



Administrative Office of the Courts

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SUPREME COURT WORK GROUP TO CONSIDER NON-ATTORNEY OPTION FOR PROVIDING CIVIL LEGAL SERVICES IN NEW MEXICO

SANTA FE – A work group formed by the state Supreme Court will consider whether New Mexico should authorize a new non-lawyer practitioner to provide civil legal services to people unable to afford an attorney.

The group is to submit a report to the Court by Jan. 1, 2020 on allowing licensed legal technicians and other possible changes in court rules and programs to improve the availability of legal services in the state.

“Consideration of a limited legal technician is part of an initiative for advancing judicial excellence in New Mexico to make it easier for the public to access court services, reduce delays in resolving cases and more efficiently operate courts by streamlining case processing and simplifying our court structure,” said Chief Justice Judith Nakamura.

“Specially trained legal professionals without a full law license offer a promising option for affordable legal services in civil matters to low- and moderate-income New Mexicans and in rural areas with a lack of attorneys,” said District Judge Donna J. Mowrer of the 9th Judicial District of Curry and Roosevelt counties, the chair of the Supreme Court working group.

Twenty-one percent of New Mexico’s counties have five or fewer lawyers and two counties – Harding and De Baca – have no attorneys, the Supreme Court said in an order issued earlier this week creating the work group. A third of the state’s counties have 10 or fewer attorneys. [Click here](#) for a map showing the distribution of attorneys in New Mexico.

“The need for legal service providers to address unmet legal needs in New Mexico is felt most acutely beyond the Rio Grande corridor and throughout rural New Mexico,” the Court said in its order.

Increasing numbers of New Mexicans are representing themselves in civil legal matters. In the 2018 fiscal year, 51 percent of the newly filed civil cases in district courts had at least one party without an attorney. That's up from 36% in fiscal year 2011.

Washington State was the first state to provide for a limited license legal technician to assist people in certain cases — divorce, child custody and family law matters. The non-attorney legal providers, who are not required to have law degrees, can file court documents and advise clients without the supervision of an attorney but cannot appear in court. In Washington, legal technicians must have an associate degree in any subject and complete a specific amount of credit hours in legal studies from an approved program.

Members of the work group are: Emmalee Atencio, representing the State Bar of New Mexico Paralegal Division; George Chandler, a Los Alamos attorney and commissioner on the New Mexico Commission on Access to Justice; April Land, a University of New Mexico School of Law professor who teaches primarily in the community lawyering clinic; Cindy Lovato-Farmer, an Albuquerque attorney who is chair of the state Board of Bar Examiners; Susan Page, an Albuquerque attorney; Steven Scholl, an Albuquerque attorney; William Slease, chief disciplinary counsel of the New Mexico Disciplinary Board; Scot Stinnett, publisher and editor of the DeBaca County News; Kathy Ulibarri, executive director of New Mexico Independent Community Colleges; and Katharine Winograd, president of Central New Mexico Community College, which offers a paralegal program.

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