



RESOLUTION

The Board of Bar Commissioners ("the Board") of the State Bar of New Mexico fosters excellence in the practice of law, the quality of lawyers and the judiciary for the benefit and protection of the public. As part of that responsibility, the Board supports the principle of a separate independent judicial branch of government that acts with integrity and impartiality.

The Board further supports and wants to encourage and assist lawyers, judges and judicial candidates to conduct themselves in judicial elections consistently with the ethical standards of the Code of Judicial Conduct and the traditions of judicial office, as set forth herein.

The Board is concerned with the increase in partisan advertising seeking to influence elections for judicial office by means and toward ends that are inconsistent with the ethical standards of the Code of Judicial Conduct and the traditions of judicial office.

There is hereby created the Fair Judicial Elections Committee which shall:

- 1) monitor judicial election campaigns for compliance with the Code of Judicial Conduct.**
- 2) assist judges, candidates for judicial office, and all citizens, citizen groups, advocacy groups, political action organizations and others to understand the standards and**

expectations of the Code of Judicial Conduct as they relate to statements and advertising in election campaigns for judicial office.

- 3) receive, review and investigate statements and advertisements emanating from incumbent judges and lawyers who are candidates in elections for judicial offices, made in or made for the purpose of affecting judicial election campaigns, and to comment privately to those candidates and their campaign committees on statements and advertising that are deemed to violate or fall below the requirements of the Code of Judicial Conduct, or that are destructive of or inconsistent with the standards of independence, integrity, impartiality, dignity and decorum that are the philosophical, legal and historical heritage of the judicial branch of government.

The Committee shall consist of not more than nine members to be appointed by the President with the approval of the Board. The Committee may include non-lawyer members, but shall not include any incumbent judicial officer. Members of the Committee shall be appointed annually, and shall be eligible for reappointment. The initial one-year term of members shall be deemed to expire on December 31, 2007.

If any vacancy occurs, the unexpired portion of that member's term may be filled by appointment by the President, with the approval of the Board. The Committee, when appointed, shall organize itself and adopt bylaws and procedures for its meetings and all other functions, and maintain a current copy on file with the Board.

The Committee shall have a Chair to be appointed annually by the President of the Board.

The Chair of the Committee shall administer all functions of the Committee.

State Bar of New Mexico
Board of Bar Commissioners
Amendment to Resolution Creating Fair Judicial Elections Committee

Adopted November 30, 2007

The Fair Judicial Elections Committee of the State Bar of New Mexico was created by Resolution of the Board of Bar Commissioners adopted on September 5, 2006. At a meeting of the Board of Bar Commissioners on November 30, 2007, the following amendments to the Resolution were approved:

1. The Committee was increased to fifteen (15) members, and authorized to conduct investigations by panels of five (5) members.

2. When the Committee finds, after investigation, that a violation of the Rules of Professional Conduct or the Code of Judicial Conduct has been committed by a candidate for election to judicial office, or by a campaign committee or other person authorized by the candidate, the Committee is authorized, in its sole discretion, to publish its decision and to allow public access to the investigation files on that complaint. A decision finding that no violation has occurred shall not be published, and the files of the investigation on such a complaint shall remain confidential.