1 IN THE SUPREME COURT OF THE STATE OF NEW MEXICO 2 **November 9, 2022** 3 NO. 22-8500-036 4 IN THE MATTER OF EXPANSION OF 5 THE SCRIBING PROGRAM TO PERMIT 6 COURT STAFF TO ASSIST ELIGIBLE 7 SELF-REPRESENTED LITIGANTS WITH 8 FILLING OUT COURT FORMS 9 ORDER 10 WHEREAS, this matter comes before the Court on the recommendation of 11 the Office of the Statewide ADA Title II Coordinator of the New Mexico 12 Administrative Office of the Courts to expand the scribing program piloted in the 13 Ninth Judicial District Court; 14 WHEREAS, on October 2, 2017, the Court authorized a pilot program in the Ninth Judicial District Court to compile data on the need and impact of scribing 15 16 services and the impact on court resources for providing such services on a statewide 17 basis, Order No. 17-8500-022; 18 WHEREAS, the pilot program, known as the scribing program, was 19 successfully piloted in the Ninth Judicial District Court, furthering the Court's efforts to expand access to justice in New Mexico by allowing court staff to assist 20 21 self-represented litigants in need of assistance with filing out court forms, including 22 those who (1) have a disability recognized by the Americans with Disabilities Act

WHEREAS, in light of the foregoing, and the Court having considered the positive community impact of the scribing program and being otherwise sufficiently advised, Chief Justice C. Shannon Bacon, Justice Michael E. Vigil, Justice David K. Thomson, Justice Julie J. Vargas, and Justice Briana H. Zamora concurring;

NOW, THEREFORE, IT IS ORDERED that the recommendation is APPROVED, and the program shall be implemented in any magistrate, metropolitan, or district court opting to participate;

IT IS FURTHER ORDERED that, effective immediately, the Office of the Statewide ADA Title II Coordinator of the New Mexico Administrative Office of the Courts, in coordination with participating courts, may implement the program to train and permit court staff to read and fill in the blanks of court forms in the litigants' exact words on behalf of eligible self-represented litigants;

IT IS FURTHER ORDERED that eligible self-represented litigants include:
(1) individuals who cannot read a printed or electronic document in English, (2) individuals who cannot write because of a disability, or (3) individuals with low literacy, low computer literacy, or limited English proficiency;

IT IS FURTHER ORDERED that for the purposes of this program only, Rule 23-113(C)(3) NMRA shall be suspended to the extent necessary to reasonably accommodate an eligible self-represented litigant in filing out court forms;

IT IS FURTHER ORDERED that the expansion and implementation of the scribing program shall proceed in accordance with procedures and court staff training as recommended by the Office of the Statewide ADA Title II Coordinator of the New Mexico Administrative Office of the Courts;

IT IS FURTHER ORDERED that courts may choose to participate in the scribing program by notifying and coordinating with the Office of the Statewide ADA Title II Coordinator of the New Mexico Administrative Office of the Courts.

IT IS SO ORDERED.



WITNESS, the Honorable C. Shannon Bacon, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 9th day of November, 2022.

Elizabeth A. Garcia, Chief Clerk of the Supreme Court of the State of New Mexico