



**NEW MEXICO  
CHIEF HEARING OFFICER  
SELECTION COMMITTEE**

**Solicits applications for the position of:**

**CHIEF HEARING OFFICER**

**SALARY:** \$25.75 - \$63.73 Hourly

\$53,558 - \$132,558 Annually

**JOB TYPE:** Six-Year Term (Governor's Appointee/Exempt Position)

**CLOSING DATE:** February 14, 2022

**LOCATION:** Santa Fe (City)

**PURPOSE OF POSITION:** The Chief Hearing Officer (CHO) manages the Administrative Hearings Office (AHO), which holds administrative hearings on taxation matters pertinent to the Taxation and Revenue Department (TRD). The CHO is responsible for supervising 17 full-time employees (11 attorney-hearing officers and six support staff) in four offices across the state (Santa Fe, Albuquerque, Clovis, and Las Cruces), preparing an annual budget, conducting hearings in the CHO's capacity as a hearing officer, managing the efficient processing of a large AHO caseload, and testifying before the New Mexico State Legislature, as needed.

**JOB DESCRIPTION:** The CHO is charged with administering the AHO; adopting and promulgating rules and procedures pertaining to administrative hearings and consulting with lawmakers and stakeholders on improving the fairness and efficiency of the hearing process; assigning and distributing the work of the AHO; training and evaluating hearing officers' performance; managing individual caseloads and drafting and issuing final decisions and orders (or other dispositive orders) addressing the legal and factual arguments of the respective parties in the CHO's capacity as a hearing officer; reviewing and recommending statutory and regulatory revisions related to the AHO and hearing requirements; drafting and reviewing legal documents; consulting with hearing officers about questions of law and reviewing with hearing officers issues on appeal in the court system; ensuring decisional independence; preparing annual budgets to address financial needs of the AHO; interviewing and making decisions related to hiring and contracting for professional, technical, and support staff and disciplinary actions; preparing reports and summaries; and ensuring confidentiality of taxpayer information. Additionally, the CHO may be responsible for maintaining a law library and other duties as statutorily required.

**ABOUT THE AGENCY:** The AHO was created by statute in 2015. The AHO is created as an independent office separate from the TRD to hold administrative hearings and is administratively attached to the Department of Finance and Administration. The AHO conducts administrative hearings pursuant to the Tax Administration Act, the Property Tax Code, the Implied Consent Act, the Motor Vehicle Code, the Health Insurance Premium Collection Tax Act, exedited proceedings under the Medicaid Provider and Managed Care Act, and other matters as appropriate in a fair, efficient and impartial manner. Upon receipt

of request for hearing from the TRD, the CHO designates a hearing officer and the AHO proceeds with formal hearing procedures within statutory and rule deadlines. The hearing officers hear arguments, permit discovery, entertain and dispose of motions, require written expositions of the case as the circumstances justify and render a decision in accordance with the law and the evidence presented and admitted.

**MINIMUM QUALIFICATIONS:** Candidates must be licensed to practice law in New Mexico or another state and have knowledge of the tax law and substantial experience making the record in an administrative hearing suitable for judicial review.

**PREFERRED SKILLS:** At least three years combined experience with tax law and making the record in administrative hearings suitable for judicial review is preferred. Experience with motor vehicle law, budgeting, general business matters, legal case management databases, general administrative and personnel management is preferred. In addition, candidates should have strong management experience, excellent legal writing and verbal communication skills, strong legal research skills, and strong computer skills in Microsoft Word and Outlook.

**EMPLOYMENT REQUIREMENTS:** Candidates must submit evidence of good standing with every bar in which they are licensed and within one year of hire obtain a New Mexico bar license. Candidates must be current with all tax reporting and payments. A pre-employment background investigation is required and employment is conditional pending results. Employment is conditioned upon acquiring within six weeks of hire and maintaining: 1) a valid New Mexico Driver's License, and 2) a Defensive Driving Course Certificate from the State of New Mexico.

**BENEFITS INFORMATION:** The State of New Mexico provides a competitive employee benefit package that includes: employer paid medical contributions, pension (PERA retirement) contributions, paid leave allowances for vacation days, sick days and paid holidays. Additionally, State employees can take advantage of a Section 457 Deferred Compensation Plan that allows for contributions to a tax-deferred savings program that can be used to supplement their retirement plan. For detailed information on benefits please visit <http://www.spo.state.nm.us/total-compensation.aspx>

**WORKING CONDITIONS:** This position requires sitting for long periods of time, working with a computer screen for most of the work day, bending, stooping, kneeling and/or lifting up to 25 lbs. Incumbent must use a copier, telephone, fax machine and be able to work with his or her hands in handling multiple pieces of paper on a regular basis. Some travel is required.

**CONDITIONS OF EMPLOYMENT:** All working conditions requirements are subject to possible modification to reasonably accommodate individuals with disabilities. The CHO shall be removed from office during the six year term only for malfeasance, misfeasance or abuse of office.

**FLSA STATUS:** Exempt. This position is also exempt from the provisions of the State Personnel Act.

**BARGAINING UNIT:** This position is not covered by a collective bargaining unit.

**CONTACT INFORMATION:** Helen Hecht, Chairperson, Chief Hearing Officer Selection Committee: (505) 328-5486.

Renee Ward, Deputy Secretary, Department of Finance and Administration: (505) 307-4968.

**HOW TO APPLY:** Please submit: 1) letter of interest; 2) résumé detailing applicant's conformance to the minimum qualifications and preferred skills for this position as listed above; 3) evidence of being a licensed attorney in New Mexico or another state and evidence of being in good standing in each state in which licensed to practice law; and 4) names and contact information for three professional references by February 14, 2022 at 11:59 PM to:

[CHO.Applications@state.nm.us](mailto:CHO.Applications@state.nm.us)