



NEW MEXICO  
**LAW OFFICES OF THE  
PUBLIC DEFENDER**

Chief Public Defender  
Bennett J. Baur

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### Succession Planning

Each attorney employed with the New Mexico Law Office of the Public Defender (LOPD), hereinafter "the Employed Attorney," shall comply with the following procedures to ensure the orderly transfer of active matters and access to work related files and information.

- 1) The District Defender/Division Head of each LOPD district is responsible for carrying out the succession plan of each Employed Attorney in their district after the Employed Attorney's separation from LOPD. All further references to the District Defender/ Division Head shall include that person's designee unless the context requires otherwise.
- 2) Each Employed Attorney shall input and maintain all LOPD and case information and documents in the Defender Data case management system and/or in a LOPD shared computer drive. Employed Attorneys should not regularly maintain or store LOPD and case information and documents on personal devices. Employed Attorneys will promptly transfer all LOPD and case information to an appropriate LOPD shared computer drive.
- 3) Immediately prior to an Employed Attorney's voluntary separation from employment with LOPD, the Employed Attorney shall provide the District Defender/ Division Head a current list of all active cases and matters and a transfer memo. The memo will include an up-to-date description of the status of each case or matter the Employed Attorney is working on and shall include relevant deadlines and/or settings. The Employed Attorney shall also provide a list of all cases and matters that they reasonably believe require immediate attention. The District Defender/ Division Head shall be responsible for taking appropriate steps to have the matters reassigned and ensuring all deadlines and settings are covered (including filing substitutions of counsel, notifying clients, running dockets, and any other actions necessary).
- 4) In the event of unexpected death, incapacity, or separation of employment of an Employed Attorney from LOPD, the District Defender/ Division Head shall contact the LOPD-IT department to access all LOPD issued devices and software to access all LOPD records, files, and data. The District Defender/ Division Head will run a list of the Employed Attorney's active cases in the Defender Data case management system. The District Defender/ Division Head will take appropriate steps to identify those requiring immediate attention or action, including any relevant deadlines and/or settings. The District Defender/ Division Head shall be responsible for taking appropriate steps to have the matters reassigned and ensuring all deadlines and settings are covered (including filing substitutions of counsel, notifying clients, running dockets, and any other actions necessary).

  
Bennett J. Baur, Chief Public Defender

9/28/22  
Date