

**IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

**April 28, 2006**

**NO. 06-8500**

**IN THE MATTER OF THE APPROVAL OF THE REPORT OF  
THE NEW MEXICO COMMISSION ON ACCESS TO JUSTICE**

**ORDER**

**WHEREAS**, this matter came on for consideration by the Court upon request of the New Mexico Commission on Access to Justice to adopt the recommendations presented in its revised report dated April 17, 2006;

**WHEREAS**, the Commission has presented this Court with compelling data, which continues to demonstrate that there is a severe shortage of civil legal assistance available to low income New Mexicans. For example, the Commission estimates that less than twenty percent of the legal needs of low income New Mexicans are being met;

**WHEREAS**, the types of problems not being met include: domestic violence, family law, housing, health access, consumer problems, benefits, education and employment issues; and

**WHEREAS**, the Court believes this issue demands immediate action, and the Court having considered the request of the Commission and being sufficiently advised, Chief Justice Richard C. Bosson, Justice Pamela B. Minzner, Justice Patricio M. Serna, Justice Petra Jimenez Maes, and Justice Edward L. Chávez concurring;

NOW, THEREFORE, IT IS ORDERED that the recommendation hereby is ADOPTED as follows:

**Pro Bono Plan**

1. This Court assumes oversight of a *Pro Bono* Plan through the New Mexico Commission on Access to Justice;
2. This Court shall establish district court *pro bono* committees; and
3. This Court supports the creation of a funded support staff to be housed at the State Bar of New Mexico and shall assist in obtaining funding.

IT IS FURTHER ORDERED that the Commission hereby is AUTHORIZED to coordinate efforts to recruit *pro bono* attorneys and volunteers, to coordinate efforts of the State Bar of New Mexico, local committees, and legal aid providers to establish a website to offer and facilitate *pro bono* opportunities, and to promote recruitment of law students for *pro bono* service;

IT IS FURTHER ORDERED that the Commission's proposed amendments to Rule 16-601 NMRA, concerning the reporting of *pro bono* hours and an annual goal of fifty (50) hours of *pro bono* work or an annual contribution of \$500.00 (or a combination of work and donation), shall be referred to the Code of Professional Conduct Committee for review, in consultation with the Commission's co-chairs, if necessary, and to submit proposed rule amendments to this Court; and

IT IS FURTHER ORDERED that the Commission's proposed amendments to Rule 18-201 NMRA, concerning Minimum Continuing Legal Education credit for providing *pro bono* services, shall be referred to the Minimum Continuing Legal Education Board for review, in consultation with the Commission's co-chairs, if necessary, and to submit proposed rule amendments to this Court.

**Pilot Project for Uniform Free Process Procedures for Civil Cases**

IT IS FURTHER ORDERED that the current pilot project testing a uniform means of obtaining free process in civil cases shall continue until **November 1, 2006**, in the Second Judicial District Court, the Bernalillo County Metropolitan Court, and the New Mexico Court of Appeals using the forms contained in Appendix 3 of the Commission's revised report dated April 17, 2006;

IT IS FURTHER ORDERED that, as the current pilot project proceeds, the Commission shall coordinate with the chairs of the Rules of Civil Procedure Committee, the Rules for Courts of Limited Jurisdiction Committee, and the Rules of Appellate Procedure Committee to review the forms in Appendix 3 of the Commission's revised report dated April 17, 2006, as may be necessary and appropriate in light of feedback received during the period of the pilot project; and

IT IS FURTHER ORDERED that on or before **November 1, 2006**, the Commission shall coordinate with the chairs of the Rules of Civil Procedure Committee, the Rules for Courts of Limited Jurisdiction Committee, and the Rules of Appellate Procedure Committee to submit proposed rule amendments to this Court for implementing a uniform means of obtaining free process in civil cases.

**Staffing Needs of the Commission on Access to Justice**

IT IS FURTHER ORDERED that the Administrative Office of the Courts hereby is AUTHORIZED to include in its fiscal year 2008 appropriation request to the Legislature an expansion request totaling \$100,000 for a full time employee dedicated

to staff the Commission.

**Funding Needs for Civil Legal Services for Low Income Individuals**

FURTHER, this Court acknowledges the need for funding for civil legal services for low income individuals, including funding for *pro se* services.

DONE at Santa Fe, New Mexico, this 28th day of April, 2006.

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Chief Justice Richard C. Bosson

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Justice Pamela B. Minzner

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Justice Patricio M. Serna

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Justice Petra Jimenez Maes

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Justice Edward L. Chavez