

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 348

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Joseph J. Carraro

AN ACT

RELATING TO DOMESTIC RELATIONS; PROVIDING FOR A NEUTRAL CORNER PROGRAM IN JUDICIAL DISTRICTS; MAKING AN APPROPRIATION.

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

Section 1. Section 40-12-4 NMSA 1978 (being Laws 1987, Chapter 153, Section 4) is amended to read:

"40-12-4. DISTRICT COURT DOMESTIC RELATIONS MEDIATION FUND CREATED. -- A judicial district [~~that establishes a domestic relations mediation program pursuant to Section 5 of the Domestic Relations Mediation Act~~] shall create a "domestic relations mediation fund" of the judicial district. Money in the fund shall be used to offset the cost of operating the domestic relations mediation program and the neutral corner program. Deposits to the fund shall include payments made through the imposition of a sliding fee scale pursuant to

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 ~~[Section 5 of the Domestic Relations Mediation Act]~~ Sections
2 40-12-5 and 40-12-5.1 NMSA 1978 and the collection of the
3 surcharge provided for in Section ~~[6 of that act]~~ 40-12-6 NMSA
4 1978. "

5 Section 2. A new section of the Domestic Relations
6 Mediation Act, Section 40-12-5.1 NMSA 1978, is enacted to
7 read:

8 "40-12-5.1. [NEW MATERIAL] NEUTRAL CORNER PROGRAM --

9 A. A judicial district may establish a "neutral
10 corner program" by court rule approved by the supreme court.
11 The neutral corner program shall be used when, in the opinion
12 of the court, the best interests of the child are served if
13 confrontation or contact between the parents is to be avoided
14 or supervised. In a neutral corner program, the district
15 court may employ or contract with a person:

16 (1) with whom a child may be left by one
17 parent for a short period while waiting to be picked up by the
18 other parent; or

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

21 B. A parent may request of the court the services
22 of the neutral corner program or the court may order that the
23 program be used.

24 C. Parents shall pay the cost of the neutral
25 corner program pursuant to a sliding fee scale approved by the

underscored material = new
[bracketed material] = delete

1 supreme court. The sliding fee scale shall be based on
2 ability to pay for the service. The fees shall be paid to the
3 district court to be credited to the fund. "

4 Section 3. Section 40-12-6 NMSA 1978 (being Laws 1987,
5 Chapter 153, Section 6) is amended to read:

6 "40-12-6. [~~Section 6.~~] DOMESTIC RELATIONS MEDIATION
7 FEES--DISTRICT COURT CLERK TO COLLECT.--In addition to fees
8 collected pursuant to Section 34-6-40 NMSA 1978 for the
9 docketing of civil cases, [~~in any judicial district which has
10 established a domestic relations mediation program]~~ the
11 district court clerk shall collect a surcharge of thirty
12 dollars (\$30.00) on all new and reopened domestic relations
13 cases. "