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STATE ETHICS COMMISSION

CLE Webinar: Filing and litigating complaints with the State Ethics Commission Wednesday, June 3, 2020, 12:00 pm – 1:30 pm

12:00 pm Introduction of speakers (5 minutes)

Jeremy Farris and Walker Boyd

General – 1 hour:

12:05 am How to file a complaint with the State Ethics Commission (5 minutes)

How do I file a complaint with the State Ethics Commission? Is the complaint confidential? When is a complaint made public?

12:10 am Referrals of complaints (10 minutes)

How and under what circumstances is a complaint referred to another agency, or from another agency to the Commission?

12:20 am Commission jurisdiction (10 minutes)

What laws can the Commission enforce? Who does the Commission have jurisdiction over?

12:30 am General counsel investigation for probable cause (20 minutes)

What is “probable cause”? What investigative tools does the general counsel have? Can the parties participate in the investigation?

12:50 am Hearings and appeals (10 minutes)

Who decides a complaint? Who gets to participate in a hearing? Are hearings public? Do the rules of evidence apply at hearings? Who can appeal the decision dismissing or sustaining a complaint? Who hears an appeal? What is the standard of review? Can a district court review the Commission’s decision?

Ethics – 30 minutes

1:05 pm Ethical issues relating to the representation of complainants (15 minutes)

Advising a client who wants to file an ethics complaint, preclusion issues, and remedies

1:20 pm Ethical issues relating to the representation of respondents (15 minutes)

What if an ethics complaint is filed against a current client or an employee of a current client?

Information on CLE credits

The State Ethics Commission has received approval from the Minimum Continuing Legal Education (MCLE) program for 1 hour of general and .5 hours of ethics/professionalism MCLE credits. Attendees who sign in and indicate that they wish to receive CLE credits will have their names submitted to the State Bar's MCLE office for approval.

CLE Faculty:

Jeremy Farris is the State Ethics Commission's Executive Director. He previously served as General Counsel to New Mexico's Department of Finance and Administration and practiced law at litigation firms both in Atlanta, Georgia and Albuquerque, New Mexico. Jeremy clerked for the Honorable Julia S. Gibbons on the United States Court of Appeals for the Sixth Circuit; the Honorable Judith K. Nakamura on the New Mexico Supreme Court; and the Honorable James O. Browning on the United States District Court for the District of New Mexico. He holds a law degree from Harvard Law School, a doctorate and masters degree from the University of Oxford, where he was a Rhodes Scholar, and a Bachelors of Science from the Georgia Institute of Technology.

Walker Boyd is the State Ethics Commission's General Counsel. He previously practiced law at Peifer, Hanson and Mullins, P.A., and clerked for the Honorable James A. Parker on the United States District Court for the District of New Mexico and the Honorable J. Miles Hanisee on the New Mexico Court of Appeals. He holds a law degree from the University of New Mexico, where he served as Editor in Chief of the New Mexico Law Review, and a Bachelor's of Arts from Vassar College.