Administrative Office of the Courts

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ONLINE SYSTEM ALLOWS NEW MEXICANS TO RESOLVE DEBT AND MONEY DUE LAWSUITS WITHOUT A COURT APPEARANCE

ALBUQUERQUE – Businesses and individuals can save time and money by negotiating online to settle debt and money due lawsuits with a free service offered by New Mexico courts.

Online Dispute Resolution (ODR) begins this month as a pilot program in courts in six counties, and the service will be expanded statewide later.

"New Mexico courts are committed to advancing judicial excellence through initiatives such as Online Dispute Resolution," Supreme Court Chief Justice Judith Nakamura said today in announcing the online service. "The innovative online service for settling cases costs less and is much faster than going to trial in a dispute over unpaid debts. With programs like ODR, our courts are able to expand public access to justice services, reduce the time to resolve some civil cases and improve court efficiencies."

Click here to view a video about Online Dispute Resolution.

ODR begins June 3 in the district and magistrate courts in Silver City, Deming and Lordsburg and the magistrate court in Bayard in the Sixth Judicial District of Grant, Hidalgo and Luna counties, and the district and magistrate courts in Clovis and Portales in the Ninth Judicial District of Curry and Roosevelt counties. It will start June 10 in the Second Judicial District Court in Albuquerque and on June 17 in the Metropolitan Court in Bernalillo County.

With Online Dispute Resolution, the parties in a debt or money due lawsuit can negotiate at their convenience through online exchanges from home, a business or any location with internet access using a computer, smartphone or mobile device. The online system asks questions of each party about what they want to potentially resolve the lawsuit. Offers are exchanged and if an agreement is reached, the online system automatically prepares a settlement document and electronically files it with the court. Both parties may agree to request the help of a trained mediator during the first two weeks of negotiation. If no agreement is reached after 30 days, the online negotiation ends and the case moves forward in court.

"Growing numbers of New Mexicans are representing themselves in civil lawsuits. Online Dispute Resolution helps self-represented parties by making it easier to navigate a legal system that the public often finds complicated and confusing," said Second Judicial District Judge Jane C. Levy, who led a judicial team on the ODR implementation.

"People increasingly want to take care of their business online. Our courts understand that," said Sixth Judicial District Court Chief Judge Jennifer DeLaney. "Online Dispute Resolution offers a way for people living in rural areas to avoid traveling long distances to court hearings if they have filed a lawsuit over owed money or they are sued because of a debt."

Ninth Judicial District Court Judge Donna Mowrer said, "This is a cost-effective way for businesses and individuals to negotiate settlement agreements for disputes over debt and money due. It can take months, or sometimes years, for a civil lawsuit to proceed to trial."

Terri Cole, president and CEO of the Greater Albuquerque Chamber of Commerce, said, "A well-run court system is necessary for a healthy business climate. New Mexico can benefit economically from courts implementing programs like Online Dispute Resolution to better manage caseloads and redirect their resources. The new online service offers a way to help free up judges to focus on more complex lawsuits and make quicker rulings in disputes affecting business decisions."

"All New Mexicans depend on a fair and efficient justice system. We know that some New Mexicans are unable to afford an attorney. With or without assistance from an attorney, Online Dispute Resolution offers a convenient, cost-effective approach for assisting both sides in reaching a satisfactory agreement without lengthy court proceedings," said Jerry Dixon, president of the State Bar of New Mexico.

Bernalillo County Metropolitan Court Chief Judge Sandra Engel said, "Electronic commerce companies like eBay and PayPal have long used online dispute resolution for disputes between buyers and sellers. To better serve the public, courts are embracing the same technology for certain civil lawsuits."

About 31,000 debt and money due lawsuits were filed statewide in the past year, from April 2017 through April 2018. These include cases in which a bank sues a person over credit card debt or a hospital brings a lawsuit over unpaid medical bills.

To learn more about the new online service, visit the ODR website of New Mexico Courts.

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