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BILL

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO DISTRICT COURTS; ALLOWING DISTRICT COURTS TO
REQUIRE PARTIES TO PAY COSTS FOR AN ALTERNATIVE DISPUTE
RESOLUTION PROGRAM ON A SLIDING FEE SCALE.

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

SECTION 1. Section 34-6-45 NMSA 1978 (being Laws 1986,
Chapter 26, Section 2, as amended) is amended to read:

"34-6-45. DISTRICT COURTS--ALTERNATIVE DISPUTE
RESOLUTION--FEE.--In addition to fees collected pursuant to,
and subject to exceptions set forth in, Section 34-6-40 NMSA
1978 for docketing of civil cases, in any judicial district
that has established an alternative dispute resolution program
by judicial district court rule approved by the supreme court,
including but not limited to arbitration, mediation and
settlement facilitation programs, the district court clerk

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1 shall collect a fee of fifteen dollars (\$15.00) on all new and
2 reopened civil cases except domestic relations cases. The
3 district court may require the parties to pay costs for
4 services rendered by an alternative dispute resolution program
5 pursuant to a sliding fee scale approved by the supreme court.
6 The sliding fee scale shall be based on ability to pay for the
7 specific service rendered by the alternative dispute resolution
8 program. The ~~[fee]~~ fees shall be deposited for credit to the
9 district court alternative dispute resolution fund pursuant to
10 the provisions of Section 34-6-37 NMSA 1978."

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