

**Proposed Amendment to D.N.M.LR-Civ 83.2, 83.3, 83.4 and 83.8**  
**(Redline Version)**

**83.2 Bar Admissions, Membership and Annual Dues.** ~~-[amended 11/18/05 (date)]~~

- (a) **Membership Admission.** ~~To become a member of the Federal Bar, an attorney must:~~
- ~~(1) must be a member in good standing of the State Bar of New Mexico; or~~
  - ~~(2) if the attorney represents the United States Government or any agency thereof in an official capacity or is a Federal Public Defender, but is not licensed in New Mexico, must be a member in good standing of the bar of another state, a territory, or the District of Columbia; and~~
  - ~~(3) must complete the application form available from the Clerk;~~
  - ~~(3) be approved by the Clerk, pay the admission fee to the Clerk; and~~
  - ~~(4) take the prescribed oath.~~
- (b) **Admission Fees.** ~~A newly admitted member of the Federal Bar must pay an admission fee.~~ A fee schedule is available at the Clerk's Office. ~~This~~The admission fee is deposited into the Treasury of the United States as mandated by the Judicial Conference of the United States.
- (c) **Annual Bar Dues.** A fee schedule is available at the Clerk's Office. A member of the Federal Bar must pay annual dues ~~of twenty-five dollars (\$25)~~ to the Clerk on or before January 31 of the year following admission and every year thereafter.
- (d) **Failure to Pay Annual Dues.** ~~An attorney who fails to pay annual dues on time will be put on delinquent status and will not be allowed to practice in this District. The attorney will be reinstated upon payment of the delinquent annual dues.~~
- (e) **Temporary Waiver of Membership.** An eligible attorney who has applied for membership, but has not yet been admitted, may seek leave of the Court to represent a party in a specific action.

**83.3 Appearance and Admission of a Non-Resident Attorney.** ~~An attorney residing or Licensed Outside the District. An attorney who is not a member of the Federal Bar may participate~~appear in an action, and may file and serve documents electronically under these rules, if:

- ~~• the attorney is a member in good standing of the bar of any other a state, a territory, or the District of Columbia and associates with a resident member of the Federal Bar. The resident attorney must sign the first pleading, accept service and continue in the action unless another resident member of the Federal Bar is substituted; or; or~~
- ~~• the attorney applies to practice in accordance with D.N.M.LR-Civ. 83.2. The Federal Bar member must sign the first pleading, accept service, and continue in the action unless another Federal Bar member is substituted.~~

**83.4 Entry of Appearance.**

- (a) **Individual Attorney.** ~~An~~To participate in a pending proceeding, an

attorney must enter an appearance or obtain leave of the Court to sign and file any pleading, motion, or other paperdocument. ~~To enter an appearance, an~~ attorney must:

- be eligible to appear under D.N.M.LR-Civ. 83.2 or 83.3; ~~and sign the initial pleading filed on behalf of a party and~~
- file a written entry of appearance which includes the attorney's name, address, and telephone number; ~~and~~
- sign the initial pleading or motion filed on behalf of a party.

~~(b) Appearance by Member of a Law Firm.~~ Appearance by Law Firm (Including Governmental Entity or Agency Attorney's Office and Public Defenders). Entry of appearance by ~~one member of~~ a law firm ~~in an action~~ allows any member of that firm to participate in the action; however, each attorney in the firm wishing to receive papersdocuments from the Clerk must make a written entry of appearance in the action.

~~(c) Limited Entry of Appearance.~~ An attorney may not appear in a limited manner as provided in N.M.R. PROF'L CONDUCT 16-303(E) ~~except by Court order.~~ A member of a firm may file a withdrawal of appearance from a particular case without meeting the requirements of D.N.M.LR-Civ. 83.8, provided that at least one member remains in the case.

**83.8** Withdrawal of Attorneys Appearance. In addition to the provisions of D. ~~A~~ N.M.LR-Civ. 83.4(b), an attorney may withdraw from an action as follows: