

Hon. Timothy L. Garcia

Mediator / Arbitrator / Independent Panelist

Timothy L. Garcia is a retired New Mexico Court of Appeals Judge. He has over thirty-four years of legal experience as a private attorney, trial court judge, and appellate court judge. After serving over fifteen years on the bench, Judge Garcia retired from the New Mexico Court of Appeals in 2018 and now holds an Of Counsel position with Montgomery & Andrews, P.A. in the Santa Fe office.

Known for his preparation, detail-oriented analysis and interactive approach to resolving tough cases, Judge Garcia now focuses his legal practice in the area of alternative dispute resolution, including mediation, arbitration, in-depth case evaluation, and mock trial services.

Judge Garcia had eighteen years of litigation experience before being appointed to the bench in 2002. This experience includes significant trials in the New Mexico District Court, as well as appeals before the New Mexico Court of Appeals and New Mexico Supreme Court. He also practiced before the federal district court in the district of New Mexico, the Tenth Circuit Court of Appeals and the United States Tax Court. As lead counsel, he tried cases in the areas of civil and criminal tax liability, contested will and probate administration, real estate disputes, business transaction disputes, and felony criminal defense.

After appointment to the trial court bench in 2002, Judge Garcia presided over hundreds of civil and criminal trials. The majority involved felony criminal trials, including one death penalty prosecution. The balance involved civil litigation. In the civil docket, Judge Garcia presided over numerous major trials, including high-profile cases involving wrongful death, personal injury, product liability, major catastrophes, and class action lawsuits.

After appointment to the court of appeals in 2009, Judge Garcia authored hundreds of majority opinions, including numerous Fourth and Fifth Amendment cases and other felony criminal appeals. Noteworthy opinions authored on the civil calendar included bad faith insurance claims, civil rights claims, workers' compensation claims, state and federal constitutional interpretations, remittitur of large jury verdicts, the unconscionability of nursing home contracts, and the strict standing requirements for enforcing foreclosure lawsuits.

Judge Garcia also sat by designation on the New Mexico Supreme Court to address two cases: an administrative utility appeal from the Public regulation Commission and a sovereign immunity appeal under the New Mexico Tort Claims Act.



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Judge Garcia also has a life-long background in the sport of tennis. He competed in college at the University of New Mexico where he achieved All-American honors and later played as an ATP touring professional before entering law school in 1981. He also assists the United States Tennis Association in numerous capacities, including serving as the chairman over the administrative hearing and grievance process before the USTA Grievance Committee in 2013-14. He also served as Southwest Section president in 2016-17, and two terms as a national counsel chair for youth tennis in America from 2015-present. Judge Garcia is a designated arbitration panel member for USTA arbitration cases.