

**Access to Justice Commission
First Judicial District Local Pro Bono Committee
Annual Report for the Period
January 2008 to December 2008**

I. MEMBERSHIP AND ORGANIZATION REPRESENTED

First Judicial District Court

Chairperson: Judge Raymond Z. Ortiz; 827-5083; sfedrzo@nmcourts.com

Members: Celia A. Ludi, Esq.; 827-5072; sfedcal@nmcourts.com
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II. MISSION STATEMENT

Ascertaining the most pressing legal needs of pro se litigants in the First Judicial District. Identifying and implementing programs and services to be offered both by court employees and by private attorneys that best address those needs.

III. NEEDS ASSESSMENT AND PRIORITY AREAS

- a. Briefly describe the process used to determine the priority legal needs of persons of limited means in the district.

Discussions with the seven judges in the First Judicial District as well as with court personnel and members of the Committee.

- b. List the priority legal needs to be addressed by the district pro bono plan.

- Assistance to pro se litigants in family law cases arising out of Santa Fe, Rio Arriba and Los Alamos counties, including those captioned as DM and DV cases.

- Availability of forms for all areas of family law and domestic violence at no or very low cost;

-Availability of general forms for CV cases;

-Availability of general information (but not legal advice) in the Courthouse;

- Development of a project to assist low-income persons with consumer debt issues;

-Implementation of a foreclosure mediation project.

See Subsections IV.a.1-14 for further discussion of the evolving First District programs.

The focus has been preliminarily on Family Law and domestic violence cases since pro se litigants in these types of cases comprise the majority of pro se cases pending in the First Judicial District Court. Pro se litigants comprise approximately sixty to seventy percent of the Family Court docket, with the volume of pro se litigants having substantially increased in 2008, corresponding with the onset of the recession. The substantial numbers of pro se litigants parallels the volume of cases assigned to the primary Family Court judge (Division III, Raymond Ortiz), which has well exceeded 11,500 cases over a three-year period.

The court has established a Self Help Center to provide general information and forms to all members of the public. Some pro se assistance programs have been established in Family Law areas. The intent is to add programs focusing on other areas of civil practice, e.g. landlord tenant, housing, consumer and related issues.

Areas of significant expansion have focused on two key topics related to pro bono assistance with consumer and debt collection issues. See detailed discussion below at Subsections IV.a. 2 and 3.

- c. Describe the process by which “persons of limited means” will be established.

The First Judicial District Court did not historically request income information of litigants coming to our Self Help Center for assistance, since the focus was to be absolutely and completely service oriented by providing all available information to all litigants in our Court. However, brief information to determine approximate income levels is now being requested from persons seeking assistance at the Court’s Self Help Center. It is important to note that all persons who come to our Self Help Center for assistance are served regardless of income, and they are not refused assistance if they refuse to provide the requested information.

- d. List any significant needs that the district pro bono committee is unable to address.

Programs to address the following critical issues: poverty; literacy; limited English proficiency; the erosion of family and cultural values; increases in drug abuse and addiction; unemployment; crime; domestic violence; loss of critical family support due to military deployment, death, incapacitation, incarceration and other loss of an immediate family member, all of which materially contribute to the plight of litigants involved not only in Family Law cases but in other matters such as housing and consumer litigation.

IV. SHORT TERM GOALS AND PRIORITIES (NEXT 6 MONTHS) TO ADDRESS THE PRIORITY LEGAL NEEDS AND TO ENCOURAGE LAYWERS TO PARTICIPATE

- a. Briefly describe the plan to utilize voluntary pro bono attorney resources to address priority legal needs of persons of limited means.

1. Pairs of volunteer experienced family law attorneys are meeting with pro se litigants just prior to scheduled hearings on Motions for Order to Show Cause in DM cases in Family Court to help the litigants settle their differences if possible. Order to Show Cause hearings were selected since these typically involve an inordinately high number of pro se litigants. There are usually 3-5 days per month allocated largely to such hearings. As part of the process on these days, the litigants are offered the opportunity for a discussion facilitated by the attorney pairs to resolve their issues on their own. If resolution is achieved, the attorneys involved prepare a proposed Stipulated Order and accompany the litigants into the courtroom to read the proposed settlement into the record and present the Order for approval and/or modification by the Court. If resolution is not achieved, the litigants proceed with the hearing as scheduled, on their own.

This program has been quite successful. In a typical day it is not uncommon for approximately ten cases to be settled or partially settled. In some instances litigants have spoken directly to one another outside the courtroom for the first time in several years, often resolving matters not only concerning the motion(s) at hand but other motions pending on the Court's docket. Even in those instances where cases are not settled, the issues are often clarified and narrowed, thereby rendering court time more effective.

Particular praise is due to volunteer attorneys Sylvia LaMar and Barbara Kazen for proposing and developing the program, for recruiting, training, organizing as well as for scheduling the other attorneys necessary for effectively implementing the program.

2. All attorneys in the First Judicial District were contacted by Judge Ortiz (through email facilitated by the State Bar) to gauge their interest in and willingness to offer pro bono assistance with consumer and debt collection issues. Litigation in this area has been increasing, again as a result of the recession. The survey letter emphasized the Supreme Court's mandate that each attorney should aspire to render at least fifty hours of pro bono service per year pursuant to Rules 16-601 and 24-108. As further inducement for attorney participation, the letter offered free training to attorneys who would commit to assisting low-income litigants with debt management and collection issues, emphasizing that this represented an opportunity to expand an attorney's practice at no cost while providing pro bono services that would satisfy the Supreme Court's directives. A copy of the survey letter is included as Attachment A hereto. One thousand seventy-three attorneys were contacted, and 42 responded.

3. The New Mexico Legal Aid (NMLA) office in Santa Fe arranged to provide free training to attorneys who will commit to assisting low-income clients

with debt management and collection issues. The initial training was conducted on January 30, 2009, at the First Judicial District Courthouse by Rob Treinen, an attorney who specializes in consumer law, at no charge to participating attorneys. Follow-up training to cover what might be done in some cases to pursue a more affirmative case may also be offered; in some cases the follow-up work would provide fees or compensation to the attorney. After completing the training, the NMLA will refer cases to the attending attorneys. The syllabus of the first training session is included hereto as Attachment B.

Particular praise is due to Margret Carde, an attorney with New Mexico Legal Aid in Santa Fe, for organizing the debt collection training session and offering to assist attorneys taking on pro bono cases in this area as well as to Rob Treinen for presenting the training.

4. A foreclosure mediation project is under development as part of the Court's existing ADR Program. An important feature of the foreclosure mediation program is foreclosure-specific mediation training for settlement facilitators already on the Court's list, with training to be coordinated by Celia Ludi, the Court Constituent Services Director in the First District, and David Levin, the Court Alternatives Director in the Second District. Such training would include presentations by attorneys and lenders. A separate foreclosure-prevention public education program, possibly in conjunction with other with other non-court agencies, is also under discussion.

Particular praise is due to Celia Ludi for conducting research on foreclosure mediation programs in other states, for organizing meetings necessary to discuss the feasibility of such a program in the First District, as well as for its implementation.

5. Volunteer private attorneys present free monthly Pro Se Family Law Clinics at which attendees may obtain general information regarding the law and procedures in divorce and parentage cases in New Mexico. In 2008, approximately 59 people attended the Clinics. Attendance has risen steadily every month. Starting in January 2009, the Court has partnered with the Santa Fe Community College Paralegal Studies Program to hold the monthly Family Law Clinic at SFCC and include assistance offered by the paralegal students in forms completion. Consideration is being given to expanding the clinics to include domestic violence matters as well as enforcement issues (typically failure to pay child support or failure to abide by a parenting plan).

Particular praise is due to Patricia Finn, Director of the Paralegal Studies Program at the Santa Fe Community College for working with the First District to provide forms completion assistance at the Clinics.

6. Private attorneys offer free ½ hour consultations by vouchers obtained by pro se Family Law litigants who attend the Pro Se Family Law Clinics. In 2008, 52 vouchers were distributed and 10 were redeemed.

7. The Court's Alternative Dispute Resolution Program offers settlement facilitation in DM, CV, and PB cases at reduced or no fee when a party would

qualify for free process. Qualified settlement facilitators are attorneys with training and experience in mediation techniques who apply for inclusion on the Program's list. The fee schedule established by the Court for settlement facilitation through the ADR Program is already very modest: \$500.00 for the first four hours, and \$125.00 per hour for the next four hours; if the case hasn't settled in that time and the parties want to continue, they and the settlement facilitator make their own fee arrangements. In most cases, the fee is split and paid equally by the parties. Most requests for free or reduced-cost settlement facilitation are in DM cases.

8. Legal Education seminars are being organized by members of the Committee. These seminars will be on various topics and will be presented at the Court or through a bar association. The intent here is to make the recorded presentations available an aid to attorneys who are contemplating some pro bono service and do not feel they are sufficiently experienced in a particular practice area. The first of these seminars is described in 3 above and Attachment B.

9. In cases where a litigant is either represented by a legal aid provider or an attorney on a pro bono basis, fee waivers are typically granted.

10. Previously, private non-attorney mediators in the Santa Fe area were part of a separate settlement conference panel. This panel was instituted partially out of concern that attorneys on the existing panel would not be able to address the volume of cases assigned and partially from the concept that non-attorney mediators would provide a new perspective that might help resolve cases. However, difficulties arose with the non-attorney mediation panel in that both pro se litigants as well as those with attorneys seemed reluctant to participate in a settlement facilitation process conducted by non-attorney mediators. This aspect of the program was accordingly discontinued in 2008.

11. The Committee has considered having volunteer attorneys donate time to pro se litigants for one-on-one sessions at the courthouse. This has been tried previously with only extremely limited positive results. Generally, pro se litigants have not in the past presented themselves during the scheduled pro se group times resulting in significant frustration for the attorneys who had volunteered their time. A possible change could be establishing specific appointment times for each pro se litigant and pairing that litigant with a volunteer attorney at the courthouse for an appointment that has been scheduled in advance. This revised approach may be tried if the redemption of vouchers discussed in item 6 above materially increases, thereby suggesting an increasing need for such one-on-one consultation.

12. The Legal Aid office in Santa Fe has also volunteered to train inexperienced attorneys in selected Family Law matters as a means of encouraging participation in the Committee's activities. However, the limitation here is that due to severe limitations in funding, the Santa Fe Legal Aid Office is significantly understaffed and has extreme difficulty meeting the needs of those who qualify for its services. Thus, time devoted to training could detract from the time necessary to prepare and present cases of its clients.

13. An intern from UNM Law School was recently brought in to assist Judge Ortiz in Family Court, especially with the high number of pro se cases in that court. The intern assisted the Court by producing orders arising from hearings and conducting any necessary research in cases where there are pro se litigants on both sides. The experience proved so productive that another law student intern will be brought in during 2009.

14. As a last resort, if the combination of the above measures does not adequately address the emerging crisis presented by the burgeoning numbers of pro se litigants in Family Court, consideration is being given to assigning 1-2 pro bono cases per year to attorneys who have made an appearance in Family Court.

- b. Briefly describe the plan to encourage more lawyers in the district to provide voluntary pro bono service and/or contribute to a civil legal aid organization.

Subsections 1-8 and 11-12 immediately above set out the core opportunities available to lawyers in the First District. Lawyers will be personally contacted to inform them of the opportunities for pro bono service, invited to participate in associated training programs and requested to provide pro bono services.

V. LONG TERM GOALS AND OBJECTIVES (NEXT 2 YEARS) TO ADDRESS PRIORITY LEGAL NEEDS AND TO ENCOURAGE LAWYERS TO PARTICIPATE:

- a. Briefly describe the plan to develop activities and programs to expand the utilization of voluntary pro bono attorney resources to address the civil legal needs of persons of limited means in the district.

Essentially this includes continuation and expansion of the successful programs described in Subsections IV.a. 1-14.

To the extent possible, there may be expansion of programs for litigants who are Spanish speakers by recruiting experienced Family Law practitioners who are fluent in Spanish or by making the Court's interpreter available for out-of-court programs (to the extent feasible and consistent with impending budget cuts).

Offer clinics for domestic violence as well as family court enforcement matters (relating to child support, parenting plan issues as well as counseling matters).

Develop a referral program that would match low-income clients with volunteer attorneys for services ranging from forms completion and review to complete representation in family law cases.

The Court has established a Self Help Center staffed by one full-time court employee. The Center is located just outside the Court Clerk's Office on the ground floor of the Courthouse. It includes a semi-secluded work area where pro

se litigants can fill out forms while they are in the Courthouse. It also includes two computers loaded with child support guidelines software. Approved plans are now in place for the new courthouse in the First Judicial District that include a significantly expanded area on the first floor for a Self Help Center.

- b. Briefly describe the plan to address obstacles to voluntary pro bono service by lawyers in the district and describe long- term recruitment plans.

Many private attorneys in the First Judicial District are solo practitioners, or are members of very small firms and cannot afford to take on complete representation of pro bono clients. Unbundling of legal services is key to increasing pro bono service by these attorneys. To the maximum extent permitted by the Supreme Court, the Committee will continue its efforts to identify ways for attorneys to provide limited services to pro bono clients.

Another obstacle is overcoming actual or perceived lack of familiarity in areas of law experiencing high numbers of pro se litigants (e.g., Family Law, Domestic Violence, Consumer Law and Debt Collection). This will be addressed by trainings that are focused, practical and accessible, to be provided for attorneys willing to commit to pro bono assistance. The consumer law and debt collection training outlined in Attachment B is part of this process.

Since the First District has a relatively small but experienced Family Law bar, personal contact is the most effective way to recruit attorney volunteers in this area.

Because attorneys practicing in the consumer protection area represent a very small percentage of the First District bar, the letter survey to all attorneys in the District outlined at Attachment A was deemed the best way to increase the number of attorneys willing to engage in pro bono work in these areas.

VI. FUNDING REQUIREMENTS

- a. Briefly describe 2009 funding requirements for resources needed to further implement your pro bono plan, and the resulting detriment to your program without such funding. (There is no guarantee that funding can be made available.)
 - 1. \$4,800.00 for an attorney administrator to design, implement, and manage a referral program that matches low-income clients and volunteer attorneys for services ranging from forms completion and review to complete representation in family law cases. These funds would pay for a Program Manager at approximately \$40.00 per hour for 10 hours per month
 - 2. \$3,120.00 for administrative support to establish procedures to ensure adequate monitoring and follow-up for assigned cases and to measure client satisfaction described in Section VIII.a and collect the data requested in Section X.b. These funds would pay for a Administrative Assistant 2 at approximately \$26.00 per hour for 10 hours per month. If funding is not available for administrative support, these activities may not occur.

3. \$1,000.00 for mortgage foreclosure mediation training materials (approximately 50 sets of 200-page notebooks, at \$.10 per page). Mortgage foreclosure is a very specific practice area, and the feedback from settlement facilitators is that they are willing to do it, even for no fee, but they need training before they would feel competent. The Supreme Courts of New Jersey and Ohio have foreclosure mediation programs in place, and have shared their training materials, which are extensive. The FJDC would develop its own, less extensive, materials based on these.
4. Funding to record legal education training presentations for attorneys who are unable to attend in person.

Due to substantial budget constraints in the First District as a result of the hiring freeze and other budget cuts, if funding is not available for administrative support, the programs outlined above cannot be implemented effectively. Since Court staff has been significantly reduced, remaining employees are often required to perform the work of others in addition to their own and thus cannot be reasonably assigned the above program duties. In addition, the Court is not in a position to provide basic costs (e.g. postage and copying) to support the work of the Committee.

VII. RESOURCES COMMITTED BY THE DISTRICT PRO BONO COMMITTEE PARTICIPANTS

- a. List the participant and nature of resources committed to the district voluntary pro bono attorney plan by all legal assistance providers that are to participate in the district pro bono plan and provide coordination and administrative support to pro bono attorneys in the district.

The First District Court Constituent Services Division (CCSD) provides an ADR Program, Pro Se Services, and limited ad hoc administrative support for the Pro Bono Committee. The ADR Program offers settlement facilitation by qualified attorneys; the foreclosure mediation project will also be part of the ADR Program. Pro Se Services includes the Self Help Center, the Pro Se Family Law Clinics, and the voucher program. The Division is staffed by a part-time attorney Director, a part-time Administrative Assistant as well as a full-time Legal Office Specialist in the Self-Help Center.

The ADR Program maintains a list of qualified attorneys with mediation training who are referred cases for settlement facilitation. All the attorneys on the list have agreed that for every five paid cases they are referred, they will provide free settlement facilitation in one case as requested. The settlement facilitators have been offered the opportunity to volunteer with the Show Cause hearing preparation program in lieu of individual case facilitation. See Subsection IV.a.1 above for additional discussion.

New Mexico Legal Aid staff attorneys, particularly Margret Carde, have organized the consumer debt collection presentation referenced in Attachment B

and have offered to assist pro bono attorneys where such assistance is deemed necessary.

- b. Where more than one legal aid provider organization exists within the district, describe the plan for cooperation and coordination that avoids duplication among such providers.

Not applicable.

VIII. SUPPORT FOR PRO BONO ACTIVITIES

- a. In implementing the district pro bono plan, the following support services are available (check all available). Please provide brief description of activities for all checked responses.

Providing intake, screening and referral of prospective clients.

Provided on a limited basis by New Mexico Legal Aid, Family Court Services and Court Constituent Services.

Matching cases with individual attorney expertise, including establishment of specialized panels.

Provided by Court Constituent Services by virtue of settlement facilitation panels. This only applies in cases where a Request for Referral to Settlement Conference has been filed.

Providing resources for litigation and out-of-pocket expenses for pro bono cases.

The Self Help Center offers many free forms as well as \$10 specific forms packets for parentage cases and eight types of divorce cases. Fee waivers are usually granted in cases where litigants are represented by Legal Aid or pro bono attorneys, and where pro se litigants have filed applications for free process or for fee reductions or waivers for mediation or settlement facilitation. The Consumer Debt training described in Subsection IV.a.3 provided litigation resources for attorneys who committed to accepting referrals for pro bono assistance. The First District and its Pro Bono Committee have no funds to provide for other out-of-pocket expenses for pro bono cases.

Providing legal education and training for pro bono attorneys in specialized areas of law useful in providing pro bono legal services.

Education and training is addressed in the type of seminar described in Attachment B. The First District and its Pro Bono Committee have no funds to provide for other legal education and training for pro bono attorneys.

- Providing the availability of consultation with attorneys who have expertise in areas of law with respect to which a volunteer lawyer is providing pro bono legal service.

Vouchers for a free half-hour consultation with a volunteer attorney are available to attendees of the free Pro Se Family Law Clinics. Consultation in certain consumer debt cases will be provided through the consumer debt referral project described in Subsection IV.a.3. In addition, New Mexico Legal Aid attorneys will be available on a limited basis consistent with their obligations to existing clients as well as with extremely limited funding. Unless its Funding Request (Subsection VI.a.1) is granted, the First District and its Pro Bono Committee have no funds to provide for other consultation or representation referrals to pro bono attorneys.

- Providing malpractice insurance for volunteer pro bono lawyers with respect to their pro bono legal service.

The Committee does not have the resources to provide malpractice insurance. However, to the extent pro bono attorneys are referred to or by New Mexico Legal Aid, there is a possibility of such coverage through the Legal Aid malpractice carrier.

- Establishing procedures to ensure adequate monitoring and follow-up for assigned cases and to measure client satisfaction.

Unless its Funding Request (Subsection VI.a.2) is granted, the Committee does not have the funds available for this purpose.

- Recognizing pro bono legal service by lawyers.

This is done informally at meetings and more formally in this Report.

Perhaps at a statewide function, it would be appropriate to formally recognize those individuals who have rendered outstanding service in aid of their respective Committees as well as outstanding provision of pro bono services.

- Other.

- b. Describe any other significant services being provided for pro bono activities.

None besides those described in Subsections IV.a.1-14 and V.a.,

IX. PRO BONO SERVICE OPPORTUNITIES

- a. The district pro bono plan offers the following opportunities through which lawyers can participate in providing pro bono legal service to persons of limited means (check all that apply): Please provide brief description of activities for all checked responses.

Representing clients through case referral.

Provided by New Mexico Legal Aid on a very limited basis. Unless its Funding Request (Subsection VI.a.1) is granted, the First District and its Pro Bono Committee have no funds to provide for other consultation or representation referrals to pro bono attorneys.

Interviewing prospective clients.

Same as above.

Acting as co-counsel on cases or matters with legal aid providers and other pro bono lawyers.

Same as above.

Providing consultation services to legal aid providers for case reviews and evaluations.

This is contemplated as part of the consumer debt project described in Attachment B to the extent legal aid attorneys participate in the seminar.

Providing limited representation.

Unbundling of services is encouraged. In particular, in Family Court withdrawal orders are readily signed by Judge Ortiz as a means of encouraging attorneys to offer pro bono services on a limited basis.

Providing pro se assistance.

The Self Help Center provides extensive assistance to pro se litigants in accordance with proposed Rule 23-113 and as referenced in Section V.a.

Conducting a clinic for self-represented litigants.

Monthly free Pro Se Family Law Clinics conducted as referenced in Subsection IV.a.5.

Participating in policy, systemic advocacy, and activities which improve the law and the legal system.

Providing training to staff of legal aid providers and other pro bono attorneys.

The consumer debt project described in Attachment B is intended to provide such training.

- Making presentations to groups of persons of limited means regarding their rights and obligations under the law.

Clinics conducted as referenced in Subsections IV.a.4 and 5.

- Providing legal research.

In accordance with proposed Rule 23-113, court employees do not provide legal research for members of the public. The Self Help Center does, however, offer informative flyers and other pre-printed information.

- Providing guardian ad litem services.

- Providing mentoring to law students and new lawyers.

To the extent of their participation in the consumer debt project.

- Providing public education.

To the extent that such education is offered in the clinics referenced in Subsection IV.a.4 and 5.

- Providing assistance in the formation and operation of legal entities for groups of persons of limited means.

- Participating in Bar committees or on boards of pro bono committees or legal service programs.

The work of the First District Pro Bono Committee as indicated in this report.

- Serving as a mediator or arbitrator at no fee to the client-eligible party.

Attorneys on the First District settlement panel provide services at reduced or no fee in selected cases.

- b. List other pro bono service opportunities provided under the district pro bono plan:

See Subsections IV.a. and Subsection V.

- c. Describe the activities which encourage the division of responsibility of pro bono activities among the courts, the local bar association, the private bar, legal aid providers, and the public:

See Subsections IV.a. and Subsection V.

- d. Describe the activities under the pro bono plan designed to encourage lawyers who cannot or do not choose to contribute their time to pro bono legal service to persons of limited means to make monetary contributions in order to satisfy their pro bono professional responsibility:

None at the present time. The Committee relies upon collections for these purposes made by the State Bar as part of annual dues as well as collections by the Equal Access to Justice organizations.

X. NUMBER OF PERSONS BENEFITTED BY PRO BONO EFFORTS

- a. Provide the number of persons seeking pro bono assistance during the report period.

In 2008, CCSD's Self-Help Center staff sold 450 divorce forms packets and 148 parentage forms packets, (starting in October 2008, packets sold at \$10.00 instead of \$5.00 each, because the packets were substantially revised and expanded, including explicit instructions for each form). Staff also provided 5,207 miscellaneous free forms. Staff in the Center responded to 371 requests for help in completing various forms; reviewed documents for 64 persons; answered 2,229 procedural questions, answered 1,886 miscellaneous inquiries and 2,198 requests for general directions. SHC staff also set hearing dates for interim income allocation of income and expenses in 414 cases. These figures do not include the forms and requests for help received by the Court Clerk's Office until October 2008.

Fifty-nine persons attended the free Pro Se Family Law Clinics.

Fifty-two vouchers for a free half-hour consultation with a volunteer attorney were issued, and ten were redeemed.

A related service for litigants in DM cases, although not provided by lawyers, is Family Court Services for mediation of child custody issues and, where necessary, formulation of recommendations to the Court on custody and timesharing matters, with fees set on a sliding fee scale.

The focus of the data for Family Court Services is on cases referred rather than on the number of requests for information and related responses to such inquiries. The number of cases (mediations, priority consultations, and advisory consultations) addressed by Family Court Services in 2008 was 1,019, all on a sliding fee scale. Since the cases addressed by Family Court Services involve parenting disputes, at a minimum the number of individuals served in each case would include the two parents and at least one child. Accordingly, the number of individuals served was at least 3,057. Note that this is a conservative estimate since in some cases there are several children, and there may also be a broader inquiry into the family system involving some extended family members, e.g. grandparents, aunts, uncles, etc. In addition, approximately 90-100 people per month attend the court's free Information Session on Children and Separation.

- b. Of the persons seeking pro bono assistance, provide the number who actually received appropriate legal assistance, and describe the nature of assistance provided, such as:

___ Referral to pro bono private attorney

___ Referral to legal aid service provider

___ Referral to NM Legal Aid for representation by paid contract attorney

The Committee does not have the funding to maintain data in these areas.

- c. Of the persons who received appropriate legal assistance, what is the total number of persons who benefited from the assistance, for example, if the client needed help defending against an eviction and four persons lived in the dwelling, then four people would have benefited from the legal assistance.

The Committee does not have the funding to maintain data in these areas.

- b. Describe the logistics of operations, e.g., tracking calls, doing a conflict-of-interest check, screening for income eligibility, making appropriate referrals (to pro bono attorneys, to legal aid providers, to social service agencies, etc.), following up on referrals to ensure clients don't fall through the cracks, tracking the number of cases opened and closed during the reporting period, etc.

All calls and inquiries are responded to on a same day basis. Since the First District Court does not have the capacity to do conflicts checking without consulting directly with the attorneys involved, such conflicts checks are left to the attorneys themselves. Referrals to attorneys on a pro bono basis are typically made by Court Constituent Services through the Pro Se Family Law Clinics. Referrals to social service and related agencies are made by Family Court Services, with review, approval and possible modification by the Family Court Judge. Family Court Services monitors referrals to social services and related agencies to ensure compliance. Where compliance is not apparent, a request for issuance of an Order to Show Cause is made to the Family Court Judge. If the Court finds the request well taken, an Order to Show Cause is issued to the litigant who appears to be non-compliant and the matter is taken up at a duly scheduled hearing in Family Court.

XI. PRO BONO ATTORNEY INVOLVEMENT

- a. Provide a list of lawyers who signed up to participate in the program to provide pro bono legal service to persons of limited means, and a list of lawyers who actually provided legal assistance to a person of limited means.

The lists are the same: a high number of the attorneys who agreed to participate in the volunteer settlement facilitation program in Family Court described in Subsection IV.a.1 did participate, for example, in the screening and resolution program outlined in Subsection IV.a. 7.

Sylvia LaMar
Barbara Kazen
Julia Barnes
Catherine Aguilar
Caroline Bass
James Bristol
Patrick Brito
Samantha Dunning
Gary Elion
Diane Garrity
Jerome Ginsburg
Reid Griffith
Elege Simons Harwood
Mike Jones
Eileen Mandel
Susan Shaffer McDevitt
Witter Tidmore
Amber Train
Julie Wittenberger

- b. Provide a list of lawyers who participated in conducting clinics.

Elege Simons Harwood
Jerome Ginsburg
Catherine Downing
Catherine Aguilar
Paul Gerber
Michael Golden
Aaron Wolfe
Julie Wittenberger
James E. Bristol III
Witter Tidmore
Janet Clow
David Walther

