

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

NO. 99-8500

IN THE MATTER OF SUPERINTENDING  
CONTROL OVER MAGISTRATE COURTS

ORDER

WHEREAS, effective July 1, 1997, the New Mexico Legislature repealed NMSA 1978, Sections 35-7-1 and 35-7-2 and enacted a new NMSA 1978, Section 35-7-1, to provide that magistrate courts shall operate under the direction and control of the Supreme Court;

WHEREAS, pursuant to said authority this Court hereby adopts certain existing policies to apply to all magistrate courts;

WHEREAS, the Administrative Office of the Courts hereby is authorized to assist this Court in its superintending control over magistrate courts by providing administrative and support services;

WHEREAS, an order issued on June 30, 1999, withdrew policy directive numbered seven (7) as approved on June 15, 1999; and

WHEREAS, the Administrative Office of the Court recommends vacating the June 30, 1999 order and approving amended policy directives numbered six (6) and (7), as set forth herein.

NOW, THEREFORE, IT IS ORDERED that the order issued June 30, 1999, hereby is VACATED; and

IT IS FURTHER ORDERED that the following policies hereby are adopted to apply to all magistrate courts:

**POLICY DIRECTIVES**

- No. 1: Policy Relating to Acceptance of Personal Checks, Receipting of Monies Not Readily Identifiable, and the Receipting of Bail
- No. 2: Policy Relating to Audit Exceptions
- No. 3: Policy Relating to Overages/Shortages in Monies Collected

- No. 4: Policy Relating to Reporting of Leave Taken by Magistrates
- No. 5: Policy Establishing Presiding Judge Responsibilities
- No. 6: Policy Establishing Mandatory Training Requirements for Magistrate Court Clerks and Judges
- No. 7: Policy Relating to Acceptance of Partial Payments of Fines and Costs
- No. 8: Policy Relating to Leases for Office Space for Magistrate Courts
- No. 9: Policy Relating to Records Inspection Requests
- No. 10: Policy Relating to the Use of Volunteers or Community Service Participants in the Magistrate Court

IT IS SO ORDERED.

DONE at Santa Fe, New Mexico, this \_\_\_\_ day of July, 1999.

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Pamela B. Minzner, Chief Justice

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Joseph F. Baca, Justice

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Gene E. Franchini, Justice

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Patricio M. Serna, Justice

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Petra Jimenez Maes, Justice