

**LR1-104. ~~[Return check charge.]~~ Tendering money to and disbursing money from the court;
insufficient funds checks; refunds; daily jury receipt.**

[Related to Statewide Rule 1-102 NMRA and Section 34-6-36 NMSA 1978]

~~[Any person submitting a check that is returned by a financial institution for insufficient funds shall be required to reimburse the court for all service charges.]~~

A. Court order or statute required. The clerk shall not accept or disburse money unless under court order, rule, or statute.

B. Form of tender. Any tender of any type of bond, litigant funds, or eminent domain funds shall be in the form of cash, money order, cashier's check, certified check, or government agency warrant. Any tender for fees and other payments may be in the form of cash, money order, cashier's check, certified check, credit card, debit card, government agency warrant, attorney trust or operating account check, or law firm check. Personal checks shall not be accepted.

C. Insufficient funds checks. The court shall refuse checks from attorneys, law firms, or agencies who have previously presented insufficient funds checks. On written request, the chief judge may waive this requirement. The clerk shall assess a service charge consistent with what the financial institution charges the court on checks which are returned for any reason. This requirement shall not be waived.

D. Fee refunds. Filing fees will not be refunded unless ordered by the court for good cause shown. Court clinic assessment fees in domestic relations court cases will not be refunded unless ordered by the court for good cause shown.

E. Daily jury fee receipt. The party or parties requesting a jury trial must present their receipt for payment of the daily jury fee to the assigned judge before the trial will continue as a jury trial each day.

LOCAL RULES
RULE LR1-104

Supreme Court Approved
November 1, 2022

1 [As amended, effective January 1, 1998; LR1-211 recompiled and amended as LR1-104 by
2 Supreme Court Order No. 16-8300-015, effective for all cases pending or filed on or after
3 December 31, 2016; as amended by Supreme Court Order No. 22-8300-021, effective for all cases
4 pending or filed on or after December 31, 2022.]