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HOUSE BILL 600

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Rhonda S. King

AN ACT

RELATING TO DOMESTIC AFFAIRS; REQUIRING ALL JUDICIAL DISTRICTS
TO ESTABLISH A DOMESTIC RELATIONS MEDIATION PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 40-12-5 NMSA 1978 (being Laws 1987,
Chapter 153, Section 5) is amended to read:

"40-12-5. DOMESTIC RELATIONS MEDIATION PROGRAM.--

A. A judicial district [~~may~~] shall establish a
domestic relations mediation program by court rule approved by
the supreme court. The district court [~~may~~] shall employ or
contract with a counselor to provide consultations, evaluations
and mediation in domestic relations cases involving children.

B. Parents may request of the court the services of
the domestic relations mediation program for consultations,
[~~evaluation~~] evaluations or mediation. Parents shall enter the

underscoring material = new
[bracketed material] = delete

underscoring material = new
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1 program when ordered to do so by the court.

2 C. Parents shall pay the cost of the domestic
3 relations mediation program pursuant to a sliding fee scale
4 approved by the supreme court. The sliding fee scale shall be
5 based on ability to pay for the specific service rendered by
6 the counselor. The fees shall be paid to the district court to
7 be credited to the fund."

8 SECTION 2. Section 40-12-6 NMSA 1978 (being Laws 1987,
9 Chapter 153, Section 6) is amended to read:

10 "40-12-6. DOMESTIC RELATIONS MEDIATION FEES--DISTRICT
11 COURT CLERK TO COLLECT.--In addition to fees collected pursuant
12 to Section 34-6-40 NMSA 1978 for the docketing of civil cases,
13 [~~in any judicial district which has established a domestic~~
14 ~~relations mediation program~~] the district court clerk shall
15 collect a surcharge of thirty dollars (\$30.00) on all new and
16 reopened domestic relations cases."

17 SECTION 3. EFFECTIVE DATE.--The effective date of the
18 provisions of this act is July 1, 2011.