heart hands emoji. You circled the officer’s name with a red heart and the name is clear as well as many other names. You wrote in red, “Karma’s a bitch” with a red heart. You did mistakenly believe that your posts were only temporary and able to be viewed by limited followers.

A meeting was held wherein you were terminated from the LOPD and the posts were discussed but you were not shown the actual video. You followed up the meeting with a letter to the LOPD regard-

ing your dismissal stating in part,

The formal notice of dismissal indicates that I recorded a lapel video of a current LOPD client being arrested and posted on social media. As I indicated yesterday, this was absolutely not the case, nor would I ever have violated my client’s trust and confidentiality in such a despicable way. I did, however, share a sanitized narration of portions of the transcript following an LOPD arrest on social media, with a very small (less than 50) group of followers, and did not reference the LOPD in any way.

With this letter you provided yet another social media post that you mistakenly believed was the cause of your termination wherein you had a quote from lapel footage with the caption, “Poetry by my client.”

You testified at the hearing in this matter that you believed that the posts were “comical” at the time, but you have now realized that your conduct was improper. It is, however, particularly concerning that you attempted to deny your misconduct by making misrepresentations to the LOPD, a fact that calls into question your veracity overall. It is hoped that you genuinely realize that such postings are wholly inappropriate. It is only that you are a very inexperienced attorney that

Formal Reprimand

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more formal action was not taken. Youth is not, however, an excuse nor is being raised in the age of social media. You attended law school, you took the ethics course, and you passed the Multistate Professional Responsibility Examination. You, quite literally, should have known better. You must take your ethical obligations seriously.

You are hereby formally reprimanded for these acts of misconduct pursuant to

Rule 17-206(A)(5) of the Rules Governing Discipline. This formal reprimand will be filed with the Supreme Court in accordance with 17-206(D) and will remain part of your permanent records with the Disciplinary Board, where it may be revealed upon any inquiry to the Board concerning any discipline ever imposed against you. In addition, in accordance with Rule 17-206(D), the entire text of this formal reprimand will be published in the State Bar of New Mexico *Bar Bulletin*.

Dated: January 10, 2025

The Disciplinary Board of the New Mexico Supreme Court

By

David J. Stout, Esq.
Disciplinary Board Chair

Formal Reprimand

► From the Disciplinary Board of the New Mexico Supreme Court <https://nmdisboard.org>

From the Disciplinary Board of the New Mexico Supreme Court

Disciplinary No. 2024-01-4571

IN THE MATTER OF Sarah Van Cott, Esq.

An Attorney on Deferred Probation
before the Courts of the State of New Mexico

FORMAL REPRIMAND

Pursuant to a September 19, 2024, *Order of the New Mexico Supreme Court* you were indefinitely suspended from the practice of law pursuant to 17-206(A)(3) NMRA but the suspension was deferred, and you have been placed on unsupervised probation for a period of one (1) year. One of the terms of probation is that you be issued this [Formal Reprimand](#).

You have agreed that the facts, as pleaded in the [Specification of Charges](#) demonstrate violations of the following Rules of Professional Conduct:

- 16-101, by failing to provide competent representation to a client;
- 16-103, by failing to act diligently on behalf of a client;
- 16-301, by asserting an issue without basis in fact;
- 16-303(A)(1), by failing to display candor toward the tribunal;
- 16-305(D), by engaging in conduct intended to disrupt a tribunal;
- 16-404(A), by using means that have no other purpose than to embarrass, delay or burden a third person;
- 16-802(A), by making a statement with reckless disregard as to its truth or falsity concerning the integrity of a judge; and
- 16-804(C), Misconduct involving dishonesty, fraud, deceit or misrepresentation.

In August of 2023 you received several disciplinary complaints. One of the complaints involved a domestic relations matter where you were counsel of record. You filed an

Emergency Motion to Continue Hearing on June 28, 2023, for a hearing to be held July 3, 2023. The motion was denied on June 30, 2023. You then filed a *Second Request for Emergency Motion to Continue Hearing* on June 30, 2023. Additionally, in an email on that same date you informed the presiding judge's TCAA, among others, that the Chief Judge had "verbally excused [your] absence" for July 3, 2023. You then did not appear at the July 3, 2023 hearing. It was determined that you misrepresented the content of a conversation with the Chief Judge to court staff and other members of the judiciary, only alleging later it was a misunderstanding.

It is notable that the *Order on Petitioner's Second Emergency Motion to Continue Hearing* found that the Chief Judge had not verbally excused you from the hearing, but also that you failed to seek a concurrence or opposition from your opposing party.

On July 26, 2023, an *Order to Show Cause and Notice of Formal Punitive Contempt Proceedings* was filed against you for your failure to appear. Additionally, a *Complaint Contempt of Court* was filed in [State v. Van Cott](#) on September 14, 2023, alleging failure to appear, failure to provide back-up counsel, filing an *ex parte* email wherein she stated you intended to file a Writ of Superintending Control and engaging in conduct prejudicial to the administration of justice. To your credit, you did not contest the matter and completed your ordered obligations early.

During the short period of June 28, 2023 – July 11, 2023, you,

- improperly confronted a *pro se* opposing party about her personal life, tossed paperwork at her, and repeatedly spoke directly to the opposing party rather than to the court,
- were emotional and tearful in a hearing making comments that were unrelated to the hearing discussion,
- arrived a hearing late, stating that someone was, "trying to get me in trouble today" and acknowledging you were "not prepared as much as [you] would have liked to have been today because [you] did make arrangements for someone to cover this hearing."
- addressed a member of the opposing party's family in the gallery stating, "Does someone need to speak to me outside." When the opposing counsel suggested the comment was improper you stated, "Report me."
- made improper comments regarding a TCAA and a Third Judicial District Court judge, and
- made presentations in court that were at times rambling and disjointed.

Other concerns contained in complaints against you were that you,

- made contrary statements as to why you failed to appear at a hearing, first on the record and then in a follow up email to the Court's TCAA,
- were found to have "significantly and crucially mischaracterized[d]" a child's

Formal Reprimand

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medical notes in a motion you filed with the Court,

- made no effort to address conflicting hearings until late in the day before both hearings,
- made no effort to appear in person at a hearing for which you had several months' notice would be in person, and
- failed to appear timely at a *Status Hearing* ostensibly because you had mis-calendared the hearing, thereby appearing 25 minutes late.

While mitigating factors in your practice were considered, you are reminded as an

attorney your law license requires that despite whatever challenging circumstances might be present you must comport yourself professionally and within the confines of the Rules of Professional Conduct. You are hereby formally reprimanded for these acts of misconduct pursuant to Rule 17-206(A) (5) of the Rules Governing Discipline. This formal reprimand will be filed with the Supreme Court in accordance with 17-206(D) and will remain part of your permanent records with the Disciplinary Board, where it may be revealed upon any inquiry to the Board concerning any discipline ever imposed against you. In addition, in accor-

dance with Rule 17-206(D), the entire text of this formal reprimand will be published in the State Bar of New Mexico *Bar Bulletin*.

Dated: January 10, 2025

The Disciplinary Board of the New Mexico Supreme Court

By

David J. Stout, Esq.
Disciplinary Board Chair

Formal Reprimand

► From the Disciplinary Board of the New Mexico Supreme Court

<https://nmdisboard.org>

From the Disciplinary Board of the New Mexico Supreme Court

Disciplinary No. 2023-12-4567

IN THE MATTER OF

Bernadine Martin, Esq.

An Attorney Licensed to Practice Law
before the Courts of the State of New Mexico

FORMAL REPRIMAND

You are being issued this Formal Reprimand for violations of the following Rules of Professional Conduct:

- Rule 16-301, by filing a criminal complaint without a factual or legal basis and with no good-faith argument for an extension, modification or reversal of existing law;
- Rule 16-308, by prosecuting a charge that the prosecutor knows is not supported by probable cause;
- Rule 16-404(A), by using means that have no substantial purpose other than to embarrass, delay or burden a third person; and
- Rule 16-804(D), by engaging in conduct that is prejudicial to the administration of justice.

You have been licensed to practice in the State of New Mexico since 2001 and are the District Attorney for the Eleventh Judicial District Division II (McKinley County, Gallup). In March of 2023, a *Criminal Complaint* was filed in a matter (hereinafter “Doe”) and Judge Detsoi was the assigned judge. At the preliminary hearing in Doe, the State requested a continuance, which Judge Detsoi granted as a discretionary act, and he then issued a *Notice of Preliminary Examination*. There is no question that the New Mexico Supreme Court has determined that granting a continuance at the request of a party is a discretionary act. See, *State v. Hester*, 1962-NMSC-099, ¶5.

You subsequently filed through your office a *Notice of Excusal* in Doe, which

stated: “THE UNDERSIGNED hereby notifies the court that the State is exercising its right to excuse the Honorable Brent A. Detsoi from presiding over the . . . case.” The *Notice of Excusal* was inappropriate because Judge Detsoi had performed a discretionary act.

You then also filed a *Notice of Disqualification of Magistrate Judge* “pursuant to Section 35-3-7, NMSA 1978.” Section 35-3-7, a statute governing Magistrate Courts provides, in pertinent part:

A. Whenever a party to any civil or criminal action or proceeding of any kind files a statement of disqualification, the magistrate’s jurisdiction over the cause terminates immediately. The statement is effective only if filed no later than fifteen days after the date the answer is filed in a civil action or no later than fifteen days after the date the defendant is arraigned in a criminal action.

. . .

C. Any magistrate who willfully attempts or presumes to act as magistrate in an action after disqualification is guilty of a petty misdemeanor and shall be removed from office.

Section 35-3-7 was enacted in 1968 and subparagraph C has never been acted upon.

Judge Detsoi issued his *Order Denying Disqualification*, noting in part, that “the

court had performed a discretionary act of continuing a preliminary examination setting on March 22, 2023, at the request of the State.” Your Deputy testified she was “dumbfounded” by the *Order Denying Disqualification* but neither she nor you appealed the ruling or filed a Judicial Standards Complaint. She did, however, inform Judge Detsoi that she would file a criminal charge against him; she then filed a *Nolle Prosequi* (without prejudice) in Doe.

You ratified your deputy’s conduct by filing a *Criminal Information* under Section 35-3-7 NMRA against Judge Detsoi for *Willfully Attempting or Presuming to Act as Magistrate after Disqualification*, a petty misdemeanor. This *Criminal Information* was filed more than two weeks after Judge Detsoi and the magistrate court had no involvement in the underlying matter. The result of the *Criminal Information* being filed was that all criminal cases were assigned to Judge Detsoi’s two colleagues, and he was limited to hearing non-attorney prosecuted cases resulting in “havoc” in the Magistrate Courts.

It is notable that the filing of criminal charges against Judge Detsoi was done after your office had filed 91 excusals of Judge Detsoi between March 23 and May 19 of 2023. The number of excusals of a Magistrate Judge was unusual and excessive and no other attorney filed excusals of Judge Detsoi in such numbers.

Based upon your actions against the magistrate, the Honorable Judge Gurley

Formal Reprimand

► **From the Disciplinary Board of the New Mexico Supreme Court** <https://nmdisboard.org>

emailed the Chief Justice of the New Mexico Supreme Court Shannon Bacon expressing concern that you were misusing the excusal procedure set out in 6-106 NMRA and “attempted to get a second bite at this apple by filing a notice of disqualification pursuant to NMRA 1978 35-3-7.” On June 6, 2023, Chief Justice Shannon Bacon issued an *Order* against you and your office to “not file notices of excusal under Rule 6-106, or statements of disqualification under NMSA 1978, Section 35-3-7 (1983), against Judge Brent A. Detsoi . . . effective IMMEDIATELY, and until further order of the Chief Justice . . .” The *Order* also directed you to pursue “grievances with Judge Detsoi’s rulings” through appeals or with the Judicial Standards Commission. Despite this ruling of the Supreme Court, you did not dismiss the criminal matter against Judge Detsoi.

An expert in criminal law testified that your refusal to dismiss the criminal case was, “[M]ore than problematic. I think it shows a mindset – her mindset of full speed ahead without really digesting what

Judge Gurley, who’s in her district, you know, and what Chief Justice Bacon said . . .” Ultimately the special prosecutor assigned to the Detsoi matter filed a *Nolle Prosequi*. You testified that you still disagree with the decision to *nolle prosequi* the criminal case against Judge Detsoi. The criminal law expert also correctly testified that prosecutors have extraordinary power and must be judicious in bringing criminal charges.

Despite your experience in the practice of law you have refused to acknowledge that your conduct was inappropriate. As the ultimate decision-maker in your office you were responsible for filing criminal charges against Magistrate Judge Detsoi. It is hoped that this reprimand and the additional Continuing Legal Education ordered in the areas of ethical obligations of prosecutor and supervisory responsibilities will instruct you on the serious ethical obligations of prosecutors and the appropriate recourse when you believe a judge is acting improperly.

You are hereby formally reprimanded for these acts of misconduct pursuant to Rule 17-206(A)(5) of the Rules Governing Discipline. This formal reprimand will be filed with the Supreme Court in accordance with 17-206(D) and will remain part of your permanent records with the Disciplinary Board, where it may be revealed upon any inquiry to the Board concerning any discipline ever imposed against you. In addition, in accordance with Rule 17-206(D), the entire text of this formal reprimand will be published in the State Bar of New Mexico *Bar Bulletin*.

Dated: January 10, 2025

The Disciplinary Board of the New Mexico Supreme Court

By

David J. Stout, Esq.
Disciplinary Board Chair

Disciplinary Quarterly Report

► Report By Disciplinary Counsel

<https://nmdisboard.org>

Reporting Period: September 30, 2024 – December 31, 2024

Final Decisions

Final Decisions of the NM Supreme Court 1

In the Matter of David Jordan, (No. S-1-SC-40534). The New Mexico Supreme Court entered an order indefinitely suspending the Respondent pursuant to Rule 17-206(A)(3) NMRA, effective November 7, 2024, for a period of six (6) months.

Summary Suspensions

Total number of attorneys summarily suspended 0
 Total number of attorneys summarily suspended (reciprocal) 0

Administrative Suspensions

Total number of attorneys administratively suspended 1

Disability Inactive Status

Total number of attorneys removed from disability inactive states 0

Charges Filed

Charges were filed against an attorney for allegedly by failing to provide competent representation to a client, failing to act with reasonable diligence and promptness in representing a client, by failing to make reasonable efforts to expedite litigation, failing to promptly comply with reasonable requests for information, by failing to respond to a lawful demand for information from the disciplinary authority and/or engaging in conduct involving dishonesty and/or engaging in conduct that is prejudicial to the administration of justice.

Charges were filed against an attorney for allegedly failing to give full cooperation and assistance to the disciplinary board and disciplinary counsel in discharging the lawyer's respective functions and duties with respect to discipline and disciplinary procedures.

Injunctive Relief

Total number of injunctions prohibiting the unauthorized practice of law 0

Reciprocal Discipline

Total number of reciprocal discipline filed 0

Reinstatement from Probation

Petitions for reinstatement filed 0

Public Censure

Public Censure 1

Formal Reprimands

Total number of attorneys formally reprimanded 0

Informal Admonitions

Total number of attorneys admonished 1

Letters of Caution

Total number of attorneys cautioned 7

Attorneys were cautioned for the following conduct: (3) lack of competence, (1) lack of diligence, (1) failure to communicate, (1) lack of fairness to opposing party/counsel, (1) disruption of a tribunal, (2) excessive or improper fees.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations	0
Conflict of Interest	3
Dishonesty, deceit, fraud, misrepresentation	5
Specifically prohibited conflicts	4
Neglect and/or Incompetence	52
Misrepresentation or Fraud	0
Improper Withdrawal.....	0
Fees.....	3
Improper Communications	0
Failure to Communicate.....	1
Improper statements about judge's integrity.....	0
Prosecutorial Misconduct	15
Improper Statements about Judge.....	0
Improper Means	1
Improper conduct with rperesented party.....	1
Criminal Conduct.....	0
UPL	0
Improper Trial Publicity.....	2
Lack of Fairness to Opposing Party/Counsel.....	15
Contact with Represented Party	0
Meritless Claims or Defenses	2
Lack of Diligence.....	4
Engaged in conduct prejudicial to admin of justice	2
Other.....	5
Disruption of Tribunal	1
Unauthorized Practice of Law	0
Total number of complaints received	181

*Denotes total number of complaints received through 12/31/2024. May differ from the total number reflected in allegations due to reporting timing.

FORMAL OPINION

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

Filing Date: 1/16/2025

No. A-1-CA-40664

**STATE OF NEW MEXICO ex rel. WESLEY and
JESSICA BIGNEY, NORBERT BARCENA, BETTY
BIRNER, and PAMELA LEE HAINES,**

Plaintiffs-Appellees,

v.

**CITY OF RIO RANCHO, a municipal corporation;
and HAROLD'S GRADING & TRUCKING, INC.,**

Defendants-Appellants,

and

CITY OF RIO RANCHO, a municipal corporation,

Cross-Claimant,

v.

HAROLD'S GRADING & TRUCKING, INC.,

Cross-Defendant.

APPEAL FROM THE DISTRICT COURT OF SANDOVAL COUNTY

James A. Noel, District Court Judge

Cadigan Law Firm, P.C.

Michael J. Cadigan

Albuquerque, NM

for Appellees

NM Local Government Law, LLC

David M. Wesner

Kenneth J. Tager

Albuquerque, NM

for Appellant City of Rio Rancho

Adams+Crow Law Firm

Arlyn G. Crow

Amanda K. Nelson

Albuquerque, NM

for Appellant Harold's Grading & Trucking, Inc.

► Introduction of Opinion

Wesley and Jessica Bigney, Norbert Barcena, Betty Birner, and Pamela Lee Haines (collectively, Plaintiffs) brought this land use and takings case against Defendants Harold's Grading & Trucking, Inc. (HGT) and the City of Rio Rancho (the City). The district court found that HGT's operations on the land at issue caused a public nuisance, contrary to NMSA 1978, Section 30-8-1 (1963) and entered a permanent injunction. A jury later returned a verdict for Plaintiffs, in relevant part, on inverse condemnation claims against the City and additional claims against HGT. HGT seeks to reverse the district court's public nuisance determination and to lift or modify the district court's permanent injunction. The City separately appeals from the district court's posttrial order requiring payment of Plaintiffs' attorney fees and requested costs and argues that (1) statutory attorney fees should not be available for inverse condemnation claims; (2) the attorney fee award is unreasonable and violates Article IX, Section 14 of the New Mexico Constitution (the Antidonation Clause); and (3) the cost award is not supported by law. **View full PDF online.**

Katherine A. Wray, Judge

WE CONCUR:

Megan P. Duffy, Judge

Jane B. Yohalem, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-40664>

FORMAL OPINION

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

Filing Date: 1/27/2025

No. A-1-CA-40770

**MARC GRANO, as Personal Representative of
the ESTATE OF CYNTHIA CATON; HARRY
CATON; SEAN CATON; and AARON CATON,**
Plaintiffs-Appellants,

v.

JULIA KEATING, M.D. and DR. JEFFREY HEBERT,
Defendants-Appellees,
and

**PRIMARY CARE OF NEW MEXICO, LLC;
HEALTHCARE RESOURCES, LLC; QUALITY
HEALTH MANAGEMENT, LLC; QHM, LLC;
QUALITY HEALTH MANAGEMENT, LLC (FL);
LOVELACE HEALTH SYSTEMS, INC.; ARDENT
HEALTH PARTNERS, LLC d/b/a ARDENT HEALTH
SERVICES; ARDENT LEGACY HOLDINGS, INC.;
ARDENT LEGACY ACQUISITIONS, INC.; AHS
LEGACY OPERATIONS, LLC; AHS MANAGEMENT
COMPANY, INC.; AHS NEW MEXICO HOLDINGS,
INC.; and ZIA DIAGNOSTIC IMAGING, LLC,**
Defendants

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

Abigail Aragon, District Court Judge

Law Office of James H. Wood, P.C.
Zacary E. Wilson-Fetrow
James H. Wood
Albuquerque, NM

for Appellants

Hinkle Shanor LLP
Kathleen Wilson
Hari-Amrit Khalsa, Et al.
Albuquerque, NM

for Appellee Julia Keating, M.D.

► Introduction of Opinion

The statute of repose in the Medical Malpractice Act (MMA), NMSA 1978, §§ 41-5-1 to -29 (1976, as amended through 2023), generally requires a plaintiff to bring a “claim for malpractice . . . against a health care provider . . . within three years after the date that the act of malpractice occurred” or that claim is time-barred. Section 41-5-13. However, our Supreme Court has recognized that due process requires an exception to this general rule—an exception that extends the time to file claims that accrue late in the repose period. *Cahn v. Berryman*, 2018-NMSC-002, ¶¶ 16, 20-21, 408 P.3d 1012; see N.M. Const. art. II, § 18; U.S. Const. amend. XIV, § 1. In this case, the district court applied the general rule and declined to apply the exception. The court therefore dismissed as time-barred claims for personal injury resulting in wrongful death filed by Plaintiff Marc Grano, as personal representative of the wrongful death estate (the Estate) of Decedent Cynthia Caton, and claims for loss of consortium filed by Plaintiffs Harry Caton, who is Decedent’s husband, and Sean Caton and Aaron Caton, who are Decedent’s sons (collectively, the Family), against Drs. Julia Keating and Jeffrey Hebert (collectively, the Doctors). **View full PDF online.**

Zachary A. Ives, Judge
WE CONCUR:
Jennifer L. Attrep, Chief Judge
Jane B. Yohalem, Judge

To read the entire opinion, please visit
the following link: <https://bit.ly/A-1-CA-40770>

FORMAL OPINION

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

Filing Date: 1/29/2025

No. A-1-CA-41023

STATE OF NEW MEXICO,
Plaintiff-Appellant,

v.

**ANDREW HUERTA a/k/a
ADAM CONTRERAS,**
Defendant-Appellee.

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

Britt Baca-Miller, District Court Judge

Raúl Torrez, Attorney General
Santa Fe, NM

Meryl E. Francolini, Assistant Solicitor General
Albuquerque, NM

for Appellant

Harrison & Hart, LLC
Nicholas T. Hart
Albuquerque, NM

for Appellee

► Introduction of Opinion

The State appeals the district court's order suppressing evidence seized during an inventory search of a vehicle, and a container found within it, that Defendant Andrew Huerta was driving immediately before he was arrested. The district court concluded that, while the Fourth Amendment to the United States Constitution permits such a search, Article II, Section 10 of the New Mexico Constitution does not. In its order, the district court concluded that, under Article II, Section 10, Defendant had a privacy interest in a closed, cylindrical Fritos corn chip canister, found in an open backpack on the vehicle's floorboard in front of the driver's seat. It further determined that a Bernalillo County Sheriff's deputy's search of the chip canister was not reasonably necessary to accomplish one of the three established governmental purposes justifying warrantless inventory of a vehicle's contents before it is impounded. **View full PDF online.**

J. Miles Hanisee, Judge
WE CONCUR:
Jennifer L. Attrep, Chief Judge
Kristina Bogardus, Judge

To read the entire opinion, please visit the following link: <https://bit.ly/A-1-CA-41023>

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-40563
State of New Mexico
v.
Carl E. Gage

Introduction of Opinion

A jury convicted Defendant of possession of a deadly weapon or explosive device by a prisoner, contrary to NMSA 1978, Section 30-22-16 (1986); tampering with evidence, contrary to NMSA 1978, Section 30-22-5 (2003); and criminal damage to property, contrary to NMSA 1978, Section 30-15-1 (1963). Defendant argues that Section 30-22-16 is unconstitutionally vague; a jury instruction resulted in fundamental error; the evidence did not support the convictions for possession of a deadly weapon by a prisoner or tampering with evidence; the sentence was illegal; and cumulative error resulted in a fundamentally unfair trial. We reverse and remand for resentencing, but otherwise affirm.

Katherine A. Wray, Judge
WE CONCUR:
J. Miles Hanisee, Judge
Jane B. Yohalem, Judge

To read the entire opinion,
please visit:
<https://bit.ly/A-1-CA-40563>

No. A-1-CA-41567
State of New Mexico
v.
Ezra H. Duncan

Introduction of Opinion

The State appeals the district court's order granting Defendant Ezra H. Duncan's motion to dismiss for violating his right to a speedy trial. We reverse.

Zachary A. Ives, Judge
WE CONCUR:
Jennifer L. Attrep, Chief Judge
Kristina Bogardus, Judge

To read the entire opinion,
please visit:
<https://bit.ly/A-1-CA-41567>

No. A-1-CA-40865
State of New Mexico
v.
Juan Carlos Escamilla Cardona

Introduction of Opinion

Following a bench trial in metropolitan court, Defendant was convicted of aggravated driving under the influence of intoxicating liquor (aggravated DWI) in violation of NMSA 1978, Section 66-8-102(D)(3) (2016), and failure to maintain a traffic lane in violation of NMSA 1978, Section 66-7-317(A) (1978). On appeal, Defendant asserts that the State presented insufficient evidence to support either offense. We affirm in part and reverse in part.

Megan P. Duffy, Judge
WE CONCUR:
Zachary A. Ives, Judge
Gerald E. Baca, Judge

To read the entire opinion,
please visit:
<https://bit.ly/A-1-CA-40865>

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Isaac A. Leon is a member of the firm's commercial group. He practices primarily in the areas of taxation, mergers and acquisitions, public finance, and general business and corporate law. After just four years at Sutin, Thayer & Browne, Isaac has earned a promotion to shareholder within the firm.

His public finance practice includes acting as loan counsel for various taxable and tax-exempt financings. His mergers and acquisition practices includes assisting business owners with tax-free reorganizations, succession planning, and the purchase or sale of their businesses. He also advises on gross receipts tax and federal income tax planning, entity formation, and updating corporate documents.

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THANK YOU FROM THE METROPOLITAN COURT

The Bernalillo County Metropolitan Court would like to **RECOGNIZE** and **THANK** the following volunteers for helping to make our 2024 Civil Legal Clinics a success:

Thomas Allison, Brian Murray, Penelope Quintero, Michael Rueckhaus, Kathryn Rubi, Ryan Villa, & Lance Wainwright.

Thank you State Bar of New Mexico for your continued support & sponsorship of the Court's legal clinic.

The Metropolitan Court would also like to **RECOGNIZE** and **THANK** the following volunteer mediators who have helped litigants resolve cases through the Court's longstanding Mediation Program:

Laurel Allison, Joseph Booth, Denise Cabrera, Jennifer Cornish, Ruth Cox, Maria Cruz, Rachel Donovan, Aliz Fabian, Dan Goodwin, Michael Grumbine, Tonya Michelle Iseminger, Anne Lightsey, Lori Millet, Jeanne Schroeder, Julia So, Abril Trujillo, Gino Unzueta San Miguel, Magdalena Vigil-Tullar, and Celia Yapita.

PLEASE consider volunteering!



We are so grateful to have such an outstanding group of volunteers willing to give of their time and expertise to help our community.

Legal Clinics are held telephonically on the second Friday of each month from approximately 10:00 a.m. to 1:00 p.m. Civil Mediations are held via Zoom during regular business hours. Our office handles the scheduling and reminders. Areas of law may include Landlord/Tenant, Consumer Rights, Contract Disputes, Employee Wage Claims, and Debt Matters.

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ASSOCIATE ATTORNEY

George Skelly is a member of Singleton Schreiber's Personal Injury and Wrongful Death practice group, representing individuals and families throughout New Mexico who have suffered due to the wrongful actions of others. He has successfully handled cases involving automobile accidents, dog bites, slip and fall injuries, and other personal injury matters. With a commitment to achieving the best possible outcomes for his clients, George is dedicated to helping those facing the aftermath of catastrophic injuries or motor vehicle collisions.

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Foreclosure Settlement Program
The Second Judicial District Court is accepting applications for a Full Time At-Will Attorney Associate position.

Plaintiff Associate Attorney-Parnall Law Firm

OPENING STATEMENT: · \$25,000 sign-on bonus (payable in 3 parts at 3, 6 and 12 months of employment). Excellent compensation, up to \$200,000 to \$400,000 per year or more; Outstanding environment/culture/dynamic – “Top Place to Work”. MISSION STATEMENT: Fighting for Justice for the wrongfully hurt. VALUES: The 5 ‘T’s: Team, Talent, Truth, Tenacity, and Triumph. We believe these values are the reason we are the largest personal injury firm in NM and have received the Best Places to Work Award (Albuquerque Business First) in 2019-2024 and Top Place to Work Award (Albuquerque Journal) in 2020-2024. RESPONSIBILITIES: You will be representing clients injured from the beginning (intake) to the end (disbursement) of their cases and all stages in between, resolving cases through negotiation before litigation, through litigation, and trial. You will be able to concentrate on “attorney” work, with the support of a team of assistants, including intake, investigators (retired police officers), pre-litigation case managers, medical records/demand drafting assistants, litigation paralegals, and settlement/subrogation paralegals. You will also have the support of a team of collaborative and creative attorneys. Organization and attention to detail are paramount to this position, along with the willingness and ability to regularly interact with clients, adjusters, and other lawyers/paralegals over the phone and/or in person. QUALIFICATIONS: Preferred but not required: 3 + years experience in litigating personal injury cases (plaintiff or defense); Ability to become licensed in New Mexico, either through reciprocity, transferring UBE score to New Mexico, or taking the bar exam; Ability to relocate to Albuquerque, New Mexico (relocation assistance provided); Be available in the office from Monday through Friday, 8 to 5 (and more as required for caseload). BENEFITS: Sign-on bonus (as described above); Relocation Assistance; Compensation range \$200,000- \$400,000 per year; A positive, fulfilling, caring environment where learning and growing are encouraged; Opportunities for community outreach throughout the year; Medical/Dental/Vision Benefits, 401k, PTO, Bonus Pay. CLOSING ARGUMENT: Parnall Law is the largest and best-reviewed personal

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#00000518 & #00054600
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The Second Judicial District Court is accepting applications for a full-time, term At-Will Domestic Relations Hearing Officers in Family Court (position #00000518 & #00054600). Under the supervision of the Presiding Family Court Judge, applicants will be assigned a domestic relations and domestic violence matters caseload. Consistent with Rule 1-053.2 duties may include: (1) review petitions for indigency; (2) conduct hearings on all petitions and motions, both before and after entry of the decree; (3) in child support enforcement division case, carry out the statutory duties of a child support hearing officer; (4) carry out the statutory duties of a domestic violence special commissioner and utilize the procedures as set for in Rule 1-053.1 NMRA; (5) assist the court in carrying out the purposes of the Domestic Relations Mediation Act; and (6) prepare recommendations for review and final approval by the court. matters consistent with Rule 1-053.2. duties. Qualifications: J.D. from an accredited law school, New Mexico licensed attorney in good standing, minimum of (5) years of experience in the practice of law with at least 20% of practice having been in family law or domestic relations matters, ability to establish effective working relationships with judges, the legal community, and staff; and to communicate complex rules clearly and concisely, respond with tact and courtesy both orally and in writing, extensive knowledge of New Mexico and federal case law, constitution and statutes; court rules, policies and procedures; manual and computer legal research and analysis, a work record of dependability and reliability, attention to detail, accuracy, confidentiality, and effective organizational skills and the ability to pass a background check. SALARY: \$74.844000 hourly or \$155,675.52 annually, plus benefits. Send application or resume supplemental form with proof of education and writing sample to the Second Judicial District Court, Human Resource Office, P.O. Box 488 (400 Lomas Blvd. NW), Albuquerque, NM 87102. Applications without copies of information requested on the employment application will be rejected. Application and resume supplemental form may be obtained on the NM Judicial Branch web page at www.nmcourts.gov. OPEN UNTIL FILLED.

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Jennings Haug Keleher McLeod Waterfall, an AV-rated regional law firm, is seeking an experienced full-time litigation attorney to join a busy and varied general civil litigation practice in the Albuquerque office. Must be currently licensed to practice law in the state of New Mexico. All inquiries will be held in strict confidence. The firm offers a competitive salary and benefits with a professional working environment. Please see www.jkwlawyers.com for further information about the firm. Please email your cover letter, resume, and writing sample to Nathan Stimson at nss@jkwlawyers.com.

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Legal Notice

Request For Proposal For Department Of Public Safety Legal Services

RFP NO. 25-79000-4000-007

The State of New Mexico Department of Public Safety (DPS) is requesting competitive proposals for legal services. DPS utilizes Bonfire for their e-procurements. A copy of the Request for Proposal will be available on the DPS' Bonfire e-Procurement Portal, which is found at: <https://nmdps.bonfirehub.com/portal/?tab=openOpportunities>. A Non-Mandatory Pre-Proposal Conference will be held on February 18, 2025, at 10:00 AM local Mountain Time via Microsoft Teams. Meeting invitation information is found in the RFP document. Electronic Proposals shall be received no later than Wednesday, March 12, 2025 at 3:00 PM Local Mountain Time via the DPS Bonfire Portal: <https://nmdps.bonfirehub.com/portal/?tab=openOpportunities>. RFP Procurement Manager: Marilee P. Gallacher, CPO, 505-394-5669, Marilee.Gallacher@dps.nm.gov. Late proposals will not be accepted.

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The New Mexico Center on Law and Poverty seeks a full-time attorney to advance housing and consumer rights for New Mexico's families. Attorneys provide systemic advocacy through legal representation, impact litigation, administrative advocacy, policy and legislative advocacy, and community outreach and coalition-building. Required: 1+ years experience and a strong commitment to economic and racial justice. See the full description at: www.nmpovertylaw.org/careers-and-internships. Apply in confidence by emailing your resume and a cover letter describing what interests you about NMCLP's mission to contact@nmpovertylaw.org.

Full-Time Lawyer

McCoy Leavitt Laskey LLC, an AV-rated law firm with ten offices nationally, seeks a full-time lawyer for a position as Counsel at its Albuquerque office. This is a high salaried position that requires a top-of-the-profession type lawyer who must excel in handling complex cases with minimal oversight, including the ability to take and defend complex expert depositions, defend corporate representative depositions, excellent writing skills, and assisting in the management of client relationships. Case work includes "bet the company" matters arising from catastrophic fires/explosions, defective products, and oilfield accidents. The job includes occasional travel from coast to coast as well as frequent pro hac vice admissions in other states. Executive-level salary (depending on experience) with annual bonuses, great working environment, and excellent benefits (including healthcare, dental, vision, cellphone stipend, 401(k) matching, and profit sharing). The ideal candidate will have at least ten to twenty years of civil litigation experience. Please email résumé and cover letter to nmresume@MLLlaw.com, or mail to: McCoy Leavitt Laskey LLC, 317 Commercial St. NE, Ste. 200, Albuquerque, NM 87102. No walk-ups please. All replies will be kept confidential.

Personal Injury Associate

Caruso Law Offices, an ABQ plaintiff personal injury/wrongful death law firm, has an immediate opening for an associate with 3+ yrs. litigation experience, including arbitration, bench and/or jury trial. Must have excellent communication, organizational, and client services skills. Good pay, bonuses, benefits and profit sharing. Send confidential response to Mark Caruso, mark@carusolaw.com or 4302 Carlisle NE, ABQ NM 87107 or fax 505-883-5012. See our website at www.carusolaw.com

Litigation Attorney

Busy Plaintiff's civil litigation firm located near the Journal Center is accepting resumes for an associate attorney with 5 (or more) years of practical experience. Candidates should possess strong oration skills, be proficient in conducting and defending depositions, have critical research and writing abilities and be familiar with motion practice. Practice areas include civil litigation/personal injury and general tort issues. Litigation experience preferred, but will not bar consideration. Salary commensurate with experience. Please forward a letter of interest along with a Resume and writing sample to: paralegal3.bleuslaw@gmail.com.

Full Time Attorneys

Jay Goodman and Associates, Law Firm PC, with offices in Santa Fe and Albuquerque, is dedicated to assisting clients in the areas of family law, domestic violence, estate planning and probate. Our mission is to respond to our clients' goals and concerns with creative consideration and seek results designed to minimize or resolve future legal problems. We are in the process of hiring Full Time Attorneys licensed and in good standing in New Mexico with experience in Family Law, and/or Probate Law. Successful applicants should have court room experience and have provided client relations with empathy and compassion. We offer excellent compensation and a comfortable team working environment with flexible hours. Please feel welcome to visit our website at www.jaygoodman.com to find out more about us. All inquiries are maintained as confidential. Please send a cover letter, resume, and a reference to: es@jaygoodman.com

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.

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. Position to commence immediately and will remain open until filled.

Assistant District Attorney

The Fifth Judicial District Attorney's office has immediate positions open for new and/or experienced attorneys. Salary will be based upon the New Mexico District Attorney's Salary Schedule with salary range of an Assistant Trial Attorney (\$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

Children's Court Attorney for CYFD Position Job ID: Various

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 please contact Cynthia Gonzales CynthiaM.Gonzales@cyfd.nm.gov To apply www.spo.state.nm.us. The State of New Mexico is an EOE.

Assistant City Attorney City of Santa Fe

The Santa Fe City Attorney's Office seeks a full-time lawyer to advise and represent the City in a variety of matters, including advice and counsel to the City's departments, boards, and commissions. The City Attorney's Office seeks applicants who are dedicated to public service and have excellent interpersonal skills, strong academic credentials, and exceptional written and verbal communication. Experience in government general counsel work, litigation, appellate practice, and related law, particularly in the public context, is preferred. Evening meetings may be required up to a few times a month. The pay and benefits package are excellent and are partially dependent on experience. The position is based in downtown Santa Fe at City Hall and reports to the City Attorney. The position is exempt and open until filled. The Office will begin reviewing applications on March 3. Qualified applicants are invited to apply online at <https://santafenm.gov/human-resources>.

Telephone Helpline Intake Screener

The New Mexico State Bar Foundation seeks qualified applicants to join our team as a full-time (40 hours/week) Telephone Helpline Intake Screener. The successful applicant will answer Bar Foundation Legal Helplines incoming calls, conduct/complete intakes and establish case files in the Legal Services Programs electronic case management systems. Fluency in Spanish is preferred. \$18-\$20/hour, depending on experience and qualifications. Generous benefits package included. This position qualifies for partial telecommuting. Qualified applicants should submit a cover letter and resume to HR@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions.

Paralegal

Civerolo, Gralow & Hill, PA seeks a paralegal to join our civil litigation defense law firm. 2+ years paralegal experience preferred including experience preparing medical records summaries. Strong organizational skills, motivated, attention to detail necessary and cooperative attitude. Full time, salary DOE, great benefits including health, dental & life insurance and 401K match. Please email your resume to custardh@civerolo.com. Inquiries kept confidential.

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 6 months of civil litigation experience, 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, or mail to Office Administrator, P.O. Box 25467, Albuquerque, NM 87125-5467.

Legal Assistant

Civerolo, Gralow & Hill PA seeks a Legal assistant to join our civil litigation defense law firm. Looking for someone with relevant experience, knowledge of e-filing in State and Federal courts, strong organizational skills, cooperative attitude, and attention to detail. Full time, salary DOE, great benefits incl. health, dental & life ins. and 401K match. Please e-mail resume to custardh@civerolo.com. Inquiries kept confidential.

Development Program Director

The New Mexico State Bar Foundation seeks qualified applicants to join our team as a full-time (40 hours/week) Development Program Director. The successful applicant will be responsible for leading fundraising efforts for the New Mexico State Bar Foundation, creating and managing a comprehensive fundraising strategy, building relationships with stakeholders, cultivating donors and sponsors, securing grant funding, and organizing Foundation fundraising events. \$65,000-\$75,000 per year, depending on experience and qualifications. Generous benefits package included. This position qualifies for partial telecommuting. Qualified applicants should submit a cover letter and resume to HR@sbnm.org. Visit www.sbnm.org/SBNMjobs for full details and application instructions.

Legal Assistant/Secretary

Legal Assistant/Secretary 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. Pay DOE. Call Frechette & Associates at 505-247-8558 or email at Frechette@frechettelaw.com

Full-Time Family Law Paralegal

Terry & deGraauw, P.C., three-time winner of ABQ Business First's Best Places to Work, is seeking a full-time family law paralegal. Experience with Microsoft Office and organizational skills required; legal experience preferred. Ideal candidate is highly motivated, possesses strong interpersonal skills and a passion for client relations. Opportunities for growth as well as competitive pay and benefits. Inquiries confidential, email resumes to kss@tdgfamilylaw.com.

Positions Wanted

Are you in need of a Weekend Legal Assistant?

I can help with that! Defense only, no family. or Criminal Law. I'm looking for weekend work. I have 20 years of experience. I can work at home or in the office. Please contact "W" at LEGALASSISTANT0425@YAHOO.COM for Resume/Recommendations.

Office Space

Executive Office Suites

Office Alternatives, locally owned circa 2006, has Executive Office Suites, Virtual mail/professional address, Virtual receptionist service, hourly offices and conference room rentals, Witness and Notary services. OA provides the infrastructure for attorney practices to lower your overhead and work in a professional environment. 2 convenient locations-Journal Center and Riverside Plaza. 505-796-9600 www.officealternatives.com.

620 Roma NW

The building is located a few blocks from the federal, state and metropolitan courts. Monthly rent of \$550 includes utilities (except phones), internet access, fax, copiers, front desk receptionist and janitorial service. You will have access to a law library, four conference rooms, a waiting area, and off-street parking. Several office spaces are available. Call (505) 243 3751 for an appointment.

Office Space

Law office space for rent. Walking distance to Metro, District and Federal Court. 511 Marble NW. Albuquerque, New Mexico, 87102. Contact Ross Sanchez @ 505 400 7482

2025 Bar Bulletin

Publishing and Submission Schedule

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

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

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

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

FREE SERVICE FOR MEMBERS!



State Bar of New Mexico
Lawyer Assistance
Program



The
Solutions
Group

Employee Assistance Program

*Get help and support for yourself,
your family and your employees.
FREE service offered by NM LAP.*

Services include up to four **FREE** counseling sessions/issue/year for ANY mental health, addiction, relationship conflict, anxiety and/or depression issue. Counseling sessions are with a professionally licensed therapist. Other **FREE** services include management consultation, stress management education, critical incident stress debriefing, video counseling, and 24X7 call center. Providers are located throughout the state.

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

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www.sbnm.org/NMLAP



State Bar of New Mexico Professional Programs Group

Includes:

**Professional Development Program
Lawyer Assistance Program
Judicial Wellness Program**



Professional Development Program (PDP):
Offers services and resources to State Bar members in law practice management.



New Mexico Lawyer Assistance Program (LAP):

Focuses on confidential and professional services to help individuals identify and address problems with alcohol, drugs, anxiety, depression, and other mental health/emotional struggles.



Judicial Wellness Program (JWP):

Offers resources and services which provide a supportive environment for our judiciary to restore and maintain one's overall mental, physical, and spiritual health. It is designed and available to support judges of any level throughout New Mexico.

www.sbnm.org/ProfessionalProgramsGroup