

West's New Mexico Rules Annotated Currentness
State Court Rules

- ☞ Rules Governing Discipline
- ☞ Article 3. Rules of Procedure

→ **RULE 17-315. DISCIPLINARY BOARD DECISION**

Within thirty (30) days following the submission of briefs or oral argument or the receipt of the hearing committee's findings and recommendations, whichever date is last, the Disciplinary Board or panel shall render its decision. Upon a showing of good cause, the chair of the Disciplinary Board may extend the time within which the decision must be rendered. The Disciplinary Board or panel may accept, reject, modify or increase the sanctions contained in the recommendations of the hearing committee. The Disciplinary Board is not restricted to the findings of the hearing committee and may render its decision based upon the record and any additional findings that it may make. The decision of the board will be carried out in the following manner:

A. Dismissal. In the event of a dismissal, the board shall so notify the complainant, the respondent-attorney, disciplinary counsel and chief disciplinary counsel;

B. Formal reprimand. In the event of a determination of formal reprimand by the board or probation, the board shall arrange for the respondent-attorney to appear before the board, and the chair of the board or the chair's designee shall deliver the reprimand orally and in writing. Copies of the written reprimand shall be delivered to the respondent-attorney and disciplinary counsel;

C. Suspension; disbarment; public censure; probation. In the event of a determination by the board to recommend suspension, disbarment, public censure or probation by the Supreme Court under Rule 17-206, it shall prepare its written report and recommendations over the signature of the chair of the board, or at the chair's option, the chair of the reviewing panel and transmit seven (7) copies of the same with three (3) copies of the entire record of the hearing and the pleadings filed in the proceedings to the clerk of the Supreme Court within thirty (30) days of the board's decision. A copy of the report and recommendations shall be served on the respondent-attorney at the time it is transmitted to the clerk of the Supreme Court.

[Amended effective June 13, 2007.]

LIBRARY REFERENCES

- Attorney and Client ☞56.
- Westlaw Key Number Search: 45k56.
- C.J.S. Attorney and Client § 112.

NOTES OF DECISIONS

- Authority of panel 1**
- Findings 2**
- 1. Authority of panel

Authority of hearing panel of the Disciplinary Board to make additional findings in attorney discipline proceed-