

15-301.1. Public employee limited license.

A. Definitions. As used in this rule:

- (1) "public employee" means any officer, employee or servant of a governmental entity, excluding independent contractors;
- (2) "governmental entity" means the state or any local public body as defined in Subparagraphs (3) and (4) of this paragraph;
- (3) "local public body" means all political subdivisions of this state and their agencies, instrumentalities and institutions;
- (4) "state agency" means any of the branches, agencies, departments, boards, instrumentalities or institutions of the state of New Mexico.

B. Eligibility. Upon application, the clerk of the Supreme Court may issue a limited non-renewable one (1) year license to an attorney who:

- (1) is admitted to practice law in another state, territory or protectorate of the United States or the District of Columbia;
- (2) is in good standing to practice law in each state in which the attorney is licensed; and
- (3) satisfies the limited license requirements set forth in this rule.

C. Application procedure. An applicant for a limited license to represent public defender clients or any governmental entity in this state shall file with the clerk of the Supreme Court an application for limited license which shall be accompanied by:

- (1) a certificate of admission to practice and good standing from each state in which the applicant is licensed to practice law and proof of compliance with Subparagraphs (1) and (2) of Paragraph B of Rule [15-103](#) NMRA;
- (2) a letter from the head of the governmental entity which has employed the applicant certifying employment with that governmental entity;
- (3) a certificate signed by the applicant that the applicant has read and is familiar with the New Mexico Rules of Professional Conduct and rules of the Supreme Court of New Mexico and the New Mexico statutes relating to the conduct of attorneys; and
- (4) a docket fee in the amount of one hundred twenty-five dollars (\$125.00) payable to the New Mexico Supreme Court and disciplinary fee in the amount of one hundred fifty dollars (\$150.00) payable to the Disciplinary Board.

All fees and costs associated with an application for limited license are not refundable.

D. License; issuance and revocation.

- (1) If an applicant for a limited license to represent public defender clients or a governmental entity complies with the provisions of this rule, the clerk of the Supreme Court may issue a limited, one (1) year license to represent public defender clients or practice law as an employee of a governmental entity. This license shall not be renewed.
- (2) A limited license issued pursuant to this rule only permits the licensee to practice law in New Mexico as a public employee representing public defender clients or a governmental entity.
- (3) The clerk shall revoke the limited license of any person found in violation of these rules, any rule approved by the Supreme Court or any state or federal law. Upon revocation of a limited license, the applicant shall not appear in any court in this State as an attorney;

E. Expiration. An attorney who is issued a limited license to represent public defender clients or practice law as an employee of a governmental entity shall take the next New Mexico bar examination for which the applicant is eligible. A limited license issued pursuant to this rule shall expire upon occurrence of the earliest of the following events:

- (1) the expiration of one (1) year from the date of issuance by the New Mexico Supreme Court;
- (2) notification that the applicant has failed the New Mexico bar exam;
- (3) termination of employment with the governmental entity;

(4) failure of the limited licensee to take the next bar examination for which the limited licensee is eligible;

(5) admission to the New Mexico Bar upon passing the bar examination; or

(6) once a limited license expires or is revoked, an attorney who resides or maintains a legal residence in this State shall not be admitted to the practice of law for a particular case under the *pro hac vice* rules approved by this Court.

F. **Limited licensee status.** An attorney granted a limited license pursuant to this rule shall not be a member of the state bar but shall be subject to the Rules of Professional Conduct and the Rules Governing Discipline. Licensees shall pay the annual disciplinary fee as part of the application process.

[Approved, effective June 13, 2000; as amended effective February 28, 2002; October 24, 2003; March 29, 2004; as amended by Supreme Court Order 05-8300-10, effective September 1, 2005.]