



ADMINISTRATIVE OFFICE OF THE COURTS

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SUPREME COURT FORMS COMMISSION TO RECOMMEND GUARDIANSHIP SYSTEM IMPROVEMENTS

SANTA FE – The New Mexico Supreme Court issued an order Thursday forming a 16-member commission to study the state’s guardianship system and recommend improvements.

Members of the commission include representatives from the three branches of government, attorneys with a background in guardianship law, and advocates for the interests of the elderly, disabled and others involved in guardianship proceedings.

Court-appointed guardians make personal and health care decisions for individuals who are incapacitated. Conservators are appointed by a court to manage the financial and possibly the property affairs of an incapacitated person, including those who may have dementia, traumatic brain injuries, a developmental disability or mental illness.

The Supreme Court directed the commission to hold hearings to gather public input, and recommend any necessary changes in court rules, state statutes, funding, administrative practices or other proposals to improve the guardianship system.

The commission is to make an initial status report to the court by Oct. 1, and continue its work until completing a final report and recommendations.

Members of the commission are:

- Wendy York, an attorney in Albuquerque will chair the commission. She served as a judge on the Second Judicial District from 1997 to 2005, and has worked in a private law firm for the past 12 years as a mediator in cases, including disputes involving family members, protected persons and guardianship organizations.
- Patricia M. Galindo, the commission vice chair, is a staff attorney for the Administrative Office of the Courts who specializes in issues involving guardians and conservators. Before joining the AOC in 2013, she worked in a private law practice focusing on guardianship cases and represented families in contested civil proceedings.
- Sen. Gerald Ortiz y Pino, Albuquerque, chairman of the Senate Public Affairs Committee, which handles a wide range of legislation ranging from health care issues to matters affecting children and the elderly. He has served in the Senate since 2005, and is a retired social worker.
- Former Rep. Conrad James, Albuquerque, who sponsored legislation in 2016 for changes in the guardianship system, including a proposal to allow adult children to petition a court to compel visitation with a parent for whom a guardian has not been appointed.
- Patricia Stelzner, a retired attorney in Albuquerque. She co-founded in 1983 the Senior Citizens' Law Office, which provides free legal assistance to the elderly. She has represented clients in guardianship cases and worked on legislation involving probate, guardianships and advanced directives.
- Tim Gardner, legal director of Disability Rights New Mexico, a non-profit group that promotes and protects the rights of people with disabilities.
- Jorja Armijo-Brasher, director of the Department of Senior Affairs for the city of Albuquerque since 2009. In her position, she oversees six senior centers, two multi-generational centers as well as services and programs for the elderly such as home-delivered meals and transportation assistance.
- Gaille McConnell, an attorney in Albuquerque. Her practice concentrates on probate, estate planning, elder law, guardianships and business planning. She serves on the board of the New Mexico Guardianship Association.
- Second Judicial District Court Judge Nancy J. Franchini, who has served on the court since 2014 and has presided over guardianship and conservatorship cases. She has participated in the court's Elder and Disability Initiative,

which is working to improve the guardianship process and provides training by court staff attorneys for newly appointed guardians and conservators.

- Sixth Judicial District Court Judge Jarod K. Hofacket, Deming. A significant part of his law practice, before becoming a judge last year, involved probate and estate planning. He has represented family members who petitioned courts to become a guardian or conservator, and has served as a guardian ad litem for protected persons.
- Fifth Judicial District Court Judge Dustin K. Hunter, Roswell. Before joining the court in 2016, much of his law practice in southeastern New Mexico involved guardianship and domestic relations cases. He is a past member of the board of directors of the Family Law Section of the State Bar of New Mexico.
- Dr. Samuel Roll, professor emeritus at the University of New Mexico. He was a professor of psychology from 1980 to 2003, and a professor of psychiatry from 1986 to 2002. He was a visiting professor of law at UNM in 1983 and 2005.
- Jill Johnson Vigil, an attorney in Las Cruces. Her law practice includes guardianship and guardian ad litem representation.
- Leslie Porter, the governor's deputy director of policy. She oversees legislation and policy issues involving the Aging and Long-Term Services Department.
- Stephen Clampett, assistant general counsel to the governor. He handles legal issues and legislation affecting the Aging and Long-Term Services Department.
- Emily Darnell-Nuñez, Corrales, an early childhood education training and development consultant. Her mother was involved in a contested guardianship.

Attached is a copy of the court's order establishing the New Mexico Adult Guardianship Study Commission.

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