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AN ACT

RELATING TO DOMESTIC AFFAIRS; CLARIFYING THE ABILITY OF A JUDICIAL DISTRICT TO ESTABLISH A SAFE EXCHANGE AND SUPERVISED VISITATION PROGRAM.

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

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

"40-12-1. SHORT TITLE.-- Chapter 40, Article 12 NMSA 1978 may be cited as the "Domestic Relations Mediation Act"."

Section 2. Section 40-12-5.1 NMSA 1978 (being Laws 2001, Chapter 201, Section 2) is amended to read:

"40-12-5.1. SUPERVISED VISITATION PROGRAM.--

A. A judicial district may establish a "safe exchange and supervised visitation program" by local court rule approved by the supreme court. The safe exchange and supervised visitation program shall be used when, in the opinion of the court, the best interests of the child are served if confrontation or contact between the parents is to be avoided during exchanges of custody or if contact between a parent and a child should be supervised. In a safe exchange and supervised visitation program, the district court may employ or contract with a person:

(1) with whom a child may be left by one parent for a short period while waiting to be picked up by

1 the other parent; or

2 (2) to supervise visits among one or both
3 parents and the child.

4 B. A parent may request the services of the safe
5 exchange and supervised visitation program or the court may
6 order that the program be used.

7 C. Parents shall pay the cost of the safe exchange
8 and supervised visitation program pursuant to a sliding fee
9 scale approved by the supreme court. The sliding fee scale
10 shall be based on ability to pay for the service. The fees
11 shall be paid to the district court to be credited to the
12 fund."

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