

2009 Annual Report

Division/Section/Committee Title: Ethics Advisory Committee

Date: February 5, 2010

Chair/Co-chairs: James T. Reist and Julie J. Vargas

Activities Undertaken Since Last Report:

- The Committee considered and responded to 24 new requests for advisory opinions, issuing informal advisory opinions for most of those requests, where appropriate.
- The Committee issued one formal opinion (Opinion 2009-01) addressing whether the New Mexico Rules of Professional Conduct prohibit lawyers from operating a law practice in the form of a limited liability company. The Committee's co-chairs have continued to work with other committees to remedy the apparent ambiguity in the applicable statutes and court rules.
- Co-chair James Reist developed a power point presentation entitled "Ethics Jeopardy", which was presented at State Bar sponsored ethics and professionalism seminars.
- The Committee's co-chairs attended the ABA Center for Professional Responsibility's annual conference
- Co-chairs participated in discussions and the Committee provided comments to the New Mexico Supreme Court regarding the possible adoption of revisions to Rule 16-104 regarding mandatory disclosure of liability insurance

Ongoing Activities:

- The Committee continues to consider and respond to new requests for advisory opinions received from members of the Bar, having received six requests since the start of the year.