

1 SENATE JOINT MEMORIAL 18

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 REQUESTING THE CHAIR OF THE CHILDREN'S CABINET TO CONVENE A
12 "CHILDREN'S CODE REFORM TASK FORCE" TO REVIEW AND MAKE
13 RECOMMENDATIONS FOR UPDATING THE CHILDREN'S CODE.
14

15 WHEREAS, the Children's Code is a set of New Mexico
16 statutes that govern many matters that are essential for the
17 safety and well-being of New Mexico's children and families;
18 and

19 WHEREAS, the Children's Code includes matters relating to
20 child development, adoptions, child abuse and neglect,
21 guardianships, children's mental health, delinquency and state
22 interventions into the lives of children and families; and

23 WHEREAS, children's and family law and policy have been
24 undergoing a transformation in recent years, with the
25 development of a better understanding of child development, the

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1 need to acknowledge strength and cultural wealth in the
2 diversity of New Mexico families, the effect of factors such as
3 historical trauma, disability and racial and ethnic disparities
4 in the lives of New Mexico families, the effect of early trauma
5 and adverse experiences in the lives of young people and
6 changes to federal law that shift the focus of policy from
7 intervention in the lives of families after an adverse event
8 has occurred, to a focus on the timely provision of preventive
9 services for children and families at risk; and

10 WHEREAS, the United States congress has recently enacted
11 legislation that provides strong monetary incentives to states
12 to update their laws and policies relating to children and
13 families, establishing rapid deadlines for states to conform
14 their laws in order to gain these federal incentives for
15 change; and

16 WHEREAS, experts and stakeholders in the realm of
17 children's and family policy and law have been contemplating an
18 overhaul of the Children's Code in order to update the
19 Children's Code with respect to preventive services,
20 delinquency, child abuse and neglect policies, family
21 interventions, children's mental health and dually involved
22 youth;

23 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
24 STATE OF NEW MEXICO that the chair of the children's cabinet be
25 requested to convene a "Children's Code reform task force" made

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1 up of experts and stakeholders in children's and family law and
2 policy to conduct an in-depth assessment of the Children's Code
3 and make recommendations for changes to the Children's Code in
4 order to improve the lives of New Mexico's children and
5 families; and

6 BE IT FURTHER RESOLVED that the chair of the children's
7 cabinet be requested to invite representatives from the
8 following bodies, agencies and organizations to join the
9 Children's Code reform task force:

- 10 A. the house of representatives;
- 11 B. the senate;
- 12 C. children's court judges;
- 13 D. the children, youth and families department;
- 14 E. the department of health;
- 15 F. the human services department;
- 16 G. the public education department;
- 17 H. the workforce solutions department;
- 18 I. the department of public safety;
- 19 J. the corrections department;
- 20 K. the economic development department;
- 21 L. the administrative office of the courts;
- 22 M. the children's court improvement commission;
- 23 N. local law enforcement agencies;
- 24 O. the legislative finance committee;
- 25 P. the public defender department's juvenile

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1 division;

2 Q. the New Mexico district attorneys' association;

3 R. the governments of New Mexico Indian nations,
4 tribes and pueblos;

5 S. the New Mexico tribal-state judicial consortium;

6 T. the substitute care advisory council;

7 U. the New Mexico CASA network;

8 V. the children's court mediation program;

9 W. the university of New Mexico school of law's
10 Corinne Wolfe center for child and family justice;

11 X. the New Mexico tribal Indian children welfare
12 consortium;

13 Y. parents', children's and youth attorneys;

14 Z. mental health service providers;

15 AA. former foster youth;

16 BB. system-involved parents;

17 CC. New Mexico voices for children;

18 DD. NMCAN;

19 EE. New Mexico appleseed;

20 FF. the university of New Mexico school of
21 medicine's department of pediatrics;

22 GG. representatives of the university of New Mexico
23 school of medicine's department of psychiatry and behavioral
24 sciences with experience working with children;

25 HH. the university of New Mexico school of

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1 medicine's department of family and community medicine;

2 II. a nonprofit legal firm representing foster
3 children, grandparents and kin;

4 JJ. a nonprofit organization serving families and
5 children through counseling and social programs;

6 KK. the national council of juvenile and family
7 court judges; and

8 LL. other children and family policy community
9 advocacy and stakeholder groups; and

10 BE IT FURTHER RESOLVED that the Children's Code reform
11 task force be requested to meet throughout the 2019 interim
12 and, by November 1, 2019, report its findings and
13 recommendations to the governor, the legislative finance
14 committee and the legislative health and human services
15 committee; and

16 BE IT FURTHER RESOLVED that copies of this memorial be
17 transmitted to the governor, the president pro tempore of the
18 senate, the speaker of the house of representatives, the chair
19 of the children's cabinet, the chief justice of the New Mexico
20 supreme court, the director of the legislative finance
21 committee, the secretary of children, youth and families, the
22 secretary of health, the secretary of human services, the
23 secretary of corrections, the secretary of public safety, the
24 secretary of workforce solutions, the secretary of economic
25 development, the secretary of public education, the director of

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1 the administrative office of the courts, the chief public
2 defender, the executive director of the New Mexico district
3 attorneys' association, the executive director of the New
4 Mexico CASA network, the director of the Corinne Wolfe center
5 for child and family justice at the university of New Mexico
6 school of law, the co-chairs of the children's court
7 improvement commission, the executive director of NMCAN, the
8 chair of the substitute care advisory council, the executive
9 director of New Mexico voices for children, the executive
10 director of New Mexico appleseed, the co-chairs of the New
11 Mexico tribal-state judicial consortium and the liaison for the
12 children's court mediation program.

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