

# NEW MEXICO Lawyer

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# Striking a Perfect Balance

Chief Justice Charles W. Daniels believes you can be a lawyer and have a life, too.

By Tiffany Sanchez

Chief Justice Daniels sat for an interview on a Friday morning between his appearances at the UNM School of Law and the State Bar, in the middle of the legislative session. It became clear why he is such a sought-after speaker.



■ Describe your professional and personal path which set the stage for your current position as the Chief Justice of the New Mexico Supreme Court?

I never dreamed of being a judge as part of any game plan. In fact, it was after I became an adult that I even thought of being involved in the law at all, or at least thought seriously of it. No one from my family had ever gone to high school, and we didn't know any lawyers, didn't know any judges; and so I had no role models and no expectations of ever being involved with anything like that. When I was trying to figure out what I wanted to do in life, when I was about 20 or 21, and knowing that I wanted to do something and be educated, I read a book about Clarence Darrow, the great trial lawyer from a century ago. It made me decide to go back to college with a vengeance. I wanted to argue for people in court, and that was my goal when I went to law school. That's what I did for 38 years. The decision to go on the Court was really reached pretty late in life—I'm 68 now—and over three years ago, when the vacancy occurred on the state Supreme Court, some people started encouraging me to throw my hat in the ring. At first I said no, because I've always wanted to

[Clarence Darrow] believed in justice; he believed in fighting for people's rights. He believed particularly in giving voice to the voiceless, and that was a big inspiration.

that has proven to be true. But there are so many role models in the legal profession. I have had role models among my teachers, among my law professors.

be a player instead of a referee. The more I thought about it, the more I began to realize that it might be something that I'd like to do and that I thought was important to do, and so I did it.

■ You mentioned Clarence Darrow. Do you consider him an inspiration, or do you have anyone that has inspired your path in your legal career?

There have been so many people. Clarence Darrow was one. I read everything that I could by him, from him, of him. He believed in justice; he believed in fighting for people's rights. He believed particularly in giving voice to the voiceless, and that was a big inspiration. I didn't go into law to make money. I never had an ambition to be rich. I never thought money was more important than enjoying your life. I went into law because it would be a life that I would enjoy, and

■ You sound incredibly busy. In the spare time that you may have, do you have any interests or hobbies?

I guess my primary interest is my family. Once or twice a month, I pick up a guitar and play with a band, and once or twice a month I strap into a 600-horsepower race car and do wheel-to-wheel racing. These days I do it only in-state at Sandia Motor Speedway in Albuquerque. Before I went on the Court, I used to travel around the country doing it as a hobby.

■ What is the name of your band?

I have two bands. One of them is mostly in hibernation and is called "Lawyers, Guns & Money." We created that band in the late 70s, back in the days of the roadhouses, a scene that no longer

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# New Mexico's Challenges and Opportunities

Retiring Senator Jeff Bingaman offers insights into the future of New Mexico.

By Jennifer C. Esquibel

In 1982, Jeff Bingaman ran for the U.S. Senate, defeating incumbent Jack Schmitt, and has been serving in the Senate since he took office in 1983. Less than a week before this interview, Sen. Bingaman announced he will not seek re-election to a sixth term.



The Senator joins constituents on a hike along the San Vicente Creek in his native Silver City.

■ *What are some of the major themes that characterized the changes we've seen in New Mexico?*

When I first got to the Senate, New Mexico was very dependent on federal government-funded activities going on in New Mexico. That dependence has probably increased in the time that I've been there, which is in some ways unfortunate. Also, we've always had the challenge in New Mexico of trying to find a way to create more private-sector employment. We have the two Department of Energy laboratories; we have the four military installations in the state; we have the Air Force research laboratory. We have a lot of other federal government activity in New Mexico, all of which is doing quite well, as far as funding levels these days, but the challenge continues to be how we wean ourselves off of that, on the assumption that it will not be there forever.

■ *What are some of the challenges of the state going forward? You're saying boost the level of non-federal jobs?*

Yes, that's the central and key challenge that we have economically. How do we create more private sector jobs? How do we nurture the businesses that are here to create more jobs? And

then, how do we attract businesses that aren't here to create jobs? We also have tremendous challenges in improving our educational system and health care delivery system, and of course we have challenges in preserving our environment and weaning ourselves off of dependence on foreign sources of energy.

■ *Do you think New Mexico is particularly suited to the growth of green energy?*

We sure should be. I don't think there's any state that would have a better chance of meeting some of its energy needs through use of solar energy than New Mexico. We also have a lot of wind energy capability, particularly on the east side of New Mexico, and the cost of producing energy from renewable sources continues to come down. The cost of transmitting it to a grid, to an urban center

where it is needed, doesn't come down that much, and so it's hard to predict going forward. There are several reasons why it's difficult to fund and construct new alternative energy projects these days. One major reason is that the demand for electricity is not growing like it once was. Some of that's the recession; some of it is improved efficiency in energy use. Another factor, of course, is utilities are always looking at the costs of alternatives as a way to meet their energy needs. Natural gas is plentiful and it's cheap, and we've found a lot of new natural gas in recent years, which we didn't know we had. I think that a lot of utilities are looking to natural gas as a way to meet whatever additional capacity needs that they have. We're well served if we have a diverse set of sources for energy. It would be unfortunate if we got more and more dependent on natural gas. I mean, it'd be fine for awhile perhaps but at some stage, we will need renewable energy to a greater extent, so I hope we can find ways to adopt policies that will encourage utilities to produce more energy from alternative sources.

■ *Do you feel that the collegiality in the Senate has changed or been affected either by the media or any other influence?*

On a personal level, people are still collegial and civil, and there are good relations in the Senate. I do think that all of our politics,

nationally, have become much more polarized in the time I've been in the Senate—and that's not just in the Senate. That's nationwide. I think our media has become more polarized; TV stations used to be different. If you wanted to know what the news was, you got a fairly unbiased presentation of the news. That's not easy to come by anymore. You have to sort of pick and choose whom you're going to believe more than you used to have to.

■ *What are your strategies for achieving a work/life balance?*

My wife and I don't do a lot of social activity. When I got to the Senate, I learned a little about some of the folks who had been there for a long time. Mike Mansfield had, as the Democratic majority leader, been famous for having a rule that he did not go out to events on weeknights in Washington. We don't stick to that religiously but, generally, I try to stay home on weeknights—and on weekends, too, if I can! Unless, of course, I'm in New Mexico or traveling.

■ *What's your favorite thing about being a New Mexican?*

This state is still small enough that you can know a lot of people and feel like you're part of something. You're not just a nameless face out there in the crowd. I like the idea that I know people in every community of the state and have things that I enjoy doing in every community of the state—restaurants I want to go to.

■ *What food do you miss the most when you're in D.C.?*

Oh, of course, Mexican food. We eat a lot of Mexican food when we're here in New Mexico.

I don't think there's any state that would have a better chance of meeting some of its energy needs through use of solar energy than New Mexico.

■ *Any favorite dish?*

I eat chicken tacos more than anything else, probably.

■ *Red or green?*

Usually red.

■ *What were some of the skills you developed as an attorney that served you well as a senator?*

Most of what we do in the Senate is to try to understand how we can use the enactment of legislation or the oversight authority of the Congress to affect public policy. That's pretty much what we do 24 hours a day. Training as a lawyer is a very useful thing to have if you're going in to that.

■ *Is there any advice you would give someone in private practice who might be looking to serve in public office?*

I encourage it. We have a long tradition in the history of our country of people in law practice going into public service, and it's served us very well. I hope that we have a lot of people in law practice today who look for opportunities to serve in some capacity—at the local level, at the state level, at the federal level.

*Jennifer C. Esquibel, a member of the Board of Editors, is licensed to practice law in New Mexico and in Illinois. She currently is a part-time editor and content developer.*

Read the complete interview at <http://www.nmbar.org/Attorneys/PubReptSurv/nmlawyer.html>.

## ■ Chief Justice Charles W. Daniels *continued from page 3*

exists, and we played for about 15–20 years pretty regularly. Now we get together once or twice a year. We just booked a fundraiser for the S.A.F.E. House in Albuquerque for this fall. The band I play with most often these days is "The Incredible Woodpeckers." We play about once a month on Friday evenings, mostly rock-n-roll, blues, reggae, basically anything we feel like. One week before Christmas, we played with Bobby Keys, the Rolling Stones' saxophone player.

■ *How did you get interested in music?*

I started when I was a kid in the high school band. My mother made me take two years of piano lessons which, like most boys, I resisted. But looking back, it gave me the foundation for all of the music in my life. I quit making music when I graduated from high school until I had been through college and law school. A friend of mine got a job with a law firm in Guam and was lightening his load of possessions. He had this old acoustic guitar, and he sold it to me for \$15. One of the students in the American Indian pre-law program was a guitar player and singer. I was tutoring him, and he taught me some basic things on the guitar. I just started playing around with it and had no plan in mind but eventually

ended up playing with other people. It got to the point where people could finally stand being around it. Then they started to hire us. Next thing I knew I was in a band and thought it was fun. I realized that I didn't have to give it up because I didn't have to pretend to be in a courtroom 24 hours a day of every day of my life. You can be a lawyer and have a life, too. I found this also to be a reality about being a judge. You don't have to give up who you are just to be a judge, so long as you remember judicial ethics and that sort of thing. You know, I wouldn't wear the clothing I wear on a bandstand into a courtroom to preside over an oral argument, but I don't wear my robes onto the bandstand either.

■ *It sounds like you strike a perfect balance.*

It works for me.

*Tiffany Sanchez has been practicing law in New Mexico since 2002. She is an associate with Riley, Shane & Keller PA and a member of the Board of Editors.*

Read the complete interview at <http://www.nmbar.org/Attorneys/PubReptSurv/nmlawyer.html>.

# Judge Brings Rich Heritage to the Court

Chief Judge Celia Foy Castillo enjoys life from the bench and on the road.

By Jocelyn Drennan

*Celia Foy Castillo traveled an unusual path rich with experiences in arriving at her current position as Chief Judge of the New Mexico Court of Appeals. The story begins with her transition from teaching elementary school English in Madrid and Spanish in Gallup.*

## ■ What made you transition to law?

When I switched from teaching in Gallup, I got a job, still in education, with the Legislative School Study Committee. A lot of the things we did were related to the statutes and case law. I thought of getting a J.D. and going back into some area of education, but once I finished law school, I was really fascinated with the law. The first year I was a clerk for Mary Walters, but after that I worked with a private firm in Santa Fe and then went down to Silver City.

## ■ How was your clerkship with Judge Walters?

It was wonderful. She was so conscientious and she wanted everything done perfectly. I think that that's a good way to start out your career, having the bar set that high. You want to always meet that bar.

## ■ What drew you to becoming an appellate judge?

I was practicing law in Silver City and I was asked to be on the Judicial Nominating Committee for the Court of Appeals. I read through the applications, and it was amazing to me because I could have been one of the applicants. I realized that that would be a really interesting thing to do with my career—with my background, what I could bring—because I had at that point practiced almost all areas of law. When Judge Apodaca retired, I applied and was recommended, but I didn't get the appointment. At the same time, I ran for the position. Fortunately, I won.

## ■ What are the qualities you look for in an oral argument?

Number one, the attorneys are prepared. They know their case; they know what their issues are. They separate out what's important from what's not important and focus on the important part. Being honest with the Court is a key part of any oral argument because some of the questions we ask would make their side lose if it were that hypothetical situation. And I appreciate when they say, if those were the facts, then yes, this would be the result but our case is different, and this is why the result should be this.

## ■ Are there any philosophies that you bring to authoring an opinion?

I begin with the facts because many of the cases are fact-specific. I also try to make the opinion readable so that parties understand



Judge Castillo and her husband enjoy a recent trip to China and the Great Wall.

Once I finished law school, I was really fascinated with the law.

where we're going and what we're doing and how we get to the conclusion. If we remand the case, I try to make clear the legal analysis and what the district court has to do.

## ■ Where do you like to travel?

My husband and I both speak Spanish so we really enjoy going to Spanish-speaking countries, and we've gone to a number of them. We also like to go to places where there's a lot of history, which is why we've gone to places such as Egypt, Jordan, Israel, and China.

## ■ What do you enjoy most about travel?

Learning about the particular culture and the different ways that people handle life, knowing what's important to them, what's not important to them. Looking at the variety of ways that people handle things gets you to open up your mind as to how to solve problems.

## ■ Are there any other things you enjoy doing during your down time?

I enjoy reading about the history of New Mexico and the history of the different cultures. I enjoy sports, particularly women's and men's basketball and football, on the college level. When the weather clears up, I do like walking to work.

## ■ Before the interview ended, Chief Judge Castillo spoke more about her family influences.

One of the things very important to me are my parents. One of the reasons that I entered law is because my dad is a lawyer. When I moved to Silver City, I practiced with him from '86 until I became a judge. As I was growing up, I had an idea of what an attorney does. I think that was in the back of my mind and I realized law was something I could do and enjoy. My mom did a lot of public service and was a good role model in that regard. I also wouldn't be here without my husband who is 100 percent supportive and absolutely fabulous.

*Jocelyn Drennan practices in the Appellate Practice Group at Rodey, Dickason, Sloan, Akin & Robb PA. She is a member of the Board of Editors.*

# The Ultimate White Horse Job

AG Gary King talks about the greatest job a lawyer could ever have.

By Kimberly Alderman

New Mexico Attorney General Gary King was interviewed just two days after he gave his arguments before the U.S. Supreme Court in the case of *Bullcoming v. New Mexico*.



Students at Governor Bent Elementary School present their patriotic drawings to Attorney General King after his lesson on the Constitution.

## ■ How did it go at the Supreme Court?

I think at the Supreme Court level you never know if your argument is persuasive. You have to make the best argument that you can. It was fun for me to be a lawyer again. My Criminal Appeals Division had written the briefs, and we all worked together on the argument, but I got to give the argument.

## ■ Were all the justices there?

They were. The report that I saw said that seven out of the nine judges asked questions. Justice Thomas did not, of course, because he apparently hasn't asked a question in five years. Justice Kagan tried to ask a question but got eeked out a couple of times by more senior justices.

## ■ Who asked the most questions?

Probably Scalia. The Sixth Amendment is his specialty. He has often written the majority opinions in the Sixth Amendment cases. Justice Sotomayor asked quite a few questions. Justice Breyer is sort of on the state's side in this one so he gave me some easy hypotheticals. Once we were in the argument phase, I really felt like I was having a good legal conversation with those nine justices because you're close enough to them that you can really look them eye to eye.

## ■ So you grew up in a ranching family?

My family are known as ranchers. My father's parents got married in Texas, drove a Model T Ford to New Mexico, traded their

Model T Ford for 160 acres and three cows and started a little dairy. My dad and his two brothers were born in New Mexico. When my dad was in the army, he sent his paychecks home every two weeks and encouraged his brothers to buy land. So they started a ranch and ended up, over the course of time, having one of the largest ranching operations in New Mexico—about half a million acres at the largest. So I grew up on the ranch, riding horses and working on the farm. On the summers when I was in school, I drove a wheat combine.

## ■ When you were driving that wheat combine, did you know you wanted to be a lawyer?

When I was 10 years old, if people asked me what I was going to be when I grew up, I told them I was going to be a scientist. I have made my living sort of crossover as I worked for about ten years for an environmental engineering company as their in-house lawyer and have done a variety of kinds of science work. My wife has a Ph.D. in chemistry and she still makes her living as a chemist. So, in 1978, I was a graduate student in chemistry. I had already decided by then that I was going to go to law school as well. I took a leave of absence and came back and worked on my dad's campaign. That's where I met my wife. We've been married for—I have to know the answer to this—24 years. My dad was the governor for three terms in New Mexico, four years while I was on the Legislature.

## ■ How was it working with your dad?

People ask me that question and I say, "It was great. He only vetoed two of my bills during that four years." He did, but we had a really good working relationship.

## ■ How would you describe what an attorney general usually does?

I am the lawyer that represents the state, so I have a variety of civil and criminal duties. I have three prosecution divisions, a criminal appeals division, and a consumer division, which is the largest. We're working really hard on the mortgage foreclosure issues right now because those are impacting New Mexico consumers heavily. Last year they handled 50,000 calls and probably opened and closed a couple of thousand files. I have my civil litigation group, my group that represents rate payers in front of the PRC, and then a group that represents state agencies that does opinions for legislators and the governor. I'm creating an environmental crimes unit that will prosecute environmental crimes. We're also looking at whether we can be a little more aggressive at pursuing criminal actions that relate to consumer issues.

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# Attorney and Public Servant

State Representative Al Park recalls his road to the Roundhouse.

by Danny W. Jarrett

*I've known Al Park for nearly 15 years and I've never seen him look tired. I interviewed him in his office at the Roundhouse on day 58 of the 2011 60-day legislative session—the other March Madness—and he was completely exhausted.*



■ *Can you tell me a bit about your childhood and education?*

I was born in the Panama Canal Zone, USA. My dad worked for the Panama Canal Company at the time. We then moved around the country, and my dad got a job in 1984 working at Sandia Labs.

■ *How old were you when your family moved to New Mexico?*

I was 14 and went to high school here—Sandia Prep, Class of '88. Go Sundevils! Then to Purdue University and law school at George Washington.

■ *What did you study in undergrad?*

I had a fleeting hope of being an engineer but that lasted half of one semester. I received a degree in history with a minor in English. I've always loved history, and I preferred reading books to math.

■ *Why law school?*

I was graduating from college with a history degree, and I was simply not employable. Also, my dad is a lawyer, so that was always something that I considered.

■ *How was George Washington for law?*

I love GW. It was a great school and I liked D.C.—a very nice place to live for about two to three years. I was able to meet people from all over the country. I still remember my first year of law school. I was talking to this guy—he was 22 years old—and he told me he'd never driven a car. How is that possible? I'd had my

driver's license since I was 15! He was from New York City, and I thought that was the craziest thing I'd ever heard. GW played UNM in the NCAA tournament during my first year of law school. I went to a big GW party wearing my Lobo shirt. As I recall, it was the incident when half the team was sick from eating green chile cheese fries the night before and the Lobos lost. I ate a lot of humble pie afterward.

■ *How did you end up back in New Mexico?*

I clerked for Chief Judge John Conway. He was the biggest influence on my early legal career and continues to be a mentor. After the clerkship, I was at Keleher & McLeod for four years—great experience and really nice people, very good lawyers. Then I worked with Craig Orraj at Farmers for a year and a half. During that time I did many arbitrations and mediations and a trial. It was not quite baptism by fire but a wonderful learning experience. Since then, I've been in private practice and started my own firm April 1.

■ *Why the Legislature?*

I wanted to continue to help people and saw an opportunity. That very first campaign was wonderful. I had a bunch of friends helping out and won by 190 votes against a two-term multi-millionaire incumbent.

■ *Has it been what you expected?*

I've had two great privileges in my life—the first is my wife and family. The second one is serving in the Legislature. Politicians get a bad rap, but it is very humbling to work hard to help improve people's lives. I'm impressed with people who serve on both sides of the aisle—their passion for the state of New Mexico. We have such a great state—not just because of the weather or the mountains, skiing, etc. I've been from Clayton to Deming and from

Farmington to Hobbs. What makes New Mexico really unique and special is the people. Good people who have a passion for their community and their state.

■ *What are you most proud of?*

I could rattle off a lot of laws and bills. The Dee Johnson Clean Indoor Air Act banned smoking in bars and restaurants statewide. The omnibus sex offender bill of 2003 was one of the toughest in the country. But the bill that I'm most proud of gets no notoriety. It made the organ donor designation on a driver's

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Politicians get a bad rap, but it is very humbling to work hard to help improve people's lives.

# Critical Needs vs. Practical Challenges

AOC Director Arthur W. Pepin oversees the operation of New Mexico Courts.

By Ian Bezpalko

*Arthur Pepin graduated from the University of Washington School of Law (Seattle) in 1984, served four years in the Army's Judge Advocate General's Corps, worked a few years for a Philadelphia law firm and then for the New Jersey courts. Attorney General Tom Udall hired him in the Attorney General's Appellate Division in 1996. He was promoted to director of the Appeals Division by Attorney General Patricia Madrid in 2000. From 2000–2006, he supervised 16 attorneys and two support staff, testified in support of AG legislation, and argued numerous appellate cases in the New Mexico Court of Appeals, New Mexico Supreme Court, and the 10th Circuit Court. In August 2006, the Supreme Court appointed him to run the Administrative Office of the Courts.*

■ Please describe your position as director of the AOC and your role in the organization.

The director of the Administrative Office of the Courts serves under the supervision and direction of the Supreme Court to supervise administration of all New Mexico state courts, provide data and reports on the cases and fiscal matters in courts, oversee court financing, and perform other duties. My years practicing in courts and working as staff to courts help me as I try to understand the practical challenges faced by the differing levels of courts in New Mexico. Having said that, I believe nothing prepares a person to be the AOC director better than an open mind and the willingness to trust talented and determined people who work for the AOC and the courts. To the extent the AOC has achieved any success during my tenure as its director, it results directly from the leadership and strong support of the Supreme Court and from the great people I get to work with in the AOC and the courts.



■ Two of the goals of the AOC are to provide adequate, equitably distributed resources to the courts and to ensure that the courts have current technology. Apart from electronic databases and converting paper files to electronic, what is being done to meet these goals?

The AOC conducts or participates in many studies, through which decisions are made on such issues as which courts have the most critical need for new judges and staff, pay ranges for all jobs in the judiciary, tracking enrollment and success rates in problem-solving courts, and performance data for many programs. It is difficult to make sure these comparisons are “apples to apples” among various courts, but that is a goal we try to meet. The appropriate distribution of resources has been especially challenging in the last few years as court funding has declined with the state's fiscal challenges. The AOC is directly involved with the Budget Committee of the Chief Judges Council in shaping court budgets. During this process, courts large and small have an equal opportunity to argue for programs, initiatives, legislation, and funding that is important to them.

For several years, the AOC has overseen implementation of a new electronic case management system in the courts. That effort will conclude one year ahead of schedule and on budget, so that at the end of calendar year 2012 all courts will be on the new system. The new system, named Odyssey, is a great improvement over the old one (FACTs), especially because it is critical to efforts to manage documents electronically.

Other efforts to improve courts through technology include accepting credit card payments for court fines and fees by the Internet and telephone, providing computers at the courthouse to permit non-lawyers to file documents and gain access to court records electronically, meshing electronic citations issued by law enforcement with the courts' case management system, and expanding the use of video communications for meetings, training, and even court proceedings.

■ Can you report on the status of the e-filing project in New Mexico? What are some current topics of discussion or phases of adoption?

E-filing is in the pilot phase in the 13th Judicial District. Right now, all documents after case initiation that are filed by attorneys in civil cases (not domestic relations cases) must be filed electronically. The court accepts the e-filings directly into the case management system, without the need for clerks to type in the information. All these documents are stored electronically, permitting judges and litigants to review any filed document instantaneously at any time, without printing paper documents. Notices and service of document copies can also be electronic, saving time and the cost of making and mailing copies. For a fee of \$6 (\$10 total if service is included), as many as 10 documents can be included in a single e-filing, which can be done at any time of the day or night from any computer. Both the 1st (Santa Fe, Rio Arriba and Los Alamos counties) and 2nd (Albuquerque) judicial districts, which are implementing Odyssey this spring and summer, are eager to bring e-filing and electronic document management.

- *Some of the courts have installed wireless Internet access. Are there plans to utilize cloud storage, VOIP, and other electronic methods/applications?*

Several courts in New Mexico have adopted VOIP, and it is under consideration in other courts and at the AOC. Cost, security, and time are factors courts consider in contemplating a switch to VOIP. It may be that the wave of the future will be Software As A Service (SaaS) for case management, document management and e-filing, which will be provided using cloud technologies by court case management vendors. Our Odyssey system, which is Internet-browser-based, might be a good candidate for SaaS. For now, we are in no hurry to push our vendor in that direction.

For a fee of \$6 . . . as many as 10 documents can be included in a single e-filing, which can be done at any time of the day or night from any computer

- *Are there any new projects on the horizon for the courts?*

One exciting initiative undertaken by the Supreme Court is re-engineering the New Mexico courts. The Chief Justice appointed 16 members of the Reengineering Commission to examine how courts operate and to consider any suggestion, no matter how novel, that may improve how courts function in the 21<sup>st</sup> century.

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## ■ AG Gary King *continued from page 7*

- *So what's next for you?*

There's some speculation currently as to whether I might head into the ring to run for the vacant Senate seat. I haven't had any time to think about that because I was immersed in my Supreme Court case, but I'll have to give that some thought. But I'm just extremely happy being the AG. I think it's the greatest job that a lawyer could ever have.

- *Why's that?*

It's sort of the ultimate white horse job. Every day I spend time protecting senior citizens from scammers and going after Internet predators and trying to help people keep their houses. It's a great honor to be able to represent your state. From a lawyer's perspective, since the State is my client to some extent, it's my constitutional authority and job to decide what's in the best interests of my client. Most lawyers' clients will either take your advice or not take your advice. Having the final say as to what's in the best interests of my client is a really interesting perspective for a lawyer to have. Part of what people have elected me to do is to exercise my judgment to do things that are in the best interests of the state.

*Kimberly Alderman is a clinical professor at the University of Wisconsin Law School and chair of the State Bar Board of Editors. She blogs at <http://www.culturalpropertylaw.net>.*

Read the complete interview at <http://www.nmbar.org/Attorneys/PubReptSurv/nmlawyer.html>.

Through a survey conducted by the National Center for State Courts, input was solicited from thousands of people, both in the court system and in business, politics, and anywhere else there were people interested in the future operation of the courts. The Reengineering Commission, through local focus groups, will assess this information for application where change seems fitting.

- *Is there anything that you wish to add?*

People who come into contact with the judicial system, whether as litigants, jurors, legislators, readers of news stories, or in other ways, should gain from their experience, confident that the system is fair, impartial, timely, and is making the very best use of the resources entrusted to us.

*Ian Bezpalko is a member of the Board of Editors and in private practice for five years.*

Read the complete interview at <http://www.nmbar.org/Attorneys/PubReptSurv/nmlawyer.html>.

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## ■ State Representative Al Park *continued from page 8*

license a binding legal document. There was a wonderful young kid who worked on my campaign, a 20-year-old UNM student. He died in a car accident while his parents were out of town. He had an organ donor notation on his driver's license but nobody could reach his next of kin. As a result, he was unable to donate his organs. I changed that and hopefully saved lives. Organ donation is so important and I'm very proud of the positive impact of this law.

- *What is it like being married to the president of the State Bar?*

It's been great. I'm very proud of her, and I've been very impressed with Jessica's passion and commitment. But we're just like any other family with two jobs and a child—juggling responsibilities. We definitely make time for family though, and you might find us taking a walk at the park, at the zoo, or catching a Lobo basketball or football game.

*Danny Jarrett, a board-certified specialist in labor and employment law, is the managing partner of the Albuquerque office of Jackson Lewis LLP. He is also completing his third term as a member of the Board of Bar Commissioners. Jarrett is a member of the Board of Editors.*

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## **iBienvenidos! Michael B. Stern**

Streubel Kochersberger Mortimer LLC is pleased to welcome Michael B. Stern to its business law practice. Mr. Stern is relocating his national commercial real estate practice from St. Louis, Missouri. He will be Of Counsel to the firm where he will focus his practice on commercial real estate, real estate litigation, and business representation and formation. Mr. Stern received his J.D. from Washington University in St. Louis and his B.A. from the University of Arizona. He is a member of the bar in New Mexico, Missouri, Illinois, and California.

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### Board Certification

Physical medicine rehabilitation

Pediatrics-recertification pending

American Board of independent Medical Examiners-AMA guides edition 4, 5, 6

Life Care Planner-certification pending

### Past Experience

Associated Professor-Northwestern University Medical Center-Rehabilitation Institute of Chicago-Pediatric Program

University New Mexico Medical Center-Department Pediatrics Associate Professor, member adult trauma service - University of New Mexico Level 1 Trauma System

Medical director Lovelace Pain Center, Medical Director New Mexico Spine

Team leader Stroke Care Plan, Team Leader Spine Care Plan-Lovelace Healthcare

Medical Dir. Pediatric Rehabilitation Services - University New Mexico Hospital, Carolina Medical Center, Western rehabilitation Institute

Dir. Of Pediatrics - Shriners Hospital Salt Lake City, Director of Limb Deficient Clinic - Shriners Hospital

Pediatric Surveyor for Commission of Rehabilitative Facilities

Dr Radecki has sustained a strong clinical practice in physical medicine and rehabilitation, providing care to children and adults with limb deficiencies, brain injury, spinal cord injury, and persistent pain difficulties. He has spoken internationally and nationally on these subjects. He has developed a strong medical foundation in the care of children and adults with catastrophic illnesses and injuries outlining future needs and resource utilization.



### Current Practice

1. Comprehensive pediatric/adult physiatry
  - a. Electrodiagnostic testing
  - b. Interventional spine injections
  - c. Traumatic brain injury, limb deficiency, spinal cord injury, stroke, spasticity management, pain management, cerebral palsy, botulism toxin injection, chronic pain
2. Independent medical examinations/impairment ratings and second opinion - adult and pediatric
3. Life care plan for children and adult

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