

1 **LR8-603. Civil mediation.**

2 [Related Statutes NMSA 1978, §§ 34-6-44 and -45]

3 A. **Programs established.** The district court operates a civil mediation and settlement
4 facilitation program in accordance with Sections 34-6-44 and -45 NMSA 1978.

5 B. **Civil mediation fund; deposit and disbursement of fees.** The district court
6 maintains a civil mediation fund for the deposit of all fees collected under the program which are
7 used to offset the costs of operations. Deposits into the civil mediation fund shall include the
8 following:

9 (1) the surcharge authorized under Section 34-6-45(A) NMSA 1978 on all new and
10 reopened civil cases; and

11 (2) fees paid by the parties for mediation and settlement facilitation services .provided
12 under the program.

13 C. **Sliding fee scales.** Mediation and settlement facilitation services provided under
14 the program shall be paid by the parties in accordance with a sliding fee scale. The current sliding
15 fee scales approved by the Supreme Court shall be posted on the district court's website and inside
16 the courthouse. Any fees collected from a party under the sliding fee scale shall be paid to the
17 district court clerk, which shall be deposited into the civil mediation fund.

18 D. **Initiating services; cooperation required.** The court may, upon request of any
19 party or on the court's own motion, order the parties to participate in the program. Any party
20 ordered to participate in the program shall cooperate with all court staff and outside service
21 providers designated by the court to operate the program, and any party who fails to do so may be
22 sanctioned or held in contempt of court.

1 E. **Immunity.** Attorneys and other persons appointed by the court to serve as
2 mediators, or in other such roles under the rules governing this district's program, are arms of the
3 court and are immune from liability for conduct within the scope of their duties as provided by
4 law.

5 [Adopted by Supreme Court Order No. 19-8300-010, effective for July 1, 2019.]