

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

2 **August 3, 2021**

3 **No. 21-8100**

4 **IN THE MATTER OF THE**
5 **ESTABLISHMENT OF THE**
6 **WORKING INTERDISCIPLINARY**
7 **NETWORK OF GUARDIANSHIP**
8 **STAKEHOLDERS AND APPOINTMENT**
9 **OF THE NETWORK MEMBERS**

10
11 **ORDER**

12 WHEREAS, NMSA 1978, Section 34-2-17(A) (2021), provides for the
13 Supreme Court to “establish the ‘working interdisciplinary network of guardianship
14 stakeholders’ to provide ongoing evaluation of New Mexico laws, services and
15 practices related to adult guardianship and conservatorship;”

16 WHEREAS, NMSA 1978, Section 34-2-18 (2021), sets forth the duties of the
17 working interdisciplinary network of guardianship stakeholders (Network), which
18 include (1) identifying the strengths and weaknesses in New Mexico's system of
19 adult guardianship and conservatorship; (2) identifying the least restrictive decision-
20 making options for alleged incapacitated persons and protected persons under
21 guardianship and conservatorship; (3) reviewing national standards on guardianship
22 and conservatorship practices and recommending standards for implementation in
23 New Mexico; (4) proposing methods of training guardians and conservators in best

1 practices or adopted standards; (5) recommending outreach, education and training
2 as needed; and (6) serving as an ongoing problem-solving mechanism to enhance
3 the quality of care and quality of life for adults who are or may soon be in the
4 guardianship or conservatorship system;

5 WHEREAS, NMSA 1978, Section 34-2-17(B) (2021), provides for the
6 composition of the Network to be comprised of an array of specified stakeholders
7 with the individual Network members to be appointed by the Chief Justice of the
8 Supreme Court of New Mexico;

9 WHEREAS, NMSA 1978, Section 34-2-17(C) (2021), provides for the Chief
10 Justice to also appoint a chair and executive committee from the Network
11 membership;

12 WHEREAS, NMSA 1978, Section 34-2-17(D) (2021), provides for the initial
13 appointment of Network members for terms of at least two (2) years, with members
14 thereafter serving staggered four (4)-year terms; and

15 WHEREAS, the Court having considered the foregoing and being sufficiently
16 advised, Chief Justice Michael E. Vigil, Justice C. Shannon Bacon, Justice David K.
17 Thomson, and Justice Julie J. Vargas concurring;

18 NOW, THEREFORE, IT IS ORDERED that the Working Interdisciplinary
19 Network of Guardianship Stakeholders is hereby ESTABLISHED;

1 IT IS FURTHER ORDERED that Working Interdisciplinary Network of
2 Guardianship Stakeholders (Network) shall be comprised of the following members
3 to be appointed by the Chief Justice to initial terms of at least two (2) years, with
4 members thereafter serving staggered four (4)-year terms:

- 5 • one (1) or more members of the New Mexico Judiciary;
- 6 • the Secretary of the New Mexico Aging and Long-term Services
7 Department, or the Secretary's designee;
- 8 • the executive director of the New Mexico Developmental Disabilities
9 Planning Council, or the executive director's designee;
- 10 • the chief executive officer of the Interagency Behavioral Health
11 Purchasing Collaborative, or the chief executive officer's designee;
- 12 • the New Mexico State Auditor, or the State Auditor's designee;
- 13 • the New Mexico Attorney General, or the Attorney General's designee;
- 14 • one (1) or more members of the New Mexico Legislature;
- 15 • the chief executive officer of Disability Rights New Mexico, or the
16 chief executive officer's designee;
- 17 • a professional guardian;
- 18 • a professional conservator;
- 19 • a family guardian;

- 1 • a family member, who is not a guardian or conservator, of a protected
- 2 person;
- 3 • an attorney;
- 4 • a health care provider with experience in working with patients in need
- 5 of guardianship;
- 6 • one (1) or more members of an Indian nation, tribe, or pueblo located
- 7 wholly or partly in New Mexico;
- 8 • two (2) protected persons;
- 9 • a representative of the New Mexico Administrative Office of the
- 10 Courts;
- 11 • a representative of the American Association of Retired Persons; and
- 12 • any other stakeholder the Chief Justice deems appropriate;

13 IT IS FURTHER ORDERED that the Chief Justice hereby appoints the
14 following members of the Network to the initial terms set forth below:

15 (1) Hon. C. Shannon Bacon is appointed to serve in a representative
16 capacity for the New Mexico Judiciary, for an initial term of two (2) years;

17 (2) Hon. Bryan Biedscheid is appointed to serve in a representative
18 capacity for the New Mexico Judiciary, for an initial term of three (3) years;

1 (3) Hon. Daniel A. Bryant is appointed to serve in a representative capacity
2 for the New Mexico Judiciary, for an initial term of four (4) years;

3 (4) Hon. Nancy J. Franchini is appointed to serve in a representative
4 capacity for the New Mexico Judiciary, for an initial term of two (2) years;

5 (5) Anastasia Martin, designee of the Secretary of the New Mexico Aging
6 and Long-term Services Department, is appointed for an initial term of two (2) years;

7 (6) Alice Lui McCoy, executive director of the New Mexico
8 Developmental Disabilities Planning Council, is appointed for an initial term of three
9 (3) years;

10 (7) Bryce Pittenger, designee of the co-chief executive officers of the
11 Interagency Behavioral Health Purchasing Collaborative, is appointed for an initial
12 term of four (4) years;

13 (8) Brian Colon, New Mexico State Auditor, is appointed for an initial term
14 of two (2) years;

15 (9) Van Snow, designee of the New Mexico Attorney General, is appointed
16 for an initial term of three (3) years;

17 (10) Sen. Katy M. Duhigg is appointed to serve in a representative capacity
18 for the New Mexico Legislature for an initial term of two (2) years;

1 (11) Sen. Linda M. Lopez is appointed to serve in a representative capacity
2 for the New Mexico Legislature for an initial term of three (3) years;

3 (12) Rep. Joanne J. Ferrary is appointed to serve in a representative capacity
4 for the New Mexico Legislature for an initial term of four (4) years;

5 (13) Rep. Damon Ely is appointed to serve in a representative capacity for
6 the New Mexico Legislature for an initial term of two (2) years;

7 (14) Tom Gardner, designee of the chief executive officer of Disability
8 Rights New Mexico, is appointed for an initial term of three (3) years;

9 (15) Rosanna Soloperto is appointed to serve in the representative capacity
10 of a professional guardian for an initial term of four (4) years;

11 (16) Greg Ireland is appointed to serve in the representative capacity of a
12 professional conservator for an initial term of two (2) years;

13 (17) Veronica Chavez Newman is appointed to serve in the representative
14 capacity of a family guardian for an initial term of three (3) years;

15 (18) Catherine Overton is appointed to serve in the representative capacity
16 of a family member who is not a guardian or conservator of a protected person for
17 an initial term of four (4) years;

18 (19) Peggy Graham is appointed to serve in the representative capacity of
19 an attorney for an initial term of two (2) years;

1 (20) Dr. Christina Burns is appointed to serve in the representative capacity
2 of a health care provider with experience in working with patients in need of
3 guardianship for an initial term of three (3) years;

4 (21) one (1) or more members of an Indian nation, tribe or pueblo located
5 wholly or partly in New Mexico will be appointed by future order of the Chief
6 Justice;

7 (22) Jodi Cooper is appointed to serve in the representative capacity of a
8 protected person for an initial term of two (2) years;

9 (23) Steven Simmerson is appointed to serve in the representative capacity
10 of a protected person for an initial term of three (3);

11 (24) Patricia Galindo is appointed to serve in a representative capacity for
12 the New Mexico Administrative Office of the Courts for an initial term of four (4)
13 years; and

14 (25) DeAnza Valencia is appointed to serve in a representative capacity for
15 the American Association of Retired Persons for an initial term of two (2) years;

16 IT IS FURTHER ORDERED that all Network members are eligible for
17 reappointment to new four (4)-year terms upon expiration of their initial terms;

18 IT IS FURTHER ORDERED that the Executive Committee of the Network
19 shall be comprised of Hon. Daniel A. Bryant, Hon. Nancy J. Franchini, Tom

1 Gardner, Peggy Graham, and Rosanna Soloperto until further order of the Chief
2 Justice;

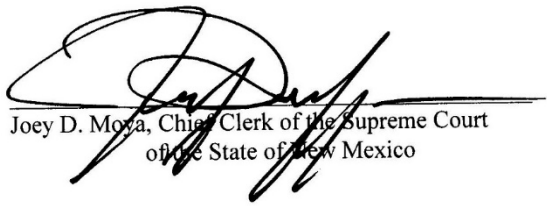
3 IT IS FURTHER ORDERED that Hon. Nancy J. Franchini shall serve as chair
4 of the Network and its Executive Committee until further order of the Chief Justice;
5 and

6 IT IS FURTHER ORDERED that the Administrative Office of the Courts
7 shall provide staff support to the Network.

8 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 3rd day of August, 2021.


Joey D. Moya, Chief Clerk of the Supreme Court
of the State of New Mexico

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