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SENATE JOINT MEMORIAL 62

47th Legislature - STATE OF NEW MEXICO - FIRST SESSION, 2005 INTRODUCED BY

John T. L. Grubesi c

A JOINT MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE APPROPRIATE INTERIM LEGISLATIVE COMMITTEE TO STUDY THE EFFICACY OF MANDATORY MEDIATION IN CLAIMS UNDER THE UNFAIR PRACTICES ACT.

WHEREAS, there is an increasing practice to require mandatory mediation as an alternative to litigation; and

WHEREAS, the financial impact of mandatory mediation on the courts, the parties involved, businesses and the public at large in claims under the Unfair Practices Act is unknown; and

WHEREAS, the courts, the parties involved, businesses and the public at large would benefit from clear guidelines that detail the responsibilities of the court, the parties involved, businesses and the public at large; and

WHEREAS, the efficacy of mandatory mediation on the . 155962. 1

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courts, the parties involved, businesses and the public at large is unknown;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the New Mexico legislative council direct the appropriate interim legislative committee to study the efficacy and financial impact of mandatory mediation in claims under the Unfair Practices Act; and

BE IT FURTHER RESOLVED that the interim legislative committee appointed by the New Mexico legislative council report its findings to the council no later than November 30, 2005; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico legislative council, the administrative office of the courts and the office of the attorney general.

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