

Rules of the District Court of the Twelfth Judicial District

Table of Corresponding Rules

Local Rules of the Twelfth Judicial District Court

The table below lists the former rule number and corresponding new number, and the new rule number and the corresponding former rule number prior to recompilation by Supreme Court Order No. 16-8300-015.

| Former Rule No. | Corresponding New Rule No. | New Rule No. | Corresponding Former Rule No. |
|-----------------|----------------------------|--------------|-------------------------------|
| LR12-101 | LR12-201 | LR12-201 | LR12-101 |
| | | LR12-401 | New |
| | | LR12-601 | New |
| | | LR12-602 | New |
| | | LR12-603 | New |

I. Rules Applicable to All Cases [Reserved]

II. Rules Applicable to Civil Cases

LR12-201. Electronic filing authorized.

[Related Statewide Rule 1-005.2 NMRA]

In accordance with Rule 1-005.2 NMRA, electronic filing is implemented for all civil and probate actions in the Twelfth Judicial District Court. The electronic filing of documents is mandatory for parties represented by attorneys in accordance with Rule 1-005.2 NMRA, which includes attorneys who represent themselves. Guidelines for using the electronic filing system are set forth in the court's user guide that is available in the clerk's office and on the court's website.

[Adopted by Supreme Court Order No. 13-8300-LR2, effective for cases filed or pending on or after April 15, 2013; LR12-101 recompiled and amended as LR12-201 by Supreme Court Order No. 16-8300-015, effective for all cases pending or filed on or after December 31, 2016.]

ANNOTATIONS

Recompilations. — Pursuant to Supreme Court Order No. 16-8300-015, former LR12-101 NMRA was recompiled and amended as LR12-201 NMRA, effective December 31, 2016.

The **2016 amendment**, approved by Supreme Court Order No. 16-8300-015, effective December 31, 2016, added “[Related Statewide Rule 1-005.2 NMRA]”.

III. Rules Applicable to Criminal Cases [Reserved]

IV. Rules Applicable to Domestic Relations Cases

LR12-401. Domestic relations mediation.

A. **Scope.** This rule applies to all domestic relations actions involving a dispute over custody or visitation of children filed in the Twelfth Judicial District Court, whether new or reopened.

B. **Application.** The Twelfth Judicial District establishes a domestic relations mediation program to assist the court, parents, and other interested parties in determining the best interests of children involved in domestic relations cases.

C. **Mediation surcharge.** Under Section 40-12-6 NMSA 1978, the district court clerk shall collect a thirty dollar (\$30.00) surcharge for all new and reopened domestic relations cases other than those filed under the Family Violence Protection Act, Sections 40-13-1 to -8 NMSA 1978. The surcharge shall be in addition to the filing fee required under Section 34-6-40 NMSA 1978 for all new and reopened cases. The district court clerk shall deposit all surcharges collected under this local rule in the “domestic relations mediation fund.”

D. **Mediation fees.** Each party shall pay a fee to the court clerk’s office to offset the costs of the alternative dispute resolution program before mediation has begun. The parties shall fill out a financial information sheet and their fee shall be determined by using the sliding fee scale approved by the Supreme Court.

[Adopted by Supreme Court Order No. 16-8300-015, effective for all cases pending or filed on or after December 31, 2016.]

V. Rules Applicable to Children’s Court Cases [Reserved]

VI. Rules Applicable to Court Alternative Dispute Resolution Programs

LR12-601. Alternative dispute resolution program; generally.

The purpose of this district's court-connected alternative dispute resolution program is to create a cost effective means of enhancing efficiency in the court by increasing the rate of case resolution and the litigant's satisfaction with the court system.

[Adopted by Supreme Court Order No. 16-8300-015, effective for all cases pending or filed on or after December 31, 2016.]

LR12-602. Definitions.

A. **ADR.** "ADR" means alternative dispute resolution by means of this district's court-annexed alternative dispute resolution program which includes mediation.

B. **Mediation.** "Mediation" means a process in which a mediator facilitates communication and negotiation between mediation parties to assist them in reaching an agreement regarding their dispute.

[Adopted by Supreme Court Order No. 16-8300-015, effective for all cases pending or filed on or after December 31, 2016.]

LR12-603. Civil mediation.

A. **Scope.** The court may, under Rule 1-016 NMRA, refer cases to mediation, in the discretion of the judge.

B. **Application.** This rule applies to all civil cases, whether jury or non-jury.

C. **Alternative dispute resolution surcharge.** Under Section 34-6-45 NMSA 1978, the district court clerk shall collect a fifteen dollar (\$15.00) surcharge for all new and reopened cases except domestic relations cases, which are charged a surcharge under LR12-401. The surcharge shall be in addition to the civil filing fee required under Section 34-6-40 NMSA 1978 for new and reopened cases. See Rule 1-099 NMRA for the definition of reopened cases. The district court clerk shall deposit all surcharges collected under this local rule in the "alternative dispute resolution fund."

D. **Mediation fees.** Each party shall pay a fee to the court clerk's office to offset the costs of the alternative dispute resolution program before mediation has begun. The parties shall fill out a financial information sheet and their fee shall be determined by using the sliding fee scale approved by the Supreme Court.

[Adopted by Supreme Court Order No. 16-8300-015, effective for all cases pending or filed on or after December 31, 2016.]

VII. Forms [Reserved]