

## Appendix 2

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

NO. 98-8500

IN THE MATTER OF THE APPROVAL OF  
THE USE OF THE LEGAL INFORMATION FORM IN  
ALL COURTS IN THE STATE OF NEW MEXICO

### ORDER

WHEREAS, the Supreme Court is committed to improving the level of service provided to persons using the courts;

WHEREAS, the Court recognizes that, although the principle that court staff cannot give legal advice has been longstanding throughout the state judiciary, standards are unclear to give court staff or court users an adequate understanding of the types of questions that court staff can and cannot properly answer; and

WHEREAS the Court having considered said continuing commitment and being sufficiently advised, Chief Justice Gene E. Franchini, Justice Joseph F. Baca, Justice Pamela B. Minzner, Justice Patricio M. Serna, and Justice Dan A. McKinnon, III, concurring;

NOW, THEREFORE, this Court hereby promulgates the attached notice entitled "Information Available from the Clerk's Office," which shall be posted in all courts in the state of New Mexico in lieu of any other notices pertaining to the topic of information or advice that court staff may or may not provide;

IT IS ORDERED that the attached notice shall be posted in each court in all courts in the state of New Mexico as soon as the staff have completed the customer service training provided by the Administrative Office of the Courts and the Judicial Education Center;

IT IS FURTHER ORDERED that all courts hereby are authorized to add to the bottom portion of the attached notice directions to a specific office or location within the court where such information is available; and

IT IS FURTHER ORDERED that the Administrative Office of the Courts shall provide information sheets, handouts, and staff manuals to equip court staff with the knowledge needed to answer the full range of questions that they may properly answer.

DONE at Santa Fe, New Mexico, this \_\_\_\_\_ day of June, 1998.

\_\_\_\_\_  
Chief Justice Gene E. Franchini

\_\_\_\_\_  
Justice Joseph F. Baca

---

Justice Pamela B. Minzner

---

Justice Patricio M. Serna

---

Justice Dan A. McKinnon, III

## INFORMATION AVAILABLE FROM THE CLERK'S OFFICE

### **Court staff can provide:**

- The status of a specific case, unless the case (or information in the case) is "sequestered" (not available for public inspection because of state law or a judge's decision)
- The court file on a specific case, unless the case is "sequestered," for you to review
- General information on court rules, procedures and practices
- Court-approved forms (Forms are not available for all legal proceedings.)
- Guidance on how to compute deadlines and due dates
- Court schedules and information on how to get matters scheduled

Court staff do not know the answers to all questions about court rules, procedures and practices. They have been instructed not to answer questions if they do not know the correct answer.

### **Court staff cannot:**

- Give advice about whether you should file a case or whether you should take any particular action in a case
- Fill out a form for you or tell you what words to put in a form
- Advise you what to say in court
- Speculate about what decision the judge might make or what sentence the judge might impose

**Legal advice:** Court staff provide information, not legal advice. If you need legal advice, please contact a lawyer. If you do not have a lawyer, you may wish to call the Lawyers Care Referral Program of the New Mexico State Bar for a referral. In Albuquerque, call 797-6066; in areas outside of Albuquerque, call 1-800-876-6227.

**Remember --** The court, including the judge and all court staff, must remain impartial. They do not take sides in any matter coming before the court.