



Rural Justice and Modernizing the Legal Profession in New Mexico

Courts, Corrections and Justice Committee

June 23, 2026

National Considerations

92%

Percentage of low-income households that did not receive enough assistance to resolve their substantial legal problems

94%

Percentage of low-income households in rural communities that did not receive enough assistance to resolve their substantial legal problems

66

Percentage of litigants who appear without lawyers in civil matters

%

New Mexico Considerations



5th Largest State
(77.8 million acres)



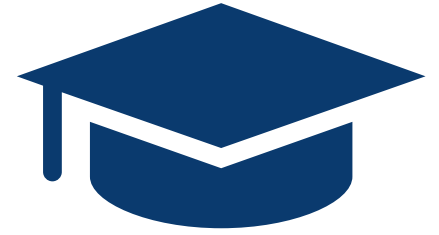
46th in Population
Density (17-18
people per square
mile)

Other Issues:

- Language diversity
- Low internet coverage
- High poverty rate



Law School Considerations



1

Number of law schools in New Mexico

10

Number of law students in each UNM School of Law class

0
120

Maximum number of law students in each class UNM School of Law is able to accommodate considering faculty and retention rates

Structuring the Legal Profession to Better Serve New Mexicans

Rural Justice Initiative

- Plan to increase number of attorneys in rural areas
- Rural Judicial Clerkship launched in 2023 and Rural Judicial Externship launched in 2026

Bar Licensure and Rural Access to Justice Committee

- Examining attorney licensure
- Report and recommendations in June 2026

Authorized Justice Practitioner Study Committee

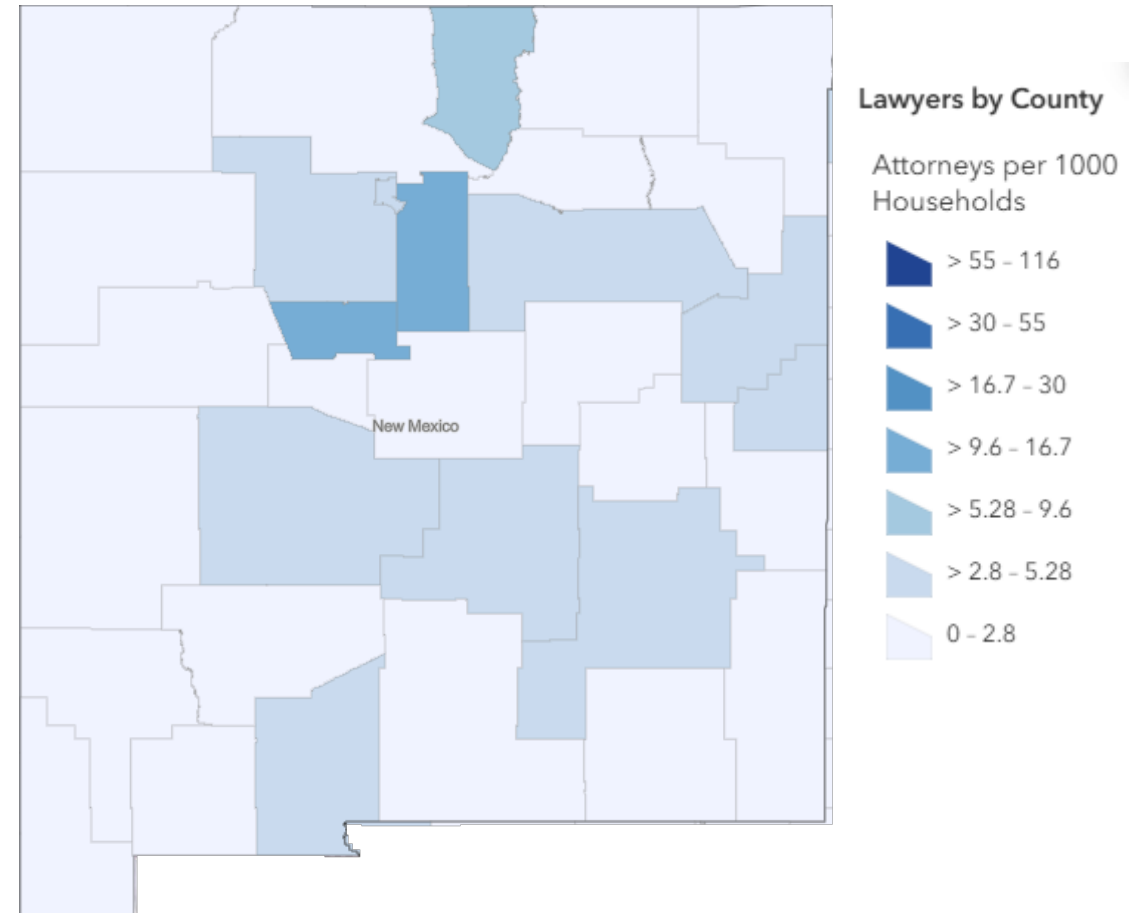
- Examining new categories of legal service providers
- Report and recommendations in December 2026

Rural Justice Initiative

Increasing the Number of Attorneys in Legal Deserts

Rural Legal Deserts

- NM is 36th in the country for number of attorneys
- 22 of New Mexico's 33 counties have less than 1 lawyer per 1,000 residents
- 4 counties have no lawyers
- 85% of lawyers concentrated in ABQ, Santa Fe, and Las Cruces



History of the Rural Justice Initiative

Rural Justice Initiative Committee (April 2022)

- Chaired by Chief Judge Donna Mowrer, Ninth Judicial District
- Ad Hoc Committee with statewide rural representation
- Report submitted to the Supreme Court on recruiting and retaining attorneys in rural New Mexico
- \$2 million special appropriation received in 2023



Rural Justice Initiative

Rural Judicial Clerkship (RJC): 1-2 years with judge in a rural area

- Post-graduation from ABA-accredited law school
- Full-time, at-will positions
- Salary - \$78,780

Rural Judicial Externship (RJE): 10-week summer externship with a judge in a rural area

- Must have completed first year of law school at an ABA accredited law school
- Contracted position
- Compensation at \$37.50 per hour, stipend, tuition reimbursement, and housing reimbursement



Rural Justice Initiative

Rural Practice Externship (RPE): 10-week summer externship with a law firm or public interest agency in a rural area.

- Completed second year of law school and taken Ethics
- Salary through public interest agency
- Stipend, tuition reimbursement, and housing reimbursement

Rural Practice Incubator (RPI): Attorney relocates to rural community to provide representation.

- Must be licensed to practice law
- Must start or join a rural law firm, or work for a public interest agency in a rural area
- Annual stipend for up to 3 years for public interest or 5 years for private practice



RJI Success Story

NEW MEXICO COURTS

Rural Justice Initiative

2025

Meet

Xaveria Mayerhofer
Rural Justice
Judicial Clerk

2-YEAR RURAL CLERKSHIP PROGRAM



Bar Licensure and Rural Access to Justice Committee

Skills-Based Examination

Practice Readiness of New Attorneys

73%

Percentage of third-year law students who believe they have sufficient skills to practice

45%

Percentage of law professors who believe new lawyers have sufficient skills to practice

23%

Percentage of practitioners who believe new lawyers have sufficient skills to practice

“I am graduating next year, and I don't feel like I know how to be an attorney....I don't know what real skills I need, and I don't know whether or not I have them.

— CLEAR Survey respondent

Minimum Competence to Practice Law



Foundational Knowledge
and Analytical Skills



Ethics and Professionalism



Communication and
Durable Skills



Legal Practice Skills



Emphasized by
the bar exam

Assessing Minimum Competence



Foundational Knowledge
and Analytical Skills



Ethics and Professionalism



Communication and
Durable Skills



Legal Practice Skills

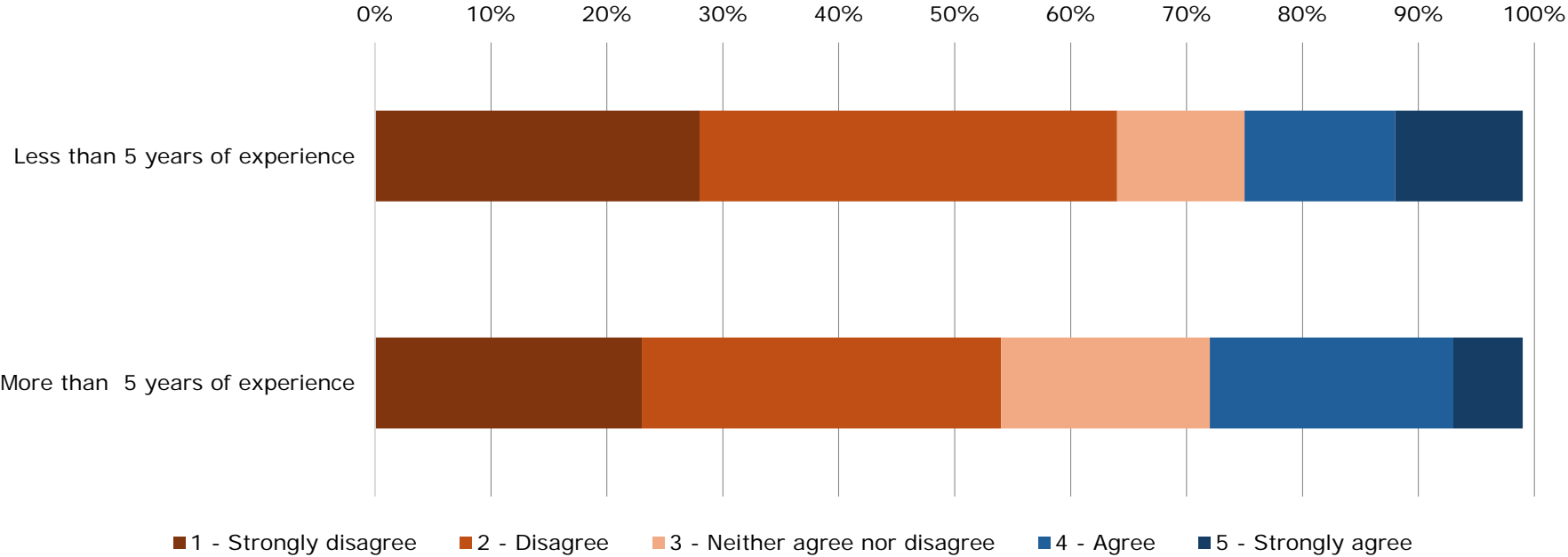


Examining ways
to assess a
broader range of
core
competencies

Does the Bar Exam Test Minimum Competence?

New Mexico Attorneys

Please respond whether you agree or disagree with the following statement: The bar exam effectively tests whether an applicant has the necessary skills and knowledge to adequately practice law.



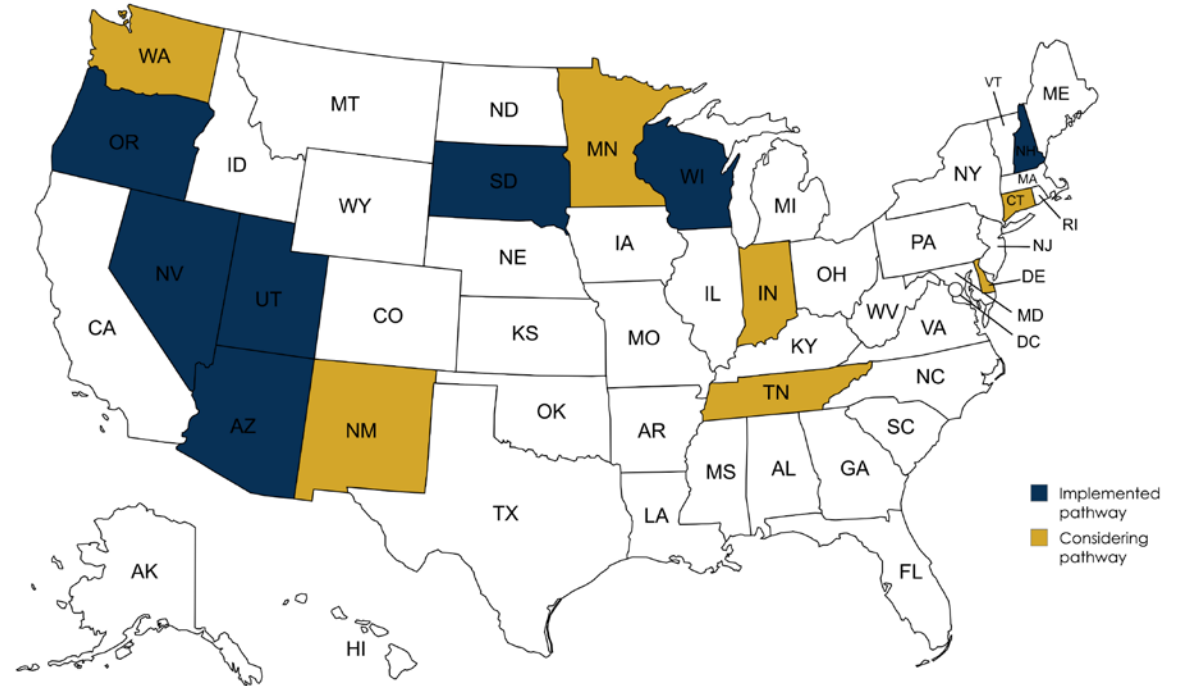
Non-Competence-Based Barriers to Licensure in the Bar Exam

WORK
WORK
WORK



Modernizing Bar Licensure

- 14 states are considering or enacting bar licensure reforms
- Use law school curriculum, experiential learning, and supervised practice
- Does not replace bar exam (with exception of Nevada)



The New Mexico Skills-Based Assessment

- **Education:** Passing grade (C-) on required law school curriculum
 - 1L required courses, ethics, clinic + evidence
- **Supervised Practice**
 - 675 hours within 1 year (40 qualifying hours/week)
 - Midpoint and final review
- **Skills-based Portfolio:** work product and lawyering experiences:
 - Written work product
 - Client meetings
 - Advocacy
 - Negotiation
 - Professional interactions
 - Law practice management

Portfolio Requirements

Portfolio element	Number	Comments
Written work product	8	Memos, briefs, pleadings, contracts, etc. drafted by applicant
Client or potential client meetings	4	Applicant-led client interview, consultation or counseling session
Advocacy	6	Lead representation of client in court appearance, arbitration, mediation
Negotiations	2	Conduct negotiation in litigation, transactional, regulatory or another context
Investigation	4	Conduct investigation as part of client representation
Professional interactions	15	Letters, calls, meetings with opposing counsel, co-counsel, legal support staff, judges, judicial staff or other legal professionals
Law practice management	Y/N	The Applicant and the Supervising Attorney should be able to certify that the applicant has sufficient experience in the mechanics of how to manage a law practice.
Total hours	675	Must be completed as part of law office employment.

Additional Candidate Requirements

- Graduation from an ABA-accredited law school
- Securing employment with host organization
- Comprehensive character and fitness review
 - Before beginning supervised practice
 - Update at end of supervised practice period
- Multistate Professional Responsibility Exam (MPRE)
- Malpractice insurance coverage

Employment Requirements

Two Levels



HOST ORGANIZATION



SUPERVISING
ATTORNEY

Host Organization Requirements

- Must be **eligible entity type**
- Must **pay provisional licensee** salary and benefits equivalent with other law school graduates
- Must employ the provisional licensee for at least **20 hours per week**
- Must employ the **supervising attorney**
- Must provide **professional liability coverage** for the provisional licensee
- Must include provisional licensee in **trainings** with other new lawyers

Supervising Attorney Requirements

- Active New Mexico License
- Minimum of 4 years of practice, or 4 years for public defenders or prosecutors
- No suspensions or formal disciplinary history
- No close familial relationship with the provisional licensee

Two Bar Licensure Pathways

Bar Exams



Law school graduation



Bar preparation



July bar exam



Wait



October bar results



Begin practicing with full licensure

Skills-Based Examination



Law school graduation



Begin paid supervised practice while working at host organization



Submit work product to bar examiners at midpoint



Complete supervised practice hours and successful submissions



Continue practicing with full licensure

Authorized Justice Practitioner Study Committee

Expanding Who Can Provide Legal Services

Tiered Licensure for Efficiency and Access

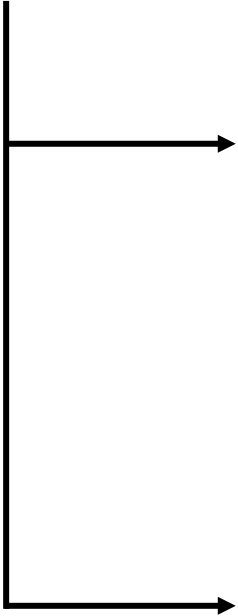
Medical Licensure

Physician	Physician Assistant
Licensed Practical Nurse	Advanced Practice Registered Nurse
Registered Nurse	Certified Nursing Assistant

Legal Licensure

Lawyer
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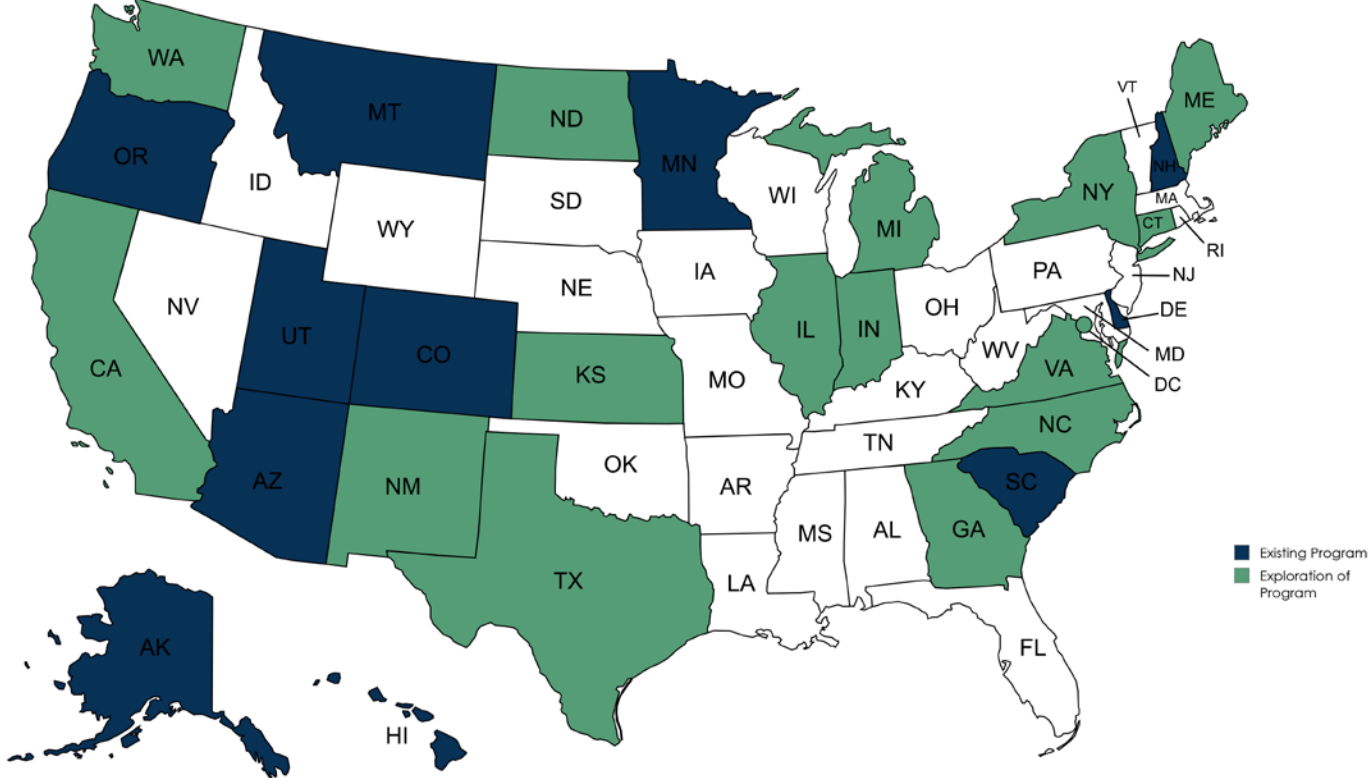
Authorized Justice Practitioners (AJP)



Community Justice Workers: can provide limited scope legal services for free to people facing civil legal issues as part of a community-based organization's existing work, often under the supervision or mentorship of a licensed attorney.

Allied Legal Practitioners: can offer fee-based legal services in discrete areas of law and for specific legal tasks once accredited as independent legal practitioners by a state regulatory body.

More than half of the states have or are exploring some form of authorized justice practitioners



Utilized for Decades in the Federal System

- Dept. of Veterans Affairs
- Dept. of Treasury
- Patent and Trade Office
- Social Security Administration
- Dept. of Labor
- Dept. of Justice Office for Immigration Review;
Department of Homeland Security (USCIS)
- Dept. of Health and Human Services (Office of Refugee Resettlement)
- Dept. of Health and Human Services
- Dept. of Housing and Urban Development

Authorized to Practice in **Limited Contexts**

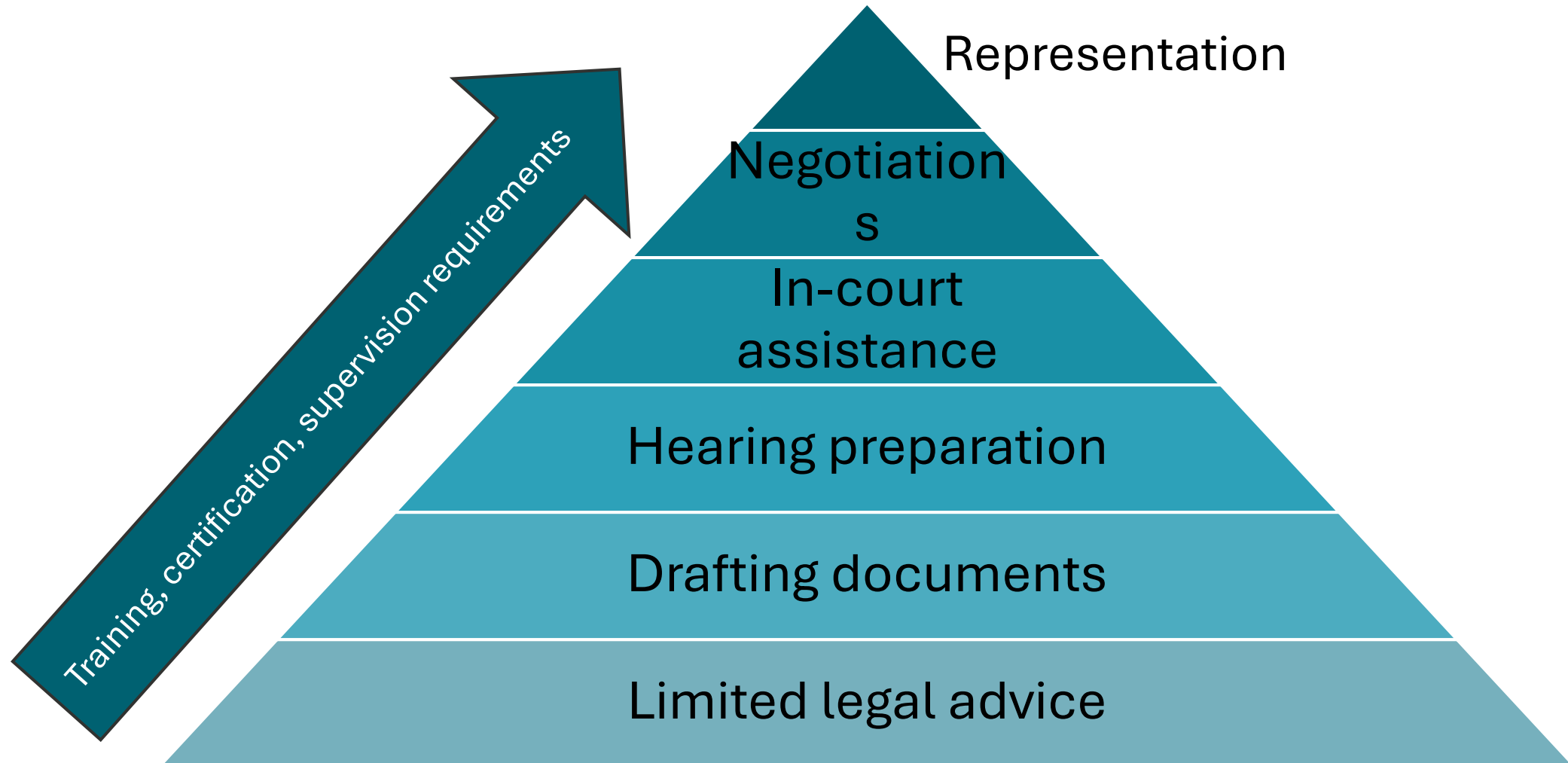
Case types with high rates of unrepresented litigants:

- Landlord/tenant
- Family law
- Public benefits
- Wills and estates
- Consumer debt
- Criminal record relief

Misdemeanor criminal cases



Tasks Performed By AJPs



What Does Research Show?

AJPs can provide as good or better outcomes than attorneys in **limited contexts**

Increase agency (and likely court) efficiency

Completed program evaluations found the AJPs work rated highly by:

- Judges
- Attorney supervisors
- Clients



Questions and Comments