

A list of Legal Resources Available On-line for Persons in New Mexico Courts *With Helpful Information on Using the List*

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Prepared for the Community Engagement Implementation Team, Access to Justice Commission
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OVERVIEW

This list is prepared to be used and distributed by community organizations interested in helping potential litigants find assistance with legal problems. It does not provide legal advice. We recommend that persons facing legal problems obtain assistance from an attorney, if possible. Many individuals choose to represent themselves, sometimes with limited help from an attorney.

The Legal Service Providers listed offer free or low-cost services to clients, usually dependent on their income level. Guidelines are often based on a percentage of the Federal Poverty Level, typically 125% or 200%. Many persons who do not qualify for free assistance still cannot afford to pay an attorney, and therefore must either seek an attorney whose assistance is not based on those guidelines or plan to proceed Pro Se, that is, as a Self-Represented Litigant (SRL). This document is intended to help people in each of these categories. We suggest contacting at least one Legal Service Provider, such as New Mexico Legal Aid, to get an initial review of your situation and a reading on your eligibility for free assistance.

The Access to Justice Commission is engaged in several projects intended to improve access to justice in New Mexico. Revamping and better coordinating the websites and resources listed here is underway and will come to fruition in the next couple of years. This document will be updated as changes are made, and new versions will become available at: <https://accesstojustice.nmcourts.gov/access-to-justice-program/atj-resources/legal-resource-guide/>.

A list of New Mexico Legal Service Providers with brief descriptions can be found at the end of this document.

The Access to Justice Commission also sponsored the development of the comprehensive Referral Resource Manual of Civil Legal Services by Disability Rights New Mexico, a detailed source document for legal service providers and the services they provide. It is available at <https://accesstojustice.nmcourts.gov/access-to-justice-program/atj-resources/civil-legal-service-providers/>.

A note about browsers: This document was prepared in Microsoft Word and converted to a PDF document. The links were tested in Word linked to either Google Chrome or Firefox. Some documents on some websites, especially at nmcourts.gov, could not be opened or downloaded with Firefox because they use Java. We suggest using Google Chrome if possible, or another browser compatible with Java.

LAW HELP NEW MEXICO

www.lawhelpnewmexico.org

This website is maintained by New Mexico Legal Aid (NMLA).

Law Help New Mexico provides basic legal information under the Legal Topics and Legal Information tabs. Legal aspects of the COVID-19 crisis (Coronavirus Updates tab) are covered, but much of the information is outdated. Useful agencies and self-help centers are located under the Helpful Links tab.

Legal Aid Attorneys: These are attorneys who work for Legal Aid either directly, under contract, or as *pro bono* volunteers, meaning they provide free services. Some attorneys offer reduced fee services, sometimes called “low bono.” NMLA must abide by restrictions imposed by its funding agencies on the income of those they help and the types of cases that can be represented. Applications for legal help are located on the NMLA website under the Apply for Legal Help tab, or you can apply by calling the helpline at 1-833-545-4357. The application form or intake person will collect information on your income and the nature of your legal problem to determine if you qualify for help. Even those who qualify may not be helped because of funding limitations. If you qualify for free legal aid from NMLA, they may:

- ▶ Assign your case to one of their attorneys for an initial consultation and discussion about the types of services they might be able to provide.
- ▶ Give you written information about your legal rights.
- ▶ Ask you to send them more information about your case.
- ▶ Refer you to a *pro bono* attorney or a self-help center.

PRO BONO AND OTHER ACCESS TO ATTORNEYS FOR PEOPLE OF LIMITED MEANS

Volunteer Attorney Program and Legal Aid

<https://www.newmexicolegalaid.org/node/106/volunteer-attorney-program>

Relatively few attorneys are available and able to do *pro bono* service. Several Judicial Districts have *Pro Bono* Committees that recruit volunteers for the Volunteer Attorney Program and arrange for volunteer attorneys to help with legal clinics, self-help centers, and workshops in collaboration with the courts. Members of the Volunteer Attorney Program from all judicial districts are made available to New Mexico Legal Aid to assign to cases that are taken in through the NMLA intake process.

The Legal Aid Voluntary Attorney Program sponsors monthly Legal Teleclinics featuring free telephone consultation with attorneys for *Pro Se* litigants who meet NMLA guidelines, by appointment. Visit <https://www.newmexicolegalaid.org/node/93/legal-clinics-workshops-around-new-mexico> or call 1-866-416-1922 for more information.

Until recently, there was no further recourse through the Legal Aid Volunteer Attorney Program if a person seeking *Pro Bono* legal services did not qualify for NMLA assistance. In some judicial districts, the district's *Pro Bono* committee itself may assign volunteer attorneys to cases that do not meet the NMLA guidelines. These committees often sponsor free legal clinics or teleclinics similar to those described above; look for them on some district court websites.

A recent development is the Modest Means Helpline, a civil legal and *pro bono* helpline for New Mexico residents of modest means. This program serves members of the public who cannot be assisted by the New Mexico Legal Aid Volunteer Attorney Program due to being over income or otherwise ineligible for NMLA, or due to a conflict of interest, meaning NMLA may have represented another party in your case presently or in a past case. MMH's two staff attorneys provide legal advice over the phone and, if appropriate, may refer the case to *pro bono* attorneys for legal advice up to limited or full representation. The Modest Means Helpline can be reached at 505-797-6013 or 888-857-9935. Phone lines are open Monday through Friday, 8:00am to 5:30pm.

Some people call lawyers they or their friends know and ask for help. Some attorneys will agree to do parts of a case (for example, writing a brief or researching a point of the law) for *pro se* litigants. This is called limited representation. The State Bar Online Bench and Bar Directory allows you to search for attorneys by city or county and practice areas.

<https://www.sbnm.org/For-Public/I-Need-a-Lawyer/Online-Bar-Directory>

Legal Service Providers: The New Mexico non-profit legal service providers listed at the end of this document all have attorneys on staff. The providers are generally specialized (for example, foreclosures, bankruptcies, domestic violence, immigration), so look over the descriptions of providers in the list, visit their websites or call them, and see if you may be eligible for that service. Each program has an intake process similar to the one described above for New Mexico Legal Aid. These lists are available at the following sites:

<https://www.sbnm.org/For-Public/Civil-Legal-Service-Providers-Other-Resources>

<https://www.lawhelpnewmexico.org/node/28/helpful-links>

https://www.nmpovertylaw.org/nmclp_resources/legal-help/

RESOURCES AVAILABLE FROM THE STATE BAR OF NEW MEXICO

State Bar of New Mexico

www.sbnm.org • 505-797-6000 or 1-800-876-6227

The State Bar is the governing organization of all the attorneys in New Mexico. Their website has a number of resources for the public.

▶ Legal Resources for the Elderly Program (LREP)

505-797-6005 or 1-800-876-6657

<https://www.sbnm.org/For-Public/Legal-Resources-for-the-Elderly>

Legal Resources for the Elderly Program is a free, statewide helpline for New Mexico residents aged 55 and older. The program does not have any income restrictions. LREP is a joint project of the New Mexico State Bar Foundation and the New Mexico Aging and Long-Term Services Department.

Examples of civil legal areas for which LREP frequently receives calls are debt problems/bankruptcy; employment issues; foreclosure; kinship guardianship; grandparent visitation; guardianship; landlord/tenant issues; Medicaid long-term care; Medicare; powers of attorney; probate; Social Security Disability; transfer on death deeds; and general estate planning. LREP also offers workshops around the state and has a number of informational legal publications.

▶ Modest Means Helpline

505-797-6013 or 888-857-9935

<https://www.sbnm.org/For-Public/Modest-Means-Helpline>

The Modest Means Helpline is an expansion to the New Mexico Legal Aid Volunteer Attorney Program (VAP) for members of the public who cannot be assisted by the VAP due to being a conflict of interest for New Mexico Legal Aid, over income for NMLA, or otherwise ineligible for NMLA.

The Modest Means Helpline's two staff attorneys provide legal advice by phone and, if appropriate, may refer the case to pro bono attorneys for representation ranging from legal advice to limited or full representation. Helpline staff will also work with the VAP to enable people of modest means or those who are part of NMLA conflicts to be served at court-sponsored legal clinics around the state.

▶ **Online Bench and Bar Directory**

<https://www.sbnm.org/For-Public/I-Need-a-Lawyer/Online-Bar-Directory>

A list of New Mexico attorneys searchable by name, location, areas of practice and other criteria.

▶ **State Bar Workshops and Legal Clinics.**

<https://www.sbnm.org/For-Public/Workshop-Legal-Clinics>

At Legal Clinics, you may meet with an attorney for a free brief consultation and possible further assistance. Workshop topics include consumer debt and bankruptcy, divorce, and common legal issues for seniors.

▶ **Client Protection and Fee Arbitration**

<https://www.sbnm.org/For-Public/Client-Protection-and-Fee-Arbitration>

The Bar has a Client Protection Fund that can reimburse losses associated with the dishonest conduct of lawyers. The Bar also offers a Fee Arbitration program.

NEW MEXICO COURTS

Overview of the Court System

<https://www.nmcourts.gov/court-administration/about-the-courts/>

There are several systems of courts established in New Mexico.

▶ **New Mexico District Courts**

<https://www.nmcourts.gov/nm-courts/>

These are courts of General Jurisdiction, meaning they can accept and make the first decision on every kind of case. Most of this guide is made to prepare individuals to deal with a case in the District Courts. There are several courts of Limited Jurisdiction that one may encounter; some take minor or special cases out of the District Courts, and some hear appeals from the District Courts.

There are 13 Judicial Districts; most have jurisdiction over cases in more than one county or venue. When you begin or file a case, you generally must begin in the District Court that has jurisdiction in the county where you live. Sometimes the other party in your case may file in another district for various reasons, so you will have to respond in that district. There are rules created by the Supreme Court that govern all the District Courts, and some of the courts have special rules that apply only in that district.

▶ **Metropolitan Court**

Only in Bernalillo County, where the Bernalillo County Magistrate Court and Albuquerque Municipal Court were merged. Judges must be attorneys.

▶ **Magistrate Courts**

These are courts of limited jurisdiction, at least one in each county except for Bernalillo. Magistrate courts hear criminal misdemeanors and petty misdemeanors, and felony preliminary hearings. They also hear some types of civil cases, sometimes called small claims court. Many landlord-tenant cases and traffic citations are heard in Magistrate Courts. Magistrate Judges do not have to be attorneys except in Dona Ana County, although many are attorneys.

▶ Municipal Courts

Limited jurisdiction courts in many cities. Municipal Courts hear violations of municipal ordinances, which are petty misdemeanors, mostly traffic citations. Municipal Judges do not have to be attorneys, and most are not.

▶ Probate Courts

In every county, Probate Judges, who are not lawyers, perform some of the functions associated with probating an uncontested will or an estate that had no will.

▶ Court of Appeals

The Court of Appeals hears appeals from decisions in the lower courts. Their decisions may be overruled by the Supreme Court.

▶ Supreme Court

The top court in New Mexico. The Supreme Court hears appeals of all types of cases, usually after a decision in an appeal heard by the Court of Appeals is contested. Some kinds of cases are filed first in the Supreme Court. The Supreme Court also governs the practice of law, supervises the lower courts, and writes the rules of procedure for all the courts with the help of many volunteer commissions.

▶ Tribal Courts

Each Pueblo and Tribe is a sovereign nation under U.S. Law. Each Pueblo or Tribe has its own tribal courts and associated procedures. Some New Mexico tribal courts put their statutes and rules online. A few do not have western-style courts, and legal issues are settled according to tribal custom. See more under Forms and Tribal Courts below.

▶ Federal Courts

<https://www.nmd.uscourts.gov/representing-yourself-pro-se>

Bankruptcy, immigration, and federal benefits are not in the jurisdiction of the state courts discussed. Some of the legal services providers listed can assist with these issues. The New Mexico Federal District Court has a *pro se* help page at the link above.

COURT-MANDATED FORMS AND SELF-HELP SERVICES

Self-Help Website

<https://self-help.nmcourts.gov/>

The Administrative Office of the Courts (AOC, reporting to the Supreme Court) maintains a useful Self-Help website that can be used to learn how to navigate the court system, locate forms needed to file with a court, and instructions for using the forms. The website also connects individuals to the Self-Help websites of individual District Courts, the Court of Appeals, the Supreme Court, and Bernalillo County Metro Court. Those courts also may have Self-Help desks, usually located in the courthouses, where one can get information in person about the court. A comprehensive list of court self-help centers and services is available on the Access to Justice website:

<https://acesstojustice.nmcourts.gov/access-to-justice-program/atj-resources>

The Self-Help website also has other useful information, described below:

Supreme Court Law Library: This tab has links to statutes (state laws), court rules of procedure, administrative rules, city and county ordinances (laws), case lookup (for finding case numbers and other

information on current and past cases), tribal law, and other legal information. There are also useful links to providers and self-help resources, many of which contain information also found in this guide.

Self-Help Guide: A detailed guide with helpful information and links.

Public Access Help: There are two ways to locate case information online: Case Lookup and SOPA. Instructions for both of these are available under this tab.

Guide and File: An application that helps people fill out and file case documents.

Forms: The New Mexico Supreme Court has mandated that Self-Represented Litigants (people who intend to appear in court without an attorney, also called pro se litigants) use forms provided by the court in many kinds of cases. Select the tab for the type of court your case is in – District, Magistrate, Municipal, Probate, Metropolitan. Use a Java-friendly browser to download the forms.

Tribal Courts: The Tribal Courts tab in the forms section has only two forms and no other information. Directly contacting the tribal court is the best way to find information. There are complex interactions between tribal courts and New Mexico courts depending on the tribal membership status of the parties and the nature of the dispute. Child custody is particularly problematic, and the advice of a New Mexico attorney is critical, especially for non-tribal members.

Most tribes with western-style courts allow New Mexico attorneys to practice in tribal courts if they apply and pay minimal fees. Some tribal courts certify lay members of the tribe. DNA People's Legal Services, Native American Disability Law Center, and New Mexico Legal Aid have attorneys who practice in some tribal courts on some kinds of issues. Otherwise, contacting the particular tribal court is a way to find a qualified attorney. The Tribal Law and Policy Institute hosts the Tribal Court Clearinghouse, a website that lists for all tribal courts in the country websites and phone numbers as well as tribal codes and constitutions

<http://www.tribal-institute.org/lists/justice.htm>

The UNM School of Law Tribal Law Journal publishes an online Tribal Courts Handbook that has information and links to all the New Mexico tribal courts.

<https://digitalrepository.unm.edu/tlj/vol6/iss1/>

There are downloadable PDF Handbooks for each tribal court. Some Tribes and Pueblos offer special programs, and some have legal assistance available.

In general, note that the forms available at **www.nmcourts.gov** are different depending on the court (District, Magistrate, Municipal, etc.). Be sure to pick the appropriate tab for the type of court you're in to find the forms you need. Visiting the website for the specific court (for example, 3rd Judicial District or Sandoval County Magistrate) is a useful way to find important local rules and the availability of self-help services.

AMERICAN BAR ASSOCIATION FREE LEGAL ANSWERS

<https://abafreelegalanswers.org>

ABA Free Legal Answers is a virtual legal advice portal where qualifying users request brief advice about a specific legal issue, and pro bono volunteer attorneys provide information and basic legal advice. Users can submit up to three questions a year. Questions must be specific and submitted in written form. Answers will be provided in written form at a later time. This is a very limited form of help – there are no discussions about problems or strategies, and nothing leading to actual representation.

LIST OF PROVIDERS AND BRIEF DESCRIPTIONS AS OF DECEMBER 2022

Advocacy Inc.

Advocacy Inc. serves at-risk children and youth from birth to 18 years by providing legal advocacy and support through legal representation for children in foster care or state custody, and guardianship, adoption, and guardian ad litem services.

www.nmadvocacy.org • 505-266-3166

Catholic Charities Center for Immigration & Citizenship Legal Assistance

The Center for Immigration and Citizenship Legal Assistance helps file legal paperwork for legal permanent residents seeking to gain U.S. citizenship, for refugees seeking to gain U.S. legal permanent resident status, and for DACA recipients.

www.ccasfm.org • Albuquerque: 505-724-4670 • Santa Fe: 505-424-9789

Catholic Charities Domestic Violence and Sexual Assault Survivor Immigration Services

Catholic Charities Domestic Violence and Sexual Assault Survivor Immigration Services provides free representation to immigrant victims of domestic violence, sexual assault, and child sexual abuse to obtain lawful status. This program helps qualifying immigrants who have been victims of domestic violence or sexual abuse seek protections from deportation under the Violence Against Women Act.

<https://www.ccasfm.org/dvsasis.html> • 505-724-4670

Catholic Charities of Southern New Mexico

Catholic Charities of Southern New Mexico provides pro bono or low-cost bilingual immigration legal services to residents of the 10 southern counties of New Mexico. They help victims of crime, including domestic violence. In addition, they provide counseling and referrals for those with financial needs, and they offer monetary assistance to the poor.

<https://catholiccharitiesdlc.org/> • Las Cruces: 575-527-0500 • Roswell: 575-622-1636

City of Albuquerque Office of Civil Rights

The Office of Civil Rights investigates and advises on discrimination complaints in the areas of housing, employment, and public accommodations within the City of Albuquerque. The office is dedicated to the protection and promotion of human rights, human dignity, and equal access and opportunities for all members of the Albuquerque community. The office also offers non-discrimination technical assistance and training for employers and landlords/tenants. Services are free of charge.

www.cabq.gov/civilrights

Dial 311 (505-768-2000) and ask for civil rights assistance, or call 505-768-4595

Disability Rights New Mexico

From offices in Albuquerque, Las Cruces and Las Vegas, Disability Rights New Mexico uses legal, administrative, and other remedies to protect and expand the legal and civil rights of people with disabilities. DRNM also works to protect the rights of students with disabilities to special education.

www.drnrm.org • 505-256-3100

DNA - People's Legal Services

DNA uses legal assistance, advice and representation in U.S. and tribal courts to help people living in poverty protect their property and assets, stay safe from physical, mental, and financial abuse, avoid exploitation, and safeguard their civil rights. DNA promotes tribal sovereignty and offers community legal education programs.

www.dnalegalservices.org • Intake: 1-833-362-1102

DNA Administrative Office: 928-871-4151 • Farmington: 505-325-8886

Enlace Comunitario

Through direct civil legal services, pro se advocacy and related social services, Enlace provides free services to Spanish-speaking immigrants who are victims of domestic violence or in need of divorce, child custody, or child support.

www.enlacenm.org • 505-246-8972

Homeless Legal Clinics

The State Bar Young Lawyers Division operates homeless legal clinics in Albuquerque, Las Cruces, and Santa Fe. Volunteer attorneys staff the clinics, provide legal information and advice, and refer clients to low income or *pro bono* legal service programs at the following locations:

Albuquerque:

Albuquerque Healthcare for the Homeless
1217 1st St NW, Albuquerque, NM 87102
Third Thursday of each month from 9:00am – 11:00am

Las Cruces:

Mesilla Valley Community of Hope Shelter, coordinated by the New Mexico Center on Law and Poverty
999 W. Amador Ave, Las Cruces, NM 88005
575-523-2218

Santa Fe:

St. Elizabeth Shelter
804 Alarid St, Santa Fe, NM 87505
Tuesdays from 10:00am – 12:00pm
505-982-6611

Legal Resources for the Elderly Program

LREP is a free legal helpline for New Mexicans aged 55 and older seeking help with civil legal matters including consumer debt and bankruptcy, employment, foreclosure, kinship guardianship, grandparent visitation, guardianship, landlord/tenant, Medicaid for long-term care, Medicare, powers of attorney, probate, Social Security Disability, Transfer on Death Deeds, and general estate planning.

<https://www.sbnm.org/For-Public/I-Need-a-Lawyer/Legal-Resources-for-the-Elderly>
800-876-6657 or 505-797-6005

Modest Means Helpline

The Modest Means Helpline is a civil legal telephone helpline and pro bono referral service for New Mexico residents of modest means. The Modest Means Helpline was created through the efforts of the Access to Justice Commission, the State Bar of New Mexico, and the New Mexico State Bar Foundation. The Modest Means Helpline's two staff attorneys provide legal advice by phone and, if appropriate, may refer the case to *pro bono* attorneys for representation ranging from legal advice to limited or full representation.

<https://www.sbnm.org/For-Public/Modest-Means-Helpline>
505-797-6013 or 888-857-9935

Native American Disability Law Center

The Native American Disability Law Center is a private nonprofit law firm that provides free legal assistance to Native Americans with disabilities to ensure that they have access to justice and are equal members of their communities. The Law Center uses a coordinated approach of individual representation, systemic advocacy, and community education to address important issues unique to Native Americans with disabilities.

www.nativedisabilitylaw.org • **800-862-7271 or 505-566-5880**

New Mexico Center on Law and Poverty

The New Mexico Center on Law and Poverty is a statewide nonprofit law firm dedicated to advancing economic and social justice through education, advocacy, and litigation. The Center offers representation in the courts, the legislature, and public institutions on a broad range of issues including public education, healthcare, public benefits, workers' rights, and fair lending. The Center represents a limited number of individual clients.

<https://www.nmpovertylaw.org> • **505-255-2840**

New Mexico Legal Aid

New Mexico Legal Aid is a statewide civil legal services organization that provides free legal services to eligible low-income residents, and victims of violence regardless of income level. Most people served have incomes below 125% of Federal Poverty Guidelines. Types of services include brief legal services, legal advice, extended representation, outreach, and community legal education. Focus areas include public benefits, affordable housing, domestic violence and family law, foreclosure, landlord/tenant, migrant farmworkers, veterans, and consumer rights.

<https://www.newmexicolegalaid.org/> • **1-833-545-4357 (1-833-LGL-HELP)**

New Mexico Immigrant Law Center

The NMILC provides free and low-cost immigration information and legal assistance to low-income individuals. The agency works to ensure economic security, protection from persecution and domestic violence, and assists asylum seekers, unaccompanied minors, immigrants facing deportation, and DACA recipients with attaining US citizenship, permanent residency, or work authorization.

www.nmilc.org • 505-247-1023

Pegasus Legal Services for Children

Pegasus provides free or low-cost civil legal services to children and their caregivers, including young parents, homeless and runaway youth, grandparents raising grandchildren, families of children requiring special education services, victims of child abuse and neglect, and children in foster care.

www.pegasuslaw.org • 505-244-1101

Senior Citizens' Law Office

The Senior Citizens' Law Office (SCLO) provides a full range of legal services to people 60 and older in Bernalillo, Sandoval, Torrance, and Valencia counties. Focus areas include healthcare, public benefits, housing, advance directives, neglect and exploitation, guardianships, uncontested grandparent adoptions, and consumer issues. Estate planning is offered at a reduced fee, including wills, uncontested simple probates, and transfer on death deeds.

<https://sclonm.org/> • 505-265-2300

Southwest Women's Law Center

The Southwest Women's Law Center is a nonprofit policy and advocacy law center that focuses on advancing opportunities for women and girls in New Mexico by eliminating gender bias and discrimination and lifting women and their families out of poverty by ensuring access to: quality, affordable healthcare, equal pay, economic security for survivors of domestic violence, sports programs for middle and high school girls, and comprehensive reproductive healthcare information.

<https://swwomenslaw.org/> • 505-244-0502

UNM School of Law, Economic Justice Clinic

The Economic Justice Clinic offers *pro bono* legal help on the following issues (varies from semester to semester): immigration, employment, wills, family law, social security, healthcare, wage theft, eviction, and natural resources. They conduct an initial interview and then decide if they can take on the case.

<https://lawschool.unm.edu/clinic/index.html> • 505-277-5265

United South Broadway Corporation

The Fair Lending Center provides free legal representation, HUD-certified housing counselors and educational workshops to low-income homeowners facing foreclosure and assists homeowners seeking loan modification or loss mitigation.

www.unitedsouthbroadway.org • 505-764-8867

Court Self-Help Centers

For a list of Self-Help Websites, including State District Courts and Bernalillo County Metropolitan Court, see <https://self-help.nmcourts.gov/>

For a map of the state's district courts, see <https://www.nmcourts.gov/nm-courts/>

To report errors or changes in this document contact George Chandler
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