

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

2 **July 15, 2020**

3 **NO. 20-8500-026**

4 **IN THE MATTER OF THE**
5 **REPORT AND RECOMMENDATIONS**
6 **ON INNOVATIONS TO ADDRESS THE**
7 **ACCESS TO JUSTICE GAP IN NEW MEXICO**

8 **ORDER**

9
10 WHEREAS, on May 13, 2019, this Court established the Ad Hoc New
11 Mexico Licensed Legal Technicians Work Group (the Workgroup) to develop
12 recommendations for addressing the chronic shortage of legal services and unmet
13 legal needs in New Mexico;

14 WHEREAS, on December 23, 2019, the Workgroup submitted a thoughtful
15 and thorough report (the Workgroup Report) to this Court with a number of
16 recommendations to address the persistent access to justice gap in New Mexico,
17 which the Workgroup attributes to three underlying causes: (1) a lack of legal
18 services in rural and underserved areas, (2) the high cost of legal services, and (3)
19 generational changes contributing to a declining number of attorneys available to
20 address the unmet legal needs of low-income and moderate-income New
21 Mexicans. *See Innovation to Address the Access to Justice Gap: Report to the New*
22 *Mexico Supreme Court of the Ad Hoc Licensed Legal Technicians Workgroup*
23 (December 23, 2019);

1 WHEREAS, the Workgroup recommends addressing the access to justice
2 gap in New Mexico through a complementary combination of short-term and long-
3 term initiatives that would (1) develop a program for recruiting and retaining
4 qualified attorneys dedicated to the delivery of legal services to rural New Mexico;
5 (2) implement a court navigator pilot program that would provide direct, person-
6 to-person assistance to self-represented litigants; and (3) continue the careful study
7 and data-driven research needed to effectively evaluate the viability and
8 advisability of licensing non-lawyers to provide limited legal services in New
9 Mexico; and

10 WHEREAS, in light of the foregoing, and the Court having considered the
11 report and recommendations of the Workgroup and being sufficiently advised;
12 Chief Justice Judith K. Nakamura, Justice Barbara J. Vigil, Justice Michael E.
13 Vigil, Justice C. Shannon Bacon, and Justice David K. Thomson concurring;

14 NOW, THEREFORE, IT IS ORDERED that the Workgroup's report and
15 recommendations are ACCEPTED and shall be implemented as set forth in this
16 order;

17 IT IS FURTHER ORDERED that this Court hereby ESTABLISHES the Ad
18 Hoc Committee for the Recruitment and Retention of Attorneys for Rural New
19 Mexico, which shall be comprised of the following persons:

20 Hon. Donna J. Mowrer
21 Ninth Judicial District Court

1
2 Sophie S. Martin, Executive Director
3 Board of Bar Examiners

4
5 Joseph F. Sawyer, Esq.
6 Chair of Board of Bar Commissioners Statewide Rural Outreach Committee

7
8 Prof. Joseph A. Schremmer
9 University of New Mexico School of Law

10
11 Lindsay Cutler, Esq.
12 State Bar of New Mexico Young Lawyers Division

13
14 Rep. Dayan Hochman-Vigil
15 New Mexico House of Representatives

16
17 Dr. Jamie Laurenz, Vice President of Academic Affairs
18 Eastern New Mexico University

19
20 Grace Spulak, Committee Staff
21 Administrative Office of the Courts

22 IT IS FURTHER ORDERED that Hon. Donna J. Mowrer is appointed as
23 chair of the Ad Hoc Committee for the Recruitment and Retention of Attorneys for
24 Rural New Mexico until further order of the Court;

25 IT IS FURTHER ORDERED that the Ad Hoc Committee for the
26 Recruitment and Retention of Attorneys for Rural New Mexico shall submit a
27 proposal to this Court on or before August 1, 2021, for recruiting and retaining
28 attorneys to provide legal services in rural New Mexico consistent with
29 Recommendations One and Three of the Workgroup Report, which may include
30 proposals for a loan forgiveness program, a rural law opportunity program, and

1 other incentives for attorneys to live and work in rural New Mexico;

2 IT IS FURTHER ORDERED that the Director of the Administrative Office
3 of the Courts shall form a Court Navigator Committee, which shall be comprised
4 of the following persons:

5 Hon, Joshua Allison
6 Second Judicial District Court

7
8 Hon. Mercedes Murphy
9 Seventh Judicial District Court

10
11 Hon. Sarah Weaver
12 Eleventh Judicial District Court

13
14 Beth Gillia
15 Judicial Education Center

16
17 Paula Couseulo
18 Administrative Office of the Court Language Access Services Division

19
20 Aja Brooks
21 Second Judicial District Court Self-Help Center Director

22
23 Renee Valdez
24 Bernalillo County Metropolitan Court Self-Help Center Director

25
26 Lewis Creekmore
27 New Mexico Legal Aid

28
29 Susan Page, Esq.
30 Albuquerque, New Mexico

31 IT IS FURTHER ORDERED that the Court Navigator Committee shall
32 select a chair from among its members and shall submit a pilot-program proposal
33 to this Court on or before December 31, 2020, for implementing the use of court

1 navigators in New Mexico courts consistent with Recommendation Two of the
2 Workgroup Report. The pilot-program proposal shall include the following:

- 3 1. The proposed duration of the pilot program;
4
- 5 2. The proposed method for recruiting, selecting, training, and supervising
6 court navigators for the pilot program;
7
- 8 3. At least two proposed judicial districts who have confirmed their willingness
9 to operate a pilot program with the assistance of the Administrative Office
10 of the Court; and
11
- 12 4. A method for evaluating the effectiveness of the pilot program and for
13 recommending any changes needed for a successful statewide rollout of a
14 court navigator program by December 31, 2021;
15

16 IT IS FURTHER ORDERED that this Court hereby ESTABLISHES the Ad
17 Hoc Committee to Study the Feasibility of Licensed Legal Technicians in New
18 Mexico, which shall include the following persons:

19 Steven S. Scholl, Esq.
20 Dixon, Scholl & Bailey, P.A., Albuquerque NM
21

22 Kenneth (Kip) Bobroff, Esq.
23 Albuquerque, NM
24

25 Bonnie Stepleton
26 University of New Mexico School of Law
27

28 William D. Slease, Chief Disciplinary Counsel
29 Disciplinary Board
30

31 Ernestina Cruz, President
32 State Bar of New Mexico
33

34 Richard Spinello, Executive Director
35 State Bar of New Mexico

1
2
3
4
5
6
7
8
9
10
11
12

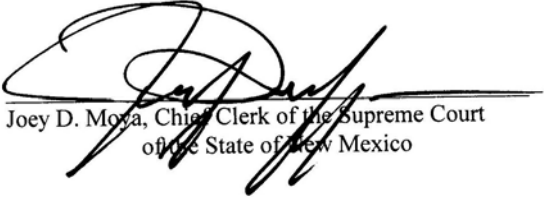
IT IS FURTHER ORDERED that Steven S, Scholl and Kenneth (Kip) Bobroff are appointed as co-chairs of the Ad Hoc Committee to Study the Feasibility of Licensed Legal Technicians in New Mexico until further order of the Court; and

IT IS FURTHER ORDERED that the Ad Hoc Committee to Study the Feasibility of Licensed Legal Technicians in New Mexico shall submit a report to this Court on or before August 1, 2021, consistent with Recommendation Four of the Workgroup Report, and the report shall include data-driven recommendations on whether to implement a program for licensed legal technicians or other legal paraprofessionals in New Mexico.

IT IS SO ORDERED.



WITNESS, the Honorable Judith K. Nakamura, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 15th day of July, 2019.


Joey D. Moya, Chief Clerk of the Supreme Court
of the State of New Mexico