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### Deadlines are Short in Suits Against the Government in New Mexico

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[Personal injury lawsuits](#) against governmental entities in New Mexico have surprisingly quick deadlines. These deadlines arise under the New Mexico Tort Claims Act. You should be aware of the Act's deadlines if you are suing a state, county or city governmental entity in New Mexico. Missing these deadlines even by a day will bar your personal injury claims.

Personal injury lawsuits covered by the New Mexico Tort Claims Act would include [medical malpractice](#) claims against government run medical providers such as the University of New Mexico. They would include suits against any state, county or municipal hospital or clinic. Also included would be suits involving city streets or transportation such as the City of Albuquerque for public transportation accidents or problems with the city streets or sidewalks. The Act would also cover suits against state, county or city law enforcement for civil rights claims or even auto accidents involving law enforcement. The range of these suits is very broad so it is important that you determine immediately if a governmental entity is involved.

If your personal injury claim involves any governmental entity whatsoever, then the New Mexico Tort Claims Act applies. Under the Tort Claims Act, the injured person, or his or her representative must send a Notice of Tort Claim to the appropriate entities within 90 days of the incident. It is important to note that a separate notice must be sent to each entity that may be a defendant in the lawsuit. This is a firm deadline and failure to send the notice within the 90 day period will bar your lawsuit completely.

In addition to the 90 day Tort Claims Notice requirement, the statute of limitations is shorter than the normal 3 year period for personal injury lawsuits against private non-governmental entities. In personal injury suits against governmental entities, the statute of limitations is only 2 years. Again, this is a firm deadline and failure to file a lawsuit within the 2 year period will bar your claims.

Most people injured at the hands of governmental entities such as those set forth above are unaware of the Tort Claims Act or its deadlines. Many injured persons miss the 90 day deadline before they even contact an attorney. Unfortunately, if this happens, there is very little an attorney can do for those folks except in very limited situations. Missing the deadline even by a single day will bar the claims.

Because these deadlines are very strictly enforced, you should immediately make arrangement to send out the Tort Claims Notice. You should contact an attorney for these purposes as soon after the accident as possible. Many wait until the 90 deadline is almost up before contacting an attorney. Many law firms, including this one, will be extremely reluctant to take a case with a looming tort claims deadline.

If you do not have an attorney for purposes of sending out the tort claims notices, you should send them yourself. Once the tort claims notice requirements have been met, you will have additional time to hire an attorney for the pursuit of your lawsuit. You need to make sure that the appropriate governmental entity or agency receives the notice. If there is any doubt as to the appropriate party, you should err on the side of caution sending tort claims notices to all possible governmental defendants.

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