

13-2403. Legal malpractice; negligence and standard of care.

A lawyer has a duty to use the same degree of care, skill, and diligence ordinarily used by attorneys under similar circumstances. A lawyer who fails to do so is negligent.

USE NOTES

This instruction should be used in a legal malpractice case in which an attorney's negligence is alleged to have caused injury or harm.

If the case also involves a legal malpractice claim based on a breach of fiduciary duty by the defendant, the instruction for that claim should be given. See UJI 13-2404 NMRA.

[Adopted by Supreme Court Order No. 17-8300-013, effective for all cases pending or filed on or after December 31, 2017.]