



Supreme Court of New Mexico

CHIEF JUSTICE
MICHAEL E. VIGIL
JUSTICES
BARBARA J. VIGIL
JUDITH K. NAKAMURA
C. SHANNON BACON
DAVID K. THOMSON

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CLERK OF COURT
JOEY D. MOYA, ESQ.

July 30, 2020

Fellow New Mexicans,

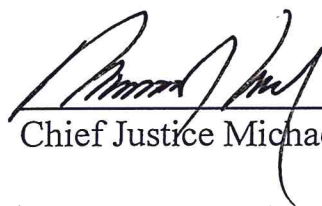
As you walk into the courtroom at the New Mexico Supreme Court, you are greeted with a statement of the Court's guiding principle. Above the heads of the justices, indelibly carved into wood are the words, "Dedicated to the Administration of Equal Justice Under Law." Workers engraved these words into the backdrop of the Court's dais in 1937. Since then, scores of legal advocates, government officials, and members of the public have stood before the Court, under those words, and asked for equal treatment under the law. They put their trust in our adherence to this bedrock tenet of democracy.

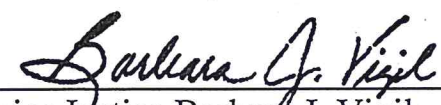
This trust—that each New Mexican will be treated fairly under the laws of this state—is imperative to the work of the courts. Without it, the justice system erodes and crumbles. But we cannot take your trust for granted. We must eliminate the deleterious effects of the poisons of prejudice, bias and racism. We must serve all persons equally, regardless of race, ethnicity, gender, sexual orientation, income, language, ability, or education.

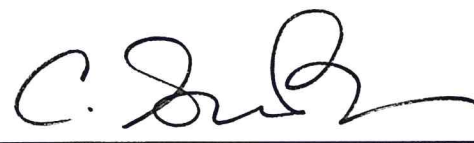
To achieve this goal, the judiciary will engage in a critical examination of the institution. We need to acknowledge our shortcomings and recognize our conscious and unconscious biases. This reflection is the first step to lasting change. But actions speak louder than words.

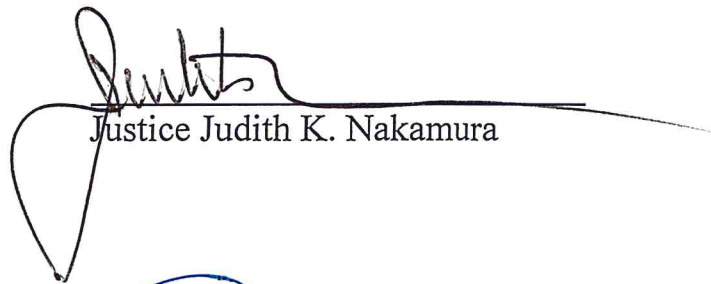
To that end, the New Mexico Supreme Court announces the establishment of the Commission on Equity and Justice. The specific work of this Commission will be developed in the coming days. It will include analysis of data, education for judges and court staff regarding implicit bias, the creation and improvement of court policies relating to diversity and inclusion, and a commitment to nominate more diverse individuals to serve on the bench. This Commission will also work collaboratively with other Supreme Court Commissions and justice partners.

Let our actions today reinforce our commitment to the words we hold sacred. The New Mexico Judiciary is firmly dedicated to the administration of equal justice under the law.



Chief Justice Michael E. Vigil

Senior Justice Barbara J. Vigil

Justice C. Shannon Bacon

Justice Judith K. Nakamura

Justice David K. Thomson

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

2 **October 19, 2020**

3 **No. 20-8100**

4 **IN THE MATTER OF THE**
5 **ESTABLISHMENT OF THE**
6 **NEW MEXICO SUPREME COURT**
7 **COMMISSION ON EQUITY AND JUSTICE**

8 **ORDER**

9 WHEREAS, this matter having come before the Court upon recommendation
10 to create the New Mexico Supreme Court Commission on Equity and Justice to study
11 New Mexico's justice system and make recommendations to achieve the following
12 essential objectives:

13 1. Eliminate biases and inequities within New Mexico's justice system that
14 are due to race, ethnicity, color, national or tribal origin, ancestry, citizenship,
15 religion, gender, sexual orientation, gender identity or presentation, indigent status,
16 physical, mental or developmental disability or condition, age, English language
17 proficiency, parenting status or pregnancy, and other characteristics identified by the
18 Commission;

19 2. Give all persons equitable access to the state's justice system;

20 3. Add transparency to the state's justice system and make sure that all
21 persons are treated equitably within it;

1 4. Provide education and training to judges and court staff to accomplish
2 the foregoing objectives; and

3 5. Provide educational and professional opportunities for prospective
4 lawyers, judges, and employees from underrepresented groups, so that all groups are
5 equitably represented within the state's judiciary and other aspects of its judicial
6 functioning; and

7 WHEREAS, in light of the foregoing, and the Court having considered the
8 recommendation and being sufficiently advised, Chief Justice Michael E. Vigil,
9 Justice Barbara J. Vigil, Justice Judith K. Nakamura, Justice C. Shannon Bacon, and
10 Justice David K. Thomson concurring;

11 NOW, THEREFORE, IT IS ORDERED that the New Mexico Supreme Court
12 Commission on Equity and Justice IS HEREBY ESTABLISHED as a permanent
13 standing commission of the Court, and the membership of the Commission shall be
14 comprised of the following representation:

15 A. Voting members.

16 1. One (1) Supreme Court Justice;

17 2. One (1) Court of Appeals Judge;

18 3. Three (3) judges in total from the district court, metropolitan
19 court, or both, provided there is at least with one judge from a

1 small-sized court, medium-sized court, and large-sized court;

2 4. One (1) Magistrate Court Judge;

3 5. One (1) Tribal Court Judge;

4 6. One (1) University of New Mexico School of Law representative;

5 7. Four (4) Attorneys;

6 8. One (1) Community advocate;

7 9. One (1) Human rights/civil rights representative;

8 10. One (1) Mental health advocate;

9 11. One (1) Court security officer;

10 12. One (1) Legislative member;

11 13. Two (2) At-large members;

12 B. Ex-Officio Participation. The Commission shall encourage and invite
13 non-voting ex-officio participation in the work of the Commission from the following
14 interested parties:

15 1. Representation from each of the following organizations, which
16 may include non-voting participants who represent more than one organization:

17 (a) New Mexico Women's Bar Association;

18 (b) New Mexico Hispanic Bar Association;

19 (c) New Mexico Black Lawyers Association;

- 1 (d) New Mexico LGBTQ Bar Association;
- 2 (e) New Mexico Indian Bar Association;
- 3 (f) Senior Lawyers Division of the State Bar of New Mexico;
- 4 (g) Young Lawyers Division of the State Bar of New Mexico;
- 5 (h) New Mexico Trial Lawyers Association;
- 6 (i) New Mexico Defense Lawyers Association;
- 7 (j) State Bar of New Mexico Committee on Diversity in the
- 8 Legal Profession;
- 9 (k) State Bar of New Mexico Committee on Women and the
- 10 Legal Profession; and
- 11 (l) State Bar of New Mexico Family Law Section;
- 12 2. Representation from corrections/probation/pre-trial services;
- 13 3. Representation from each of the following judicial entities, which
- 14 may include non-voting participants who represent more than one entity:
- 15 (a) Judicial Information Division of the Administrative Office
- 16 of the Courts;
- 17 (b) Judicial Education Center;
- 18 (c) Court Executive Officers Council;
- 19 (d) Human Resources Division of the Administrative Office of

1 the Courts;

2 (e) Administrative Office of the Courts Language Access
3 Services;

4 (f) Supreme Court Law Library;

5 (g) New Mexico Board of Bar Examiners;

6 (h) Staff member of the New Mexico Judiciary; and

7 (i) The director of a self-help center for a New Mexico state
8 court; and

9 4. Representation from each of the following organizations, which
10 may include non-voting participants who represent more than one organization:

11 (a) New Mexico Legal Aid;

12 (b) New Mexico Center on Law and Poverty;

13 (c) Southwest Women's Law Center;

14 (d) American Civil Liberties Union of New Mexico;

15 (e) Native American advocacy organization; and

16 (f) Homeless advocacy organization;

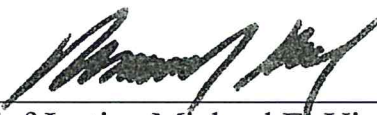
17 IT IS FURTHER ORDERED that the Supreme Court, in consultation with the
18 Equity and Justice Steering Committee, will appoint voting members to reflect the
19 diversity of our state and the objectives of the Commission on Equity and Justice;

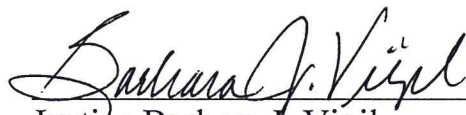
1 and

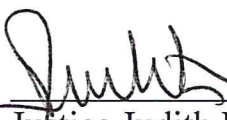
2 IT IS FURTHER ORDERED that the Supreme Court, in consultation with the
3 Steering Committee, will appoint the Chair of the Commission from among its voting
4 members.

5 IT IS SO ORDERED.

6 DONE at Santa Fe, New Mexico, this 19th day of October, 2020.

7 
8 Chief Justice Michael E. Vigil

9 
10 Justice Barbara J. Vigil

11 
12 Justice Judith K. Nakamura

13 
14 Justice C. Shannon Bacon

15 
16 Justice David K. Thomson