

Table of Contents

CIVIL PROCEDURES

Civil Flowchart	2
Civil Overview	3
Form of Pleadings.....	4
Signing of Pleadings	5
Filing the Complaint.....	6
Service of Process.....	7
Summons.....	14
Return of Service.....	15
Receipt of Additional Pleadings	15
Default or Nonappearance.....	16
Soldiers' and Sailors' Relief Act Of 1940	16
Closing the Case	17
Reopening a Case	18

SPECIAL PROCEDURAL MATTERS

Change of Name.....	19
Removal of Cases From State to Federal District Court.....	22
Eminent Domain - Condemnation Proceedings.....	23
Suitability Studies	23
Deposit of Probable Compensation	24
Highway Construction Condemnation	29
Special Districts	30
Adjudication Of Water Rights.....	30
Restoration of Driving Privilege	31
Elections: Impounding Ballots and Recounts	32

CIVIL FLOWCHARTS

Case Initiation/Reopen With Filing Fee	34
Case Initiation Without Filing Fee	35
Attach Parties to Case	36
Entering a Civil Complaint/Petition	37
Docketing.....	37
Closing a Case	37
Docketing Closing Event.....	38

CIVIL FACTS™ PROCEDURES

Case Initiation/Reopen With Filing Fee	39
Case Initiation/Reopen Without Filing Fee	51
Attach Parties to Case	54
Entering a Civil Complaint/Petition	69
Docketing.....	75
Closing Case Using the Civil Complaint/Petitions Screen	78

FORMS

Local Rules	86
Civil Forms	86
Reference	86

Chapter 1: Civil Procedures

In This Chapter:

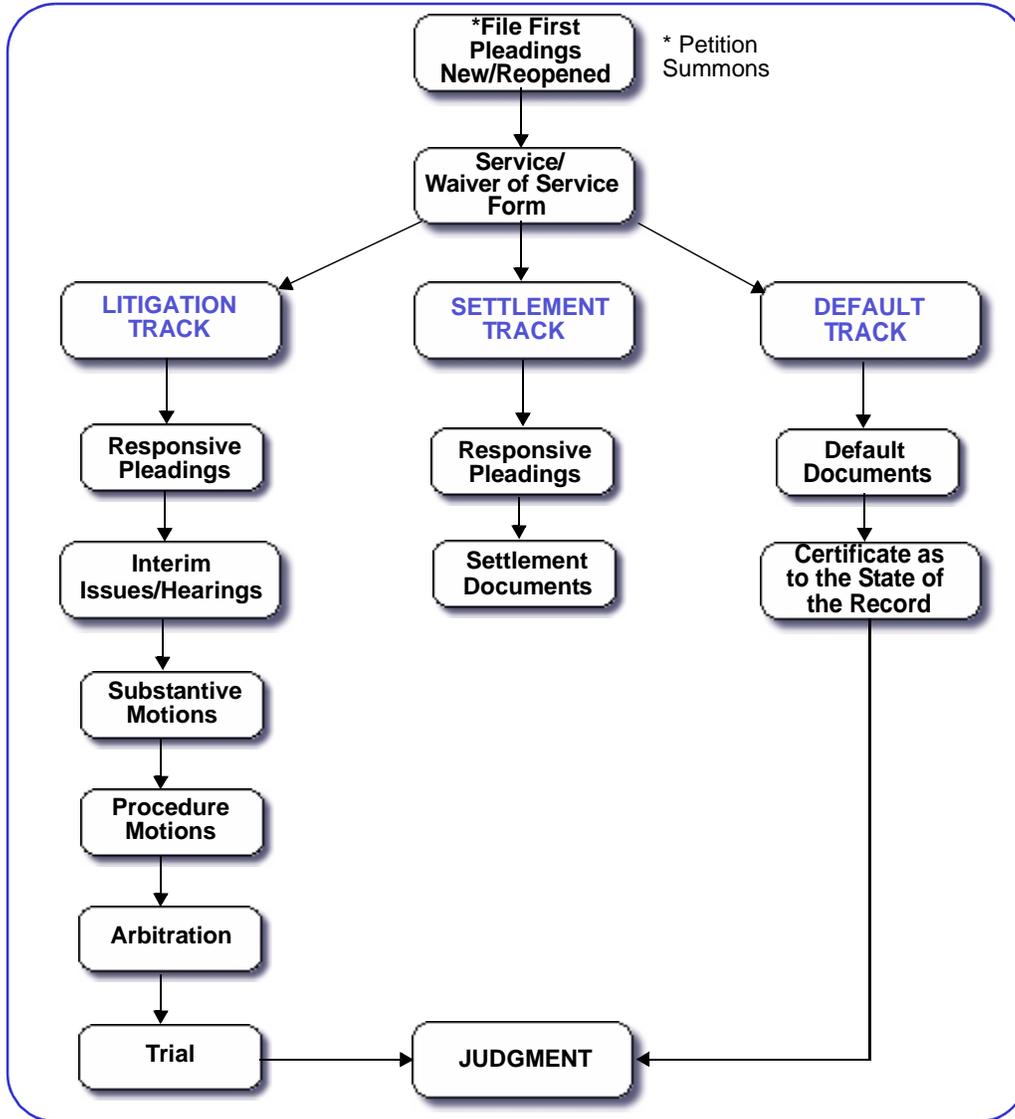
In this chapter, you will find the clerical procedures for the following:

- **CIVIL CASES**

Civil cases involve the resolution of disputes usually by the payment of money from one party to another. Civil cases are initiated by the filing of a complaint by a party (plaintiff) with the clerk of the district court. The clerk issues the summons to the defendant who may then file an answer, cross-complaint, counterclaim or in some other way respond to the plaintiff's claim. As the issues in the case are developed, the court may be involved through the filing of motions.

When the case is ready for trial, the case is then set on the trial calendar and a trial is scheduled.

Section 1-1: Civil Flowchart



Section 1-2: Civil Overview



CLERICAL DUTIES | CIVIL CASES

1. **\$\$\$**-Collect fee if required.

- **\$\$\$**-Collect fee:
 - New Case
 - Reopen after 90 days of closing has elapsed,.



CAUTION | DO NOT ACCEPT PERSONAL CHECKS.

- Accept without fee:
 - Pleadings filed by governmental entity
 - Free process order and affidavit
 - Reopen within 90 days of closing, [RULE 1-099 NMRA](#)
2. Review pleadings.
- Check case caption and heading.
 - Check subscription-original signature, printed address and telephone number.
 - Check if new or reopened pleading.
 - Check required court documents.
3. Open case in **FACTS™**.
- Initiate a case using the Create New Case and Receipt screen.
 - [CASE INITIATION/REOPEN WITH FILING FEE.](#)
 - Initiate a case using the Case Master screen.
 - [CASE INITIATION/REOPEN WITHOUT FILING FEE.](#)
 - Attach Parties.
 - [ATTACH PARTIES TO CASE.](#)
 - Enter case using the Civil Complaint/Petition screen.
 - [ENTERING A CIVIL COMPLAINT/PETITION.](#)


CLERICAL DUTIES | CIVIL CASES

4. Docket Events using the Case Docket screen.
 - **DOCKETING.**
5. Close case using the Civil Complaint/Petition screen and add closing descriptive text using the Case Docket screen.
 - **CLOSING CASE USING THE CIVIL COMPLAINT/PETITIONS SCREEN.**
 - **DOCKETING.**

Section 1-3: Form of Pleadings

RULE 1-010 NMRA

Captions	<ul style="list-style-type: none"> • Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number, and a designation as in Paragraph A of Rule 1-007. • In the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.
Paragraphs	<ul style="list-style-type: none"> • All averments of claim or defense shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances; and a paragraph may be referred to by number in all succeeding pleadings. • Each claim founded upon a separate transaction or occurrence and each defense other than denials shall be stated in a separate count or defense whenever a separation facilitates the clear presentation of the matters set forth. • Unless it is a necessary allegation of the complaint, the complaint shall not contain an allegation for damages in any specific monetary amount.

Adoption by Reference and Exhibits

- Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion.
- A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes.

Section 1-4: Signing of Pleadings

RULE 1-011 NMRA

	<ul style="list-style-type: none"> • Every pleading, motion and other paper of a party represented by an attorney, shall be signed by at least one attorney of record in the attorney's individual name, whose address and telephone number shall be stated. • A party who is not represented by an attorney shall sign the party's pleading, motion or other paper and state the party's address and telephone number. • Except when otherwise specifically provided by rule or statute, pleadings need not be verified or accompanied by affidavit. • The rule in equity that the averments of an answer under oath must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances is abolished.
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	<ul style="list-style-type: none"> • The signature of an attorney or party constitutes a certificate by the signer that the signer has read the pleading, motion or other paper; that to the best of the signer's knowledge, information and belief there is good ground to support it; and that it is not interposed for delay. • If a pleading, motion or other paper is signed with intent to defeat the purpose of this rule, it may be stricken as sham and false and the action may proceed as though the pleading or other paper had not been served. • If a pleading, motion or other paper is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant. • For a willful violation of this rule, an attorney or party may be subjected to appropriate disciplinary or other action. • Similar action may be taken if scandalous or indecent matter is inserted. • A "signature" means an original signature, a copy of an original signature, a computer generated signature or any other signature otherwise authorized by law.
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Section 1-5: Filing the Complaint

RULE 1-003 NMRA

	<ul style="list-style-type: none"> • A civil action is commenced by filing a complaint with the court. • Upon the filing of the complaint, the clerk shall endorse thereon the time, day, month and year that it is filed.
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Section 1-6: Service of Process

RULE 1-004 NMRA

<p>Issuance of Summons RULE 1-004 A. NMRA</p>	<ul style="list-style-type: none"> • Upon the filing of the complaint, the clerk shall forthwith issue a summons and deliver it for service. • Upon the request of the plaintiff, separate or additional summons shall issue against any defendants. • Any defendant may waive the issuance or service of summons.
<p>Execution and Form of Summons RULE 1-004 B. NMRA</p>	<p>The summons shall be signed by the clerk, issued under the seal of the court, be directed to the defendant, and must contain:</p> <ul style="list-style-type: none"> • A direction that the defendant serve a responsive pleading or motion within thirty (30) days after service of the summons, and file the same, all as provided by law, and a notice that unless the defendant so serves and files a responsive pleading or motion, the plaintiff will apply to the court for the relief demanded in the complaint; • The name of the court in which the action is brought, the name of the county in which the complaint is filed, the docket number of the case, the name of the first party on each side, with an appropriate indication of the other parties, and the name of each party to whom the summons is directed; • The name and address of the plaintiff's attorney, if any, shall be shown on every summons, otherwise the plaintiff's address.
<p>Service of Copy RULE 1-004 C. NMRA</p>	<ul style="list-style-type: none"> • A copy of the summons with copy of complaint attached shall be served together. • The plaintiff shall furnish the person making service with such copies as are necessary.

<p>Who May Serve Summons RULE 1-004 D. NMRA</p>	<p>In civil actions any process may be served by the sheriff of the county where the defendant may be found, or by any other person who is over the age of eighteen (18) years and not a party to the action, except for writs of attachment, writs of replevin, and writs of habeas corpus, which shall be served by any person not a party to the action over the age of eighteen (18) years who may be especially designated by the court to perform such service, or by the sheriff of the county where the property or person may be found.</p>
<p>Service by Mail RULE 1-004 E. NMRA</p>	<p>A summons and complaint may be served upon a defendant of any class referred to in Subparagraph (1) or (2) of Paragraph F of this rule by mailing a copy of the summons and of the complaint (by first-class mail, postage prepaid) to the person to be served, together with two (2) copies of a notice and acknowledgement conforming with the form set out below and a return envelope, postage prepaid, addressed to the sender.</p>



TIME LIMIT | SUMMONS: SERVICE BY MAIL, RULE 1-004 E. NMRA

- If no acknowledgement of service under this subdivision of this rule is received by the sender within **twenty (20) days** after the date of mailing, service of such summons and complaint shall be made by a person authorized by Paragraph D of this rule, in the manner prescribed by Subparagraph (1) or (2) of Paragraph F of this rule.
- Unless good cause is shown for not doing so, the court shall order the payment of the costs of personal service by the person served if such person does not complete and return within **twenty (20) days** after mailing the notice and acknowledgement of receipt of summons.

<p>Service of Summons</p>	<p>Service shall be made as follows:</p> <ul style="list-style-type: none"> • Upon an individual other than a minor or an incapacitated person by delivering a copy of the summons and of the complaint to the individual personally; or if the individual refuses to receive such, by leaving same at the location where the individual has been found; • And if the individual refuses to receive such copies or permit them to be left, such action shall constitute valid service. • If the individual is absent, service may be made by delivering a copy of the process or other papers to be served to some person residing at the usual place of abode of the defendant who is over the age of fifteen (15) years; and • If there is no such person available or willing to accept delivery, then service may be made by posting such copies in the most public part of the defendant's premises and by mailing to the defendant at defendant's last known mailing address copies of the process.
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CAUTION | POSTING AND DUE PROCESS

Please note that when a complaint and summons are posted in order to satisfy due process, that the plaintiff must also mail to the defendant a copy of the complaint and summons.

Return of Service**RULE 1-004 G. NMRA**

- The person serving the process shall make proof of service thereof to the court promptly and in any event within the time during which the person served must respond to the process.
- When service is made by the sheriff (or a deputy) of the county in New Mexico, proof thereof shall be by certificate; and when made by a person other than a sheriff (or a deputy) of a New Mexico county, proof thereof shall be made by affidavit.
- If service is made under Paragraph E of this rule, return shall be made by the sender's filing with the court the acknowledgement received pursuant to such paragraph.
- Where service within the state includes mailing, the return shall state the date and place of mailing.
- Failure to make proof of service shall not affect the validity of service.

<p>Service by Publication RULE 1-004 H. NMRA</p>	<p>In actions where the relief sought does not require personal service and the party to be served is so situated that process cannot be personally served upon the party within the state, or in situations where the party to be served is a New Mexico resident who, by deliberate concealment to avoid service of process, has effectively prevented service on the party in the manner provided in Paragraph F of this rule, service by publication shall be as follows:</p> <ul style="list-style-type: none"> • In any such action or proceeding, the clerk of the court shall cause to be issued a notice of the pendency of the action or proceeding upon the filing by plaintiff, the plaintiff's agent or attorney, of a sworn pleading or affidavit stating that any defendant (whether an individual, corporation, partnership or association): resides or has gone out of the state; or is concealed within the state; or, • In appropriate cases, is deliberately concealed to avoid service of process and thereby has effectively prevented service on the party; or the party's whereabouts cannot be discovered after due inquiry and search has been made; or, • Is in any manner situated so that the process cannot be served upon the party in the State of New Mexico.
<p>Affidavit of Residence RULE 1-004 I. NMRA</p>	<p>When the residence of the defendant in the cases mentioned in Paragraph H of this rule is known to the affiant, it shall be stated in the affidavit; and if the residence is not known, that fact shall be stated.</p>


TIME LIMIT | AFFIDAVIT OF RESIDENCE, RULE 1-004 I. NMRA

When the residence of any defendant is known, the plaintiff, the plaintiff's agent or attorney, shall, not less than **thirty-five (35) days** before rendition of final judgment or decree in the cause, deposit a copy of the summons and complaint in the post office, postage prepaid, directed to the defendant at the defendant's place of residence as stated in the affidavit or pleading.

Affidavit of Residence RULE 1-004 I. NMRA	Proof of mailing shall be made by affidavit of the person mailing such copies, filed in the cause.
Service Outside of State RULE 1-004 I. NMRA	Personal service of a copy of the summons and of the complaint out of the state shall be equivalent to service by publication and mailing as provided for by Paragraphs H and I of this rule.


TIME LIMIT | SERVICE OF SUMMONS OUTSIDE OF STATE, RULE 1-004 J. NMRA

- The defendant so served shall be required to respond as required by law on or before **thirty (30) days** from the date of service.
- Return of such service shall be made by affidavit of the person making same.

Alias Process. RULE 1-004 K. NMRA	When any process has not been returned, or has been returned without service, or has been improperly served, it shall be the duty of the clerk, upon the application of any party to the suit, to issue other process as the party applying may direct.
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Approved Manner of Service RULE 1-004 L. NMRA	Upon motion, without notice, and showing by affidavit that service cannot reasonably be made as otherwise provided by this rule, the court may order service by any method or combination of methods, including publication, that is reasonably calculated under all the circumstances to apprise the defendant of the existence and pendency of the action and to afford a reasonable opportunity to appear and defend.
Applicable Statute RULE 1-004 M. NMRA	Where no provision is made in these rules for service of process, process shall be served as provided for by any applicable statute.
Definitions RULE 1-004 N. NMRA	Wherever the terms "summons," "process," "service of process" or similar terms are used, such shall include the summons, complaint and any other papers required to be served.

SUMMONS

Caption

STATE OF NEW MEXICO
 IN THE DISTRICT COURT
 _____ JUDICIAL DISTRICT

_____, Plaintiff

vs. No. _____

_____, Defendant

SUMMONS

THE STATE OF NEW MEXICO

TO: _____, Defendant(s)

ADDRESS: _____

GREETINGS:

You are hereby directed to serve a pleading or motion in response to the complaint within thirty (30) days after service of this summons, and file the same, all as provided by law.

You are notified that, unless you serve and file a responsive pleading or motion, the plaintiff will apply to the court for the relief demanded in the complaint.

Attorney or attorneys for plaintiff:

 Address of attorneys for plaintiff:
 (or of plaintiff, if no attorney)

WITNESS the Honorable _____, district judge of the
 _____ judicial district court of the State of New Mexico, and the
 seal of the district court of _____ County, this
 _____ day of _____, _____.

 Clerk

By _____
 Deputy

may file a cross-complaint or a counterclaim in which damages are sought. Upon filing of an answer, the case becomes a contested case. [RULE 1-007 TO 1-009 NMRA](#)

After the filing of the complaint and answer, additional pleadings may be filed. These may be cross-claims, counterclaims, third-party complaints, amended complaints, jury demands, motions or other pleadings.



CLERICAL DUTIES | ADDITIONAL PLEADINGS

1. File stamp pleadings.
2. Docket case events in case management application.
3. File papers in the case binder and re-file the case file.

Section 1-8: Default or Nonappearance

If the defendant does not respond to the complaint, the plaintiff may request that a default judgment be entered against the defendant. See judgment section of the manual.

Section 1-9: Soldiers' and Sailors' Relief Act Of 1940

The Soldiers' and Sailors' Civil Relief Act of 1940, as amended, is a federal law providing for the suspension of legal proceedings and transactions that may prejudice the civil rights of a service person during the person's wartime military service and for a specified time thereafter. See, 50 U.S.C. App. § 501 et seq. (1990) (Act codified with laws of a temporary and emergency nature relating to war and national defense, including amendments through September 15, 1990.) The Act defines "military service" to include active duty and the training that precedes active duty. The relief provided in the Act applies to draftees and reservists called to active duty. The Act applies whenever the United States is at war. The Act provides the following relief:

	<ul style="list-style-type: none"> • If the plaintiff moves for a default judgment during time of war, the plaintiff must file an affidavit that the defendant is not in military service before judgment can be entered; if the defendant is in military service, the court can appoint counsel to represent his/her interest.
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**CLERICAL DUTIES | SOLDIERS' AND SAILORS' RELIEF ACT**

- Follow in-house procedures for staying an action as a result of the Soldiers' and Sailors' Relief Act.

2**SECOND | MOTIONS, LR 2-123**

Follow in-house procedure for filing motions pursuant to LR 2-123.

Section 1-10: Closing the Case

After trial is completed or the case is otherwise disposed of, the clerk must carry out appropriate procedures to fulfill the orders of the court pertaining to the case.

**CLERICAL DUTIES |**

1. Enter a judgment.
2. Receive a memorandum of costs or cost bill with request to tax costs. Issue a writ of execution, assistance, transcript of judgment.
3. Issue certified copies.
4. Receive and file a "Notice of Appeal."
5. Enter required information on computer or docket sheet.

Section 1-11: Reopening a Case



TIME LIMIT | REOPENING A CASE

A reopened case means the filing of any request for judicial action **ninety (90) days** or more after the final disposition of the case.

<p>Docket Fees for Reopening RULE 1-099 NMRA</p>	<p>No docket fee shall be charged:</p> <ul style="list-style-type: none"> • For filing any paper within ninety (90) days after the final disposition of the case; • If a docket fee has been previously paid or waived in the case, for filing a stipulated order or other request for action which may be performed by the clerk of the court pursuant to these rules, even if further action may be required by the judge; • For the filing of a motion to correct a mistake in the judgment, order or record; or • If a docket fee has been previously paid or waived in the case, for filing a motion to enforce a child support order.
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Chapter 2: Special Procedural Matters

Section 2-1: Change of Name

<p>Name Change</p>	<p>Any resident of this state over the age of fourteen (14) years may, upon petition to the district court of the district in which the petitioner resides and upon filing the notice required with proof of publication, if no sufficient cause is shown to the contrary, have his name changed or established by order of the court.</p>
<p>Minor Under the Age of Fourteen (14)</p>	<ul style="list-style-type: none"> • The parent or guardian of any resident of this state under the age of fourteen (14) years may, upon petition to the district court of the district in which the petitioner resides and upon filing the notice required with proof of publication, if no sufficient cause is shown to the contrary, have the name of his child or ward changed or established by order of the court. • When residents under the age of fourteen (14) years petition the district court for a name change, the required notice shall include notice to both legal parents.
<p>Entry of Order and Filing with County Clerk</p>	<p>The order shall be entered at length upon the record of the court, and a copy of the order, duly certified, shall be filed in the office of the county clerk of the county in which the person resides.</p>
<p>Recording of Name Change</p>	<p>The county clerk shall record the same in a record book to be kept by him for that purpose.</p>

**CLERICAL DUTIES | NAME CHANGE PROCEDURE**

1. **\$\$\$**-Collect civil filing fee if required.

- **\$\$\$**-Collect fee
 - New Case.



CAUTION | DO NOT ACCEPT PERSONAL CHECKS.

- Accept without fee:
 - Free process order and affidavit.
2. Review pleadings.
- Check **CASE CAPTION** and **HEADING**.
 - Check **VERIFICATION** and confirm notary.
 - Check required court documents, (for example, Petition for Name Change, Affidavit of Publication, Request for Hearing, Notice of Change of Name, Order for Change of Name). This list is not all inclusive.
3. Open case in **FACTS™**.
- Initiate a case using the Create New Case and Receipt screen,
 - See **CASE INITIATION/REOPEN WITH FILING FEE**.
 - Initiate a case using the Case Master screen.
 - See **CASE INITIATION/REOPEN WITHOUT FILING FEE**.
 - Attach Parties.
 - See **ATTACH PARTIES TO CASE**.
 - Enter case using the Civil Complaint/Petition screen.
 - See **ENTERING A CIVIL COMPLAINT/PETITION**.
4. Docket Events using the Case Docket screen.
- See **DOCKETING**.
5. Close case using the Civil Complaint/Petition screen and add closing descriptive text using the Case Docket screen.
- See **CLOSING CASE USING THE CIVIL COMPLAINT/PETITIONS SCREEN**.
 - See **DOCKETING**.

Caption

Heading

STATE OF NEW MEXICO
 COUNTY OF _____
 _____ JUDICIAL DISTRICT
 NO. _____.

IN THE MATTER OF A PETITION
 FOR CHANGE OF NAME OF

PETITION FOR CHANGE OF NAME

Comes now the Petitioner, _____, pursuant to NMSA 1978, Section 40-80-1, et seq., and states as follows:

1. Petitioner is a resident of Santa Fe, Rio Arriba or Los Alamos Counties, State of New Mexico.
2. Petitioner is over the age of fourteen years.
3. Petitioner requests a change of name to: _____ for the following reasons: _____

WHEREFORE, Petitioner prays this Court for its order granting a change of name as requested.

Print Name: _____
 Address: _____
 City/State/Zip: _____
 Telephone No. _____

VERIFICATION

I HAVE READ THIS PETITION FOR CHANGE OF NAME AND IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

_____ Date _____ Signature of Petitioner

Sworn to before me this _____ day of _____, 200__.

My commission expires: _____
 _____ Notary Public

Section 2-2: Removal of Cases From State to Federal District Court

	U.S. DISTRICT COURT
Removal	Removal From State Court. A party removing an action under 28 U.S.C. § 1446 must file with the Clerk legible copies of records and proceedings from the state court action within thirty (30) calendar days after filing notice of removal. The expense of obtaining and filing copies may be taxed as costs in the action. (D.N.M.LR-Cv 81.1(a))
Remand	Remand to State Court or Other Forum. When an action is remanded, the Clerk will transmit to the state court administrator or appropriate official in another forum, the court file and a certified copy of the order of remand. (D.N.M.LR-Cv 81.1(b)).



TIME LIMIT | NOTICE, RULE 1-081 A. NMRA

- Whenever a cause was removed from a district court to a United States court and thereafter remanded, judgment by default shall not be entered therein until the expiration of **ten (10) days** after service of notice upon defendants that the order remanding such cause has been filed.
- Within such time the defendants may move or plead as they might have done had such cause not been removed.



CLERICAL DUTIES |

1. Receive Notice of Removal from federal court.
2. Close case upon removal to federal court.
3. Copy court file and certified copy of removal.
4. Follow in-house procedure regarding mailing the court file, retention of records, and billing attorneys for copies.
5. If case remanded from federal court, reopen case and proceed as in other civil cases.
6. The notice of remand does not specifically direct the clerk of the district court to give notice of remand. The attorneys shall give notice.

Section 2-3: Eminent Domain - Condemnation Proceedings

SUITABILITY STUDIES

NMSA 1978, § 42A-1-8

<p>Court Order</p>	<p>If the condemnor is unable to secure the written consent of the condemnee pursuant to Section 42A-1-8 NMSA 1978 and, if applicable, any other person known to be in actual physical occupancy of the property, he may apply to the court in the county where the property to be entered is located for an order permitting entry.</p>
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	<ul style="list-style-type: none"> • After notice by the condemnor to the condemnee and, if applicable, any other person known to be in actual physical occupancy of the property and unless good cause to the contrary is shown, the court shall make its order permitting and describing the purpose of the entry and setting forth a description of the property and the nature and scope of activities the court determines are reasonably necessary to accomplish the purposes of the proposed taking and authorized to be made upon the property. • The order may include terms and conditions with respect to the time, place and manner of entry and authorized activities upon the property which will facilitate the purpose of the entry and minimize damage, hardship and burden, and may require a deposit pursuant to Section 42A-1-10 NMSA 1978.
	<ul style="list-style-type: none"> • The condemnor shall have delivered any order issued by the court to the condemnee, if known and, if applicable, any other person known to be in actual occupancy of the property personally or by registered mail or certified mail, return receipt requested.

DEPOSIT OF PROBABLE COMPENSATION

NMSA 1978, § 42A-1-10

<p>Probable Compensation Amount</p>	<p>An order permitting entry under Section 42A-1-9 NMSA 1978 shall include a determination by the court of the probable amount that will fairly compensate the condemnee and any other person in actual physical occupancy of the property for damages, if any, for physical injury to the property and for substantial interference with possession or use of the property found likely to be caused by the entry and activities authorized by the order, and may require the condemnor to deposit with the court before entry that amount or a surety bond in that amount from a surety acceptable to the court.</p>
--	--

Interest Bearing Account	<ul style="list-style-type: none"> If a deposit is required, such funds shall be deposited in an interest-bearing account at an institution acceptable to the court. Interest on such deposit shall accrue for the benefit of the condemnor.
Deposit	Any amount deposited shall be retained on deposit until released by the court.
Surety Bonds	Surety bonds shall remain in effect until the surety is released by the court.


TIME LIMIT | NOTICE, NMSA 1978 § 42A-1-14

If notice of a hearing or any other matter pursuant to Sections 42A-1-3 through 42A-1-12 NMSA 1978 is required, except for specific notice requirements as otherwise provided, notice shall be given:

- By mailing a copy thereof at least **ten (10) days** before the time set for the hearing or determination of other matters by certified, registered or ordinary first-class mail addressed to the person being notified;
- By service of a copy thereof at least **ten (10) days** before the time set for the hearing or determination of other matters upon the person being notified in the manner provided by the Rules of Civil Procedure for the District Courts for service of summons and complaint; or
- If the address or name of any person is not known and cannot be ascertained by reasonable diligence, by publishing a copy thereof at least **once a week for two (2) consecutive weeks**, in a newspaper of general circulation in the county in which the hearing is to be held, the last publication of which is to be at least **five (5) days** before the time set for the hearing.

Petition	Unless otherwise specifically provided by law, if property is sought to be appropriated for public use by a person authorized to acquire property pursuant to the laws of New Mexico, and the condemnor and the condemnee cannot agree to the transfer of the property or interest in question, the condemnor may file a petition with the court of the county where the property or any part thereof lies; provided however, the petition shall not include any property which is not contiguous to property to be condemned in the county of the court's jurisdiction.
Notice of Condemnation	<p>Upon filing a petition in condemnation in the district court, the clerk shall issue and give notice of condemnation which shall contain:</p> <ul style="list-style-type: none"> • A copy of the petition and the appraisal, if one was prepared, pursuant to NMSA 1978, § 42A-1-5; • The title of the action; • The name or designation of the court and the county in which the action is brought as well as the case number; • A direction that the condemnee appear and answer to the petition within thirty (30) days after service of notice, and a statement that unless the condemnee appears and answers, the petitioner will apply to the court for the relief demanded in the petition; • The name and address of the petitioner's attorney shall appear on every notice; and • A general statement of the nature of the action and a general description of the property involved in the action. • If the condemnor in his/her petition requests an order of immediate possession, notice of such request shall be incorporated in the notice. • If an appraisal has been prepared pursuant to NMSA 1978, § 42A-1-5, the condemnor shall file a copy of it at the time the petition is filed and shall deposit with the clerk of the court the amount determined by the appraisers.

<p>Report NMSA 1978, § 42A-1-14</p>	<ul style="list-style-type: none"> • Upon the filing of the report of the commissioners prepared pursuant to Section 42A-1-19 NMSA 1978, the clerk of the court shall notify the attorneys of record for all of the parties to such proceeding who have entered appearances or, if not represented by attorney, all parties who have entered appearances at their respective post office addresses of record, of the filing of the report. • Failure to give notice as provided in this section or failure to receive the notice shall not operate to extend the time for filing the exceptions to the report of the commissioners. • The report of the commissioners may be reviewed by the court in which the proceedings are had, on written exceptions filed in the clerk's office by either or any party within thirty (30) days after the time of the filing of the report in the clerk's office. • The court shall either confirm the report or order a second appraisal either by the commissioners already appointed or by three other qualified commissioners to be appointed for that purpose.
<p>Trial</p>	<ul style="list-style-type: none"> • If no issues other than compensation are raised, the court shall render a final judgment awarding the property to the condemnor contingent upon payment of the awarded compensation to the condemnee. • In all other cases, the court shall render final judgment upon decision of all contested questions of law and fact.



TIME LIMIT | TRIAL, NMSA 1978, § 42A-1-21

Within **twenty (20) days** after the filing of the petition if an appraisal has been prepared pursuant to Section 42A-1-5 NMSA 1978 or after the final confirmation of the report of the commissioners, a party may demand trial of any issues remaining in the cause. The cause shall be tried de novo, and unless waived, the parties shall be entitled to a trial by jury.

Proof of Payment	<ul style="list-style-type: none">• After the condemnor has made payment in full to the clerk of the district court in accordance with the judgment in the condemnation action, the clerk shall certify upon the judgment that payment has been made.• A copy of the judgment showing payment shall be recorded in the office of the county clerk of the county in which the property is located, and thereupon the title or interest in the property affected shall vest in the condemnor.• If the condemnor is a governmental entity, a copy of the judgment shall be filed with the county assessor who shall remove such property from the tax rolls.

**CLERICAL DUTIES | CONDEMNATION**

1. **\$\$\$**-Collect fee if required.

- **\$\$\$**-Collect fee:
 - New Case.



CAUTION | DO NOT ACCEPT PERSONAL CHECKS.

- Accept without fee:
 - State of New Mexico or one of its political subdivisions.
 - Free process order and affidavit.
2. File petition as in other civil cases.
3. Certify payment voucher.
4. Receipt for and invest deposits as described in the Money Management Section.
5. Upon the filing of the report of commissioners, the clerk shall notify the attorneys of record for all of the parties who have entered their appearances, or if not represented by attorney, all parties who have entered appearances of record at their post office addresses of record.
6. On request after judgment, certify that payment has been made and returned to attorney for filing with the county clerk. [NMSA 1978 § 42A-1-20](#)
7. Disburse any funds held in the registry of the court as ordered by the court.
8. Proceed and close like other civil cases.

Section 2-4: Highway Construction Condemnation

[NMSA 1978, §§ 42-2-1 TO 42-2-24](#)

**CLERICAL DUTIES | HIGHWAY CONSTRUCTION CONDEMNATION**

Follow in-house procedure.

Section 2-5: Special Districts

Suits filed under the headings below are not common filings. The statutes set forth specific duties for the clerk of the court such as notices of suit, election notices and filing of decrees.

Water and Sanitation Districts	(NMSA 1978, §§ 73-21-5 TO -54)
Artesian Conservancy Districts, Ditches and Drainage Districts	(NMSA 1978, §§ 73-1-1 TO -60)
Flood Control Districts	(NMSA 1978, §§ 72-16-1 TO -70)
Ditches or Acequias	(NMSA 1978, §§ 73-2-1 TO 73-2-64)
Drainage Districts	(NMSA 1978, §§ 73-6-1 TO -44)



CAUTION | SPECIAL DISTRICTS

Refer to the statutes when cases are filed under the above headings.

Section 2-6: Adjudication Of Water Rights

NMSA 1978, § 72-4-19



CLERICAL DUTIES |

Follow in-house procedure.

Section 2-7: Restoration of Driving Privilege

	<ul style="list-style-type: none"> • Ten years after being so convicted for the third time, the person may apply to any district court of this state for restoration of the license, and the court, upon good cause being shown, may order restoration of the license applied for; provided that the person has not been subsequently convicted of driving a motor vehicle while under the influence of intoxicating liquor or drug in the ten-year period prior to his request for restoration of his license. • Upon issuance of the order of restoration, a certified copy shall immediately be forwarded to the division, and if the person is otherwise qualified for the license applied for, the three previous convictions shall not prohibit issuance of the license applied for. • Should the person be subsequently once convicted of driving a motor vehicle while under the influence of intoxicating liquor or drug, the division shall revoke his license for five years, after which time he may apply for restoration of his license as provided in this subsection; (see NMSA 1978, §66-5-5(D)).
	<ul style="list-style-type: none"> • The law does provide an opportunity to a person who has been denied a driver's license under this law. • It says that after you have gone five years without getting a conviction for DWI, you may go to district court and try to convince a judge that the Motor Vehicle Division should consider your application for a driver's license without reference to the three previous DWI convictions. • This is called a Petition for Order of Restoration.


CLERICAL DUTIES | RESTORATION OF DRIVING PRIVILEGE

Follow procedure for processing civil cases.


CAUTION | DRIVING RECORD

- Petitioner must bring a copy of his/her driving record.
- Attach driving record to petition.

Section 2-8: Elections: Impounding Ballots and Recounts

NMSA 1978, §§ 1-14-1 TO 1-14-21

<p>Impounding Ballots NMSA 1978, § 1-14-9</p>	<ul style="list-style-type: none"> • Any candidate in an election may petition the district court for an order impounding ballots in one or more precincts within which he is a candidate. • The action shall be brought in the district court for the county in which the precincts are located. • The petition shall state what specific items of ballots are requested to be impounded. • Upon receipt of the petition, along with a cash deposit of twenty-five dollars (\$25.00) per precinct, the court shall issue an order of impoundment.
<p>Access and Termination NMSA 1978, § 1-14-11</p>	<ul style="list-style-type: none"> • The party petitioning the court for the original order of impoundment may by motion to the court request an order allowing the party or his attorney access to and inspection of any items impounded. The court shall enter its order allowing access and inspection under conditions set by the court that will assure adequate safeguarding of the impounded items. • The order shall, if requested by the petitioner, allow for the copying or reproduction of any items by and at the expense of the petitioner.



TIME LIMIT | ACCESS TO BALLOTS

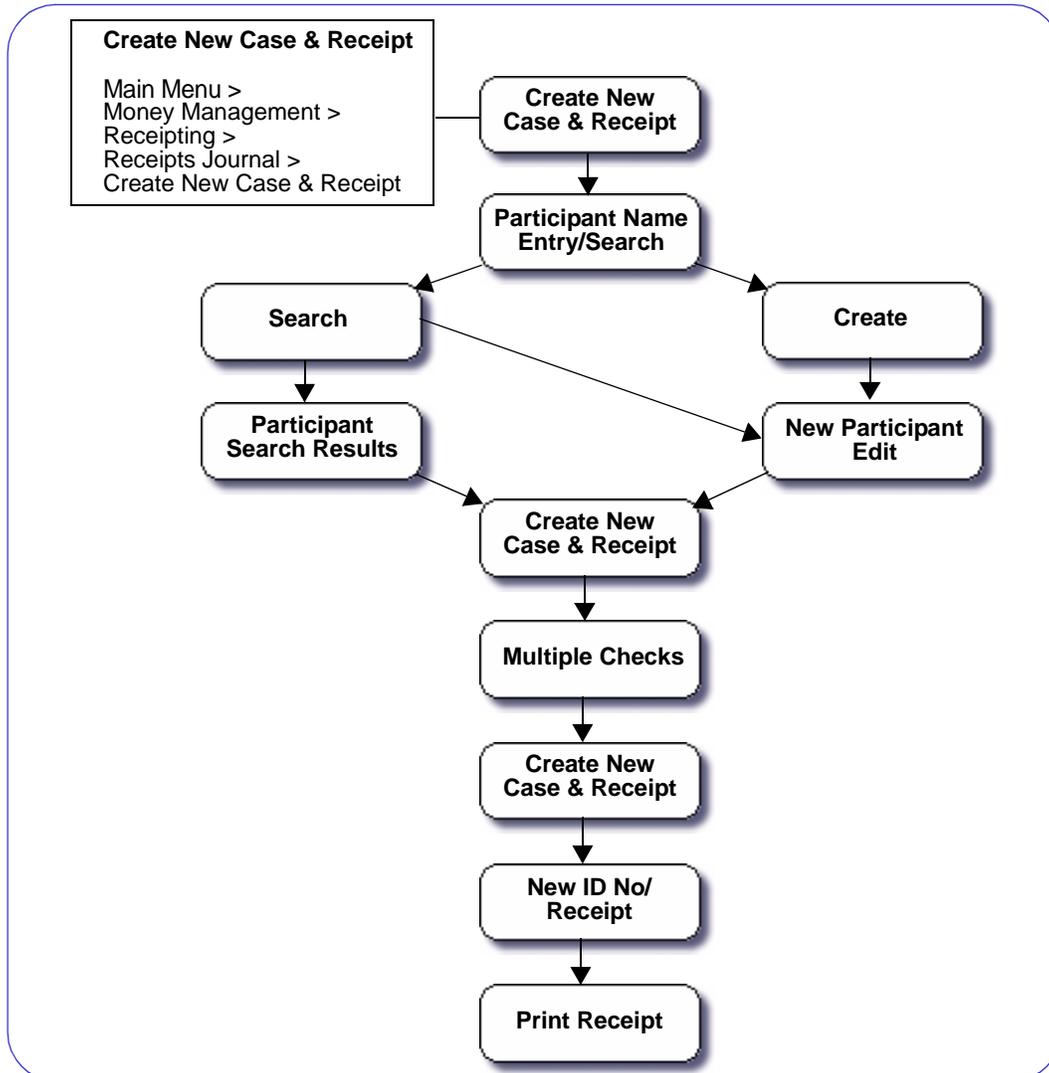
- **Ten (10) days** from the date of the original order of impoundment or, if an order granting access and inspection has been entered, **ten (10) days** after that order, the order of impoundment shall automatically terminate unless the court extends the time for good cause shown.
- The court shall in all cases order the impoundment of ballots terminated no later than **thirty (30) days** after the entry of the original order of impoundment.

<p>Termination of Order NMSA 1978, § 1-14-11</p>	<p>Upon the termination of an impoundment of ballots, the items impounded shall be delivered by the district court clerk to the person that would have been entitled to the possession of the items under the Election Code [this chapter] if there had been no impoundment. (NMSA 1978, §1-14-11).</p>
<p>Disposition of Deposit NMSA 1978, § 1-14-12</p>	<ul style="list-style-type: none"> • If the petitioner shall successfully prosecute an election content [contest] or recount proceeding that results in a change in his favor, the court shall refund to him the deposit required under Section 1-14-9 NMSA 1978 less any amount expended for guarding and preserving the impounded ballots. • In all other cases, there shall be no refund. • Any amounts not refunded shall be transmitted to the state treasurer for credit to the state general fund.



Chapter 3: Civil Flowcharts

Section 3-1: Case Initiation/Reopen With Filing Fee



CAUTION | SEARCHING

- Do not create new parties for participants who may already be in the database, for example, insurance companies.
- Search for those parties or keep a list of frequently used parties.
- Adding participants who may already be in the database slows the system down.



CAUTION | MULTIPLE CHECKS

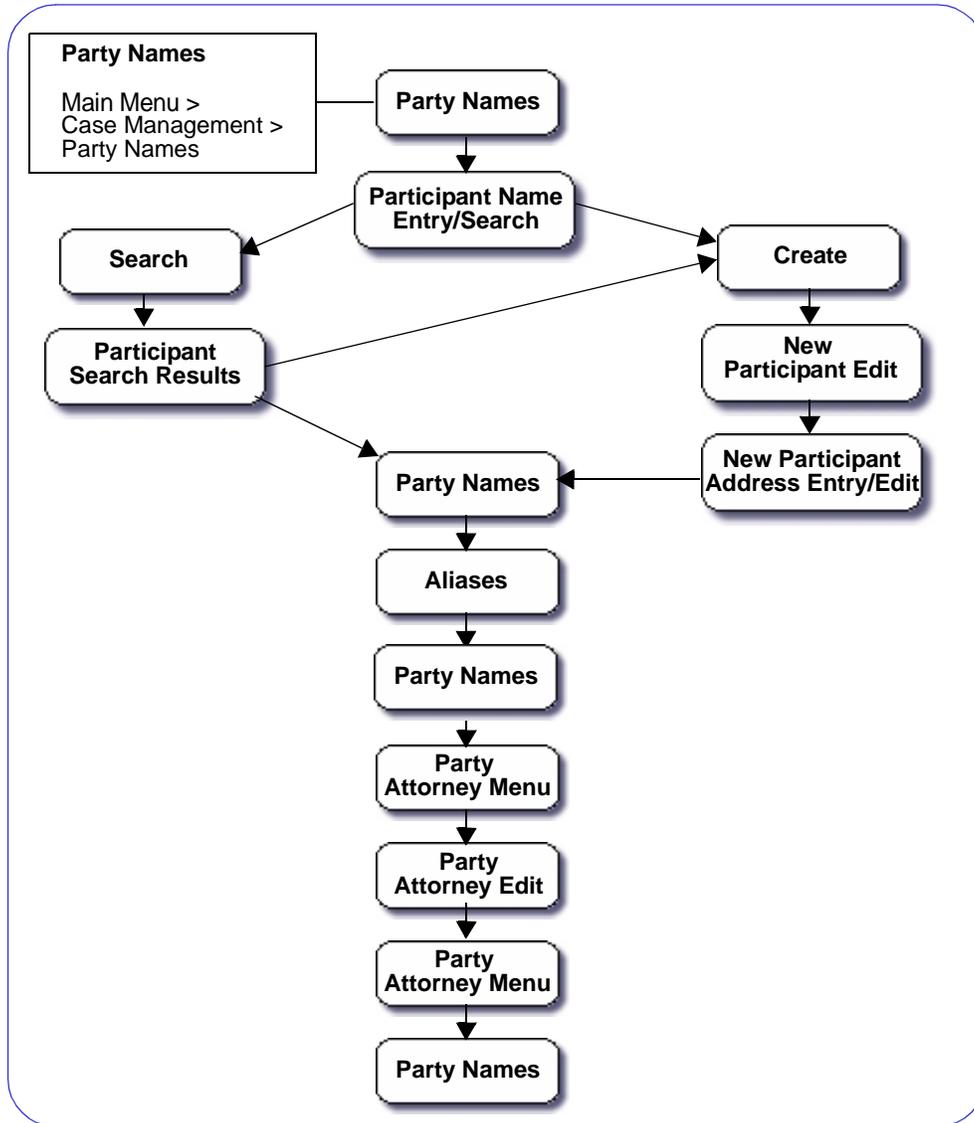
You may receive multiple checks if the filing fee increases or if someone pays with multiple money orders.



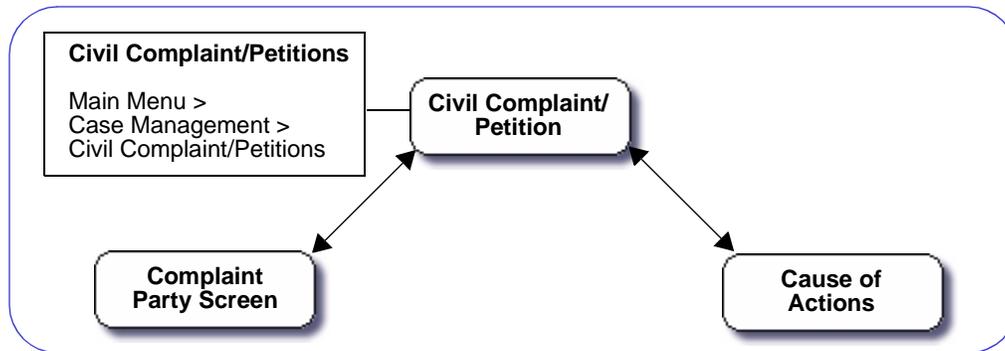
Section 3-2: Case Initiation Without Filing Fee



Section 3-3: Attach Parties to Case



Section 3-4: Entering a Civil Complaint/Petition



Section 3-5: Docketing

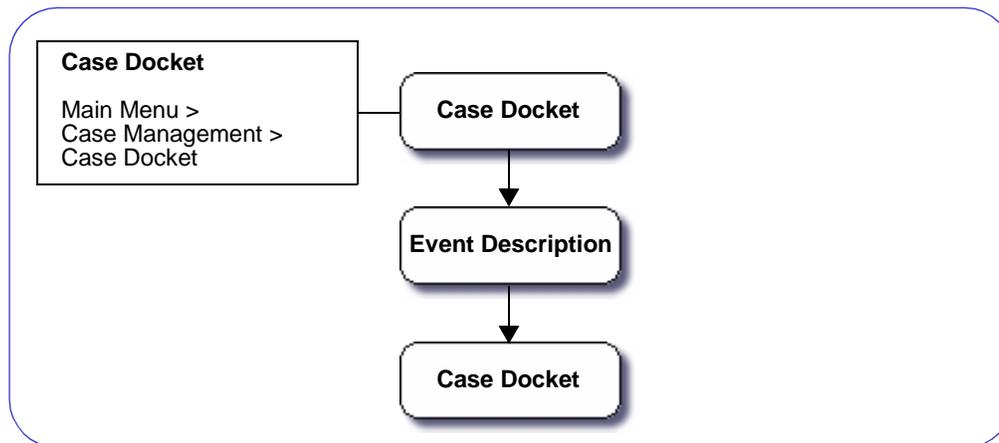


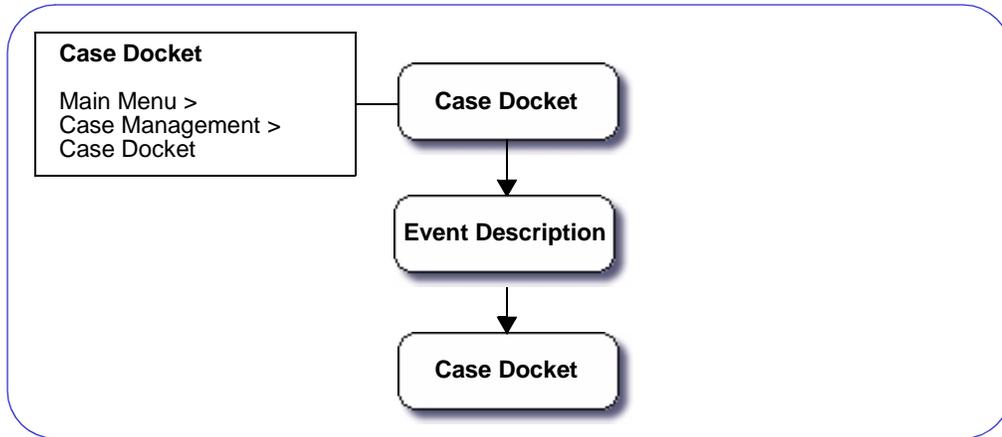
Figure 3-5: Docketing



Section 3-6: Closing a Case



Section 3-7: Docketing Closing Event



Chapter 4: Civil FACTS™ Procedures

Section 4-1: Case Initiation/Reopen With Filing Fee

- **MAIN MENU >**
- **MONEY MANAGEMENT >**
- **RECEIPTING >**
- **RECEIPTS JOURNAL >**
- **CREATE NEW CASE & RECEIPT.** The Create New Case & Receipt screen will appear. (FIGURE: 4-1.1)

Figure 4-1.1: Create New Case & Receipt

FIELD NAMES	INSTRUCTIONS
Crt (Default-D for District)	
Loc (Default-four digit location code, for example, 0101)	
Cat	Enter appropriate case category, CV or SL, etc.

FIELD NAMES	INSTRUCTIONS
Case No.	<ul style="list-style-type: none"> If this is a new case, ENTER through this field and FACTS™ will ask: "Do you want to enter a new Case?" or If this is a reopening, enter the appropriate case number.
Case Title	<ul style="list-style-type: none"> Enter Case Title (SMITH J VS ACME INSURANCE CO). Press ENTER.

**CAUTION | NO PUNCTUATION**

Do not add punctuation to Case Title, "VS" NOT "VS."

Crt	Loc	Cat	Case No.	Case Title	Type	J. Area	Jdg	Party	Num	Part. ID
D	0307	CU		SMITH J VS ACME INSURANCE CO	TAU			P	001	

Figure 4-1.2: Create New Case & Receipt

Type	Enter Case Type from the list below.
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TYPE	DESCRIPTION	TYPE	DESCRIPTION
APP	Civil Appeals	MMS	Miscellaneous Civil
ENV	Environmental Issues	OTH	Other
KDM	Contract/Debt Money Due	RES	Real Estate
KSL	Student Loans	TAU	Tort Auto
LCA	Lower Court Appeal	TMP	Tort Malpractice/Product Liability
LRA	Driver's License Restoration	TRT	Tort
MAO	Miscellaneous Administrative Orders	VSO	Civil Violation of Statutes/ Ordinances

J. Area.	
Jdg.	FACTS™ randomly assigns a judge.
Party	<ul style="list-style-type: none"> Enter Party Type (generally new cases will be P for Plaintiff) from the list below.

AP	Applicant	PP	Plaintiff Appellant
DP	Defendant Appellant	PT	Petitioner
P	Plaintiff		

Num	FACTS™ assigns Party Number.
PART ID.	<ul style="list-style-type: none"> • Enter Participant ID if you know it or • Press ENTER. • The Participant Name Entry /Search screen will pop-up. (FIGURE: 4-1.3)

Figure 4-1.3: Participant Name Entry / Search

Person?	<ul style="list-style-type: none"> • If the Participant is a person, enter Y. • If the Participant is a business or governmental entity, enter N. • If the participant is a person, the cursor will move to the last name field, • If not, the cursor will move to the Full field.
Date of Birth:	Optional

Full	<ul style="list-style-type: none"> • If the Participant is not a person, the cursor will automatically move to this field so you can enter the name of the business or state agency. • If the Participant is a person, FACTS™ will populate this field from the name data entered above.
Search Button (Optional)	<ul style="list-style-type: none"> • If there is a chance that this participant is already in the database (for example, an insurance company, a bank, etc.), click on this button to search. • A message box may appear that states: “There are participant(s) on the system who match your criteria. Would you like to choose among them?” Click on the YES button. • The Participant Search screen will pop-up. (FIGURE: 4-1.4)


CAUTION | IDENTIFIER NECESSARY

If you do not have an identifier, such as, a social security number, date of birth or driver’s license number, click on the **CREATE** button instead of searching.


CAUTION | SEARCHING

- Do not create new parties for participants who may already be in the database, for example, insurance companies.
- Search for those parties or keep a list of frequently used parties.
- Adding participants who may already be in the database slows the system down.

Create Button	When this button is clicked, the New Participant Edit screen pops-up. (FIGURE: 4-1.5)
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2

SECOND | DO NOT SEARCH

- Check for Participant ID number on Participant List before creating a new participant.
- Do not search; click the **CREATE** button.
- After clicking, FACTS™ defaults to the New Participant edit screen. (FIGURE: 4-1.5)
- **Skip the section on search results**; it does not apply to the Second Judicial District.

Participant Name	P	Part. ID	SSN	DL Number	STATE TRACKING
SMITH JORDAN A	Y	32146	111335555		
SMITH JORDAN A	Y	32147	222446666		

Figure 4-1.4: Participant Search Result

Search Results	<ul style="list-style-type: none"> • Use the down arrow to highlight the appropriate participant. • Press ENTER to select the matching participant.
	If search result is negative, FACTS™ defaults to the New Participant Edit screen. (FIGURE: 4-1.5)

Figure 4-1.5: New Participant Edit



CAUTION | POPULATED DATA

- Please note that the data entered on the Participant Name Entry/Search screen will appear on this screen.
- Enter through the fields that are already populated.

Person:	<ul style="list-style-type: none"> • If the Participant is a person, enter Y. • If the Participant is a business or governmental entity, enter N, .
Last:	<ul style="list-style-type: none"> • Enter the person's last name. • Press ENTER.
First	<ul style="list-style-type: none"> • Enter the person's first name. • Press ENTER.
Middle:	<ul style="list-style-type: none"> • Enter the person's middle name. • Press ENTER.
Suffix:	<ul style="list-style-type: none"> • This field supports the entry of suffixes such as: JR, SR, III, MD, PHD, etc. • Press ENTER.



CAUTION | DO NOT PUNCTUATE: “JR” NOT “JR.”

Continue Button

- Click on the **CONTINUE** button to create a new Participant ID.
- The user will be taken back up a level to the Create New Case & Receipt screen.
- FACTS™ will return the cursor to the Part. ID field in the Create New Case & Receipt screen. (FIGURE: 4-1.6)

Crt	Loc	Cat	Case No.	Part. ID	Party Name	Event	Event Code / Description
D	0307	CU			SMITH JORDAN	184	PMT: CIVIL FILING W/ ARBIT

Figure 4-1.6: Create New Case & Receipt



CAUTION | SCREEN PRINTS

- If you do not know the correct payment event code, ask your supervisor.
- Please note that district courts have different filing fees for the same case category.
- The screen prints throughout this section may not reflect the filing fee or payment event code your court uses.

Part ID.	TAB through this field to populate.
Party Name	This field will default to the name of the participant that you entered.
Event	Enter the appropriate event code for new case filing fee.
Event Code/Description	FACTS™ will automatically populate this field with description of the above event code.

Crt	Loc	Cat	Case No.	# Units	Amount	Assess Event	Assessment	Stat	Stat. Date	FTY
D	0307	CU			\$122.00	284	\$122.00	PK	03-04-2002	N

Figure 4-1.7: Create New Case & Receipt

# Units	
Amount	<ul style="list-style-type: none"> FACTS™ will enter default amount based on the event code you entered above. Press ENTER.
Assess Event	
Assessment	
Stat. (Default PN)	
Stat. Date (Default current date)	
FType (Default N)	
File Date (Default current date)	<ul style="list-style-type: none"> F6: Press F6 and the cursor will move to the Receipt Date field of the screen. F5: If the party is paying another fee, for example, a jury fee, then press F5 to add this event on the line provided.


CAUTION | F7 TO DELETE EXTRA LINE

- It is easy to press **ENTER** too many times and to find the cursor on the next line.
- If this happens press **F7** and you will delete the **extra line**.

Crt	Loc	Cal	Case No.	Amount	Assess Event	Assessment	Stat	Stat. Date	FType	File Date
D	0307	CU	009900052	.00	284	\$122.00	PN	03-04-2002	N	03-04-2002
								--		--

Case: SMITH J US ACME INSURANCE CO TORT AUTO Total: \$122.00
 Judge: ROBERT E ROBLES Receipt Date: 03-04-2002

Pay From Suspense?(Y/N): N Suspense Account ID:
 Suspense Amount: Requestor:

Payor Part. ID: 24971 Edit JONES & ASSOC PC
 Attorney Address
 Memo Text:
 14141 SOUTHWEST FRWY STE 1530
 SUGAR LAND, TX 77478

Check Amount: \$122.00 Check Number: B 54218 More Checks (Y/N)?: N
 Credit Card: \$0.00 Authorization:
 Cash Amount: \$0.00
 Other Amount: Change: \$0.00
 Deputy ID: 301 Register: 1 Receipt Number: A 000006703

Figure 4-1.8: Create New Case & Receipt

Receipt Date (Default-current date)	ENTER through this field.
Pay from Suspense	ENTER through this field.
Payor Part ID.	<ul style="list-style-type: none"> When appropriate, delete Petitioner ID, input Attorney Participant ID. To make the receipt out to the Petitioner, tab twice through this field.

**CAUTION | ATTORNEY PARTICIPANT ID**

- Please use the **Attorney Participant ID** number.
- Do not use the **Attorney Code** number.
- You will enter inaccurate information (someone else's Participant ID) if you use the **Attorney Code** number in this field.

Memo Text

- Enter appropriate text for your district.



CAUTION | THE TEXT DOES NOT WRAP TO THE NEXT LINE. PRESS ENTER TO GO TO THE NEXT LINE.

Check Amount	<ul style="list-style-type: none"> Enter amount of check. If this field becomes populated, the cursor will skip to the Check Number field. Otherwise, the cursor will advance to the Credit Card field.
Check Number	<ul style="list-style-type: none"> This field has two parts, the check type and the check number. The check number part of the field can fit traveler's checks and money order numbers. The choices for check type are as follows:



CAUTION | PERSONAL CHECKS ARE NOT ACCEPTED IN NEW MEXICO DISTRICT COURTS.

B	Business Check
CC	Cashier's Check
MO	Money Order
PO	Postal Order
TC	Traveler's Check

More Checks (Y/N)	<ul style="list-style-type: none"> If you have more checks, enter Y for yes. The Multiple Checks screen will pop-up. (FIGURE: 4-1.9) You can then enter up to four more checks.
--------------------------	--

Figure 4-1.9: Multiple Checks

Create New Case & Receipt

Crt	Loc	Cal	Case No.	Amount	Assess Event	Assessment	Stat	Stat. Date	FType	File Date
D	0307	CU	009900052	.00	284	\$122.00	PN	03-04-2002	N	03-04-2002
								--		--

Case: SMITH J US ACME INSURANCE CO TORT AUTO Total: \$122.00
 Judge: ROBERT E ROBLES Receipt Date: 03-04-2002

Pay From Suspense?(Y/N): N Suspense Account ID:
 Suspense Amount: Requestor:

Payor Part. ID: 24971 Edit JONES & ASSOC PC
 Attorney Address
 14141 SOUTHWEST FRWY STE 1530
 SUGAR LAND, TX 77478

Memo Text:

Check Amount: \$122.00 Check Number: B 54218 More Checks (Y/N)? N
 Credit Card: \$0.00 Authorization:
 Cash Amount: \$0.00
 Other Amount: Change: \$0.00
 Deputy ID: 301 Register: 1 Receipt Number: A 000006703

Figure 4-1.10: Create New Case & Receipt

Credit Card	Not used at this time.
Authorization	
Cash Amount	Enter the amount of cash collected.
Deputy ID	This will default to the Deputy ID of the user who is currently logged on the computer.
Register	Enter the number of the register that you are using.
Receipt Number	<ul style="list-style-type: none"> The receipt number field has two parts. In the first box, enter the appropriate receipt prefix (this indicates the bank account where the money will go) and In the second box, FACTS™ will assign a number to the receipt.
Completing the Create a New Case & Receipt Screen	<p>Upon entry of the receipt prefix, FACTS™ randomly assigns:</p> <ul style="list-style-type: none"> A new case number when appropriate, A judge, (FIGURE: 4-1.11).



Figure 4-1.11: Case Number and Judge Assignment

Completing the Create a New Case & Receipt Screen

- A new **Participant ID number** (if the party is a new participant),
- A **receipt number** (FIGURE: 4-1.12),
- Click **OK**.

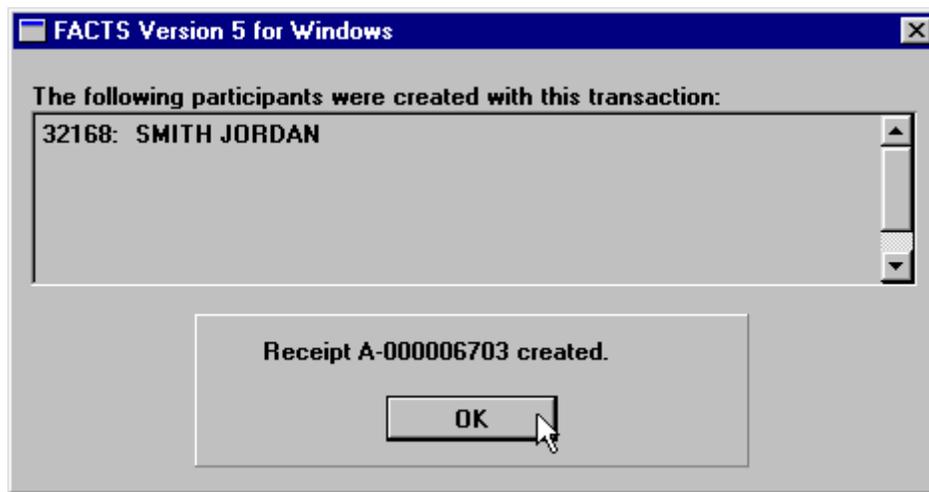


Figure 4-1.12:

Completing the Create a New Case & Receipt Screen

FACTS™ gives the user the option of printing the receipt, and saves **ALL** the data.

PRINTER DIALOG BOX

- Click the **PRINT** button.
- Click **OK** or press **ENTER**.



Section 4-2: Case Initiation/Reopen Without Filing Fee

Initiating a new case **WITHOUT** a filing fee.

- **MAIN MENU** >
- **CASE MANAGEMENT** >
- **CASE MASTER**. The Case Master screen will appear. (FIGURE: 4-2.1)

Figure 4-2.1: Case Master

FIELD NAME	INSTRUCTIONS
Case Number:	FACTS™ will enter default Court and Location Codes.
Court (Default-D for District)	
Location (Default-four digit location code, for example, 0101)	
Category	<ul style="list-style-type: none"> • Enter appropriate case category, CV or SL, etc. • Press ENTER.
Number	<ul style="list-style-type: none"> • FACTS™ will ask: "Do you want to enter a new Case?" • Press ENTER or • Click on YES to indicate that you want to add a new case.

FIELD NAME	INSTRUCTIONS (CONTINUED)
Case Status: (Default PN for Pending)	Press ENTER .
Status Date: (Default-current date)	<ul style="list-style-type: none"> • Press ENTER or • Delete and enter appropriate date.
Type of Filing (Default N for New)	Press ENTER .
Filing Date: (Default to current date)	<ul style="list-style-type: none"> • Press ENTER or • Delete and enter appropriate date.
Title	<ul style="list-style-type: none"> • Enter Case Title from opening pleading (ACME INSURANCE CO VS SMITH B). • Press ENTER.
Case Type	Enter appropriate Case Type from the list below:

APP	Civil Appeals	OTH	Other
ENV	Environmental Issues	RES	Real Estate
KDM	Contract/Money Due	TAU	Tort Auto
KSL	Student Loans	TMP	Tort Malpractice/Product Liability
LRA	License Revocation Appeals	TRT	Tort
MAO	Miscellaneous Administrative Orders	VSO	Civil Violation of Statutes/ Ordinances
MMS	Miscellaneous Civil		

Cause of Action for OTH-Other Case Type

OCD	Corporate Dissolution, Shareholder Suits	OWC	Worker's Compensation (Reopen Only)
ODM	Other Damages	KBK	Breach of Contract
ODR	Declaratory Relief	KBW	Breach of Warranty
OEC	Election Contests	KDM	Debt and Money Due
OIJ	Injunction/Not Contract/Tort	KEQ	
OIN	Interpleader	KMS	Contract Miscellaneous
OMS	Miscellaneous Other	KRA	Replevin Attachment

Save Button

- Click button or press **ENTER**.
- Mouse click on **SAVE** button.
- The system will generate new case number and assign a judge;
- Screen prompt will show case number and judge assignment; press **ENTER** key to save data.
- A message box will appear that states data has been saved.
- Press **ENTER** or click **OK**.



Section 4-3: Attach Parties to Case

After the case has been initiated, the **PARTY NAMES** screen will automatically pop-up or can be accessed by making the following menu choices:

- **MAIN MENU >**
- **CASE MANAGEMENT >**
- **PARTY NAMES.** The Party Names screen will appear. (FIGURE: 4-3.1)

Figure 4-3.1: Party Names

FIELD NAMES	INSTRUCTIONS
Case Number: (Default-last case number, if coming from the Case Master screen)	If you are beginning a new session or need to enter data from a different case, enter the Category and Number for the case.
Court (Default-D for District)	
Location (Default-four digit location code, for example, 0101)	
Category	Enter category, CV.
Number	Enter case number.
Party Type:	Enter appropriate party type from the list below.

AP	Applicant	PE	Plaintiff Appellee
CD	Counter Defendant	PI	Plaintiff in Intervention
CL	Counter Claimant	PP	Plaintiff Appellant
CP	Counter Plaintiff	PT	Petitioner
D	Defendant	RC	Receiver
DE	Defendant Appellee	RE	In Matter of
DI	Def. in Intervention	RS	Respondent
DP	Defendant Appellant	SF	Settlement Facilitator
FD	4th Party Defendant	SM	Special Master
FP	4th Party Plaintiff	TD	3rd Party Defendant
GL	Guardian Ad Litem	TP	3rd Party Plaintiff
IN	Interpleader	XD	Cross Defendant
IP	Involuntary Plaintiff	XP	Cross Plaintiff
IT	Interested Party		
P	Plaintiff		

Party No.:	FACTS™ will assign party number.
Party Status	<ul style="list-style-type: none"> Enter “A” (active) and press ENTER.
Party Date (Default-current date)	<ul style="list-style-type: none"> ENTER through or delete and type correct date. Press ENTER.
Participant ID:	<ul style="list-style-type: none"> In this field, the user can enter a Participant ID number and press TAB. If the user does not have a Participant ID Number for the participant, press ENTER and the Party Name / Entry screen will pop-up. (FIGURE: 4-3.2)

Figure 4-3.2: Party Name Entry / Search



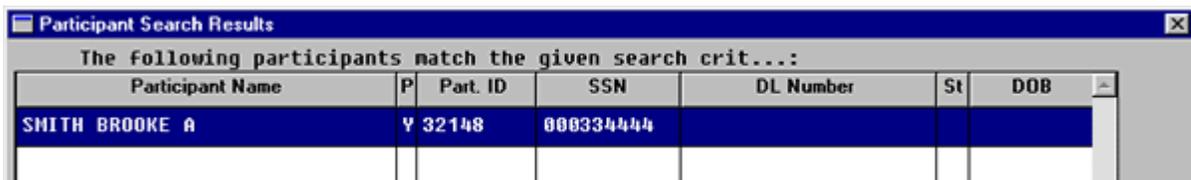
CAUTION | POPULATED DATA

Please note that the data you enter in the Participant Name / Entry Search screen will appear on the New Participant Edit screen.

Person?	<ul style="list-style-type: none"> • If the Participant is a person, enter Y. • If the Participant is a business or governmental entity, enter N. • If the participant is a person, the cursor will move to the last name field, • If not, the cursor will move to the Full field.
Date of Birth:	Optional
Full	<ul style="list-style-type: none"> • If the Participant is not a person, the cursor will automatically move to this field so you can enter the name of the business or state agency. • If the Participant is a person, FACTS™ will populate this field from the name data entered above.

Search Button (Optional)	<ul style="list-style-type: none"> • If there is a chance that this participant is already in the database (for example, an insurance company, a bank, etc.), click on this button to search. • A message box may appear that states: "There are participant(s) on the system who match your criteria. Would you like to choose among them?" Click on the YES button.
Create Button	<ul style="list-style-type: none"> • If there is no chance that this participant is in the database, then click on this button. • When this button is clicked, the New Participant Edit screen pops-up. (FIGURE: 4-3.4)

Track 1



The screenshot shows a window titled "Participant Search Results" with a close button (X) in the top right corner. Below the title bar, it says "The following participants match the given search crit...:". Below this is a table with the following data:

Participant Name	P	Part. ID	SSN	DL Number	St	DOB
SMITH BROOKE A	Y	32148	000334444			

Figure 4-3.3: Participant Search Results

Search Results	<ul style="list-style-type: none"> • Highlight the appropriate participant with the arrow keys. • Press ENTER to select the matching participant. • If search result is negative, FACTS™ defaults to the New Participant Edit screen. (FIGURE: 4-3.4)
-----------------------	---

Track 2

Figure 4-3.4: New Participant Edit

**CAUTION | POPULATED DATA**

- Please note that the data you entered on the Participant Name / Entry Search screen will appear on this screen in the appropriate fields and does not need to be reentered.
- You may **ENTER** through the fields already populated (filled-in).

Person:	<ul style="list-style-type: none"> • If the Participant is a person, enter Y. • If the Participant is a business or governmental entity, enter N.
Last:	Enter the person's last name .
First:	Enter the person's first name .
Middle:	Enter the person's middle name .
Suffix:	This field supports the entry of suffixes such as: JR, SR, III, MD, PHD, etc.
DOB:	Enter Date of Birth if available.
Sex:	Enter F for female or M for male if the data is available.
SSN:	Enter the participant's social security number if available.

Drivers License No.:

Enter the **participant's driver's license number** if available.

Address Information:

Correspondence Address Type: Party Address

Delivery Method: Postal Service

Current Address

1221 PRINCETON NE
ALBUQUERQUE, NM 87106

Edit

Continue

Figure 4-3.5: New Participant Edit

Correspondence Address Type:

- Enter appropriate Correspondence Address Type from the list below.
- **PT** (Party Address) is the most frequent choice.
- This indicates the address where notices are sent.

**CAUTION | CORRESPONDENCE ADDRESS TYPE**

If this field is left blank, then any notices that are generated will not have addresses.

CODE	DESCRIPTION	CODE	DESCRIPTION
AG	Attorney Address	HO	Home Address
BU	Business Address	PT	Party Address
EM	Employer Address	RL	Relative's Address

Delivery Method:**Current Address Edit Button**

- Click on the **EDIT** button to type address information.
- The New Participant Address Entry / Edit will pop-up. (FIGURE: 4-3.6)


CAUTION | CURRENT ADDRESS

Please note the information indicated under Current Address is where notices get mailed.

Figure 4-3.6: New Participant Address Entry / Edit

Restricted:	Enter Y for yes, or N for no.
Line 1:/Line 2:	Enter the Participant's street address.
City:	Enter the Participant's city.
State:	Enter the Participant's state.
Zip Code:	Enter the Participant's zip code.
Business Phone:	Enter the Participant's business phone if available.
Current From:	
Entry Date:	
Continue Button	<ul style="list-style-type: none"> Click on the CONTINUE button. FACTS™ will return you to the New Participant Edit screen. (FIGURE: 4-3.7)

Address Information:
 Correspondence Address Type: Delivery Method:
 Current Address
 1221 PRINCETON NE
 ALBUQUERQUE, NM 87106
 Edit
 Continue

Figure 4-3.7: New Participant Edit Screen

Continue Button

- Click on the **CONTINUE** button.
- FACTS™ will return you to the Party Names screen. (FIGURE: 4-3.8)

Participant ID: Edit
 Person? Y
 Last Name: First: Middle: Suffix:
 Full Name:
 Birth Date: Juvenile? SSN:
 Height: Feet Inches Sex: Weight: Lbs
 Origin: Eye: Hair:
 Ending Date: Driver License: State:
 Date of Death: Filing Address: Edit
 Alias Name? Edit Attorney? Edit Military?
 In Custody? Security Required? Interpreter:
 Restricted? Save
 This is a new party

Figure 4-3.8: Party Names

Participant ID:

- Tab twice.
- As a result of tabbing, FACTS™ will fill in the name and personal information fields.
- Enter through these fields or fill in the information if available.

Filing Address Edit Button

- If you have already entered the Participant Address, tab past this button or
- If you want to edit the address or enter an address, click this button and the New Participant Address Entry/Edit screen will pop-up.
- Follow the directions above to enter data.

Alias Name? Edit Button

- If answer is no, then tab past this button,
- If answer is yes, then click the button and the Party Aliases screen will pop-up.
(FIGURE: 4-3.9)

Figure 4-3.9: Party Aliases

	Press F2 key to add a new alias.
Doing Business As? (Default-N for No)	<ul style="list-style-type: none"> • If the answer is yes, enter Y and the cursor will move to the Full Name field. • If the answer is no, the cursor will move to the Last Name field.
Last Name:	Enter the alias last name .
First Name:	Enter the alias first name .
Middle Name:	Enter the alias middle name if there is one.
Suffix:	Enter the alias suffix if there is one.
Full	<ul style="list-style-type: none"> • If the alias is a person, this field will populate automatically. • If you entered Y in the “Doing Business As” field, enter the name of the business.
Birth Date	Enter the alias birth date if one exists.
SSN:	Enter the alias social security number if one exists.
Driver’s License No.:	Enter the alias driver’s license number if one exists.

State:	Enter the state of the alias driver's license number, if available.
Alias Type	Enter the appropriate code from the following table.

CODE	TYPE	DESCRIPTION
A	AKA	Also known as
F	FKA	Formerly known as
N	NKA	Now known as
O	OBO	On behalf of

Figure 4-3.10: Party Aliases

Done Editing Button	<ul style="list-style-type: none"> Click on the DONE EDITING button when you have entered ALL the data for that alias. Verify that the data entered on the grid is correct. Press F2 to enter another alias.
----------------------------	--

Save Alias Button

- Click the **SAVE ALIASES** button to save the data.
- You will return to the Party Names screen. (FIGURE: 4-3.11)

The screenshot shows the 'Party Names' form with the following data:

- Case Number: D 0307 CU 0009900053 STATE US SMITH B
- Party Type/No.: D 1 Party Status/Date: A 03-05-2002 ACTIVE
- Participant ID: [Redacted] Edit SMITH BROOKE
- Person? Y
- Last Name: SMITH First: BROOKE Middle: Suffix:
- Full Name: SMITH BROOKE
- Birth Date: 06-29-1962 Juvenile? N SSN: 987-65-4321
- Height: Feet Inches Sex: F Weight: Lbs
- Origin: Eye: Hair: State:
- Ending Date: Driver License: Filing Address: PT 1 Edit
- Date of Death: Alias Name? N Edit Attorney? Y Edit Military?
- In Custody? Security Required? Interpreter: Restricted?
- Save button and text: This is a new party

Figure 4-3.11: Party Names

Alias Name? Edit Button	TAB past this button
Attorney? Edit Button	<ul style="list-style-type: none"> • To add an attorney for this party, click this button. • The Party Attorney Menu screen will pop-up. (FIGURE:)

The screenshot shows the 'Party Attorney Menu' form with three buttons:

- Party Attorney Edit
- Party Attorney Delete
- Party Attorney View

Figure 4-3.12: Party Attorney Menu

Party Attorney Edit

- Click this button to enter a party attorney.
- The Party Attorney Edit screen will then pop-up. (FIGURE: 4-3.13)

Party Attorney Edit

Case Data

Case Number: D 0307 CU 0009900053 STATE US SMITH B

Party Type: D

Party Number: 1 SMITH BROOKE

Attorney Data

Attorney Code: F1414 RHODES HIERONYMUS JONES TUCKER

Attorney Type: PA PRIVATE ATTORNEY

Attorney Status:

Attorney Inactive (Y/N)? N Party/Attorney Status Date: --

Contact Attorney (Y/N)?

This is a new case

Figure 4-3.13: Party Attorney Edit

Case Number	You MUST ENTER through this field.
Party Type	You MUST ENTER through this field.
Party Number	You MUST ENTER through this field.
Attorney Code	<ul style="list-style-type: none"> • Enter attorney code. • Press F1 for a look-up table of attorney names and codes. • If party is Pro Se (self-represented), please indicate "PROSE."

The screenshot shows a window titled "Attorney Select". It contains two input fields: "Attorney Starting Code:" (empty) and "Name to Search For:" (containing "JONES"). Below these fields is a table with three columns: "Attorney Code", "Name", and "Bin No.". The table lists three attorneys, with the second one highlighted in blue.

Attorney Code	Name	Bin No.
F1411	JONES DAY REAVIS & POGUE	
F1414	RHODES HIERONYMUS JONES TUCKER	
SDJW	S. DOUG JONES WITT, A.D.A.	061298

Figure 4-3.14: Attorney Select

TIP | FASTER SEARCHING

- Tab through the **ATTORNEY STARTING CODE** field.
- Type the attorney's last name in the **NAME TO SEARCH FOR:** field and press **ENTER**.
- Highlight the appropriate attorney with the arrow keys and press **ENTER**.

The screenshot shows a window titled "Attorney Data". It contains several fields: "Attorney Code:" (F1414), "Name:" (RHODES HIERONYMUS JONES TUCKER), "Attorney Type:" (PA), "Attorney Status:" (checkbox), "Attorney Inactive (Y/N)?" (N), "Party/Attorney Status Date:" (--), and "Contact Attorney (Y/N)?" (Y). A note at the bottom right says "This is a new case".

Figure 4-3.15: Party Attorney Edit

Attorney Type:

- Enter the appropriate code from the following list of choices:
- **PA** is the code for private attorney.
- If necessary, use the **F1** key to look up the attorney types.

Attorney Data

Attorney Code:

Attorney Type:

Attorney Status:

Attorney Inactive (Y/N)? Party/Attorney Status Date:

Contact Attorney (Y/N)?

This is a new case

Figure 4-3.16: Party Attorney Edit

Attorney Inactive (Y/N)?	
Party/Attorney Status Date.	
Contact Attorney (Y/N)?	<ul style="list-style-type: none"> Enter Y if notices are to be sent to this attorney or N if nothing is to be sent to this attorney.
Press Enter Key	<ul style="list-style-type: none"> Press ENTER while cursor is in the Contact Attorney to save the data on this screen. A Message box will pop-up that indicates data has been saved.
Enter Other Attorneys	<ul style="list-style-type: none"> To enter another attorney, press the ESC key once to be taken to the top of the screen.
Go Back to Party Names Screen	<ul style="list-style-type: none"> To exit the Attorney Names screen, press the ESC key twice. You will return to the Party Attorney Menu screen. To close this screen, press the ESC key or click on the "X" in the upper right-hand corner. You will return to the Party Names screen. (FIGURE: 4-3.17)


CAUTION | ESCAPE (ESC) KEY

- Do not press the **ESC** key four times in a row from the Party Attorney Edit screen.
- You will lose the data you entered on the Party Names screen.

Party Names

Case Number: D 0307 CU 0009900053 STATE US SMITH B

Party Type/No.: D 1 Party Status/Date: A 03-05-2002 ACTIVE

Participant ID: ----- **Edit** SMITH BROOKE

Person? Y

Last Name: SMITH
 First: BROOKE Middle: Suffix:

Full Name: SMITH BROOKE

Birth Date: 06-29-1962 Juvenile? N SSN: 987-65-4321

Height: Feet Inches Sex: F Weight: Lbs

Origin: Eye: Hair:

Ending Date: - - Driver License: State:

Date of Death: - - Filing Address: PT 1 **Edit**

Alias Name? N **Edit** Attorney? Y **Edit** Military?

In Custody? Security Required? Interpreter:
 Restricted?

Save  This is a new party

Figure 4-3.17: Party Names

Attorney Edit? Button	Tab past this button to continue.
Restricted?	Enter Y for yes, or N for no.
Save Button	Tab to SAVE button and click button to save and to properly attach data.



Section 4-4: Entering a Civil Complaint/Petition

The Civil Complaint/Petition screen is used to open and close civil complaints.

- **MAIN MENU >**
- **CASE MANAGEMENT >**
- **CIVIL COMPLAINT/PETITIONS.** The following screen will appear: (FIGURE: 4-4.1)

The screenshot shows a window titled "Civil Complaint/Petitions". At the top, there is a "Case Number:" field with sub-fields containing "D", "0307", "CU", and "0009900053", followed by a text field containing "STATE US SMITH B". Below this are several other fields: "Complaint Date:" (03-05-2002), "Complaint Sequence:" (01), "Complaint Event Code:" (1513 OPN: PETITION), and "Jury(Y/N):" (N). A section titled "Identify Party(s) on the event comments? (Y/N):" has a "Y" response. Below that are "Party? (Y/N):" (Y), "Cause of Actions? (Y/N):" (Y), and "Relief Code(s)? (Y/N):" (N). There are also fields for "Disposition Code:", "Date:", "Disposition/Judgment Event:", and "Judgment Code(s)? (Y/N):". At the bottom, there are "Save" and "Related Cases" buttons, and a status bar that says "Updated By At 0 : :".

Figure 4-4.1: Civil Complaint/Petitions

FIELDS	INSTRUCTIONS
Case Number: (Default last case number)	If you are beginning a new session or need to enter data from a different case, fill in each of the four subfields as follows:
Court	Enter D for District Court.
Location	Enter the court location, for example, 101, 202.
Category	Enter category, CV.
Number	Enter case number.
Complaint Date (Default-current date)	<ul style="list-style-type: none"> • Enter file stamp date. • Press ENTER.

FIELDS	INSTRUCTIONS
Complaint Sequence	<ul style="list-style-type: none"> Type in the sequence number (how many complaints on this case). If you ENTER through, the number will default.
Complaint Event Code	Type in the opening or reopening event code from the list below:

CODE	DESCRIPTION	CODE	DESCRIPTION
1500	OPN: Application	2502	RPN: Mandate/Reopen
1501	OPN: Change of Venue	2504	RPN: Mtn/Pet to Reopen
1503	OPN: Complaint	2506	RPN: Order to Reopen
1508	OPN: Misc/Other Open	2509	RPN: Reopen Fee/Paid
1509	OPN: Motion (MTN)	2510	RPN: No Fee Paid
1513	OPN: Petition	2511	RPN: Reopen/Misc/Other
		2512	RPN: Reopen No Fee Required

Jury	<ul style="list-style-type: none"> If the plaintiff requests a jury, enter Y for yes. If the plaintiff does not request a jury, enter N for no.
Identify Parties on the event comments? (Y/N):	Enter Y for yes.
Party:	<ul style="list-style-type: none"> Enter Y for yes and press ENTER. The Complaint Party Screen will pop-up. (FIGURE: 4-4.2) Complete the following screen as directed below.

Case: D 0307 CV 0009900053 STATE US SMITH B

Case Type: RES REAL ESTATE

Complaint Event: 15130PN: PETITION

Identify Party(s) on the Event comments (Y/N)?

Ty	Nbr	Plaintiff Party Name
P	1	STATE OF NEW MEXICO

Ty	Nbr	Defendant Party Name
D	1	SMITH BROOKE

This is a new record

Figure 4-4.2: Complaint Party Screen

Complaint Party Screen
(Default-any parties already entered.)

- Verify that the parties are correct.
- If you have any missing parties, exit this screen.
- Go to **CASE MANAGEMENT > PARTY NAMES** and enter missing parties.
- Delete any parties that do not apply to this complaint.
- Return to the Complaint Party screen.
- Press **CTRL T** to save.
- You will return to the Civil Complaint/Petitions screen. (FIGURE: 4-4.3)

Identify Party(s) on the event comments? (Y/N):

Party? (Y/N):

Cause of Actions? (Y/N):

Relief Code(s)? (Y/N):

Disposition Code:

Date:

Disposition/Judgment Event:

Judgment Code(s)? (Y/N):

Updated By At 0 : :

Figure 4-4.3: Civil Complaint/Petitions

Cause of Actions: (Y/N)

- Enter Y for yes.
- The Cause of Actions screen will appear. (FIGURE: 4-4.4)

Cause of Actions

Case: D 0307 CV 0009900053 STATE US SMITH B

Case Type: RESREAL ESTATE
 Complaint Event: 15130PN: PETITION
 Event Date: 03-05-2002
 Sequence: 01

Cause of Actions sequence: 0001 Cause of Actions: RGA GOVT:CONDEMN EMIN DOMAIN ETC

Contested: Yes No
 Jury: Yes No

Disposition Code:

Disposition Date:

Disposition Event Code:

PT	No	Plaintiff Party Name
P	001	STATE OF NEW MEXICO

PT	No	Defendant Party Name
D	001	SMITH BROOKE

Updated By At

Figure 4-4.4: Cause of Actions

Cause of Action	Press F1 to look up code or type in the correct code.
Contested (Default-No)	
Jury	
Disposition code	
Disposition Date	
Disposition Event Code	

<p>Plaintiff Party Name: (Default-any plaintiff data already entered.)</p>	<ul style="list-style-type: none"> • The cursor will rest in the PT field and flash. • If you know the party, you can enter P and 1 and press enter or • Press the F1 key and a list of parties will pop-up. • Highlight the correct choice with the arrow keys and press ENTER. • Press F3 to move cursor to the PT field on the Defendant Party Name side.
<p>Defendant Party Name: (Default-any plaintiff data already entered.)</p>	<ul style="list-style-type: none"> • The cursor will rest in the PT field and flash. • Press the F1 key and a list of parties will pop-up. • Highlight the correct choice with the arrow keys and press ENTER. • Press F2 to move cursor to the PT field on the Plaintiff Party Name side if needed.
	<ul style="list-style-type: none"> • Press the CTRL T keys to save and press ENTER. • A message will appear stating that the data has been saved. • Close this screen by clicking on the “X” in the upper right-hand corner or by pressing the ESC key. • You will return to the Civil Complaint/ Petition screen. (FIGURE: 4-4.5)

Civil Complaint/Petitions

Case Number:

Complaint Date:

Complaint Sequence:

Complaint Event Code:

Jury(Y/N):

Identify Party(s)
on the event comments? (Y/N):

Party? (Y/N):

Cause of Actions? (Y/N):

Relief Code(s)? (Y/N):

Disposition Code:

Date:

Disposition/Judgment Event:

Judgment Code(s)? (Y/N):

Updated By At 0 : :

Figure 4-4.5: Civil Complaint/Petition

Save Button

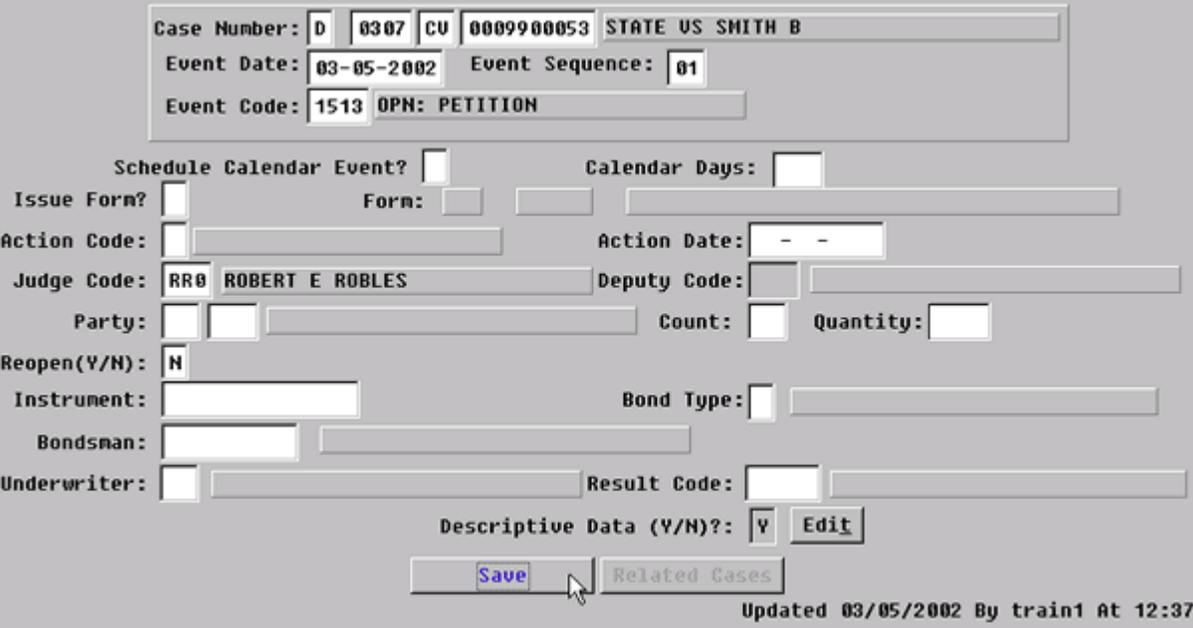
- Tab through all fields to **SAVE** button.
- Click button or press **ENTER**.



Section 4-5: Docketing

Use the Case Docket screen to record events that occur in a case. These events record the progression of a case.

- **MAIN MENU** >
- **CASE MANAGEMENT** >
- **CASE DOCKET.** The Case Docket screen will appear. (FIGURE: 4-5.1) or
- Click on the **CASE DOCKET** button  on the toolbar at the top of the screen.



The screenshot shows the Case Docket screen with the following fields and values:

- Case Number: D 0307 CV 0009900053 STATE US SMITH B
- Event Date: 03-05-2002 Event Sequence: 01
- Event Code: 1513 OPN: PETITION
- Schedule Calendar Event? Calendar Days:
- Issue Form? Form:
- Action Code: Action Date: -- --
- Judge Code: RR0 ROBERT E ROBLES Deputy Code:
- Party: Count: Quantity:
- Reopen(Y/N): N
- Instrument: Bond Type:
- Bondsman:
- Underwriter: Result Code:
- Descriptive Data (Y/N)?: Y
-
- Updated 03/05/2002 By train1 At 12:37

Figure 4-5.1: Case Docket

FIELD NAMES	INSTRUCTIONS
Case Number:	FACTS™ will enter default Court and Location Codes.
Court (Default-D for District)	
Location (Default-four digit location code, for example, 0101)	
Category	Enter category, CV.
Number	Enter case number.
Event Date (Default-current date)	Enter file stamp date.

FIELD NAMES	INSTRUCTIONS
Event Sequence	<ul style="list-style-type: none"> This field will default to the next sequence number, verify that the sequence number is correct or Press F1 to select the correct sequence number and press ENTER.
Event Code	Enter appropriate event code.
Schedule Calendar Event?	
Calendar Days:	
Issue Form:	
Action Code:	FACTS™ will input a default value based on the event code you entered.
Action Date:	
Judge Code: (Default-Assigned Judge)	<ul style="list-style-type: none"> If another judge presided over event, delete assigned judge, and Enter correct judge.
Deputy Code: (Default-User login)	
Party	<ul style="list-style-type: none"> Enter Party type and number if appropriate. Press ENTER button.
Enter through other Fields	
Descriptive Data:	<ul style="list-style-type: none"> Click on the EDIT button. The Event Description screen will pop-up. (FIGURE: 4-5.2)

The screenshot shows a window titled "Event Description" with a "Case Details" section. The fields are: Case Number: D 0307 CV 0009900053, Event Date: 03-05-2002, Event Seq: 01, Event Code: 1513, and OPN: PETITION. Below this is a "Comments" section with a text area containing "EMINENT DOMAIN PETITION".

Figure 4-5.2: Event Description



CAUTION | NO TEXT WRAPPING

- The text does not wrap to the next line.
- Press **ENTER** to go to the next line.

- **ENTER** until you reach the comments field and type in descriptive text.
- After the message box appears, press **CTRL T** to save.
- Press **ENTER** or click **OK** to exit out.
- You will return to the Case Docket screen. (FIGURE: 4-5.3)



CAUTION | YOU MUST PRESS “CTRL T” TO SAVE; OTHERWISE, DATA WILL BE LOST.

Descriptive Data (Y/N)?: Y Edit

Updated 03/05/2002 By train1 At 12:37

Figure 4-5.3: Case Docket

Event Date:

- The cursor will return to the event date field. (FIGURE: 4-5.4)
- Shift tab to the case number to docket another event or
- Shift tab twice to docket to another case or
- To exit the screen, click on the “X” in the upper right-hand corner.

Case Number:

Event Date: Event Sequence:

Event Code:

Figure 4-5.4: Case Docket



Section 4-6: Closing Case Using the Civil Complaint/Petitions Screen

The Civil Complaint/Petitions screen is used to open and close domestic matters petitions.

- **MAIN MENU >**
- **CASE MANAGEMENT >**
- **CIVIL COMPLAINT/PETITIONS.** The Civil Complaints/Petition screen will appear. (FIGURE: 4-6.1)

The screenshot shows the 'Civil Complaint/Petitions' window with the following data:

- Case Number: D 307 CU 9900053 STATE US SMITH B
- Complaint Date: 03-05-2002
- Complaint Sequence: 1
- Complaint Event Code: 1513 OPN: PETITION
- Jury(Y/N): N
- Identify Party(s) on the event comments? (Y/N): Y
- Party? (Y/N):
- Cause of Actions? (Y/N):
- Relief Code(s)? (Y/N):
- Disposition Code: ST SETTLED
- Date: 03-07-2002
- Disposition/Judgment Event: 3526 CLS: STIPULATED JUDGHT
- Judgment Code(s)? (Y/N): Y

Buttons: Save, Related Cases. Status: Updated 03/05/2002 By train1 At 12:43

Figure 4-6.1: Civil Complaint/Petitions

FIELD NAMES	INSTRUCTIONS
Case Number: (Default-last case number)	Enter the appropriate case number.
Complaint Date (Default-current date)	Enter the file stamp date of the opening pleading.
Complaint Sequence (Default-next complaint sequence)	Delete the number and enter the appropriate number.
Complaint Event Code	FACTS™ will populate this field with the appropriate opening event code.
Jury	

FIELD NAMES	INSTRUCTIONS
Identify Parties on the event comments? (Y/N):	
Party:	
Cause of Actions (Y/N)	
Relief Code(s)? (Y/N)	
Disposition Code	Enter the disposition code from the list below.

AR	Arbitration	DW	Dismissed Before Trial with Prejudice
DB	Dismissed Before Trial	NT	Non-Jury Trial
DF	Default	OD	Other Disposition
DJ	Dismissed Before Jury Trial	PD	Petition Denied
DO	Dismissed Before Trial Without Prejudice	PG	Petition Granted
DP	Dismissed by Party	SP	Summary Proceedings
DS	Dismissed	ST	Settled
DT	Dismissed During Non-Jury Trial	TF	Transferred
DV	Directed Verdict		

Date:	Enter file stamp date of the closing pleading.
Disposition/Judgment Event:	Enter the appropriate disposition event code from the list below.

3500	CLS: Administrative Closure	3533	CLS: MCA Order Dismissing Party
3501	CLS: Arbitration Appeal Quash	3534	CLS: MCA Reverse and Remand
3502	CLS: Notice of Bankruptcy	3535	CLS: MCA RCL Reverse Remand
3504	CLS: Close Miscellaneous	3536	CLS: MCA Hearing Denied

3506	CLS: Directed Verdict 12	3541	CLS: Order Changing Venue
3507	CLS: Directed Verdict 6	3542	CLS: Order Changing Name
3509	CLS: Dismissal Lack of Prosecution	3547	CLS: Order Denying Writ
3510	CLS: Dismissal with Prejudice	3548	CLS: Order of Dismissal
3511	CLS: MCA Dismiss and Remand	3549	CLS: Stipulated Order
3512	CLS: Final Decree/Order Judgment	3550	CLS: Order/Order to Close
3514	CLS: Permanent Injunction	3552	CLS: Removal to Federal Court
3515	CLS: Judgment AMD Arbitration Award	3553	CLS: Stipulated Dismissal
3516	CLS: Judgment Arbitration Award	3554	CLS: Summary Close
3518	CLS: Judgment/Default	3558	CLS: Withdrawal/Close
3519	CLS: Judgment/Disposition	3559	CLS: Order Petition/Motion Denied
3521	CLS: Judgment/Foreign	3560	CLS: Order Petition/Motion Granted
3523	CLS: Judgment/Jury 12 Person	3568	CLS: Order Granting Restoration
3524	CLS: Judgment Jury 6 Person	3570	CLS: Judgment on Writ
3525	CLS: Judgment/Non Jury	3577	CLS: Remand to Mag/Muni Court
3526	CLS: Stipulated Judgment	3586	CLS: Dismiss Without Prejudice
3527	CLS: Summary Judgment	3588	CLS: Order Granting Writ
3530	CLS: MCA Affirm/Reverse Part	3589	CLS: Order Denying Restoration
3531	CLS: MCA Judgment Affirmed	3590	CLS: Dismiss During Jury Trial
3532	CLS: MCA Order Dismissing Count		



SECOND | ORA EVENT CODES

The following event codes are used only by the Second Judicial District.

3579	CLS: ORA Affirm/Reverse Part	3583	CLS: ORA Reverse and Remand
3580	CLS: ORA Judgment Affirmed	3584	CLS: ORA RCL Reverse Remand
3581	CLS: ORA Order Dismiss Count	3585	CLS: ORA Rehearing Denied
3582	CLS: ORA Order Dismiss Party	3592	CLS: ORA Order Dismiss

Judgment Code(s)? (Y/N)	<ul style="list-style-type: none"> • If there is a judgment, then enter Y for yes; otherwise enter N for no. • If Y is entered, then the Complaint Judgment Codes screen will pop-up. (FIGURE: 4-6.2)
--------------------------------	--

Complaint Judgment Code(s)

Case: D 0307 CV 0009900053 STATE US SMITH B
 Case Type: RES REAL ESTATE
 Complaint Event: 1513 OPN: PETITION
 Event Date: 03-05-2002 Sequence: 1
 Cause of Actions Sequence: 0 ENTIRE COMPLAINT
 Relief Sequence: 0001 IMMEDIATE POSSESS OF PREMISES
 Judgment Code Sequence: 0001
 Judgment Code: IPP IMMEDIATE POSSESS OF PREMISES
 Judgment Date: 03-07-2002 DATE
 Text? (Y/N): Y
 Post By Case/Parties Post By Case Only

In Favor of			Responsible Party		
PT	No	Party Name	PT	No	Party Name
P	1	STATE OF NEW MEXICO	D	1	SMITH BROOKE

This is a new case.

Figure 4-6.2: Complaint Judgment Codes

Cause of Actions Sequence	<ul style="list-style-type: none"> • Press F1 to view a list of all the choices. • Highlight the correct choice with the arrow keys and press ENTER. • Usually the judgment will be attributed to the entire case.
Relief Sequence	<ul style="list-style-type: none"> • Press F1 to view a list of all the choices. • Highlight the correct choice with the arrow keys and press ENTER.
Judgment Code Sequence	FACTS™ will populate this field automatically.
Judgment Code	Enter the judgment code from the following list.

DSS	Amount	MED	Amount of Medical
DVP	Amount	OTH	Other
ENF	Enforcement	PD	Petition Denied
INA	Amount Held	PG	Petition Granted
INM	Interest Amount	PRO	Property Value
INT	Interest Rate	PUN	Amount of Damages
IPP	Immediate Possession of Premises	RNT	Rent Due
JDG	Judgment	RPP	Return of Personal Property
LCA	Late Charge Amount	RSO	Restraining Order
LCR	Late Charge Rate	TAX	Tax Amount

Text? (Y/N)	<ul style="list-style-type: none"> • If you have descriptive text for the judgment, enter Y for yes. • The Complaint Judgment Code(s) Text screen will pop-up. (FIGURE: 4-6.3)
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Complaint Judgment Code(s) Text

Case: D 0307 CU 0009900053 STATE VS SMITH B
Case Type: RES REAL ESTATE
Complaint Date: 03-05-2002
Complaint Sequence: 1
Complaint Event: 1513 OPN: PETITION
Cause of Actions sequence: 0
Relief Code Sequence: 0001
Judgment Code Sequence: 0001
Judgment Code: IPP IMMEDIATE POSSESS OF PREMISES

DATE

This is a new record

Figure 4-6.3: Complaint Judgment Code(s) Text

Complaint Judgment Code(s) Text	Enter the descriptive text in the text box.
--	---



CAUTION | TEXT WRAPPING

- The text does not wrap to the next line.
- Press **ENTER** to go to the next line.

Saving	<ul style="list-style-type: none"> • Press CTRL T to save. • A message will appear stating that the data has been saved. • You will return to the PT box in the Complaint Judgment Codes screen. (FIGURE: 4-6.4)
---------------	--

Text? (Y/N):

Post By Case/Parties Post By Case Only

In Favor of

PT	No	Party Name
P	1	STATE OF NEW MEXICO

Responsible Party

PT	No	Party Name
D	1	SMITH BROOKE

This is a new case.

Figure 4-6.4: Complaint Judgment Code(s)

In Favor of	<ul style="list-style-type: none"> Cursor will sit in the PT field and flash. Press F1 for a list of parties. Highlight the appropriate party name with the arrow keys and press ENTER. Press F3 to move the cursor to the PT field within the Responsible Party field.
Responsible Party	<ul style="list-style-type: none"> Cursor will sit in the PT field and flash. Press F1 for a list of parties. Highlight the appropriate party name with the arrow keys and press ENTER. Press F2 to move the cursor PT field within the Responsible Party field.
Saving	<ul style="list-style-type: none"> Press CTRL T to save. A message will state that the data has been saved and the cursor will return to the field so you can enter more judgments. When you have entered all the judgment data, close this screen by clicking on the "X" in the upper right-hand corner of the screen. You will return to the Civil Complaint/Petitions screen. (FIGURE: 4-6.5)

Disposition Code:	ST	SETTLED
Date:	03-07-2002	
Disposition/Judgment Event:	3526	CLS: STIPULATED JUDGHT
Judgment Code(s)? (Y/N):	Y	
	<input type="button" value="Save"/>	<input type="button" value="Related Cases"/>
Updated 03/05/2002 By train1 At 12:43		

Figure 4-6.5: Civil Complaints/Petitions

**Saving the Civil Complaints
Petition Screen**

Upon return from the Complaint Judgment Code(s) screen, the data is automatically saved and a message announcing that the data has been saved appears.



Addendum: Forms

LOCAL RULES

- [LOCAL RULES](#)

CIVIL FORMS

- [DRIVER'S LICENSE RESTORATION](#)

REFERENCE

- [PLAIN LANGUAGE LEGAL DICTIONARY](#)
- [FINDLAW LEGAL DICTIONARY](#)
- [MERRIAM-WEBSTER DICTIONARY](#)
- [WEBOPEDIA COMPUTER TERMS DICTIONARY](#)