

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

2   **August 2, 2021**

3       **NO. 21-8300-004**

4       **IN THE MATTER OF THE ADOPTION**  
5       **OF NEW RULES 1-003.3 AND 1-054.2 NMRA**  
6       **OF THE RULES OF CIVIL PROCEDURE**  
7       **FOR THE DISTRICT COURTS AND**  
8       **CIVIL FORMS 4-227 AND 4-712 NMRA**  
9       **FOR PRE-FILING AND PRE-JUDGMENT**  
10       **REQUIREMENTS IN FORECLOSURE ACTIONS**

11   **ORDER**

12               WHEREAS, this matter having come on for consideration by the Court upon  
13       recommendation to adopt new rules and forms for certain pre-filing and pre-  
14       judgment requirements to promote the fair and orderly administration of foreclosure  
15       actions in New Mexico;

16               WHEREAS, a significant increase in the number of foreclosure actions filed  
17       in New Mexico state courts is expected when current federal moratoriums on  
18       foreclosure actions expire; and

19               WHEREAS, in light of the foregoing, and the Court having considered the  
20       recommendation and being sufficiently advised, Chief Justice Michael E. Vigil,  
21       Justice C. Shannon Bacon, Justice David K. Thomson, and Justice Julie J. Vargas  
22       concurring;

23               NOW, THEREFORE, IT IS ORDERED that new Rules 1-003.3 and 1-054.2  
24       of the Rules of Civil Procedure for the District Courts and new Forms 4-227 and 4-  
25       712 NMRA of the Civil Forms are ADOPTED;

26               IT IS FURTHER ORDERED that the above-referenced new rules and forms  
27       shall be **effective for all cases filed on or after September 7, 2021;**

28               IT IS FURTHER ORDERED that the list of resources referenced in Form 4-  
29       227 NMRA should be substantially in the form of the list of resources posted on the

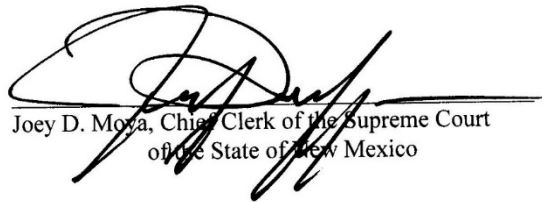
1 New Mexico Judiciary website (see also Attachment 1 to this order); and

2 IT IS FURTHER ORDERED that the Clerk of the Court is authorized and  
3 directed to give notice of the above-referenced new rules and forms by publishing  
4 them in the *Bar Bulletin* and *New Mexico Rules Annotated*.

5 IT IS SO ORDERED.



WITNESS, the Honorable Michael E. Vigil, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 2nd day of August, 2021.

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

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## **HOMEOWNER HELP RESOURCES**

- **HOUSING COUNSELING AND LEGAL SERVICES**

- United South Broadway Corporation (USBC)
  - (505) 764-8867
  - <https://www.unitedsouthbroadway.org/>
  - 1500 Walter St., SE, Albuquerque, NM 87102
- Southwest Neighborhood Housing Services
  - (505) 243-5511
  - <https://www.nhsfalb.org/>
  - 6301 Fourth St., NW, Albuquerque, NM 87107
- Senior Citizens Law Office (SCLO)
  - (505) 265-2300
  - <http://sclonm.org/>
  - 4317 Lead Ave., SE, Suite A, Albuquerque, NM 87108
- New Mexico Legal Aid (NMLA)
  - (833) 545-4357
  - <https://www.newmexicolegalaid.org/>
  - 505 Marquette Ave., NW, Albuquerque, NM 87102
- New Mexico Center on Law & Poverty
  - <http://nm-poverty-law.org/find-services-and-benefits/legal-help/>

- **ATTORNEY REFERRAL**

- State Bar of New Mexico Lawyer Referral
  - (505) 797-6066 or (800) 876-6227, option 2
  - <https://www.sbnm.org/For-Public/I-Need-a-Lawyer/State-Bar-General-Referral>
- Legal Resources for the Elderly Program (55+)
  - (505) 797-6005 or (800) 876-6657
  - <https://www.sbnm.org/For-Public/I-Need-a-Lawyer/Legal-Resources-for-the-Elderly>

- Albuquerque Bar Association Lawyer Referral
  - (505) 243-2615
- **PUBLIC ASSISTANCE FUNDS**
  - New Mexico Homeowner Assistance Fund
    - (505) 308-4206 or (866) 488-0498
    - <https://www.housingnm.org/static/homeowner-assistance-fund>
- **FEDERAL GOVERNMENT RESOURCES**
  - **Consumer Financial Protection Bureau (CFPB)**
    - If you are a homeowner struggling to pay your mortgage, you may have more time to seek mortgage forbearance and foreclosure relief. Learn about mortgage relief options during the coronavirus pandemic.
      - <https://go.usa.gov/xHXQW>
  - **HUD**
    - [https://www.hud.gov/coronavirus?utm\\_medium=email&utm\\_source=govdelivery](https://www.hud.gov/coronavirus?utm_medium=email&utm_source=govdelivery)
    - [https://www.hud.gov/program\\_offices/housing/sfh/nsc/lossmit](https://www.hud.gov/program_offices/housing/sfh/nsc/lossmit)
    - [https://www.hud.gov/topics/avoiding\\_foreclosure](https://www.hud.gov/topics/avoiding_foreclosure)
  - **FNMA**
    - <https://www.fanniemae.com/here-help-homeowners>
    - <https://www.knowyouroptions.com/loanlookup>
  - **Freddie Mac**
    - <https://myhome.freddie.mac.com/getting-help/>
    - <https://myhome.freddie.mac.com/getting-help/relief-for-homeowners.html>
    - <https://loanlookup.freddie.mac.com/>
  - **USDA**
    - <https://www.rd.usda.gov/newsroom/news-release/usda-extends-foreclosure-and-eviction-moratorium-single-family-housing-direct>

- VA
  - <https://www.va.gov/housing-assistance/home-loans/trouble-making-payments/>
  - If you're having difficulty making your mortgage payment, contact your loan servicer right away. This is your chance to find a solution that might work for your scenario. If you're nervous about contacting your servicer, or if you'd like our help and advice, please contact a VA loan technician at [877-827-3702](tel:877-827-3702).