

1 **LR3-115. Exhibits and witnesses for evidentiary proceedings.**

2 A. **Rule scope.** This rule shall apply to all civil and criminal evidentiary proceedings
3 whether held before a judge, a domestic violence special commissioner, a domestic relations
4 hearing officer, a child support hearing officer, or a special master.

5 B. **Exhibits.**

6 (1) A pre-numbered exhibit list describing each exhibit shall be submitted to all
7 other parties at least ten (10) calendar days before a motion hearing and to the court two (2)
8 business days before the scheduled motion hearing or such other time as may be set by the court.

9 (2) ***Production of exhibits.***

10 (a) Actual exhibits shall be made available to all counsel and each pro
11 se party for examination no less than five (5) calendar days before a motion hearing.

12 (b) To the court:

13 (i) For in person hearings, the attorneys or the pro se parties
14 shall bring the court's copies of the exhibits for the court to the hearing to be tendered at the time
15 of the hearing.

16 (ii) For remote hearings, the attorneys or the pro se parties shall
17 deliver a hard copy of the exhibits to the court no later than two (2) days, excluding intermediate
18 Saturdays, Sundays, and legal holidays, before the time the motion hearing is scheduled to begin.

19 (c) Each exhibit shall be numbered separately. The exhibits shall be
20 numbered Plaintiff's or Petitioner's No. 1, 2, 3, etc.; Defendant's or Respondent's No. A, B, C,
21 etc.

22 (d) Drawings by experts and non-experts shall be prepared before
23 motion hearings and made available to all counsel and each pro se party along with exhibits.

1 (e) The parties shall notify each other, in writing, of objections to each
2 other’s exhibits two (2) business days before a motion hearing. A copy of the objections shall be
3 given to the court one (1) business day before the motion hearing, and objections will be considered
4 by the court at such time as may be set by the court. Any exhibit not objected to may be admitted
5 into evidence at the motion hearing and may be referred to and shown to the court during opening
6 statements.

7 **C. Witnesses.**

8 (1) It is the responsibility of each party to subpoena that party’s witnesses.

9 (2) A separate witness list shall be exchanged by all parties at least ten (10)
10 calendar days before a motion hearing and a copy delivered to the court two (2) business days
11 before the scheduled motion hearing or at such other time as may be directed by the court. No
12 witnesses, including expert witnesses, may be permitted to testify if the witness has not been
13 disclosed as required by this rule except rebuttal witnesses or when good cause has been shown.

14 (3) Objections to witnesses shall be made known to each party in writing two
15 (2) business days before the motion hearing and to the court one (1) business days before the
16 scheduled motion hearing.

17 (4) Each party is responsible to have witnesses available as needed and to
18 obtain interpreters, in accordance with Rule 1-103 NMRA and LR3-116 NMRA, as may be
19 required at the time of the motion hearing.

20 [Adopted by Supreme Court Order No. S-1-RCR-2024-00057, effective for all cases pending or
21 filed on or after March 13, 2026.]