Statement on Settlements for Hobbs
August 6, 2019

The public has a strong interest in the Settlements of claims/lawsuits against public entities in New Mexico, which are subject to IPRA. If the claim was paid via the state’s Risk Management Division (and not all claims against public entities are), then a statute (NMSA § 15-7-9) comes into play. That statute states that the settlement can’t be released for 180 days.

FOG’s position is that the public suffers the longer it has to wait until it gets public records.

The public’s interest is best served by promptly providing the settlement agreement, etc.

Legal settlements involving state agencies will soon be posted online, ending a long-standing process that required public records requests. The new system will post documents as soon as the law allows.