

1                   **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2   **February 14, 2022**

3                   **NO. 22-8500-009**

4                   **IN THE MATTER OF THE USE OF**  
5                   **SETTLEMENT WEEK PLANS**  
6                   **IN THE DISTRICT COURTS**  
7                   **TO STREAMLINE THE PROCESSING**  
8                   **OF CIVIL CASES**  
9                   **DURING THE COVID-19**  
10                   **PUBLIC HEALTH EMERGENCY**

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13   **ORDER**

14                   WHEREAS, compliance with the deadlines governing civil cases has been  
15 impacted by the COVID-19 public health emergency;

16                   WHEREAS, the Court recognizes that there is a need for creative solutions to  
17 streamline the processing of civil cases in the district courts;

18                   WHEREAS, the Court having considered the foregoing and being sufficiently  
19 advised, Chief Justice Michael E. Vigil, Justice C. Shannon Bacon, Justice David K.  
20 Thomson, Justice Julie J. Vargas, and Justice Briana H. Zamora, concurring;

21                   NOW, THEREFORE, IT IS ORDERED that each district court shall establish  
22 a settlement week to take place on or before August 1, 2022, which shall include the  
23 referral of all civil cases for settlement facilitation, unless the assigned district court  
24 judge determines that settlement facilitation is inappropriate. Each district court  
25 shall report back to the Supreme Court no later than April 1, 2022, setting out the

1 details of its settlement week plan;

2 IT IS FURTHER ORDERED that in an effort to evaluate and address the  
3 needs of the district courts to effectively streamline civil cases, each district court  
4 shall provide the Supreme Court with the following information no later than March  
5 4, 2022:

6 1. Explain whether you have identified a location for offsite jury trials or  
7 voir dire. If you have not, please explain why (e.g. no need, difficulty locating a  
8 venue, financial considerations, or other limitations (*please explain*)). If you have  
9 identified an alternative location, provide a list of costs and unaddressed needs,  
10 including facilities costs, parking concerns, and the need for any additional  
11 employees, including jury staff, court monitors, or security. Finally, **only if you have**  
12 **identified an alternative location**, explain whether the assignment of civil pro tem  
13 judges would assist in streamlining your district's civil cases.

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15 2. Provide and explain the number of cases typically set on each of your  
16 district's civil trailing dockets.

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18 3. Provide and explain how many civil dockets were held between  
19 February 1, 2021 and January 31, 2022.

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21 4. Provide and explain how many civil dockets are scheduled between  
22 February 1, 2022 and January 31, 2023. If the number is fewer than the number the  
23 judges in your district would like to set, explain why additional dockets have not  
24 been set.

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26 5. Between February 1, 2021 and January 31, 2022, how many civil jury  
27 trials were

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29 A.) scheduled for trial;  
30 B.) tried;  
31 C.) scheduled for trial and settled;  
32 D.) vacated due to a lack of adequate space;  
33 E.) vacated due to COVID-19 exposure.

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35 *(For each category in Question 5 listed above, please provide information for the*

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*entire district as well as for each individual judge who handles civil cases.)*

6. Provide and explain how many civil cases in which a jury demand has been filed are more than twenty-four (24) months old. Please provide information for the entire district as well as for each individual judge who handles civil cases.


7. Explain when each of the judges handling civil cases in your district last reviewed their docket and dismissed cases for lack of prosecution.

8. Explain whether any of the judges handling civil cases in your district use special jury questionnaires in jury selection. Please provide a breakdown of the number of judges who use special jury questionnaires and those who do not.

IT IS SO ORDERED.



WITNESS, the Honorable Michael E. Vigil, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 14th day of February, 2022.

  
Jennifer L. Scott, Chief Clerk of the Supreme Court  
of the State of New Mexico