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Supreme Court of New Mexico

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Statewide ADR Commission  
Summary - October 14, 2011  
John E. Brown Juvenile Justice Center, Albuquerque, NM

I. Welcome and Introductions

Justice Edward Chavez called the meeting to order at 10:00 a.m. He started with introductions, asking each member to introduce themselves and comment on their interest in ADR. The list of attendees is at the back of these minutes.

The Supreme Court asked Justice Chavez to identify a co-chair, and he asked members to make contact with him if any member is interested in the same.

II. Why ADR is important in the State of the Judiciary

Justice Chavez shared with the Commission various reasons why ADR is important to the State of the Judiciary:

- caseload has ballooned, in particular domestic violence, contract (foreclosures), and domestic relations cases;
- decline in state general funds – going from \$156 million to \$135 million;
- time to disposition is 15% lower than the ABA standard;

The work of the Commission is not a one-person show but a community effort as he needs each and every member's work and expertise to make this work. He wants the Commission to prioritize what they want to accomplish with tasks and timelines to get there.

Justice Chavez plans to testify before the Courts, Corrections and Justice Committee on 10/20/2011 and report to them where the Commission plans to go and how they plan to move forward with ADR. Also, he will provide updates to the various legislative committees during the upcoming legislative session.

III. Overview of the 2010 Report

Marsha Lichtenstein provided an overview of the 2010 report, highlighting the strengths and weaknesses of the current state of New Mexico court-annexed ADR, some statistical data on existing programs, and the ten recommendations for advancing ADR from the 2010 National Center for State Courts study.

IV. Commission Priorities for Advancing ADR

Justice Chavez asked each member to share their top priorities and their reasoning for the same.

It is important to have a representative from the Judicial Information Division attend the commission meetings to learn the capabilities of the Odyssey case management system or to discuss other technological applications or systems. ACTION: Justice Chavez will ask that a JID representative or staff attend the commission meetings.

Commission members shared their priorities. Priorities are sorted in line with the themes each Subcommittee will address. The sorted list of priorities is included as a separate attachment.

Three Subcommittees were formed at the meeting: Education, Program and Neutral Quality, and Resources/Needs. Justice Chavez asked each Subcommittee to complete the following activities for the next Statewide ADR Commission meeting:

1. Identify your goals
2. Plan for how to reach those goals
3. Timelines and benchmarks

**Education Subcommittee:** Primary goals are to educate and inform the public about the availability and accessibility of ADR; to educate the Judiciary about ADR in general and about how ADR programs work; and to educate New Mexico stakeholders (Legislators, citizens, government officials) about the value of ADR in creating efficient, valued settlements.

Chair: Sally Margolin. Members: Bruce Hall, John Feldman, Paul Briones, Donald Schute, Mari Gish.

**Program and Neutral Quality Subcommittee:** Primary goals are to determine best practices for programs and neutrals; to consider ways to measure performance of programs and neutrals, to improve the consistency and quality of court-annexed ADR across the state.

Chair: Jeff Griffith. Members: David Levin; Susan Barnes-Anderson, Celia Ludi, Mari Gish, Hon. Mark Sanchez, Hon. Duane Castleberry.

**Resources/Needs Assessment Subcommittee:** Primary goals are to assess what programs and resources for ADR currently exist, to understand how resources are allocated, and to examine cost/benefit issues overall; and to assess the needs of individual courts for ADR programs or assistance.

Chair: Celia Ludi. Members: Kevin Spears, Mary Jo Lujan, Fred Sena, Susan Laughlin.

Technology will cross over into each of the three areas.

An interested party asked that the Commission consider not using the word “volunteer” but use “pro bono” when referring to mediators who give of their time without payment.

## V. Next Meeting

The next meeting is scheduled for Friday, January 13, 2012, 10:00 a.m. to 12 noon. Each subcommittee will report back to the Commission. Justice Chavez asked members to send him comments or remarks on ADR for the upcoming Courts, Corrections and Justice Committee meeting.

Meeting Attendees:

Members Present:

Edward L. Chavez, Chair  
Susan Barnes Anderson  
Paul Briones  
Judge Duane Castleberry  
John Feldman  
Mari Gish  
Jeff Griffith  
Bruce Hall  
Susan Laughlin  
David Levin  
Celia Ludi  
Mary Jo Lujan  
Sally Margolin  
Judge Mark Sanchez  
Donald Schutte  
Fred Sena  
Kevin Spears

Guests:

Kathleen Oweegon

Staff:

Marsha Lichtenstein  
Louise Baca-Sena

Members Absent:

Darcy Bushnell  
David Smoak  
Ty Trujillo