HOUSE BILL 189

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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AN ACT

RELATING TO LEGAL SERVICES; PROVIDING FOR THE COMMUNITY
GOVERNANCE ATTORNEY COMMISSION TO ADJUST THE MAXIMUM ALLOWABLE
SALARIES FOR ATTORNEYS PURSUANT TO THE COMMUNITY GOVERNANCE
ATTORNEY ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 21-21Q-3 NMSA 1978 (being Laws 2019,
Chapter 43, Section 3) is amended to read:

"21-21Q-3. COMMUNITY GOVERNANCE ATTORNEY AND CONDITIONAL
TUITION WAIVER PROGRAM CREATED--ADMINISTRATION--RULEMAKING
SELECTION PROCESS--REPAYMENT.--

A. The "community governance attorney and
conditional tuition waiver program" is created and shall be
administered by the department. The department shall:

(1) promulgate rules for implementing the
program and for a reasonable living stipend in consultation with the university; provided that the maximum living stipend shall be based upon the availability of funds and information provided by the university regarding the current cost of attendance at the university;

(2) publicize the program to law students and to prospective law students;

(3) collect and manage repayment from students who do not meet their obligations under the program; and

(4) solicit and accept funds for the program, including grants and donations.

B. Participants shall enter the program in their final year of law school. The department shall select participants according to rules it promulgates and, in consultation with the commission, shall create a standard process for law students to apply to participate in the program.

C. The department shall award no more than two new waivers a year, in addition to renewing existing waivers for eligible participants, subject to the availability of funding.

D. Participation in the program shall be evidenced by a contract between the participant and the department. The contract shall provide for the payment of a participant's waiver and shall be conditioned upon the participant fulfilling the program obligations and meeting the university's standards.
for satisfactory academic progress. An applicant to the
program shall sign the contract prior to being accepted into
the program.

E. The contract shall include the following terms
for repayment of the waiver:
(1) interest shall accrue upon termination of
the participant's course of study at the following interest
rates:
   (a) eighteen percent per year if the
   participant completes a course of study and no portion of the
   principal and interest is forgiven pursuant to Subsection F of
   this section; and
   (b) seven percent per year in all other
cases; and
(2) the maximum period for repayment shall be
ten years, commencing six months from the date the participant
completes or discontinues the course of study.

F. The contract shall provide that the department
forgive fifty percent of a waiver for each year that a
participant is employed full time as a community governance
attorney with a maximum salary of not more than fifty thousand
dollars ($50,000) per year, subject to adjustment by the
commission pursuant to Subsection G of this section.

G. The commission may approve subsequent increases
in the maximum salary established pursuant to Subsection F of
.218620.1

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this section; provided that the maximum salary shall not exceed
the salary rate for entry-level attorneys paid by legal service
assistance entities in New Mexico that receive funding from the
federally established legal services corporation."

SECTION 2. EFFECTIVE DATE.--The effective date of the
provisions of this act is July 1, 2021.

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