

FIRST JUDICIAL DISTRICT COURT
COUNTY OF SANTA FE
STATE OF NEW MEXICO

LOUISE MARTINEZ, individually and as next
friend of her minor children AN. MARTINEZ,
AA. MARTINEZ, AR. MARTINEZ and
AD. MARTINEZ, *et al.*,

Plaintiffs,

vs.

No. D-101-CV-2014-00793

THE STATE OF NEW MEXICO, *et al.*,

Defendants.

Consolidated with

WILHELMINA YAZZIE, individually and as next
Friend of her minor child, XAVIER NEZ, *et al.*,

Plaintiffs,

vs.

No. D-101-CV-2014-02224

THE STATE OF NEW MEXICO, *et al.*,

Defendants.

**ORDER DENYING DEFENDANTS' MOTION FOR ENTRY OF ORDER OF
SATISFACTION OF INJUNCTION AND DISMISSAL OF ACTION**

On June 29, 2020, the Court heard arguments on Defendants' Motion for Entry of Order of Satisfaction of Injunction and Dismissal of Action. Having reviewed the parties' extensive briefing and conducted oral argument, the motion is hereby **DENIED**. The Court provides the following findings and conclusions in support of its order.

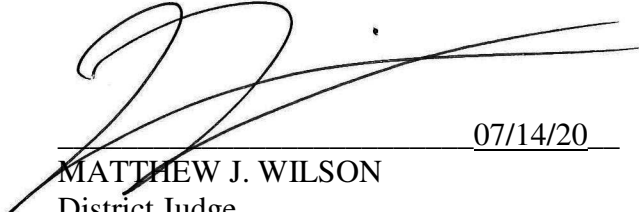
In its February 14, 2019, Final Judgment and Order (“Final Judgment and Order”), the Court enjoined the State to create a constitutionally adequate public education system—including a proper funding system, teachers, and an accountability system—to ensure all at-risk students have the resources necessary for a sufficient education so they are college and career ready. *See* Final Judgment and Order at 3-5. As defined by the Court, “at-risk students include children who come from economically disadvantaged homes, children who are English Language Learners, children who are Native American, and children with a disability.” *Id.* at 2-3. There is a lack of evidence to establish that Defendants have substantially satisfied this Court’s Final Judgment and Order regarding all at-risk students. The Court’s Final Judgment and Order requires comprehensive educational reform that demonstrates substantial improvement in student outcomes to ensure at-risk students are college and career ready. The State has taken immediate steps to avoid irreparable harm, but that does not end the analysis. Defendants must not only take immediate steps to execute short-term reforms, but must also ensure long-term, comprehensive reforms. Implementation and compliance are merely in their initial stages. The Court will retain jurisdiction over this case until the State implements long-term, comprehensive reforms, consistent with the Court’s Final Judgment and Order and its Findings of Fact and Conclusions of Law. The State will not be deemed to have complied with this Court's order until it shows that the necessary programs and reforms are being provided to all at-risk students to ensure that they have the opportunity to be college and career ready.

Before the Court may dismiss this case pursuant to New Mexico Rule of Civil Procedure 1-060(B)(5), the Court will ask: (1) whether there has been a significant change in the legal or factual circumstances in this case, and (2) whether the Final Judgment and Order’s objectives

have been met. Even Defendants admit the job is not done yet. The Court finds there is insufficient evidence to establish dismissal based on these grounds.

The Court denies the motion to dismiss this matter. The Court will maintain the injunction until Defendants have overhauled the public education system and complied with its constitutional requirements, as set forth in the Final Judgment and Order.

IT IS SO ORDERED.


07/14/20
MATTHEW J. WILSON
District Judge

Respectfully Submitted,

By: /s/ E. Martin Estrada
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