

1 **15-301.2 Legal services provider limited law license for emeritus and non-admitted**
2 **attorneys.**

3 **A. Definitions.** As used in this rule:

4 (1) "applicant" means an emeritus attorney or non-admitted attorney who
5 meets the eligibility requirements set forth in Paragraphs B or C of this rule and who
6 completes the application process in Paragraph D of this rule;

7 (2) "emeritus attorney" means any person who is a member in good
8 standing of any state bar, who has been admitted to practice before the highest court of New
9 Mexico or any other state, territory or protectorate of the United States of America or the
10 District of Columbia for at least twenty (20) years, and who is an inactive member of the
11 State Bar of New Mexico or is an inactive or active member of any other state bar;

12 (3) "non-admitted attorney" means any person who is not a member of
13 the State Bar of New Mexico but who is admitted to practice before the highest court of any
14 other state or territory of the United States or the District of Columbia and is in good
15 standing in all states in which the person is admitted;

16 (4) "qualified legal services provider" means a not for profit legal services
17 organization whose primary purpose is to provide legal services to low income clients or a
18 legal department within a non-profit organization which employs at least one lawyer full-
19 time to provide legal services to low income clients; and

20 (a) is an organization described in Section 501(c)(3) and exempt
21 from federal income taxes under Section 501(a) of the Internal Revenue Code of 1986 or

1 corresponding provisions of federal income tax laws from time to time in effect;

2 (b) is registered with the New Mexico Attorney General Registry
3 of Charitable Organizations in compliance with the New Mexico Charitable Solicitations Act
4 and;

5 (c) is recommended by the New Mexico Commission on Access
6 to Justice.

7 **B. Eligibility of emeritus attorneys.** Upon application, the clerk of the
8 Supreme Court may issue a legal services limited renewable three (3) year license, limited
9 to one (1) renewal, to represent legal services clients through a qualified legal services
10 provider to an emeritus attorney who:

11 (1) satisfies the legal services limited license requirements set forth in this
12 rule; and

13 (2) supplies a sworn statement that the applicant has not been the subject
14 of disciplinary action by the bar or courts of any jurisdiction in the five (5) years preceding
15 the applicant's retirement from the practice of law.

16 **C. Eligibility of non-admitted attorneys.** Upon application, the clerk of the
17 Supreme Court may issue a legal services limited non-renewable three (3) year license to
18 represent legal services clients through a qualified legal services provider to a non-admitted
19 attorney who:

20 (1) has been an active member of the bar in another state, territory, or
21 protectorate of the United States of America or the District of Columbia for three (3) years

1 immediately preceding submission of an application under this rule;

2 (2) is in good standing to practice law in each jurisdiction in which the
3 attorney is licensed;

4 (3) satisfies the legal services limited license requirements set forth in this
5 rule; and

6 (4) supplies a sworn statement that the applicant has not been the subject
7 of disciplinary action by the bar or courts of any jurisdiction during the preceding five (5)
8 years; provided, however, that complaints against the applicant shall not be considered
9 disciplinary actions.

10 **D. Application procedure.** An applicant for a legal services limited license to
11 represent legal services clients through a qualified legal services provider shall file with the
12 clerk of the Supreme Court an application for a legal services limited license. The
13 application shall be accompanied by:

14 (1) a certificate of admission to practice and good standing from each
15 state in which the applicant is licensed to practice law or in the case of an emeritus attorney
16 a certificate showing that attorney's inactive status;

17 (2) a letter from the director of the qualified legal services provider that
18 employs the applicant certifying the applicant's employment;

19 (3) a certificate signed by the applicant stating that the applicant has read
20 and is familiar with the New Mexico Rules of Professional Conduct, other New Mexico
21 Supreme Court rules and New Mexico statutes relating to the conduct of attorneys and the

1 Creed of Professionalism of the State Bar of New Mexico;

2 (4) a docket fee in the amount of one hundred twenty-five dollars
3 (\$125.00) payable to the New Mexico Supreme Court; and

4 (5) a disciplinary fee in the amount provided by Rule 17-203 NMRA
5 payable to the Disciplinary Board.

6 All fees and costs associated with an application for a legal services limited license
7 are not refundable.

8 **E. License; issuance and revocation.**

9 (1) If an applicant for a legal services limited license to represent legal
10 services clients through a qualified legal services provider complies with the provisions of
11 this rule, the clerk of the Supreme Court may issue a legal services limited non-renewable
12 three (3) year license, except the limited license issued to an emeritus attorney shall be
13 renewable for one (1) term as provided in paragraphs B and F.

14 (2) A legal services limited license issued pursuant to this rule permits
15 the applicant to practice law in New Mexico only as an attorney representing legal services
16 clients through a qualified legal services provider.

17 (3) The clerk of the Supreme Court shall revoke the legal services limited
18 license of any person found in violation of this rule or any other rules approved by the
19 Supreme Court regulating the licensing and conduct of attorneys. Upon revocation of a legal
20 services limited license, the applicant shall not represent any legal services client nor appear
21 before any court of the State of New Mexico representing any legal services client.

1 **F. Expiration.** A legal services limited license shall expire upon the occurrence
2 of any of the following events:

3 (1) termination of employment with a qualified legal services provider;

4 (2) admission to the New Mexico Bar upon passing the bar examination;

5 (3) denial of admission to the New Mexico Bar;

6 (4) failure to maintain membership in good standing in at least one state
7 bar in which the applicant is a member; or

8 (5) expiration of three (3) years from the date of issuance of the limited
9 license by the Supreme Court, provided that the limited license issued to an emeritus
10 attorney shall be renewable for one (1) term as provided in paragraphs B and E.

11 **G. Legal services limited licensee status.**

12 (1) An applicant granted a legal services limited license pursuant to this
13 rule shall not be a member of the state bar but shall be subject to the Rules of Professional
14 Conduct and the Rules Governing Discipline.

15 (2) Licensees under this rule shall pay a reduced annual state bar
16 membership fee of one hundred dollars (\$100.00), consisting of a state bar services fee of
17 fifty dollars (\$50.00) and a disciplinary fee of fifty dollars (\$50.00) in lieu of the fee required
18 by Rule 17-203 NMRA.

19 (3) Licensees under this rule shall comply with the Rules for Minimum
20 Continuing Legal Education.

21 [Adopted by Supreme Court Order No. 08-8300-024, effective August 29, 2008.]