

1 **LR6-601. Court-annexed alternative dispute resolution program for civil cases.**

2 [Related Statutes NMSA 1978, §§ 34-6-44 and -45]

3 A. **Application.** This rule applies to civil cases as determined by the court. Mediation
4 of domestic relations cases is covered by Rule LR6-401 NMRA.

5 B. **Scope.** The purpose of this district's court-annexed alternative dispute resolution
6 program is the early, fair, efficient, cost-effective, and informal resolution of disputes. Nothing in
7 the rules governing this program shall be construed to discourage or prohibit parties from
8 stipulating to private alternative dispute resolution. The failure of the court-annexed alternative
9 dispute resolution program to produce a settlement will not adversely affect the parties' treatment
10 by the court.

11 C. **Administration.** The program shall be administered by the court's staff attorney.

12 D. **Order required.** All referrals to the program require the filing of a written court
13 order.

14 E. **Limitation.** The number of cases referred to the program shall necessarily be
15 limited due to availability to provide alternative dispute resolution services under court-
16 appointment, and the sufficiency of court resources to administer the program.

17 F. **Alternative dispute resolution surcharge.** Under Section 34-6-45 NMSA 1978,
18 the district court clerk shall collect a fifteen dollar (\$15.00) surcharge for all new and reopened
19 cases except domestic relations cases, which are charged a surcharge under Rule LR6-401. The
20 surcharge shall be in addition to the civil filing fee required under Section 34-6-40 NMSA 1978
21 for new and reopened cases. *See* Rule 1-099 NMRA for the definition of reopened cases. The
22 district court clerk shall deposit all surcharges collected under this local rule in the alternative
23 dispute resolution fund.

1 G. **Civil mediation fees.** Each party shall pay a fee to the district court clerk’s office
2 to offset the costs of the alternative dispute resolution program before mediation has begun. Each
3 party shall fill out a financial information sheet with supporting income documentation and the
4 court shall determine by using the sliding scale fee approved by the Supreme Court.

5 H. **Immunity.** Court appointed mediators or the staff attorney appointed by the court
6 to serve as settlement facilitators, arbitrators, mediators, or in other such roles under the rules
7 governing this district’s court-annexed alternative dispute resolution program, are appointed to
8 serve as arms of the court and as such are immune from liability for conduct within the scope of
9 their appointment as provided by law.

10 I. **Forms.** When available, applicable court forms shall be used. Forms shall be
11 available to the public on the court’s website and at the district court clerk’s office.

12 [Adopted by Supreme Court Order No. 19-8300-013, effective December 31, 2019.]