

1                   **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2   **May 3, 2019**

3                   **NO. 19-8500-006**

4                   **IN THE MATTER OF THE**  
5                   **ELGIBILITY OF RETIRED JUDGES**  
6                   **FOR APPOINTMENT AS**  
7                   **JUDGES PRO TEMPORE.**

8   **ORDER**

9                   WHEREAS, this matter came on for consideration by the Court upon  
10                  recommendation to clarify the eligibility requirements for the appointment of  
11                  retired judges as judges pro tempore under the New Mexico Constitution, and the  
12                  Court having considered the foregoing and being sufficiently advised; Chief  
13                  Justice Judith K. Nakamura, Justice Barbara J. Vigil, Justice Michael E. Vigil,  
14                  Justice C. Shannon Bacon, and Justice David K. Thomson concurring;

15                  NOW, THEREFORE, IT IS ORDERED that former New Mexico district  
16                  judges, Court of Appeals judges, and Supreme Court justices meeting the  
17                  following requirements shall be eligible for appointment to serve as judges pro  
18                  tempore upon designation by the Chief Justice of the Supreme Court of New  
19                  Mexico:

- 20                  1.       The former judge or justice shall be retired, or eligible to retire, under  
21                                  the Judicial Retirement Act or the Magistrate Retirement Act;  
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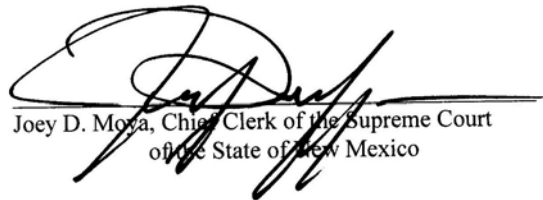
- 2. The former judge or justice shall be an active status member of the State Bar of New Mexico; and
- 3. The former judge or justice shall not be engaged in the representation of clients in legal matters in any capacity or be associated with a law firm that represents clients in legal matters; and

IT FURTHER ORDERED that any former judge or justice meeting the eligibility requirements set forth in this order who is willing to serve as a judge pro tempore may be appointed to do so in the discretion of the Chief Justice.

IT IS SO ORDERED.



WITNESS, the Honorable Judith K. Nakamura, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 3rd day of May, 2019.

  
Joey D. Moya, Chief Clerk of the Supreme Court  
of the State of New Mexico