

1 **LR3-207. Reopening cases; filing fees.**

2 [Related Statewide Rules 1-004, ~~[and]~~ 1-005, 1-005.1, 1-041, and 1-099 NMRA]

3 A. **Closed files.** After a final judgment, decree, or order of dismissal has been entered,
4 the Court Executive Officer or designee shall close the court file.

5 B. **Certificate to reopen.** To reopen a closed case, the attorney or pro se party shall
6 file a certificate of reopen status with the new pleading in a form approved by the district court for
7 that purpose.

8 C. **Service of pleadings on reopening case.**

9 (1) If ninety (90) or more calendar days have passed since the final disposition
10 of the case, service on the opposing party must be accomplished under Rule 1-004 NMRA for
11 personal service.

12 (2) If fewer than ninety (90) calendar days have passed since the final
13 disposition of the case, service on the opposing party or opposing party's attorney, if the opposing
14 party is represented, may be accomplished under Rule 1-005 NMRA or Rule 1-005.1 NMRA.

15 **D. Filing fees for reopened case.**

16 (1) **Case reopened within thirty (30) days of case closing for lack of**
17 **prosecution or any other reason.** If the case is reopened for any reason within thirty (30) days of
18 being closed for lack of prosecution under Rule 1-041(E)(2) NMRA or any other reason, then there
19 is no filing fee owed for reopening the case.

20 (2) **Case reopened more than thirty (30) days of case closing for lack of**
21 **prosecution.** If the case is reopened more than thirty (30) days after being dismissed for lack of
22 prosecution under Rule 1-041(E)(2), then a filing fee shall be paid unless the party reopening the
23 case applies for and is granted free process.

1 (3) Case reopened when no filing fee owed. There shall be no filing fee owed
2 to the court to reopen a case under the following circumstances under Rule 1-099(B)(1)-(4)

3 NMRA:

4 (a) a party is filing into the case within ninety (90) days of the final
5 disposition of the case;

6 (b) the parties are submitting a stipulated order or other request for
7 action that may be performed by the clerk of the court;

8 (c) a party is filing a motion seeking to correct a mistake in the
9 judgment, order, or record; or

10 (d) a motion to enforce a child support order.

11 (4) Case reopened when filing fee owed. A filing fee is owed by a party under
12 the following circumstances, unless they apply for and are granted free process:

13 (a) post-decree relief is sought in addition to or other than enforcement
14 of a prior child support order; and

15 (b) a party is filing ninety (90) days or more after a final disposition of
16 the case and is not filing within the categories enumerated in Subparagraph (D)(3) of this rule and
17 Rule 1-099(B)(1)-(4).

18 [Adopted by Supreme Court Order No. 16-8300-015, effective for all cases pending or filed on or
19 after December 31, 2016; as amended by Supreme Court Order No. S-1-RCR-2024-00057,
20 effective for all cases pending or filed on or after March 13, 2026.]