



NEW MEXICO
ANNUAL REPORT

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Cover: A few of New Mexico's older county courthouses.

Top, left to right:

One of the WPA projects of the 30s, the Art Deco-style Roosevelt County Courthouse in Portales was built in 1939 with the designs of William M. Bickel.

The Luna County Courthouse in Deming was built in 1910 and was designed by W. E. Corwin. Deming's annual duck race takes place across the street in the city park.

Built in 1909, the Union County Courthouse in Clayton is New Mexico's oldest county courthouse in continuous use. It was designed by the architectural firm of D. P. Kaufman & Son.

Middle, left to right:

The Grant County Courthouse in Silver City was erected in 1930 with the designs of architect George Williamson.

The Chaves County Beaux-Arts-style courthouse in Roswell was completed in 1912, the year New Mexico became a state. It is just down the street from the International UFO Museum and the green dome is visible throughout the city.

The Mission-style Eddy County courthouse in Carlsbad was erected in 1891 and its appearance was altered to its current style in 1939. It has one of New Mexico's best town squares.

Bottom, left to right:

The Hidalgo County Courthouse in Lordsburg was built in 1926-1927 with Classical Revival elements. The firm of Thorman and Frazer designed it.

The Guadalupe County Courthouse in Santa Rosa was built in 1909 with Romanesque Revival elements. In 1946 an addition was added to the building's left.

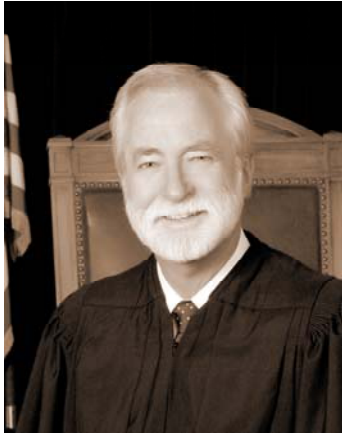
The 1917 Rio Arriba County Courthouse in Tierra Amarilla hosted a shoot-out in the 1970s that resulted over a land rights quarrel.

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A Message from the Chief Justice

As we approach the hundred-year anniversary of our statehood, our New Mexico state government finds itself facing unprecedented funding challenges. Although the crisis affects all parts of government, the very real threat to the ability of the Judicial Branch to function is particularly grave. Keeping the courts open for peaceful resolution of disputes and for meaningful application of the



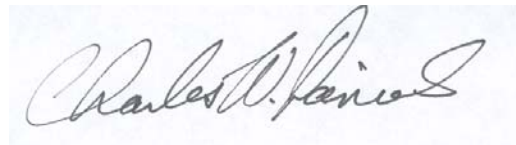
Chief Justice
Charles W. Daniels

rule of law is essential for the survival of any democratic government. We are now faced not only with having to do more with less, but with having to decide which traditional functions of the courts are constitutionally mandated and part of the very essence of self-government, and which functions are important or desirable but not legally indispensable to a lawful judicial system.

Our courts have been in the forefront of trying to meet these very real challenges thoughtfully and responsibly. Following the 2008 adoption of the Supreme Court Long-Term Strategic Plan, the Judicial Branch has intensified its focus on creative, innovative ideas to perform our core mission more efficiently, to try to provide meaningful access to justice for all who come before our courts, and to eliminate inefficiencies wherever they can be identified. Electronic filing and document management, alternative dispute resolution programs, and so many other constructive efforts to modernize and improve the efficiency of our justice system must continue.

While necessarily keeping our primary focus on our core constitutional responsibilities, we are also making every effort to continue other innovative efforts that are important to the judiciary, to state government as a whole, and to the people of New Mexico. These include such important programs as our successful drug courts, DWI courts, and other problem-solving courts, and pro se clinics to assist those who do not have lawyers. We will make every effort to save those programs, to the extent we can do so without violating our constitutional responsibilities to perform our most basic judicial functions. It is axiomatic that we cannot perform any core constitutional function if we shut the doors of justice. We therefore must always place our highest priority on keeping our New Mexico courts open. Closures are simply unacceptable.

This report addresses our current efforts in working toward these goals. It describes difficult, often painful, reductions that our judicial entities have proposed in their budgets, the impact of those reductions on our ability to deliver justice, and options that have been explored to be more efficient and cost-effective. I am proud of the efforts of the New Mexico judiciary in continuing to accept current fiscal realities and work toward responsible solutions, and I am profoundly grateful to all our judges and staff who continue to make personal sacrifices to serve the cause of justice for the people of New Mexico.

A handwritten signature of Charles W. Daniels in black ink, written on a light blue background.

A Message from the Court Administrator

The New Mexico Judiciary has stood firm in its commitment to deliver justice to all who come to the courts despite the tremendous challenges imposed by declining funding. It has been a struggle to keep the doors of the courthouses open. Difficult times will continue in the future. Throughout 2010 I have been humbled by judges' and employees' extraordinary dedication and energy devoted to the courts despite great challenges.



Director Arthur W. Pepin

The response by judges and judicial employees to this fiscal crisis has clearly demonstrated the Judicial Branch's commitment to delivering justice in our courts. As the courts teetered on the edge of imposing employee furloughs, judges across the state committed to returning a proportionate share of their salaries to the payroll to minimize court closings and employee furloughs. While court closings and employee furloughs were avoided, many people in New Mexico applauded the voluntary sacrifices undertaken by judges throughout New Mexico.

It would be difficult to overstate the hours and energy judicial employees have devoted to maintaining public access to courts. Paychecks decrease and vacant positions must be left unfilled, imposing greater and greater demands on the employees who remain. Court data reflects these stresses, but also shows that the public is receiving great service from our employees. I salute each judicial employee keeping the courts running well despite unprecedented hardships.

Highlights reflected in the 2010 Annual Report. Most notably, the new Odyssey case management system continues to be successfully implemented. With completion of the pilot phase in August 2010, we are now progressing to full statewide implementation. Legislative Finance Committee audits have recognized the successful execution of the implementation plan and its benefits to the courts. In addition, despite fiscal and other challenges, the Supreme Court recently approved compression of the schedule for completion of this project. The Odyssey project will finish on budget and one year ahead of its original schedule.

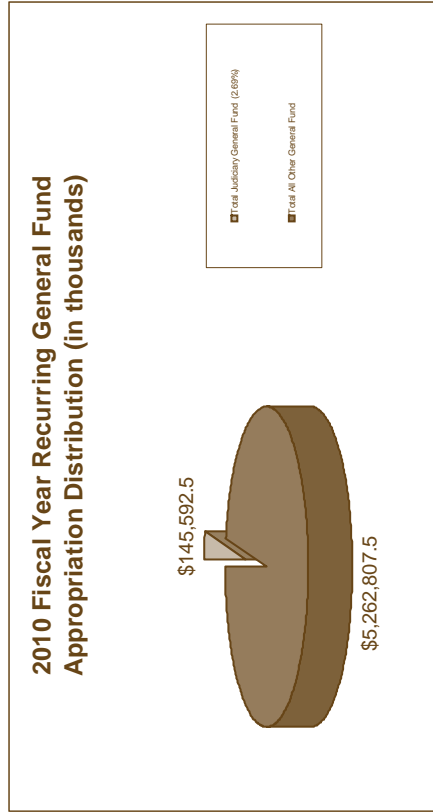
The New Mexico Center for Language Access, which began operations in October 2009 under a project initiated by the Judiciary, is now operating at full speed under the management of the University of New Mexico/Los Alamos. A number of district courts continue to improve the process for stream adjudications, an area that will only increase in importance as populations grow in our arid climate. District courts, metropolitan and magistrate courts, have sought new partnerships with their counties and municipalities to jointly address funding of problem-solving courts and other challenges facing courts and local governments.

Perhaps working with entities outside the Judiciary points to a type of silver lining. In the midst of the economic recession, courts have looked beyond courthouses to find partners to help solve problems. The New Mexico Supreme Court recently engaged, at no cost to New Mexico taxpayers, the National Center for State Courts to provide expert assistance to a Reengineering Commission that has begun to examine ways the Judicial Branch might function more efficiently. Funding will continue to be scarce in the years ahead and the Commission will consider how to improve the delivery of justice with scarce resources. This may challenge our traditions and move us beyond what is comfortable. Having proved their ability to overcome tremendous obstacles over the past several years, the judges and employees of the Judicial Branch are sure to embrace changes the Commission recommends to improve justice in New Mexico's courts. I thank each and every one of those judges and employees for the great work they do every day.

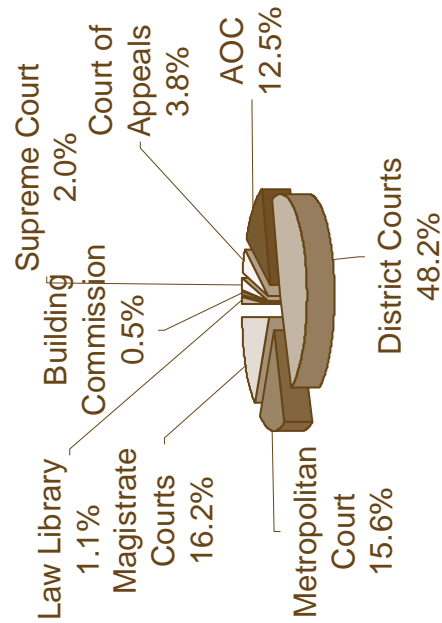
A handwritten signature in black ink, which appears to be "A. W. Pepin". The signature is stylized and fluid.

Budget of the New Mexico Judiciary

Law Library	1,667.2	1.1%
Building Commission	796.6	0.5%
Supreme Court	2,968.5	2.0%
Court of Appeals	5,579.5	3.8%
AOC	18,162.1	12.5%
District Courts	70,070.2	48.2%
Metropolitan Court	22,697.4	15.6%
Magistrate Courts	23,492.4	16.2%
	145,433.9	
Total General Fund	\$ 5,408,400.0	
Total Judiciary General Fund (2.69%)	\$ 145,592.5	2.69%
Total All Other General Fund	\$ 5,262,807.5	



2010 Fiscal Year Judicial Unit Recurring General Fund Appropriation Distribution Percentage



Percent of \$145,433.9 Total Judiciary Appropriation

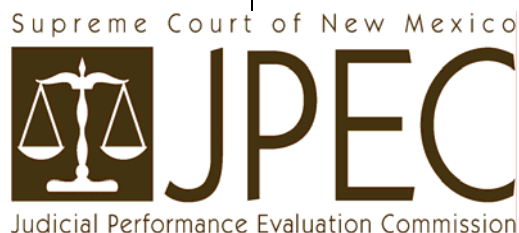
Special Programs

Judicial Performance Evaluation Program

The New Mexico Judicial Performance Evaluation Commission (JPEC) released its recommendations to voters on two New Mexico Supreme Court justices, two New Mexico Court of Appeals judges and 16 Metropolitan Court judges standing for

retention in November 2010. Under the New Mexico State Constitution, these judges must receive at least 57 percent voter approval to remain on the bench.

For the first time ever, the commission reported a summary of the statistical results of its survey research in addition to its evaluation in narrative form.



“We received input from courtroom participants that they wanted our evaluations to be more comprehensive and as transparent and understandable as possible, so we felt the logical ‘next step’ in improving our evaluation reports to voters was to include the summary of survey results,” said Felix Briones, Jr., co-chair of JPEC.

For the Supreme Court justices and Court of Appeals judges being evaluated, JPEC reported results of surveys among attorneys, court staff (including law clerks), and fellow appellate judges. For the Metropolitan Court judges being evaluated, JPEC reported results of surveys among attorneys, court staff, and jurors. Results are reported on individual qualities such as integrity, fairness and impartiality, knowledge of the law, appropriate demeanor, and respect for court employees. For Metropolitan Court judges, control of courtroom proceedings and clear communication are also reported. For Supreme Court justices and Court of Appeals judges, JPEC also reported on timeliness of rulings and ability to handle workload. In addition, relevant populations were asked how strongly they recommend or do not recommend each of the judges and justices standing for retention. These survey results are also provided as part of the final narrative.

Evaluations were posted in English and Spanish on the commission’s website, www.nmjpec.org, and were distributed to voters statewide through newspaper advertising, radio advertising, and a special “Report to Voters” distributed in Bernalillo County.

Court Improvement Project

The Court Improvement Project (CIP) is an initiative to improve judicial proceedings related to child abuse and neglect, foster care, and adoption. Since 1995, the activities of the CIP have been directed by a Supreme Court appointed Commission and accomplished by its working committees. Participants in the CIP include the Children, Youth, and Families Department and numerous other agencies and organizations. The CIP works to improve the permanency, safety, and well being of children and youth in state custody.

The 2010 Children's Law Institute (CLI) attracted over 1,000 registrants from multiple disciplines from around the state. The evaluation of the conference produced favorable results. The next CLI will be January 12-14, 2011 in Albuquerque, NM and will expand on foundational work and unity, hopefully reminding people why child welfare work is so important and inspiring stakeholders to do great work. Information can be found on www.childrenslawinstitute.org.

Statewide Child Welfare Improvement Plan (CWIP) meetings were convened in all thirteen Judicial Districts with combined resources from the Data Grant and the Training Grants. These meetings specifically addressed delays to permanency highlighted in the Child and Family Services Review (CFSR). Each meeting, convened by the local judge, brought together key stakeholders in the child welfare community to review key data, explore best practices, and develop immediate action plans to address permanency issues on a local level.

The CIP Training Project successfully conducted four sessions of the new core training for judges and attorneys. The curriculum, *Child Abuse and Neglect: Essential Information for Practicing & Presiding in Child Welfare Cases*, began as a one-and-a-half day program and is now two days in length, allowing for ample discussion and participation.

CIP continues to produce booklets and Best Practice Bulletins on a number of topics. These can be accessed through the CIP Website:
www.nmcourts.com/CourtImprovement/index.html

Alternative Dispute Resolution (ADR) Assessment

The Administrative Office of the Courts (AOC) was awarded a State Justice Institute Grant for \$40,000 to conduct a "comprehensive assessment" of the alternative dispute resolution (ADR) programs in all courts (appellate, district, metropolitan and magistrate courts). This "comprehensive assessment" will include recommendations for "improving the use" of ADR methods in the judicial branch, educating the public (judges, attorneys, litigants, etc.) about the benefits of those methods, and delivery of high quality court ADR services as identified in the Judiciary's Long-Range Strategic Plan, 2008-2013.

Children's Court Mediation Program

Approximately 787 cases were referred to the program during FY10, representing a 14% increase from the 693 cases in FY09. The referrals include 628 Time Limited Reunification (TLR) referrals and 159 Open Adoption referrals. The 159 open adoptions occurred in ten judicial districts and represent a 65% increase from the 96 cases in FY09.

Approximately 20% of all the referrals were open adoption cases as compared to 13% of the cases during the previous year. The significant increase in open adoption referrals is largely due to a new provision in the Children's Code (NMSA §32A-4-29(D)). The program began the fiscal year with a \$363,100 budget(3% decrease from FY09).



*Improving the
permanency,
safety, and
well being of
children and
youth in state
custody.*



Working with families facing long-term issues such as substance abuse, domestic violence, poverty and mental illness to reach permanency solutions for their children.



Giving a voice, hope and a future to abused and neglected children.

During the 2009 Special Legislative Session, state funds were further reduced by \$4,100, leaving the program with an operating budget for FY10 of \$359,000. The program narrowed the scope of the evaluation, eliminated a case manager contract and delayed training activities to absorb the budget reduction. In addition, state funds were held in reserve to cover the anticipated shortfall in federal funds for mediation services due to the increase in open adoption cases.

Despite the reduction in state funds, local programs expanded mediation during this grant period. Regional coordinators worked with local programs to strengthen understanding around open adoption mediation protocol, streamline the referral process, and increase cases in underutilized areas such as the 4th, 9th and 10th Judicial Districts. Local programs in the 13th Judicial District explored mediation during the initial assessment planning conferences held before the custody hearing.

The mediation program undertook several projects including the successful launch of a website <http://joo.nmcourts.gov/joomla/ccmediation//> and began working with the Judicial Information Division (JID) to develop a web-based case management system to streamline program coordination.

The New Mexico Administrative Office of the Courts (AOC) has partnered with the Children, Youth and Families Department (CYFD) to mediate child abuse and neglect cases since 2000. Dependency mediation is now available in all judicial districts and CYFD county offices. The Children's Court Mediation Program offers mediation services in twelve judicial districts (2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th) and provides support for the First Judicial District's in-house program. The primary purpose of the Children's Court Mediation Program is to assist in meeting the Adoption and Safe Families Act (ASFA) goals of permanency, child safety and child well being.

As a resource for families, CYFD staff and the Courts, the program provides a non-adversarial approach to helping CYFD and the Courts work together with families facing long-term issues such as substance abuse, domestic violence, poverty and mental illness.

Court Appointed Special Advocates (CASA)

Court Appointed Special Advocate (CASA) volunteers, appointed directly by the district court judges in abuse and neglect cases, are committed to speaking up for the best interest of New Mexico's children in foster care. CASA volunteers interact with the children, and with those children's families, teachers, therapists, social workers and attorneys. CASA volunteers make reports to the judges on the needs of each child and on the progress and activity in each case. Based on that in-depth knowledge, CASA volunteers also make recommendations to the court regarding the most appropriate placements and services for children. In FY10, approximately 4,000 children were in the custody of the Children, Youth and Families Department. Two thousand nine hundred twenty-one (2,921) of those children were assigned to CASA programs and were served by 868 CASA volunteers over the course of FY10. On any

given day, there are nearly 700 CASA volunteers across New Mexico serving as the eyes and ears of the court and bringing judges the information needed to make the best possible decisions for the children involved in those cases. Fifteen (15) distinct, community-based organizations and one Judicial District Court operate the sixteen (16) CASA programs in twenty-two (22) communities across New Mexico.

Safe Exchange and Supervised Visitation Program

The Safe Exchange and Supervised Visitation Program (SE/SV) provides children and parents with a safe, nurturing environment for supervised visits and exchanges between custodial and noncustodial parents in cases of separation, divorce, custody disputes, and domestic violence. Services allow families in crisis to practice healthy interactions, and are designed around the needs and well being of the child. The services permit children to maintain their relationships with noncustodial parents without being in the middle of parental conflicts.



FY10 appropriations permitted thirteen programs to deliver services in eight judicial districts. District Courts referred cases for services in the following counties: First Judicial District: Los Alamos, Rio Arriba, and Santa Fe; Second: Bernalillo; Third: Doña Ana; Fifth: Chaves, Eddy, and Lea; Sixth: Grant, Hidalgo, and Luna; Ninth: Curry and Roosevelt; Eleventh: McKinley and San Juan; and Thirteenth: Cibola, Sandoval, and Valencia.

Highlights in the program's performance for FY10 include:

- 11,989 visits and exchanges were provided to 2,389 clients, an increase of 12% in clients receiving services from FY09
- A total of 1,009 children and 1,380 adults received services during the year, an increase of 19% in children served and 7% in adults served

An average of 534 visits and 465 exchanges were provided to 199 clients each month

It is important to note that the rising number of clients receiving services appears to indicate that the continuing recession has had a negative impact on family relationships. Data show, however, that services were available and provided, as requested by the Court in order to meet the needs of the family.

Also in FY10, a new automated data system was developed through which local contractors can more readily enter, track and report data relating to the families they are serving. Training on the new system was provided, in addition to training on child development in terms of visitation and exchange services, separation issues for children, and special programs targeted to divorcing parents.

Highlights in program performance for FY09 include:

- 11,183 visit and exchange services were provided to 2,128 clients, an increase of almost 25% in clients needing services from FY08
- A total of 850 children and 1,278 adults received services during the year, an increase of 16% in children served and 30% in adults

***Safe, nurturing
environment for
supervised visits
and exchanges
between
custodial and
noncustodial
parents.***

- An average of 511 visits and 421 exchanges were provided to 177 clients each month

It is important to note that the rising number of clients receiving services may indicate that the current recession is creating a negative impact on family relationships. Data show, however, that services were available and provided, successfully addressing the courts' concerns about the needs of the family.

Court Appointed Attorney Fees Fund

State general fund monies allocated to the Court Appointed Attorneys Fees Fund (CAAFF) are used to pay court appointed attorneys who represent indigent parties in civil proceedings when the law requires that an attorney be appointed. The FY10 allocation to the CAAFF was \$4,570,000.00, a 6.5% reduction from the total amount allocated in FY09. Ninety-six percent (96%) of the FY10 allocation was expended to pay contract attorneys. Payments to non-contract attorneys, who are paid \$30.00 per hour subject to fee caps per legal event, totaled just under 2% of the FY10 allocation. The remaining two percent was used for personnel and prior year payments. The bulk of the allocation (87.4%) was used to provide statutorily mandated legal services to children, youth, and parents in child abuse and neglect proceedings. Just under 10% of the funds were expended in mental health proceedings with a little over 1% expended to provide attorneys in other types of civil proceedings.



Expanding and improving civil legal assistance to New Mexicans living in poverty.

Budget reductions impacted both contract and non-contract attorneys. Courts reduced the dollar amount of individual attorney contracts and eliminated contract positions. Non-contract attorneys saw their payments delayed and judges reported difficulties in finding attorneys willing to accept appointments. While budget reductions were certainly challenging the AOC continued its' efforts to provide attorneys with non-monetary resources designed to support their work. We created a "Court Appointed Attorneys" web page that includes payment and billing information as well as a resource list. Additionally, the AOC continues to work closely with both the Court

Improvement Project and the Corinne Wolfe Children's Law Center to provide contract attorneys with free and low cost continuing legal education.

Access to Justice

Assuring meaningful access to the civil legal system is part of a core function of the courts. The Access to Justice Commission (ATJ) seeks to improve access to justice in several ways, including (1) highlighting the need for pro bono services (attorneys providing legal services to low income people for no or reduced fees) and encouraging attorneys to meet their pro bono obligations; and (2) assisting legal service providers to maintain or increase funding levels in order to provide more legal services to low income people and to recruit more staff attorneys, especially in remote and rural areas of the State. Thanks to the recruiting efforts of local ATJ pro bono committees around the state, volunteer attorneys provided 275,733 hours of pro bono services in 2009 to residents of New Mexico. The Law-La-Palooza event held on October 28 at the Albuquerque Convention Center assist in move than 500 low income people in one day.

However, the number of unmet legal needs in the State by far exceeds available legal services; the most current report states that for every client accepted by a legal service provider, two are turned away for lack of resources to provide services. The number of people without lawyers is spiking even further in these difficult economic times as job loss leads to foreclosures, evictions, bankruptcies, and the inability to pay child support. The people who are turned away cannot afford an attorney, and therefore turn to the courts with their legal issues, desperately requesting court staff to help them. The Commission's Self Represented Litigant (SRL) Working Group seeks ways to establish and encourage self help programs and services in courts statewide that meet the standards of "best practices," including providing information to the public without giving legal advice and standardized plain language forms, both web-based and hard copy. The AOC staff attorney for the Access to Justice Program staffs the Commission generally, but also is the chair of the SRL Working Group and leads its efforts to provide access to the courts for SRLs. In addition, the staff attorney is the point person to develop and present all related training (discussed in more detail below) to not only court staff statewide, but also to legal service providers and to public library staff who find themselves being asked by desperate SRLs for legal advice when they can (and should) provide only legal information and referrals. The staff attorney also serves a liaison function for statewide legal service providers, coordinating their required site visits and review of standards governing the provision of civil legal services.

Budget cuts have further diminished the level of service that the legal service providers can offer to low income people. Low interest rates have also produced drastic reductions in funding previously provided by Interest on Lawyers Trust Account (IOTLA) funds. Efforts to promote and increase the amount of attorney pro bono services continue, but the level of such services is simply not enough to meet the skyrocketing volume of legal needs of poor people due to job loss, inability to pay child support, eviction, foreclosure, and resulting pressures on families. Further, without effective administrative support (that requires funding), it is difficult to match attorney ability to case matter and to meet ethical obligations such as avoiding conflict of interest. The result is that people who cannot afford lawyers turn to the courts for help with their ongoing, critically important legal issues.

The level of self help services that courts can offer to self represented litigants is directly affected by the lack of budget, staff and materials through which to deliver those services. The AOC staff attorney for the ATJ Program is responsible for meeting short-term goals, including review and re-distribution of current court resources to provide better public access to legal information. This process ideally involves site visits and mentoring to court staff on techniques of delivering information to the public. Cost-saving measures have required that the staff attorney severely curtail such visits and travelling statewide, suspend purchase of equipment and supplies, and cancel all non-critical equipment requiring monthly fees. The staff attorney continues to develop legal advice vs. information training, website design and standardized forms at the central AOC office, utilizing distance technology whenever possible, but ultimately public access computers and printers would be required to fully implement the resulting tools.



Ensuring that individuals with limited English proficiency who become involved with the New Mexico justice system have access to culturally and linguistically appropriate services.

Increased budget cuts in the Access to Justice arena will further impede the ability of the courts to provide self help services and equipment that facilitate efficient processing of SRL court cases in a system designed to be run by lawyers and judges. Courts statewide have a fundamental and critical need for consistent, quality services and tools to provide to rising numbers of low income self represented litigants who have fundamental civil legal problems, no hope of attorney representation and no idea of what to do next.

Language Access Services **Court Interpreter Certification**

- Since last reported (9-25-09) the New Mexico Administrative Office of the courts has certified five new Spanish court interpreters and one Russian court interpreter.
- Ninety-two court interpreter candidates attended the three orientations offered by the AOC in 2010 and continue in the certification process.

Court Interpreter Advisory Committee

The Committee concluded several significant efforts in 2010:

- Completed a revision of the Interpreter Fee Payment Guidelines through an 18 -month process resulting in the Standards of Practice and Payment Policies for Court Interpreters. This revision has been coordinated with the Joint Rules Committee of the Supreme Court and is pending approval of the Court.
- At the request of the AOC Director, completed a draft Interpreter Complaint Procedure, which will take effect January 1, 2011.
- Set OPI (Oral Proficiency Interview) rating standards for qualifying for interpreters in languages for which there is no Consortium certification exam.
- Established deadlines for completing the certification examination for New Mexico interpreters in languages other than Spanish grandfathered into the Directory of Certified Court Interpreters or who receive the certified rate, but have not completed the certification exams.
- Reviewed and revised the interpreter Background Check and Continuing Education Policies, effective January 1, 2011.

Language Access Planning for NM State Courts

Working with the District and Magistrate Courts in New Mexico's Ninth Judicial District (Roosevelt and Curry Counties), we are currently testing and refining a planning process that courts can use to create language access plans that are compliant with Title VI of the Civil Rights Act of 1964 and Executive Order 13166. Using work previously done in California and Washington as a foundation, we have created a planning template which is consistent with Department of Justice requirements and which encourages each court to address specific areas including:

- Community/Court Needs Assessment;
- Identification of Court Customers Needing Language Assistance;
- Specific Language Assistance Services Provided by the Court;

- Training for Staff on LEP/LA Policies and Procedures;
 - Informing LEP, deaf and hard of hearing individuals regarding the available language access services; and
 - Process for monitoring and updating the LEP/LAP Plan.
- Surveys developed previously to measure knowledge and understanding regarding language access among court employees will be part of the needs assessment process of each court. Additionally, AOC with the assistance of courts within the Ninth Judicial District has developed specific surveys for judges and for and stakeholders, which it is hoped will provide useful input for the courts specific to the communities they serve.
- In support of this effort, the AOC has been awarded a technical assistance grant to support Language Access Planning in New Mexico State Courts. The 18-month project will include contracting with a consultant to support language access planning efforts across the state.
- Language Access signage, staff training (see below) and access to telephonic interpreting at all public points of contact will be in place across state courts by the end of 2010.

New Mexico Justice System Interpreter Resource Partnership

The Partnership's objective is to ensure that individuals with limited English proficiency who become involved with the New Mexico justice system have access to culturally and linguistically appropriate services, by strengthening the comprehensive interpreter resource partnership, supporting the New Mexico Center for Language Access (NMCLA), and increasing understanding of Title VI of the Civil Rights Act of 1964 and Executive Order 13166.

The Partnership continued its second year with funding from the State Justice Institute and made significant progress toward its objectives.

Expanding the Partnership

The University of New Mexico School of Law and Presbyterian Health Services joined the New Mexico Supreme Court and other continuing partners: University of New Mexico Hospitals, Central New Mexico Community College; University of New Mexico – Los Alamos; New Mexico State Police; New Mexico Commission for the Deaf and Hard of Hearing; New Mexico Corrections Department; New Mexico Public Defenders; and New Mexico Administrative Office of the District Attorney.

Supporting the New Mexico Center for Language Access (NMCLA)

- The New Mexico Center for Language Access is the partnership's most significant accomplishment. NMCLA was created by the Partnership to address language access across the justice and health care systems by training bi-lingual individuals already working in legal and medical settings and those who would like to leverage their language abilities into a professional interpreting career in justice or health care.
- Administered by the University of New Mexico – Los Alamos, NMCLA has

offered three sessions of training since its inception in July 2009. With courses offered on-line, the program is accessible throughout New Mexico's diverse rural communities and beyond. The highly skilled faculty members hail from New York, California, Colorado, Arizona and New Mexico. NMCLA is in the beginning stages of negotiating a collaborative effort with the Consortium for Language Access in the Courts, which is managed out of the National Center for State Courts, and is also in discussions with the California State Courts.

- NMCLA students specialize in Justice System or Medical Interpreting or can enroll in the Language Access Specialist program for bi-lingual individuals who are called on to use their language abilities in the course of their work day. In 2010, the Judicial Education Center provided eight \$1,000 scholarships to bilingual state court employees and the Administrative Office of the District Attorney, seven full scholarships, for domestic violence advocates to enroll in the Language Access Specialist program. Eight New Mexico court employees became certified as Language Access Specialists in 2010.
- In addition to the collaboration with the Consortium for Language Access in the Courts, NMCLA has begun a significant collaboration with the University of New Mexico School of Law. The collaboration will ensure that law students are aware of their responsibilities to ensure qualified language access for limited or non-English speaking individuals across legal settings. It is also providing expanded training opportunities for NMCLA students, which include interpreting for jurors in the Law School's mock trials and providing interpreting for clients in the school's Law Clinic.
- NMCLA and AOC have also worked to coordinate training and testing efforts.
 - NMCLA mentorship weekends are open to AOC interpreter candidates who join the cohort of Justice System Interpreting students for the internship phase of their studies;
 - AOC conducts practice oral examinations as part of the mentorship weekend and orients NMCLA students to the court interpreter certification testing process, which is also part of the NMCLA Justice System Interpreting final examination;
 - NMCLA is working with AOC on streamlining the Language Access Specialist track (formerly Bilingual Communication) in order to make it more accessible to court employees; and
 - NMCLA and AOC developed a coordinated training and testing schedule for the remainder of 2010 and for 2011-2012.

Developing and Delivering Language Access Training

- On April 1, 2010, the Partnership sponsored a day-long training for justice system partners and other public agencies on language access compliance related to Title VI of the Civil Rights Act. The Department of Justice has recently reiterated its commitment to ensuring "the consistent and effective implementation of Title VI and other civil rights laws applicable to recipients of federal financial assistance" by strengthening enforcement efforts. Attorney,

Bruce Adelson, formerly with the Department of Justice, conducted the training for New Mexico agencies. Among those in attendance were Bernalillo County Metropolitan Court and the Second, Fourth, Fifth, Sixth, Ninth, Eleventh, and Twelfth District Courts; the Children Youth & Families Department; the Human Services Department; the Department of Health, Workforce Solutions, Presbyterian Health Services, the NM Commission for the Deaf & Hard of Hearing.

- Presentations and training were also provided to: the District Defenders; the Statewide Conference of Public Defenders; the Domestic Violence Coalition; the Tribal State Judicial Consortium; and the Access to Justice Commission.
- Language Access Training was provided to court staff in the Eleventh District.
- A Language Access Training DVD was created, which will become mandatory training for all employees of the New Mexico Judiciary in 2011.

Creating and Maintaining an Interpreter Registry Of Justice System Interpreters

- Justice System spoken language Interpreters may be qualified through NMCLA and through the New Mexico Commission for the Deaf & Hard of Hearing as Justice System signed language interpreters; and through the AOC for languages for which a national certification exam is not available.
- Justice System Interpreters are being integrated into the newly revised Standards of Practice and Payment Policies for Court Interpreters and into Supreme Court Rule.
- To-date two Spanish and one Thai interpreter have achieved Justice System Interpreter (JSI) status.

It is expected that JSIs may work throughout the legal system and in other out-of-court settings.

New Mexico Interpreters' Conference

- Over 150 interpreters from New Mexico and across the country attended the October 15-17 conference held in Albuquerque.
- The conference featured a unique line-up of nationally-recognized experts in medical, legal, and community interpreting, the conference is tailored to new and experienced interpreters in all spoken languages and signed languages.
- Conference co-sponsors included: New Mexico Administrative Office of the Courts; University of New Mexico Hospital; New Mexico Commission for the Deaf and Hard of Hearing; University of Arizona, National Center for Interpretation; Community Outreach Program for the Deaf; New Mexico Translators and Interpreters Association; We Interpret; and the El Paso Interpreters and Translators Association.

Jury Services

Master Juror Database

In an effort to streamline processes and reduce the AOC and court staff time involved with pulling a jury pool, JID now downloads the complete master juror database by county to each court. This way courts can immediately pull their pools when they are

ready to summons, cutting out several steps involved in the prior process. The master juror database for each court is updated twice yearly, in January and December. When the data upload occurs, any permanent disqualifications entered by the court into the jury management software are recognized and these names removed from the master juror database, decreasing the number of summonses sent incorrectly to previously permanently disqualified individuals.

Jury Management



***Ensuring
positive and
productive jury
service for New
Mexico citizens.***

State courts continue to move forward with key management strategies, which not only reduce costs, but also improve the experience of jury service for New Mexico citizens.

- *Reducing Separate Orientation Days:* Several state courts have moved away from separate orientation days and are orienting jurors on the same day that juries are chosen. This saves the jurors' time and the taxpayers' money.
- *Standardization of Jury Summonses:* New Mexico State Courts have substantially standardized the summons' template and further standardization is being considered by the Joint Rules Committee of the Supreme Court. The courts have also moved to a standard summoning schedule and now use a secure web-based platform to edit variable summons' information and through which courts upload their jury pools to the vendor that prints and mails all summonses. This customized web portal has reduced staff time involved in updating summonses, eliminated delays in mailing summonses, and is enabling the "bundling" of summonses to ensure the best postage rates, thereby reducing mailing costs.
- *Reduction of Undeliverable Summonses:* AXIS Albuquerque, the vendor responsible for printing and mailing NM state court jury summonses, is an NCOA (National Change of Address) vendor. The detailed screening of addresses has resulted in a substantial reduction in undeliverable summons. For example, in the Third District, as a result of this change of address screening, the court now summons 1,000 fewer jurors than previously, each time it summons jurors.
- *Maximizing Use of the ACS Jury Management Software:* The JIFFY Jury Subcommittee after a face-to-face meeting with ACS managers in November 2009, have moved ahead with a number of initiatives:
 - ACS Training for Experienced ACS Users was held in Santa Fe in May, 2010. As an off-shoot of this training, a sub-set of experienced users were recruited to form a Jury Trainers Group.
 - The Jury Trainers Group is comprised of experienced staff from courts in Tucumcari, Estancia, Santa Fe, Las Cruces, Aztec, Las Vegas, and Silver City. They have met regularly since July 2010 to develop a detailed Jury Manager's Handbook, specific to NM State Courts and to the ACS jury management software. The Handbook and related training DVDs will be distributed to the courts in early 2011.
 - Jury Trainers will also act as on-site consultants to smaller or less experienced courts in their areas. They are already providing some of

this consultation by phone.

Jury Performance Measures

- At the May training, it was agreed that Jury Yield (the percentage of summonses that result in perspective jurors who are qualified for jury service and available on the trial date for which they were summoned) and Jury Utilization (the percentage of qualified jurors reporting for service who are sent to a courtroom and questioned during voir dire), the most widely recognized jury performance measures, would be excellent tools to use in measuring New Mexico jury performance. They also will assist courts in jury management clearly pointing the way to areas and means for cutting costs and improving the juror's experience.
- In October 2010, the Jury Trainers Group and AOC participated in training with the Center for State Courts on how to use the Jury Manager's Toolbox (JMT), an interactive web-based resource of the Center. The JMT allows court to track and enter the information necessary to measure Jury Yield and Jury Utilization. The resulting analysis compares court performance against other courts in New Mexico and against courts of similar size across the United States. It provides detailed explanations and clearly describes the implications and options available to a court in order to realize improvement on these measures.
- As a result of the training, it has been determined that the first step toward using these measures across New Mexico courts will be asking District Courts to complete a spreadsheet of relevant data from 2009 and 2010. This will provide baseline information that can be entered into the Jury Manager's Toolbox. After this group has the experience of both collecting and entering the necessary data and has been able to view and process the resulting analysis, it is expected that the Trainers Group and AOC can move forward with statewide implementation.



***Strengthening
and fostering
relationships
between the
State and
Tribal Courts***

New Mexico Tribal-State Judicial Consortium

As an advisory committee of the Supreme Court of New Mexico, the Tribal-State Judicial Consortium continues to work actively with the Court on various activities directed toward strengthening relationships and fostering communications between State and Tribal Courts. During FY10, the Consortium worked to extend its reach to additional State and Tribal Judges and Court staff, as well as others involved in the criminal justice system, including law enforcement officials.

Primary in its budgeted activities was the provision of scholarships for Tribal Judges to participate in the 2009 Magistrate Judges Conference and the 2010 Judicial Conclave. These awards cover the cost of registration, hotel accommodations, meals, and mileage for a judge from each Tribal Court located in New Mexico. Nine Tribal Judges attended the Magistrate Conference, and thirteen participated in the Conclave. These meetings allow State and Tribal Judges to meet and learn about new laws and cases that may impact their decisions. Such contacts are important when cases cross jurisdictions and judges need more information about the plaintiff or defendant's laws, customs or traditions in order to decide the case. For the Conclave, conference planners asked the Consortium to develop a workshop of interest to State and Tribal Judges. The Consortium turned again to Professor John LaVelle, Director of the Indian Law Program at the University of New Mexico (UNM) Law School, who addressed Tribal Jurisdiction Over Nonmembers relative to case law set forth in opinions by the US Supreme Court and NM Supreme Court.

In its quarterly meetings, the Consortium heard briefings on a variety of topics. Kevin Washburn, Dean of the UNM Law School, provided comments about his vision for the institution. Speakers addressed the new Language Access Training for Certified Court Interpreters, the federal Tribal Law and Order Act legislation, planning for the Shiprock treatment center, and the *Garcia v. Gutierrez* case. Finally, Consortium members found Tribal police officers' remarks regarding the implementation of the federal Sex Offender Registration and Notification Act so compelling that they decided to pursue this topic for Regional Meetings in the summer of 2010.



***The Rio Grande:
A river whose
waters are vital
to its dry basin.***

State Stream Adjudications

In an effort to facilitate effective case management, the New Mexico Supreme Court initiated a process to identify a judge to preside over state water right adjudications. This process will occur gradually, as the judge will initially preside only over water right adjudications currently heard by judges *pro tem*. Adjudications presided over by sitting district judges will not initially be incorporated into the centralization effort. This gradual transition will likely begin in FY10. In *Vegas*, presided over by Judge *Pro Tempore* William Bonem, adjudication activity has focused on the Carlsbad Irrigation District, the Pecos Valley Conservancy District, and the Las Vegas area. The San Juan stream adjudication, presided over by Judge *Pro Tempore* Rozier Sanchez, has progressed substantially through the water rights within the La Plata section of the larger San Juan Basin.

New Mexico Supreme Court

In Fiscal Year 2010, 671 new cases and 58 re-opened cases were filed in the New Mexico Supreme Court and 198 cases remained pending from the prior year. Within the Court's discretionary jurisdiction (those cases not requiring automatic review),

petitions for writ of certiorari, certification requests, interlocutory appeal applications, and petitions for writ of habeas corpus are submitted to the full court. In FY10, 610 new cases and 35 re-opened cases were filed within the Court's discretionary jurisdiction.

Extraordinary petitions for writ of mandamus, prohibition, and superintending control are submitted to a rotating panel of three associate justices. As necessary, submission to the full court may occur upon direction of the panel. In FY10, 85 extraordinary writ cases were filed.



Cases within the Court's mandatory jurisdiction are automatically reviewed by the full court. Cases within the Court's mandatory jurisdiction include criminal appeals in which life or death sentence is imposed, disciplinary cases involving judges and attorneys, appeals from the Public Regulation Commission, and election challenges. In FY10, 61 new mandatory jurisdiction cases were filed.

Each justice reviewed and voted on approximately 643 cases in FY10.

Of the total number of cases filed and pending in FY10, 100 were disposed of by written opinion, decision, dispositional order, or order quashing a writ of certiorari (dismissed without comment). The Court issued 55 majority opinions, 15 unpublished decisions, 3 dispositional orders, and quashed certiorari 26 times. The Court's clearance rate for FY10 was 102.6%, which represents the cases disposed of as a percentage of cases filed.

Petitions for extension of the six-month rule to begin trial and other miscellaneous motions are rotated on a monthly basis among the associate justices for a ruling. In FY10, the Court decided 399 rule extension petitions since it returned jurisdiction to district courts to manage extensions of the six-month rule. In FY09, the Court reviewed over 1700 petitions.

The Supreme Court oversees 36 committees, boards, commission, and task forces. The process for the promulgation of new rules of procedure and amendment of existing rules begins with proposals submitted to the court by individual rules committees and boards. The committees make recommendations after reviewing suggestions submitted by judges, attorneys, or the court's staff attorneys. Proposed amendments and new rules are published for comment in the *Bar Bulletin*, after which comments are summarized by the respective committee or board. A package containing the proposed

amendments, new rules, comments, and committee summary are submitted to the court for review and final action. In FY10, approximately 261 proposed amendments and new rules were processed.



The staff attorney division assists the court to move forward in adopting rules that are essential to a just, speedy, and inexpensive system of justice. The Court remains optimistic that when the State's economic forecast improves that the Legislature will assist the court to fulfill its goal of a staff attorney division consisting of five attorneys and one paralegal. To date, the division is staffed by three attorneys and one paralegal. Full staffing of five attorneys will allow the court to be on par with other courts of last resort.

Supreme Court Building Commission

Installation of a fire suppression system in the Supreme Court Building commenced in FY09 when capital project improvement funds were approved.

The project concluded in August 2010 with the final approval from the State Fire Marshall. All areas other than the law library is protected by a sprinkling system and the law library is served by two separate systems: one dry pipe and one gas system to protect the State's law collection. The Building Commission is requesting funding to re-stucco and re-roof the historic building in subsequent fiscal years.

Supreme Court Law Library

In FY11, the combination of the budget cuts caused by the recession, along with a small flood and fire during the Summer of 2010, caused the Law Library to undergo considerable emergency activity. The recession has caused the number of reference questions to increase by 9% as people are attempting to represent themselves in divorce, foreclosure, and bankruptcy actions. We had several vacancies in our staff during FY11, leading to salary savings which we used to update the Library's technology, knowing that funds would be limited during the next few years. The salary savings also allowed us to put-off a number of title cancellations for another year. At the end of FY11, we filled one of our two vacancies with a new Librarian who has a law degree, a Master of Library Science, and a BS in Computer Science. The flood in June 2010 was caused by installation mistakes in our new fire suppression system. Two weeks later, an elevator motor caught on fire, which was extinguished by the new system. Between the two emergencies, over 1,000 books had to be sent to Dallas to be professional freeze-dried. Due to water damage, the Law Library had the historic wood ceiling refinished, which, along with new paint and energy-efficient lighting, has given the Law Library a badly needed restoration.

New Mexico Court of Appeals

Construction of the Court of Appeals Pamela B. Minzner Law Center was completed under budget in November 2009, and members of the Court and staff moved into this new building in December 2009. The building is located on the North Campus of the University of New Mexico next to the School of Law and is a three-story, 33,000 square-foot green building consisting of 8 judge chambers, mediation offices, staff attorney offices, a clerk's office, and a courtroom. This building is expected to achieve a Silver LEED rating. It is providing much needed space for Court of Appeals judges and various court staff, as well as space for storage and imaging of closed case files, and storage generally. The Court's main operations have, of course, remained in Santa Fe. Despite budget cuts, the Court has worked within its budget to meet the increased expenses associated with the opening and operation of their new building.

The Court worked diligently in FY10 to dispose of its cases in a timely and efficient manner. The Court is working hard to address case backlog issues, and in FY10 the Court exceeded its performance measure and achieved a 101% disposition rate. In light of the recent budget cuts, the Court has had to leave five positions vacant. Three of these positions are staff attorney positions, resulting in a 20% reduction in the number of staff attorneys available to assist judges. This shortage of staff attorneys is making it increasingly difficult for the Court to remain current on its dispositions. However, the Court is experimenting with innovative and different methods of processing cases to make every effort to continue to meet its goal of deciding cases as fairly and expeditiously as possible.



Pamela B. Minzner Law Center

Bernalillo County Metropolitan Court

2010 was an outstanding year for the Bernalillo County Metropolitan Court. The Court experienced significant challenges as we dealt with shrinking budgets, increasing filings, caseloads and instituting changes to improve how we serve the public. We have done this keeping in mind our continued commitment to public service. In many ways, this is the peoples' court and we have sought to keep the court on a person-to-person scale, no matter how large it becomes. The Bernalillo County Metropolitan Court was established by the New Mexico State Legislature in 1980 and continues to be the only court of its kind in New Mexico. It is the State's busiest court, visited by 4,000 people a day. The Court is a court of limited jurisdiction handling traffic and misdemeanor cases, felony first appearances plus civil litigation in which the amount in dispute does not exceed \$10,000. The Metropolitan Court has 19 judges: 16 criminal and 3 civil. All judges are lawyers. During Fiscal Year 2010, 125,538 cases were filed with the Metropolitan Court. These included 16,547 civil and 108,991 criminal cases. Additionally, the Metropolitan Court has created six specialty courts to deal with the issues of competency and mental health, domestic violence, alcohol and drug abuse and the special needs of the homeless.

Case Initiation/File Maintenance Division - . This Division prepares all case files for arraignments and maintains all files until cases are closed. It continues to image documents for case files which provides court records without having to retrieve the physical case file. The new web based system in Traffic Arraignments automatically images all documents allowing cases to be processed more efficiently

Courtroom Support - Assist judges, assistant district attorneys, public defenders, private attorneys, probation officers, defendants and law enforcement officers. Process an average of 4,400 cases per week. Five courtroom monitors are assigned to cover an average of 1,200 record cases per week.

Compliance Division - Reviews each recorded case file to ensure the Judges' disposition has been entered into the Case Management System (CMS) correctly and that defendants comply with Court orders. If any discrepancies are discovered, the associated case file will be routed to the appropriate staffer for clarification and correction. Two successful Operation Warrant Enforcement (OWE) operations with local law enforcement agencies were conducted.

Customer Service Division - During this past year the counter staff has assisted 172,834 people and the telephone staff has handled 157,842 calls.

Jury Management - In FY10 the Jury Division sent out 8,744 summonses supporting 1,774 scheduled trials and implemented a new web-based Jury Management System (JMS), which allows for overall management of jury pools, processing of qualification forms, excusal and/or postponements.

Probation Division - Supervises approximately 5,000 defendants/offenders participating in: (1) intakes or screenings for specialty court, (2) pre and post adjudication, (3) 3rd

party release, pre-sentence report intakes, monitoring compliance, restitution payments, verifying installation of ignition interlocks, participation in the In-House Screening, submission to urine and/or breath alcohol screening, and all other orders imposed by the court. Some programs are: (1) **DWI First Offender Program (DWI FOP)** provides supervision for "true first offenders" determined to be at high risk to re-offend. Supervising over 500 high-risk offenders. Additionally, 400 offenders are being monitored for ignition interlock compliance. (2) **Domestic Violence Early Intervention Program** – This pre-adjudication program is for first time defendants. The program enrolled 355 new participants, graduated 273 participants. (3) **Domestic Violence Repeat Offender Program (DVROP)** – This is an intensive, post-adjudication, pre-sentence program. The DVROP program enrollment was at 33 offenders at the start of FY-10, and during the year enrolled 23 new offenders for a total number of 56 defendants/offenders supervised. (4) **DWI/Drug Court Program** – There were 352 enrollments, and 237 Drug-court participants that graduated in FY10. The cost per participant per day was determined to be \$9.40. In addition to the traditional program, the DWI/Drug Court has a Spanish Language, Urban Native American, and Co-Occurring Disorders tracks in order to better serve the community. (5) **Homeless Court** – Holding court hearings in the community, this program works with defendants and service providers to remove obstacles and reduce homelessness. Hearings are held monthly at a community provider setting working with the homeless population. There were 91 new enrollments referred in FY10. (6) **Mental Health Court (MHC)** – This program allows many defendants to be diverted from the MDC to therapeutic programs. There were 272 defendants enrolled or inducted into MHC. Under the enhancement component, there were another 91 defendants under "post" conviction supervision with a mental health probation officer. (7) **Competency Court** – 354 forensic evaluations completed to determine competency.

Background Investigations - The Background Investigations Division is fully operational 24 hours per day, 7 days a week. The Division consists of Case Initiation at Metropolitan Detention Center (MDC), Release on Ones Own Recognizance (ROR) program, Background Investigations for Misdemeanor Arraignments and Felony First Appearances, 24-hour/in-custody bonding, and National Crime Information Center (NCIC) data reporting. In addition, the Background Investigations Division sends Notices of Subsequent Charges/Arrest to assigned Judges and places no bond holds on defendants who violate conditions of release or probation. In FY10, Division Intake Officers interviewed a total of 20,931 defendants, investigated 24,831 misdemeanors and 7,314 felonies for various hearings within the court. In 2010, 16,194 in-custody, after hours bonds, 824 District Court bonds and 1,032 Out-of-County bonds were processed.

Educational Services Division - The Educational Services Center that houses our DWI and Driver Improvement (DI) Schools opened a new educational facility in January 2010. During FY10 defendants completed 12,875 class sessions in classes from DWI school to motorcycle safety.

Communications, Information and Public Outreach (CIPO) Office - Handling daily news media liaison work and public inquiries the outreach office also schedules and provides tours to school groups from all levels and special education to college-level classes. The office arranges for mock trials, oversees activities of court volunteers and coordinated special events including Valentines Day weddings and new judge investitures. The Courts to School program is coordinated by the CIPO Office, as well as numerous neighborhood association presentations made by judges. The office also oversees the courts internal and Internet websites.

Human Resources (HR) Division - HR partners with management to recruit and retain a highly qualified, diverse staff; facilitate positive employee relations; and coordinate and conduct training

Interpreters - Staff Court Interpreters provided services for nearly 10,000 cases. Manages scheduling for contract interpreters that provided services for languages the court can not support as well as for Spanish-speaking cases during periods of high activity.

Information Technology (IT) Division - The IT Division continued migration to and expanded use of web based technology. Creating new applications, and replace existing applications developed in other proprietary languages to applications developed in the open source JAVA language. It continues to be instrumental in the Court's conversion to the Odyssey case management system.

Finance Division - Meet the fiduciary accountability to record, reconcile, report and analyze all financial transactions as evidenced by the finding free audits of FY09 and FY10.

- bail bonds (cash, misdemeanor and felony) totaling over \$66.M were processed
- collected and transferred in excess of \$8.1M in fines and fees of which approximately \$6.9M was utilized by other state and local government agencies.

Mediation Division - Resolved over 500 cases--- primarily civil complaints including landlord/tenant, debt collection, consumer complaints, etc. The Division mediated a limited number of criminal cases involving neighbor disputes, etc. Of the 993 cases referred for mediation, 652 mediations were conducted and over 500 were resolved

Self-Help Center - Assisted 9,351 individuals a 16.5% increase. There were 7,115 contacts in person and the rest were via telephone. Of that number, 913 were conducted in Spanish.

New Mexico District Courts

District Courts

First Judicial District—Rio Arriba, Los Alamos and Santa Fe Counties

Administration

A Voiceover Internet Protocol (VoIP) phone system was installed in the Santa Fe courthouse. This change resulted in a 50% annual reduction in telecommunication expenditures.

Adult Drug Court Program

The First Judicial District Adult Drug Court Program is currently in its 13th year working with felony-level offenders in Santa Fe, Rio Arriba and Los Alamos Counties. Since many of these offenders have exhausted all other community based services, Adult Drug Court is often the only other option aside from prison. Over the past thirteen years, the Adult Drug Court program has developed a reputation for being able to transform some of the most difficult offenders into law abiding citizens. From last fiscal year to date, the First Judicial Adult Drug Court has graduated a total of 36 participants. The Adult Drug Court program continues to be relied upon heavily by the Criminal Court Judges, Probation/Parole Officers, District Attorney and Public Defenders offices as a primary source of referral. The First Judicial District Adult Drug Court for the past two years has consistently operated above its matrix and has often been forced to place individuals on a waiting list.

The Adult Drug Court has, up until the latest budget cuts, been able to continue to operate its programs with some program adjustments to help offset the funding lost. The most recent budget cuts have significantly impacted the programs in Rio Arriba and Santa Fe Counties up to the point of almost eliminating them. The Drug Court continues to operate at a minimal level and is fearful that any future cuts will eliminate the programs completely.

Adult Treatment Court Program

The First Judicial District Adult Treatment Court Program began operating in October 2005. Since the program's inception there have been a total of 216 referrals to the program. The Program has graduated a total of 36 participants since 2005. Currently the program is able to provide services for 25 clients. There are times when the program has a waiting list due to the demand of services for probationers that suffer from mental health issues. The Treatment Court Program offers life skills, social skills, individual, group, and family sessions for the clients. While participating in the Treatment Court Program, clients are taught skills to manage their mental health illness in a positive manner for years to come, as well as being accountable for their actions that led them into the Treatment Court Program.

Clerk's Office

The daily workload in the clerk's office continues to be on the rise. We serve an average of 197 customers per day, excluding in-house customers, local district attorneys and public defenders agencies. A unique aspect of the First Judicial District Court is that we operate on a daily mandate. All court filings and new cases are docketed, imaged and filed within the same day received. According to statistical reports 9,853 new cases were opened and processed within Santa Fe, Rio Arriba and Los Alamos counties. In

addition, 253,331 filings were received and processed the equivalent of approximately 1005 pleadings per day.

In addition to archiving closed cases, staff of the Clerk's Office has assumed an additional responsibility of scanning documents received on the front end. Working toward a paperless court, all 2010 cases have been imaged and a process is set in motion to image prior years' civil cases for a total of 1,050,417 images. Imaging the files allows easy access of viewing complete case files for Judges, court staff and customers.

The Special Services Division completed retention research of approximately 24 evidence boxes in accordance with the New Mexico State Judicial Retention Schedules. These employees have completed 1,663 CD/tape requests in the past year. Our Records and Special Services Division combined have received and completed 885 requests for public records.

Despite the heavy workload and being understaffed, the employees of the First Judicial District Court Clerk's Office has demonstrated consistent motivation, teamwork and perseverance while providing exceptional service to customers and ultimately fulfilling the daily mandate without fail.

Court Constituent Services

Court Constituent Services Division ("CCSD") provides services to litigants in two separate but related areas: alternative dispute resolution (which includes *settlement facilitation* in CV, DM, and PB cases, and *foreclosure mediation*) and assistance to pro se litigants. CCSD consists of one half-time attorney director, one half-time administrative assistant, and one full-time Legal Office Specialist.

CCSD operates the Court's Self Help Center, staffed by the Legal Office Specialist, to assist pro se litigants with forms and procedural information, but not legal advice or representation.

Requests by pro se litigants for help of various kinds have risen steadily since the Self Help Center was established. In 2009, SHC staff responded to 2217 requests for information and forms completion or review, and dispensed 3788 forms. From January through August 2010, there were 1174 requests for information and forms completion or review, and 1754 forms dispensed. These numbers are not a complete picture of the numbers of pro se help requests received by the Court, because the Self Help Center staff, consisting of one full-time employee, is backed up by the Clerk's Office staff, who do not maintain the same records. An extensive forms library and other information is also included on the Court's website.

CCSD also sponsors a monthly Pro Se Family Law Clinic in partnership with the Santa Fe Community College Paralegal Studies Program and volunteer private attorneys. The Clinic provides general information about divorce, parentage, child custody and child support cases. Clinic attendance has also risen: 59 attended in 2008, and 77 in 2009; 82 people attended from January through August 2010.

A voucher for a free half-hour consultation with a private attorney on family law issues is offered to attendees of the Clinic.

The ADR Program refers requests for settlement facilitation in civil, domestic, and

probate cases to qualified private attorneys. Referral requests have risen steadily since 2006 when the current Program was implemented. A foreclosure mediation option was added to the ADR Program beginning in July 2009. In 2009, 200 cases were referred to settlement facilitation, including 51 foreclosure mediation cases; of those, 70 involved pro se parties. From January through June 2010, 168 cases were referred, including 48 foreclosure mediation cases; 95 involved pro se parties.

Family Court Services

Family Court Services continues to provide an array of services to parties seeking to resolve issues pertaining to child access and visitation.

There has been a substantial increase— 30% —in the number of Priority Consultations (PC) being conducted this year. The number of PC's conducted in '09 was already considerably higher than in '08, at which time Family Court Services (FCS) was operating with **35** fewer clinician hours than in '08. In '10, we have been operating with another **45** fewer clinician hours than in '09 (**80** fewer than in '08), while the PC and Mediation caseloads have increased by approximately **30%** and **20%**, respectively. The most time-consuming and demanding component of the FCS case load are the PC's. Therefore, FCS is conducting **30%** more of the most demanding types of services with **80** fewer clinician hours than in '08.

Year	2020 to date (calendar year)
Mediation	338 (600 projected)
Priority Consultation	472 (800 projected)
Advisory Consultation	31
Settlement Meetings from AC	22
Abuse & Neglect	56
Open Adoption	6

This situation is requiring us to adapt in a creative way to the demands placed on us by increasing caseloads and decreasing resources. To meet these demands, FCS is implementing new policies and procedure. For example, we are piloting a procedure where in the midst of a hearing the Judge can call upon a Court Clinician to interview the parties, assess specific issues and make immediate recommendations to the Court. Such innovations will ensure that the Court continues to provide clients access to high-quality services in a timely fashion.

Jury Division

In FY10, the Jury Management Division of the First Judicial District Court instituted changes to improve the collection of Jury and Witness fund revenue and to reduce expenditures in the fund. A process was initiated to track the receipt of civil jury demand fees, which resulted in the collection of \$10,000.00 in back jury demand fees. In addition, an Administrative Order was signed authorizing Jury Questionnaire fees to be collected from all private attorneys. The Jury Division limited access to jury supplies

and reduced inventory levels to decrease expenditures and minimize waste. Also, the grand jury process and panels were revamped to eliminate jury waste.

In an effort to positively promote the jury process within the community, funding from the AOC was secured to purchase appreciation items for jurors during Juror Appreciation Week.

The Program Manager of the Jury Division is a member of JIFFY's Jury Sub-Committee in hopes to streamline state-wide jury processes. The program manager also chairs the Jury Trainers Group.

In an effort to "Go Green", the jury panels are no longer copied for distribution rather a CD is created and we are eliminating individual bottled water.

Juvenile Drug Court

The First Judicial District Juvenile Drug Court has been operating in both Santa Fe and Rio Arriba counties since March, 2001. In FY10, the program average 16 active participants during the year with a matrix of 14 clients. In addition, five clients graduated from the program during the year.

The Juvenile Drug Court Program suffered a 60% reduction in General Fund treatment dollars in FY10 and at the beginning of FY11, the general fund contractual service dollars for treatment were eliminated. The Juvenile Drug Court is currently solely providing treatment services to clients with approximately \$40,000 received from the Liquor Excise Tax Fund. Without this funding, the program would be unable to contract services with a treatment provider.

experienced family violence has experienced success in stopping destructive interpersonal behaviors, reducing continuing violence and preventing the next generation of domestic violence. As a result of budget cuts, this program will not be available in FY10. The Court Clinic of the Family Court also provides no fee mediation services to separating and divorcing families, evaluation and other dispute resolution alternatives with the primary goal of empowering parents to resolve conflicts. The clinic has also expanded front-end, on-call services to assist the Court in resolving cases more expeditiously and cost effectively.

This year, the SJDC continued to be challenged by the declining economy and an increase in caseload. These challenges have proven the dedication, innovation, and perseverance of the employees, and judges within this Court. There The court and its employees are committed to being proactive in providing effective assistance to the administration of justice.

Second Judicial District—Bernalillo County

This year, the SJDC faced greater challenges due to the economic outlook, increasing caseload and limited funding which decreased the number of employees. The Court has experienced a 16% increase in new case filings between fiscal year 2008 and fiscal year 2010, while reopened cases have escalated 15% during the same time period. The Civil Court has witnessed the largest increase of 24%, with a majority of the increase due to real estate foreclosures and credit debt.

Fiscal year 2010 presented unprecedented challenges. Deeper budget cuts forced the Court to continue previously enacted budget reductions and streamline other functions. These actions included the elimination of several contracts including the Domestic Violence F.A.I.R. program and the Adult Drug Court Housing Assistance Program. Operating costs were reduced to the critical necessity and the Court has been forced to maintain an 11% vacancy rate. The Clerk's Office hours in which they are open to the public, have been changed from 8:00 am – 5:00 pm to 10:00 am – 4:00 pm. Although other divisions have assisted the Clerk's Office by taking on additional tasks, the Court still finds itself struggling to do more with much less. Compounding to these areas of weakness, the Court was required to furlough its employees and was the only judicial entity to do so. This furlough occurred despite the SJDC's efforts in obtaining two loans from the Board of Finance totaling \$211,200.

Preparations have continued for the upcoming new case/document management system roll-out. The Court is excited for the possibilities and efficiencies this technology can provide. Further analysis regarding restructuring within the organization and prioritization of the Court's Constitutional duties remain a high priority. The Court is committed to being proactive in providing effective quality assistance to the administration of justice.

Third Judicial District—Doña Ana County

The Third Judicial District Court has eight District Judges, one Child Support Enforcement Hearing Officer and one part-time Domestic Violence Special Commissioner.

The Court has three criminal division judges who are each assigned 33- 1/3 % of incoming criminal cases. One of these judges is also assigned all Children's Court Cases. Of the three Civil Court Judges, one is assigned 20% of the incoming civil court cases and the Lower Rio Grande Adjudication and the other two civil division judges are each assigned of incoming Civil Court cases. Two Domestic Court Judges split the Domestic and Domestic Violence caseload 50% each. One of the Domestic Judges is assigned all of the Mental Health Cases. For FY10, the overall caseload was 12,830 for new and reopened cases.

Since FY09, along with other judicial agencies, the Court's budget has been significantly reduced. On September 1, 2010, its budget was reduced an additional 3.2%, which reduced the FY11 budget of 6,829.2 by \$201.0. The Court expects a flat budget for FY12. These cuts will put a severe strain on the Court's ability to perform the work necessary to operate efficiently.

The Court has a mature and successful Adult, Juvenile and Family Drug Court program to reduce recidivism in Adult and Juvenile criminal cases. The FY12 budget request incorporates \$32.0 allocated to the drug courts from the Liquor Excise Tax and congressional earmark funds. These funds prevented a significant reduction in drug court services. Operation of these programs continues with a reduction in staff and with the hope and expectation that the Legislature or additional monies from Liquor Excise Taxes will adequately fund these programs. Any further reductions in the budget for drug court operations will affect the viability of one or more of these programs.

Insurance companies have notified the Court of an increase of \$48.7 in insurance premiums more than the FY11 billing. This was unexpected and affects its ability to stay within the budget.

The Court Clerks' docketing statistics show an increase of 33%. In FY06 there were 211,962 docketing events as compared with 281,025 in FY10. The increase has placed a significant burden on an already short-staffed office. The increase in workload and reduction in staff has placed a huge strain on the clerks' ability to keep up with daily tasks, which contributes to stress-related issues and, in turn, causes work-related issues. Operating under these conditions limits the Court's ability to serve the public in a timely and efficient manner, causing delays in the justice system.

As of August 31, 2010, the Court's Pro Se Division had assisted over 3,000 people, averaging over 30 per day at 12 minutes per person and utilizing 1 FTE and 1 temporary employee. This indicates the need to expand services in this direction in order to serve the public during these difficult times.

The Court has reduced expenditures to meet budget cuts by leaving many positions vacant; hiring temporary employees at reduced rates; substantially reducing travel and training costs; and reducing microfilming of court records, which increases costs to expand storage capacity.

The Court recognizes that all state agencies are under severe financial pressure. The Court has tried to cut costs prudently. However, without an increase in its FY12 Operating Budget, the Third Judicial District Court will likely have to terminate temporary employees and furlough permanent employees, and close the court during employee furloughs. The Court's ability to maintain its constitutionally required services to the public is jeopardized unless there are sufficient budget increases to pay for essential contractual services, increased insurance premiums and adequate staffing.

Fourth Judicial District—San Miguel, Mora and Guadalupe Counties

Approaching FY12, the Fourth Judicial District faces a number of significant obstacles that will challenge the Court's ability to meet its constitutionally mandated duties. These are:

- A reduction of \$305,700 (or 13.14%) from its original FY09 operating budget.
- Two (2) consecutive years of underfunding in personnel services. In the two years leading up to the current economic crisis, the Court added 10 additional staff - including a third judge, clerical support staff and security officers. As the Court grows, so do its financial responsibilities and requirements.
- A projected shortfall of \$80.0 in personnel services (for FY11) - even with a self-imposed vacancy rate of 5%. To cover this deficit, the Court will have to transfer funds from contractual services, thus eliminating the funding originally appropriated for drug court treatment services.
- If funding is not restored, the Court will begin FY12 with a projected shortfall of \$115,000 in personnel expenses, which includes increased and unfunded GSD premium rates, as well as the 1.5% shift in PERA from staff back to the agency.
- If funding is not restored, the Court will face significant furlough time/court closure (as much as 25 days), which will not only impede the communities' access to

justice, but also the timely resolution of their cases.

- Inability to purchase preventive maintenance contracts, and the likelihood of an interruption of services due to critical systems failures.
- The Court is already facing issues with malfunctioning security cameras, widening the existing gaps in security and exposing the state to potentially dangerous consequences of faulty or failing security/surveillance equipment.
- The elimination of the Fourth's drug court programs. The balance of funding that was originally set aside for treatment services for FY11 was exhausted in order to cover the recent 3.2% cut. If not for the LETF funding, the Court's drug court programs would have ceased operations in July.

Fifth Judicial District—Chaves, Eddy and Lea Counties

PROGRAM DESCRIPTION:

The Fifth Judicial District is a General Jurisdiction Court created by the Constitution of New Mexico to administer equal justice under the law by providing equal access to justice and resolving disputes justly and timely.

PRIMARY SERVICES PROVIDED/BENEFICIARIES, CURRENT SERVICE LEVELS:

Probate: (probate of estates, conservatorship/guardianship cases); Adoptions, Domestic Relations Family Law (divorce, domestic violence, child support enforcement, kinship/guardianship, domestic relations mediation cases); Children's Court (juvenile delinquent, abuse and neglect, supervised visitation, children's court mediation); Lower Court and Administrative appeals; CASA; Teen Court; Juvenile Drug Court in Roswell. Beneficiaries: General public; families in need; pro se litigants, law enforcement; attorneys; and city, county, state, and federal agencies.

MAJOR ISSUES, ACCOMPLISHMENTS AND CHANGES INCLUDED IN THE BASE BUDGET REQUEST:

Due to the reduction in state revenues as a result of the current economic situation in the United States, the Fifth Judicial District Court has been forced to operate on a reduced budget since FY09.

Sixth Judicial District—Grant, Hidalgo and Luna Counties

The Sixth Judicial District Court is statutorily created in Grant, Luna and Hidalgo Counties. Its purpose is to provide access to justice, resolve disputes justly and timely, and to maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitution of New Mexico and the United States, as cited in NM House Bill 2.

Despite the budget reduction, the Sixth Judicial District Court's internal mission is to continue to supply justice to the community. As a result, the district operates to its full potential in all three counties by providing eight hours of customer service with normal daily/weekly business hours. The Sixth District assures all programs are operating properly and effectively with less funding. The Sixth continues to avoid employee furloughs by restructuring programs, multi-tasking, cross training in different programs and redistributing operational needs.

The Adult Drug Court Program in Hidalgo County has been operating since February 2008. The program has had 39 total participants since inception, with 24 successful graduates. The cost per client is \$13.70.

On July 6, 2009, the Grant County Adult Drug Court its first drug court to the County of Grant. The program was grant funded through "Total Community Approach." The monies were allocated by BHSD, in the amount of \$131,200.00. The program has had 35 participants and maintains a census of 25, with 6 graduates. The current cost per client rate is \$26.20. We are now in its second year of operation.

The Juvenile Drug Court Program in Luna County has gained momentum within the last few years, despite budget reductions and one FTE vacancy since August 2009. In fiscal year 2010, the program graduated a total of 20 participants, an all time high for the 10 year old program. The JDC program is fortunate that Judge Gary Jeffreys has continued to dedicate his time and commitment to the program since its inception. The program had a total of 42 participants in FY 10, with an average of \$22.73 cost per client per day, and 7% recidivism 3 years post graduation.

Seventh Judicial District—Torrance, Socorro, Catron and Sierra Counties

The Seventh Judicial District Court has continued to address the budget reductions by way of vacant staff positions across the district. The majority of the positions that have been left unfilled are with the Adult Drug Court Program that serves three of the four counties within the district. The Seventh Judicial District has been able to avoid furloughs despite ongoing budget reductions by not filling these necessary positions. The judges and staff have continued to work diligently to ensure that the business of the district court is conducted timely and accurately. The upcoming year will present an even greater challenge to the court if general fund monies continue to decline. The judges and staff are prepared to meet this challenge, and will continue to work hard at providing a high level of service to the public.

Eighth Judicial District—Taos, Colfax and Union Counties

The biggest issue for the Eighth Judicial District Court has been the continued decline of General Fund base funding, especially in the Personal Services and Employee Benefits Category. The Court has experienced shortfalls in FY09, FY10 and FY11 of \$41.8, \$40.7, and \$125.3, respectively. These shortfalls, coupled with budget reductions each of these years, have also impacted the Contractual Services Category. The Court has eliminated the microfilm project, reduced other contractual services, and reduced drug court treatment services. It has not been necessary to furlough employees, close the court or terminate any drug court programs; however, further budget reductions could result in all three. The Court has had one vacant bailiff position in Colfax County since FY09 and the vacancy will continue in FY12.

Ninth Judicial District—Curry and Roosevelt Counties

Category 200 Personal Services category is \$194,000 short. To lessen furloughs, the District's sole Staff Attorney since 2/08, a Financial Specialist since 7/09, a Security Bailiff since 4/10 and a Court Clerk since 6/10 will be kept vacant through the end of FY12. Payroll cost per day is \$7,285 without Judges and \$9,987 with Judges. The ARRA money will delay furloughs until the spring, unless there are further budget cuts.

In addition to the vacancies above (9.47% of non judicial & quasi-judicial workforce), the Judicial Staff Study shows the District to be understaffed by 4.80 positions. The Court is understaffed 8.80 FTE's (20.83% of its non-judicial and quasi-judicial workforce). In addition, eight employees (18.93% of non-judicial and quasi-judicial workforce) have been or soon will be on Family Medical leave for serious health conditions, causing additional stress on the workload and work flow.

Category 300 Contractual Services has been cut 76.4% from \$108,000.00 in FY 08 to \$25,500 in FY 11. The Court cut the Domestic Violence Special Commissioner and shifted Domestic Violence duties to District Judges; eliminated law library and West Law subscriptions; cut drug court clinical contracts, cut contract security services and microfilming. This category currently only covers annual audit expenses and a few drug test confirmations. It cannot be cut any further. At some point microfilming court records must resume.

Category 400 Other Costs has been cut 60% from \$225,400 in FY 08 to \$90,700 in FY 12. The District's funding is currently far below the Court's ability to maintain operations. The Court cut travel, stopped education and training, cut office supplies and postage, cancelled maintenance agreements, cancelled copier leases, asked judges and licensed professionals to pay their Own professional dues and continuing education, cancelled off-site storage, cut phone costs, sold old vehicles, and so forth.

Cannon Air Force Base has caused a substantial increase in population and caseload is rising. Insufficient budget will have an adverse effect on its ability to fulfill its constitutional judicial duties.

Tenth Judicial District—Harding, De Baca and Quay Counties

The Tenth Judicial District Court is operates with one Judge who covers all three counties. Its employees of continue to provide efficient and dedicated service to all the public and agencies they serve.

Even given the current economic challenges, the District has maintained its foundation for public access. It continues to use its Child Support Hearing Officer to the fullest and to support the program.

The District has managed its budget so as not to furlough at current funding levels, and anticipates that court operations will be more efficient and economical when the new case management system is implemented in March, 2011.

Twelfth Judicial District—Otero and Lincoln Counties

The Twelfth Judicial District serves Otero and Lincoln counties with courthouses in Alamogordo and Carrizozo. Three judges sit in Alamogordo and one in Carrizozo, although all judges hear cases from both counties as required. A hearing officer assists in both counties with short-notice hearings regarding domestic violence and child support orders and temporary child custody recommendations. Current caseloads are about 1,000 new cases per judge per year.

Since FY09, the district's budget has been cut more than 12%. After the 3.2% reduction effective September 1, 2010, the budget for FY11 is \$2.973 million. As instructed by the judiciary's budget committee, the district planned for a flat budget for FY12, and then received notice of increased insurance premiums far in excess of FY11 charges. Adding the net insurance premium increase, the Twelfth Judicial District asks an appropriation of \$3.035 million for FY12.

For over ten years, the Twelfth has operated drug court programs to help reduce recidivism in juvenile and criminal cases. Currently, we have juvenile drug courts in both counties and an adult drug court in Alamogordo. Our FY12 budget request incorporates replacement of \$103,800 that was allocated to our drug courts from the liquor excise tax and congressional earmark funds. That money prevented a significant reduction or even closure of one or more drug courts. Even so, the district eliminated a second juvenile drug court in Alamogordo and significantly reduced activities and expenses in all courts in response to repeated budget cuts. An award of \$21,000 from the Governor's stimulus funds postponed a 25% reduction in hours for drug court staff until February, 2011. Further reductions in FY11 or FY12 will force drug court furloughs or layoffs or elimination of drug court programs.

General court expenditures have been reduced to meet budget cuts by leaving positions vacant or hiring replacements at reduced hours, eliminating all out-of-state travel and training and most in-state travel, and severely reducing microfilming of court records. The latter, notably, is a short-term solution as it drives up the need for physical storage space for paper files.

Thirteenth Judicial District—Cibola, Sandoval and Valencia Counties

In addition to facing the recession, the predominant challenges in the Thirteenth District Court are those of coping with the rapid growth of population and case filings. *In the last ten years our caseload has risen at a steady rate of 5.8%.* The court is close to a tipping point where the sheer volume of civil cases will be substantially stalled, further inhibiting economic activity.

Electronic Filing and Electronic Documents

By the end of 2010 the court will be operating entirely with electronic documents.

Adoption of e-filing in civil cases in the Thirteenth District was made mandatory by Supreme Court rule July 1, 2010 after being voluntary for six months. More than 700 individuals or firms have registered. More than 150 electronic "envelopes" with electronic documents are received each day. In Grants and Bernalillo all documents received over the counter in hard copy paper form are scanned so that the court now has an entirely electronic record. The work of the clerks is changing to that of quality control. In conjunction with Odyssey, when the clerk accepts an efiled document it is docketed directly into Odyssey with a full image of the document available to all users.

Accomplishments

- Free pro se clinics in all three counties report a dramatic upsurge in litigants. A recent evaluation showed hundreds of persons using the clinics each month.

- One national study by Civil Legal Services estimated that every 23 cents spent early in a pro se case saved \$1.00 later in the process.
- The court is employing specialized dockets for pro se individuals. The dockets are full service and act as gateways to mediation. Using this case management technique resolves approximately 70% of divorce cases within 100 days of filing.
- The court is now embarking on *specialized dockets for foreclosure cases*. By mandating status conferences with mediators available a different result can often be obtained than simply losing a place to live. Major backers of mortgage collection are participating.
- The court is now requiring that all Judgment and Sentence agreements in felony criminal cases be reduced to writing, signed by all parties, and distributed at the time of the plea hearing. This requirement saves substantial clerical time as well as allowing the local detention center to clear defendants much faster.

Magistrate Courts

In 2009, the Magistrate Court Division opened a badly-needed and long-awaited new magistrate courthouse in Las Cruces, New Mexico. The Las Cruces Magistrate Court is the busiest magistrate court in the state. It currently has five judges and needs nine. The new courthouse was built with a sixth courtroom, for the time when the Legislature is able to add a sixth judge. The facility can be expanded to add another six courtrooms on the same site when the Legislature deems it appropriate. The building is both beautiful and functional and is a great benefit not only to judges and staff but to the public.

The Magistrate Court Division, in partnership with the Judicial Education Center, has embarked on a distance learning program. Courses have been offered during the noon hour over the judiciary's video conferencing network. The network was built primarily for cross-county video arraignment but can also be used to accommodate lunchtime training. This enables judges and staff to take advantage of additional training opportunities while staying in their home courts, thus providing greater service to the taxpayers but without the cost of travel.

Three magistrate locations, Estancia, Moriarty and Roswell, implemented the new case management system as pilot courts and are providing valuable insight as we prepare to "go live" in the Farmington and Grants Magistrate Courts in the fourth quarter of fiscal year 2009. The remaining magistrate locations are reviewing their data quality to prepare for the rollout.

The Warrant Enforcement Program increased collections by 7%, collecting \$2.7 million in bench warrant fees, and \$11 million for other fee categories. The Program continues to look for more effective technologies to assist in achieving compliance from defendants in warrant status. The Warrant Enforcement Program has received recognition from the National Governmental Collectors Association as a program "on the move."

Judicial Information Division

The Judicial Information Division (JID) of the Administrative Office of the Courts provides a full range of information technology services and technology planning to the Judicial Branch in New Mexico. The following represents the highlights of JID work during FY2010:

Odyssey Court Case Management System Project

The rollout of the Judiciary's new case management system, Odyssey, was JID's most important task during FY2010. During the year, the twelve pilot courts were fully implemented, the pilot phase was declared a success, and the production phase began. The successful completion of the Odyssey pilot phase followed many months of contracting, analysis, programming and training. Many key staff from courts throughout New Mexico participated in the preparations and worked diligently to ensure that the implementations would be successful.

During FY10, the Seventh Judicial Court District, with locations in Socorro, Truth or Consequences and Reserve were converted to Odyssey, and two locations of the Thirteenth Judicial Court District, Bernalillo and Grants, were implemented. In Bernalillo and Grants, e-filing and digital document imaging were also included in the project deliverables, which created a paper-on-demand environment in those courts. In addition, two magistrate courts in Farmington and Grants, were converted to Odyssey.

During FY11, Odyssey implementations are scheduled for Carlsbad District Court, Lovington District Court, and Los Lunas District Court. In addition, implementations will take place in the First Judicial District, with locations in Los Alamos, Tierra Amarilla and Santa Fe, and in the Second Judicial District in Albuquerque, the State's largest district court.

Help Desk

JID provides help desk services to approximately 2000 judicial employees in New Mexico for the purpose of quickly resolving computer hardware, Internet, e-mail and case management problems and other information technology problems. JID also responds to members of the public regarding case information and statistics and assists with problems that public users might have with the online public Case Lookup Internet site. During FY2009, JID responded to 10891 requests for help, and 2,166 of these were from members of the general public.

Software Application Support and Application Development

JID programmers support a number of off-the-shelf office productivity software tools for the Judiciary and has developed and supports many custom software applications for New Mexico courts. JID Programmers also responsible for supporting custom development for the statewide Odyssey case management.

During FY2010, JID programmers initiated new development projects including e-citation data integration, MVD electronic abstract data integration, and Odyssey API

security. Applications put into production include a time keeping application, an Odyssey Defect Tracker to document testing of new Odyssey releases. An application for the employee performance evaluations was put into production pilot at JID and will be production for all courts by March 2010. JID Programmers also support the Judiciary's web sites, and during FY2010, new website projects were initiated for the Animas and Lower Rio Grande Water Adjudications.

Network Management and Support

JID provides the network infrastructure for courts and supports internet/intranet and e-mail services to courts, statewide. JID also supports the Judiciary's primary website, www.nmcourts.gov, and all of its many subsidiary sites. In addition, JID staff members manage and monitor the statewide judicial communications infrastructure, which operates over dedicated commercial circuits, digital microwave and DSL. This network supports data communications including video services for courts throughout the State.

Help Desk

JID provides help desk services to approximately 2000 court users for the purpose of quickly resolving computer hardware, Internet, e-mail and case management problems and other information technology problems. JID also responds to members of the public regarding case information and statistics and assists with problems that public users might have with the online public Case Lookup Internet site. During FY09, JID responded to 10,891 requests for help, and 2,166 of these were from members of the general public.

Network and Internet

During FY10, the JID Systems Team completed the process of installing commercial DSL for thirty courts on low bandwidth dedicated circuits to provide greater communications speeds and capacity. JID Systems staff also completed the process of converting all court e-mail users to the Zimbra browser-based e-mail application. In addition, JID staff during FY2009 made major strides to improve the Judiciary's Telecommunications Network by continuing to implement Metropolitan Ethernet connections from Qwest areas of the State where this service is available. This increased network capacity, lowered the network latency and improved the overall reliability of the network.

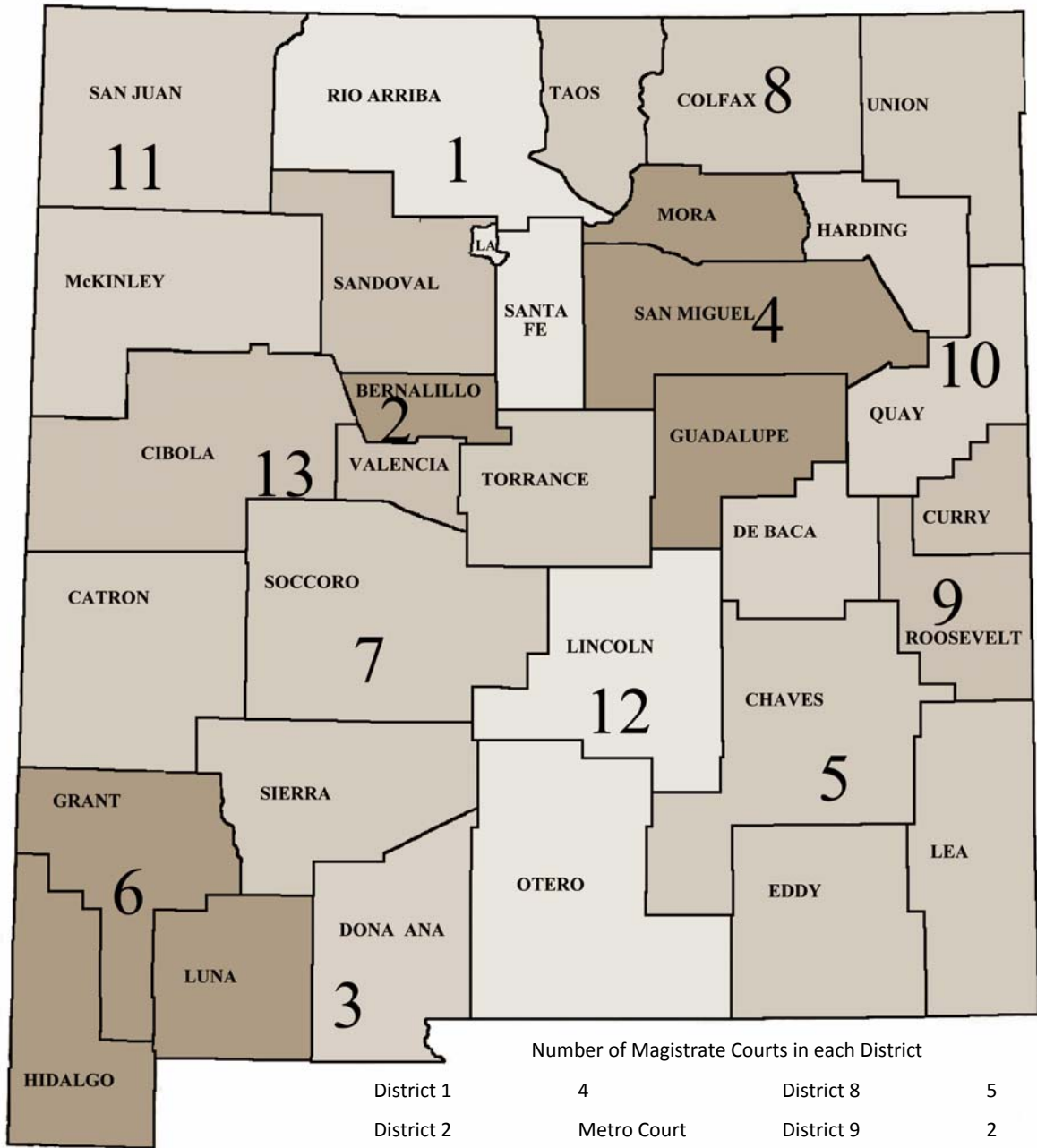
Staff Support for IT Governance Council and its Subcommittees

During FY10, the Judicial Information Division provided staff support for the Judicial Information Systems Council and its subcommittees, which provide stakeholder-based governance for all judicial technology initiatives. These committees include the Judicial Information System Council, the Judges User Group, the Odyssey Steering Committee, the Odyssey Executive Committee, the Public Access Subcommittee, and the E-Filing Committee. Tasks in support of the various IT governance committees included creation of meeting agendas, meeting minutes, project plans, position papers, informational papers, presentations, and meeting schedules.

Video Conferencing, Video Arraignments and Video Distance Learning

During FY10, the Video Arraignment Program supported video sites at 39 magistrate courts, 18 district courts, 11 municipal courts, 30 detention centers and 5 administrative offices, which are all connected through a multiple conferencing unit (video bridge). The Video Arraignment Program continues to schedule and manage cross-county arraignments and expert witness testimony, in collaboration with other state agencies such as the Department of Corrections, the Department of Public Safety and the Department of Health. In addition, the video program facilitates a number of video conferences for judges and staff.

New Mexico District Courts



Number of Magistrate Courts in each District

District 1	4	District 8	5
District 2	Metro Court	District 9	2
District 3	3	District 10	3
District 4	3	District 11	4
District 5	7	District 12	3
District 6	4	District 13	5
District 7	6		



New Mexico Supreme Court Justices: Bottom row, l to r, Justice Patricio M. Serna, Chief Justice Charles W. Daniels, Justice Petra Jimenez Maes; top row, l to r, Justice Richard C. Bosson, Justice Edward L. Chávez.

**Supreme Court of New Mexico
Administrative Office of the Courts
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Santa Fe, New Mexico 87501**

