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UNM Professor Sues Low-Income Ex-Wife Which Litigant Did New Mexico Legal Aid Support?

A UNM French Professor filed suit against his wife for divorce in 2002. They have one child and custody issues were involved. The course of the case dramatically changed when attorney Edna Frances Sprague of New Mexico Legal Aid, a non-profit organization funded by United Way and aimed at providing free legal advice for low-income persons, got involved – on behalf of the high-income father, the UNM Professor.



What Happened? This couple was married in Cameroon in 1997. **The wife was a citizen of Cameroon at that time. She has since become a naturalized U.S. citizen.** In June 2002 they filed for divorce in Bernalillo County, New Mexico. Since that time a related domestic violence case has been filed. They have one child, a son, who is now four years old. The father, **a faculty member at the University of New Mexico, makes over \$50,000 a year in income.** Mother's gross income for 2003 was less than \$9000. Both the Family Court and Domestic Violence cases were fairly typical, if not somewhat contentious, until New Mexico Legal Aid entered on behalf of the father, a UNM Professor, on June 2, 2004.

(Actual family not shown.)

Many of our low-income members (certainly much lower income than the father in this case) have contacted New Mexico Legal Aid for help. They have been turned away by New Mexico Legal Aid's stated position that they do not handle Family Law cases. They have also refused to handle related domestic violence cases. In fact, mother attempted to obtain legal services through New Mexico Legal Aid and they have turned her down.

New Mexico Legal Aid's website, <http://www.uwcnm.org/organizations/nmlegalaid.htm>, states that they are a: "Nonprofit law office providing free legal representation to poor people throughout New Mexico (except San Juan County) in civil cases to increase access to the justice system for vulnerable populations and preserve basic legal rights including safety, financial stability and shelter." Regarding funding, their website states: "Programs Funded by United Way of Central New Mexico (\$30,000): Family Stability Project: Provides free legal representation to families in poverty seeking access to the justice system for protection from domestic violence and financial stability through collection of child support and resolution of income and property disputes. \$30,000 HCFS." How can a UNM professor be considered to be in poverty?

New Mexico Legal Aid attorney Edna Frances Sprague has been doing much more than simply defending her high-income client, the father. She has launched very aggressive attacks on the mother. On June 3, 2004 Ms. Sprague filed a motion (case DV 2004-730 under Judge Angela Jewell) making allegations regarding minor violations of a no-contact order. Ms. Sprague asks that father be awarded full custody of the couple's child and she specifically asks that the Court to "Order the Respondent to spend 72 hours in jail for contempt"! New Mexico Legal Aid's website states: "United Way makes the greatest impact on this community through unrestricted gifts. These donations are used to fund the most necessary and effective human services for people in central New Mexico." The Executive Director of New Mexico Legal Aid was contacted weeks ago about this issue but the contact did not result in withdrawal from the case or mitigation of their relentless attack.

How can you help? Please help this family by calling the following offices to demand that this problem be fixed: New Mexico Legal Aid at (505) 243-7871; United Way of Central New Mexico at (505) 247-3671; New Mexico Attorney General Patricia Madrid at (505) 222-9000; Governor Richardson's office, (505) 476-2200; your state legislators - find them this website: <http://legis.state.nm.us/newsite/legislatorsearch.asp>

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