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**SENATE MEMORIAL 57**

**46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003**

**INTRODUCED BY**

Linda M. Lopez

**A MEMORIAL**

**SUPPORTING THE CREATION OF AN ADVISORY COUNCIL TO CONDUCT A  
STUDY AND MAKE RECOMMENDATIONS ON THE ESTABLISHMENT AND  
STRUCTURE OF A COMMISSION OF DISPUTE RESOLUTION AND A STATE  
OFFICE OF DISPUTE RESOLUTION.**

**WHEREAS, extensive research and beneficial program  
development have been conducted in the field of alternative  
dispute resolution in this state; and**

**WHEREAS, there is increasing enthusiasm, need and support  
for the development of a state office of dispute resolution in  
New Mexico; and**

**WHEREAS, a state office of dispute resolution should be  
established to enable further development of alternative  
dispute resolution procedures pursuant to the Governmental  
Dispute Resolution Act; and**

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1           WHEREAS, the office should provide public education about  
2 and promotion of alternative dispute resolution procedures,  
3 provide technical support for the use of such procedures,  
4 facilitate information sharing about and between alternative  
5 dispute resolution programs and make grants to encourage the  
6 development and implementation of alternative dispute  
7 resolution procedures in New Mexico; and

8           WHEREAS, the office should encourage and support  
9 communities, courts and tribal, educational and governmental  
10 agencies in furthering their efforts to establish and implement  
11 alternative dispute resolution programs; and

12           WHEREAS, a commission of dispute resolution should be  
13 established that is broadly representative of the diversity in  
14 New Mexico and should govern the state office of dispute  
15 resolution; and

16           WHEREAS, the commission should establish alternative  
17 dispute resolution goals, hire an executive director and  
18 necessary support staff to implement its goals and develop its  
19 goals pursuant to the evolution and use of alternative dispute  
20 resolution programs and procedures in the state; and

21           WHEREAS, diverse funding sources should be sought to  
22 provide maximum stability and longevity for the state office of  
23 dispute resolution and to permit that office to provide  
24 financial assistance to alternative dispute resolution  
25 programs; and

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1           WHEREAS, establishing a state office of dispute resolution  
2 would provide the citizens, government, judiciary and  
3 legislators of the state with increased opportunities to apply  
4 the best practices of alternative dispute resolution;

5           NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
6 OF NEW MEXICO that the state bar alternative dispute resolution  
7 committee and the New Mexico mediation association be requested  
8 to convene a broad-based tricameral advisory council to conduct  
9 a study and make recommendations on the establishment and  
10 structure of a commission of dispute resolution and a state  
11 office of dispute resolution to an appropriate interim  
12 legislative committee; and

13           BE IT FURTHER RESOLVED that the council include  
14 representatives from interested governmental agencies,  
15 professional associations and alternative dispute resolution  
16 practitioners; and

17           BE IT FURTHER RESOLVED that copies of this memorial be  
18 transmitted to the New Mexico legislative council, the state  
19 bar alternative dispute resolution committee and the New Mexico  
20 mediation association.