

# NEW MEXICO

## 16.2 Settlement Conferences.

(a) In every civil case the parties must participate in a settlement conference with a Judge unless otherwise ordered by the Court. Cases excepted from this rule are listed under D.N.M.LR-Civ. 16.3.

(b) In every bankruptcy adversary proceeding filed in Bankruptcy Court, the parties must participate in a settlement conference with members of the bankruptcy facilitation panel unless otherwise ordered by the Bankruptcy Court.

(c) For each party, at least two persons must attend settlement conferences:

- the attorney who will try the case; and
- the party or designated representative with final settlement authority, other than an attorney of record.

(d) A request to be excused must be made in writing to the Court at least seven (7) days before the conference or as ordered by the Court.

(e) Evidence of settlement offers made, and of statements made, at the settlement conference, regardless of whether made in written, oral or graphic form, will be inadmissible as provided in FED. R. EVID. 408. Statements which are made by any party to the Judge who is conducting the settlement conference, and which are identified by that party as confidential, will not be disclosed by the Judge to any other party. The Judge who is conducting the settlement conference may not reveal to the trial Judge any information about offers made, or about statements made, by any party at the settlement conference, other than whether the case was or was not settled.

(f) Within seven (7) days of notice of assignment of a member of the bankruptcy facilitation panel to facilitate an adversary proceeding in Bankruptcy Court, any party may move the Court to disqualify the panel member based on the standards set forth in 28 U.S.C. § 455.