

**Processing the Confidential Filing of Financial Statements
Attached to a Guardian and/or Conservator’s Annual Report
QUICK GUIDE**

Rule 1-145 of Civil Procedure for the District Courts requires a **separate** confidential filing of financial statements when submitting an annual report.

- The confidential filing of financial statements shall include a cover sheet with the case caption, and titled “Sealed – Confidential Information” that includes the total number of pages.
- The confidential filing of financial statements shall not redact any confidential information.
- The confidential filing of financial statements shall be automatically sealed by the court, without the need for a separate court order.
- **The confidential filing of financial statements shall not be disclosed to any person or entity unless authorized by court order.**

The Supreme Court has approved a cover sheet to ensure all financial statements attached to an annual report are sealed, confidential and filed separately. The cover sheet can be found on NMOneSource.com or AdultGuardianship.nmcourts.gov, under New Forms and Rule Changes, and on JID University.

I. Protecting Financial Information

- A. In person filing. If financial records are attached to the annual report, the court shall inform the filer of the separate filing requirements under Rule 1-145(E)(3) and require that the filer separate the financial statements from the annual report and fill out the Supreme Court approved cover sheet.
- B. Filing received by mail or e-mail. If documents are received by mail or e-mail, the clerk shall separate the financial records from the annual report and complete the Supreme Court approved cover sheet. The clerk shall sign and date the cover sheet and attach the financial statements.
- C. No financial records shall be included with any endorsed copy returned to the filer. This ensures that confidential financial records are not distributed to any parties in the case.
- D. When financial records are included with the annual report, only the cover sheet shall be returned (indicating the total number of financial pages submitted), in lieu of attaching the financial records, with any endorsed copy returned to the filer.

II. Odyssey Process

- A. File stamp and docket the annual report using either event code 9221 – Conservator’s Annual Report OR event code 9219– Guardian’s Annual Report. Scan annual report to the event.
- B. File stamp and docket the confidential filing of financial statements using event code 9232 – Guardian/Conservator’s Financial Statements-Confidential.

Note: The confidential filing of financial statements and the annual report shall not be combined. These documents must remain separate filings.

1. Modify the event relationship by right clicking on the docket event for the annual report. Next, click on Modify Event Relationship, place a check mark in the “Child” column next to the Guardian/Conservator’s Financial Statements-Confidential, and save.
2. The docket event will place a flag of – CFS “Confidential Financial Statements” on the case.
3. The flag will also populate a warning message each time a user opens the case, “Confidential Financial Statements: No access allowed to financial statements without a court order”.

III. Accessing Financial Records (after filing)

- A. Financial records shall not be provided to anyone, including the parties to the case. Parties to the case can still obtain copies of the annual report but any financial records shall not be disclosed, even if requested by the court-appointed guardian and/or conservator.
- B. Motion to Release Financial Records. Any request for copies of the financial records requires the filing of a Motion and a signed Order authorizing the Court to release the records.