

# JUSTICE FOR ALL

NEW MEXICO ACCESS TO JUSTICE COMMISSION  
MONTHLY NEWSLETTER

## SPOTLIGHT



The New Mexico Center on Law and Poverty (NMCLP) is a legal advocacy organization that works on system-wide issues that are important to families. Founded more than 27 years ago, NMCLP provides legal services, community education, and policy advocacy. By partnering with communities in New Mexico, NMCLP fosters impactful long-term changes to address economic injustices and encourage opportunities for everyone. Some of the critical issues NMCLP focuses on include:

**Healthcare**-*Ensuring access to affordable healthcare.* NMCLP advocates for groundbreaking policies to help people access health coverage, prevent medical debt, and defend patients against unlawful collection practices.

**Education**-Representing students and families to ensure that all children have opportunities to learn and succeed. NMCLP works with New Mexican communities to identify actionable strategies to improve educational outcomes for all students.

**Housing & Economic Equity**-*Combating the housing crisis and wrongful debt collections.* NMCLP advocates for renters in New Mexico, including mobile home park residents, to protect tenants' rights and prevent unlawful evictions.

**Food & Income Security**-*Ensuring that New Mexicans are able to access public assistance programs quickly and easily.* NMCLP connects people with state agencies and advocates for better support for families experiencing financial hardship.

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## ATJ AND REPRESENTATION

### Mental Health Commitment and Right to Counsel

A right to legal counsel is the principle that in legal proceedings, when particular liberties are at risk, a person is entitled to have a lawyer even if they are not able to pay for a lawyer. New Mexico recognizes this right to counsel in several scenarios, including the most common example of a public defender representing a person charged with a crime and facing a loss of liberty.

One less commonly known circumstance in which a person has a right to counsel is when a person is being subject to a mental health commitment. Similar to a criminal case in which a person may be facing a loss of their liberty by incarceration, a mental health commitment poses a risk of loss of liberty through forced confinement into a residential or habilitation program for mental health purposes against one's will. Such a commitment can result when the person is found to be "a danger to themselves or others." All U.S. states have laws that permit involuntary commitment for mental health purposes. New Mexico utilizes a threshold of "the likelihood of serious harm to oneself or serious harm to others" as the basis for involuntary commitment.

New Mexico law requires the appointment of legal counsel if a person does not have an attorney and cannot afford legal representation. Across New Mexico, attorneys are appointed to represent individuals subject to civil commitment. Those attorneys represent the expressed interest of their client, present evidence, cross-examine witnesses, and otherwise ensure that the government has met its burden by clear and convincing evidence that the person should be

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**Workers' Rights**-Collaborating with workers for fair pay and working conditions. NMCLP helps workers enforce their rights to wage theft protections, leave and benefits, workplace safety, and Unemployment Insurance.

**Civil Legal Services**-Expanding civil legal services statewide. NMCLP partners collaboratively with fellow legal service providers, the courts, and other stakeholders to ensure access to justice for all.

NMCLP's work is focused on fueling critical systemic change for all New Mexicans. With support from ATJ, NMCLP created a comprehensive [Financial Resource Guide](#) outlining the programs and services that are available to help families reduce debt and meet different financial expenses like groceries, medical needs, child care, and more.

You can learn more about their work by reading their most recent impact report at [www.nmpoertylaw.org/our-impact](http://www.nmpoertylaw.org/our-impact).

You can also follow them on [Facebook](#) and [Instagram](#).

NMCLP is grateful for donations that support their work so please see their webpage regarding their mission, their donation policy, and their work at [www.nmpoertylaw.org/donate](http://www.nmpoertylaw.org/donate). 🍃



committed against their will and there is not an appropriate, less restrictive course of action. Please contact Twila Hoon at [goctah@nmcourts.gov](mailto:goctah@nmcourts.gov) if you are an attorney who would like to become involved in providing representation for adults and children in civil commitment proceedings.

In addition to court-appointed attorneys, New Mexico has several civil legal service providers dedicated to protecting the rights of individuals with disabilities including, but not limited to, Disability Rights New Mexico, as well as the Native American Disability Law Center. Advocacy and systemic change are also sought by organizations such as the New Mexico Developmental Disabilities Council. In 2022, the New Mexico Supreme Court, recognizing the significant need for access to justice for people with mental health issues in various legal proceedings and for improving their access to services, formed the Commission on Mental Health and Competency. The Commission was given an objective that included promoting "the fair treatment of affected individuals," improving "public safety" and providing "proper education and training to judges, lawyers, court staff, and cross-system partners." Please contact Scott Patterson-Alatorre at [aocsjp@nmcourts.gov](mailto:aocsjp@nmcourts.gov) or go to <https://www.nmcourts.gov/nmsc-commission/> for more information or to participate in Commission meetings. 🍃

**ATJ Commission  
Next Meeting  
December 8, 2023 (Hybrid)**  
Please  
Pre-register for in-person  
attendance

## COMMUNITY WEBINARS

— will resume in Spring 2024 —

Watch all Community Webinars on the  
NM Courts YouTube Channel  
[@NewMexicoCourts](#)

Questions, submissions,  
and requests for  
accommodations can be  
sent to Tessa and Twila  
at [atj@nmcourts.gov](mailto:atj@nmcourts.gov)



**The NM Commission on Access to Justice (ATJ) is an independent, statewide body dedicated to expanding and improving civil legal assistance in the state.**

## UPCOMING EVENTS

### [Free Bankruptcy Workshop hosted by SBNM](#)

December 13, 2023

Visit <https://www.sbnm.org> for more information

### [Divorce Options Workshop hosted by SBNM](#)

December 6, 2023

Visit <https://www.sbnm.org> for more information

### [Senior Citizens Law Office Legal Clinic](#)

December 6, 2023

Highland Senior Center

Visit <https://sclonm.org/events/upcoming/>

### [LREP: Estate Planning, Probate, and Institutional Medicaid Workshop](#)

Free Online Legal Clinic

December 12, 2023

Visit <https://newmexicolegalaid.org/events/>

Registratrion link:

[https://us06web.zoom.us/webinar/register/WN\\_CJyZJmLsR4SvfE2ldJMN6g#/registration](https://us06web.zoom.us/webinar/register/WN_CJyZJmLsR4SvfE2ldJMN6g#/registration)

### [Divorce Options Workshop hosted by SBNM](#)

December 6, 2023

Visit <https://www.sbnm.org> for more information

### [NMILC Wednesday Workshop](#)

Each month, on the 3rd Wednesday, the NM Immigrant Law Center hosts a walk-in workshop focused on DACA and Green Cards.

visit: <https://www.nmilc.org/daca>

### [Bernalillo County Metropolitan Court](#)

December 8, 2023 Teleclinic

Each month, on the 2nd Friday, Metro holds Teleclinics. To participate, parties can call the Self-Help Office at 505-841-9817

COMING SOON

Statewide Legal Fair and Clinic Calendar re-launch

Please email [atj@nmcourts.gov](mailto:atj@nmcourts.gov) to have your event added to the calendar

## ATJ NEWS

In early November our Access to Justice Chair, the Hon. Erin B. O'Connell, presented with our Four-Corner partners at the National Meeting of State Access to Justice Commission in Columbus, Ohio. The meeting, and presentation, were well attended and Judge O'Connell was able to highlight several initiatives from New Mexico.



Other states were especially interested in NM's Modest Means Helpline, the work undertaken on scribing, the outreach to the public partnership with state libraries by our very own Community Outreach workgroup, and the Rural Justice Initiative currently in development. Other states featuring their work included Ohio's Justice Bus, and Oregon's work towards forming an Access to Justice Commission and announcing its new bar exam alternative, which includes an experiential pathway as well as a supervised practice pathway. More information can be found in the Oregon Public Broadcasting's daily newsletter or on the Oregon State Bar website.



**Want to highlight your civil legal service program? A pro bono event? ATJ efforts in your district? Tell us about it! [atj@nmcourts.gov](mailto:atj@nmcourts.gov)**