



# NEW MEXICO JUDICIARY

## 2014 ANNUAL REPORT

July 1, 2013-June 30, 2014





*Standing from left to right: Justice Edward L. Chavez and Justice Charles W. Daniels  
Seated from left to right: Justice Petra Jimenez Maes, Chief Justice Barbara J. Vigil, and Justice Richard C. Bosson*

## About this report

Each year, the Director of the Administrative Office of the Courts is required to submit an annual report to the New Mexico Supreme Court and the Legislature. NMSA (1978) § 34-9-3. This year's report is an overview of the Judiciary's accomplishments during FY14 (July 1, 2013-June 30, 2014) and includes a summary of statistical data for New Mexico's appellate, district, metropolitan, and magistrate courts. The report as well as the complete Statistical Addendum can be found at [www.nmcourts.gov](http://www.nmcourts.gov)

For more information please contact: Barry Massey, Communications Officer, Administrative Office of the Courts, 237 Don Gaspar, Santa Fe, New Mexico 87501. Phone: (505) 827-4805.

## A Message from Chief Justice Barbara J. Vigil



*"The administration of justice is the firmest pillar of government."*

*-George Washington*

New Mexico's Judiciary has come a long way since our territorial days. While many things have changed over the last 100-plus years, our core values and principles remain the same. The New Mexico Judiciary is dedicated to the administration of equal justice for all. This is honorable work and demands a deep respect for others as well as for the law itself. Our strength stems not only from our dedication to this principle but also from our deep-seated relationships with our sister branches of government, our justice partners, and the communities we serve.

On behalf of the Judiciary, I am pleased to share with you the Judiciary's many substantial and diverse accomplishments during fiscal year 2014. As always, we remain committed to continuing to improve our core operations in ways which will best serve all New Mexicans in the 21st century. In doing so, we promise to maintain the trust, respect and the many strong relationships we share with our fellow New Mexicans. Our great State deserves no less.

Atentamente a su servicio,

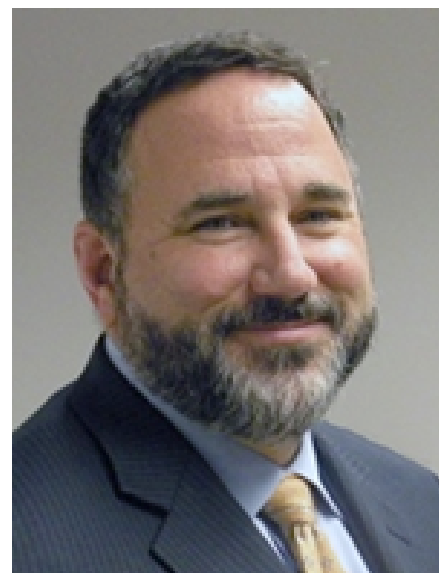
*Barbara J. Vigil*

## A Message from Arthur W. Pepin, Director of the Administrative Office of the Courts

The 2014 Annual Report on the activities of the New Mexico Judiciary provides a good introduction to the varied, challenging work accomplished each day in courts throughout New Mexico. The Judiciary reached an important milestone when the final remaining trial court implemented the Judiciary's electronic case management system in March, uniting for the first time all trial court data in a single system. Expansion of electronic filing continued during 2014 and courts will focus on electronic access to court information by justice partners and the public in the coming year. Improved services for families and children, broader access for those with limited English proficiency, more opportunities to mediate case resolution, and data-driven expansion of problem-solving dockets to address substance abuse and mental health factors in criminal cases, are just a few of the many efforts undertaken by courts in 2014 to respond to the issues brought to courts in civil and criminal cases. The 2014 Annual Report gives an overview of the breadth and depth of the work of courts throughout New Mexico. I congratulate all of the court employees and judges on a successful year.

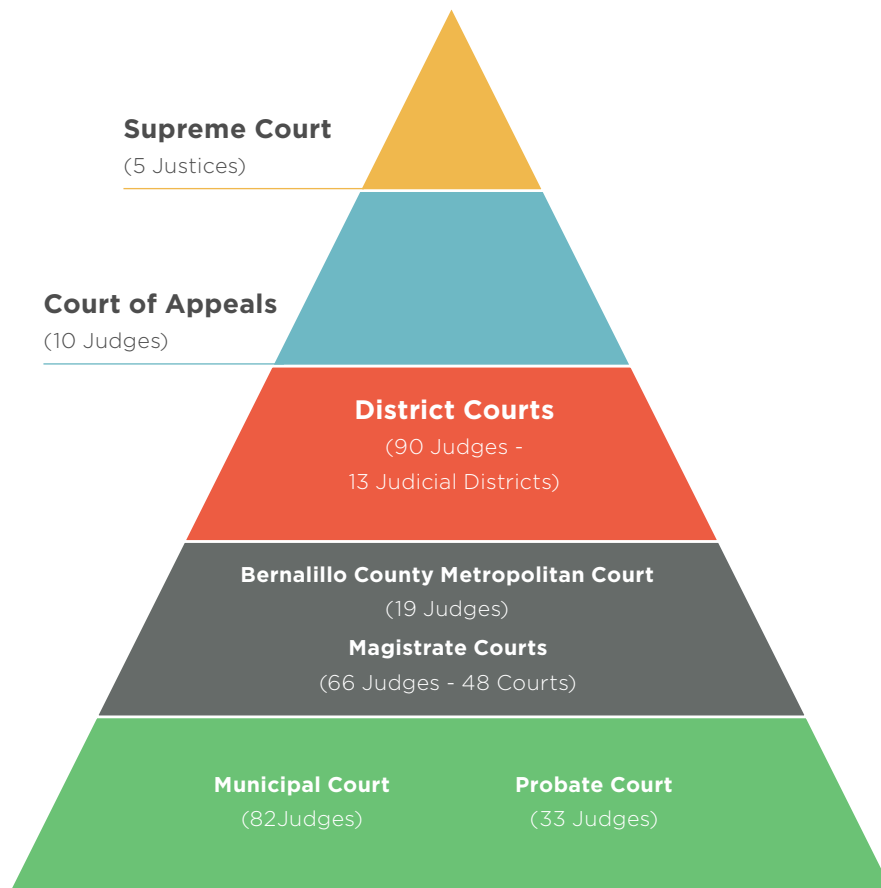
Sincerely,

*Arthur W. Pepin*



# The New Mexico Judiciary

New Mexico's Constitution vests the State's judicial power in a Supreme Court, a Court of Appeals, district courts, probate courts, and other courts established by law. The Supreme Court has superintending control over all inferior courts. In New Mexico, there is 1 supreme court, 1 court of appeals, 34 district courts in 13 judicial districts, 48 magistrate courts, 1 metropolitan court, 33 probate courts, and 82 municipal courts.

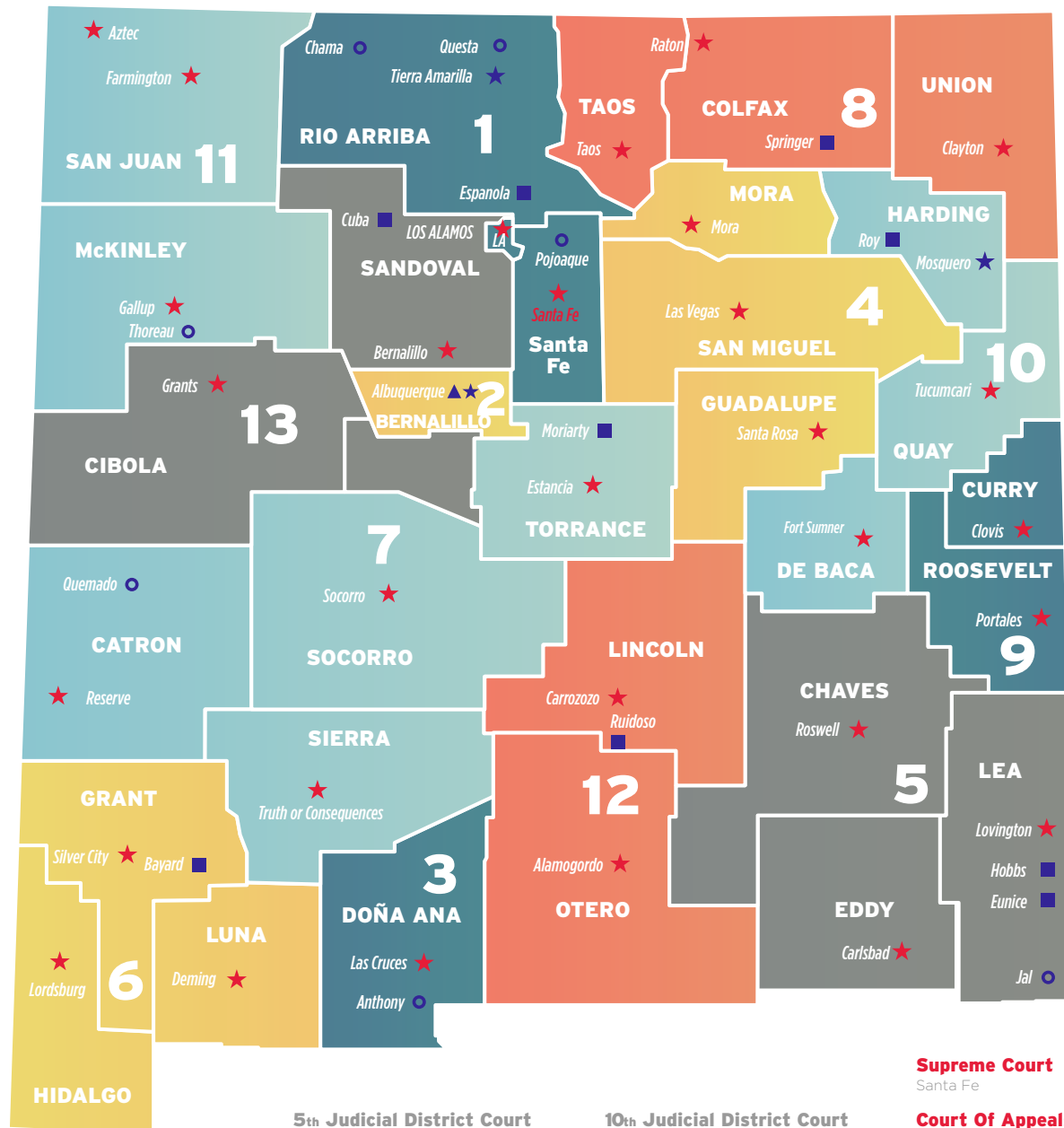


*The New Mexico Administrative Office of the Courts does not oversee either the Municipal or Probate Courts and the activities of those courts are not included in this report.*



# NEW MEXICO

## STATE COURTS



**1st Judicial District Court**  
Santa Fe, Rio Arriba & Los Alamos

**2nd Judicial District Court**  
Bernalillo

**3rd Judicial District Court**  
Dona Ana

**4th Judicial District Court**  
San Miguel, Mora & Guadalupe

**5th Judicial District Court**  
Chaves, Eddy & Lea

**6th Judicial District Court**  
Grant, Hidalgo & Luna

**7th Judicial District Court**  
Torrance, Socorro, Catron & Sierra

**8th Judicial District Court**  
Taos, Colfax & Union

**9th Judicial District Court**  
Curry & Roosevelt

**10th Judicial District Court**  
Harding, De Baca & Quay

**11th Judicial District Court**  
San Juan & McKinley

**12th Judicial District Court**  
Otero & Lincoln

**13th Judicial District Court**  
Cibola, Sandoval & Valencia

**Bernalillo County Metropolitan Court**

**Supreme Court**

Santa Fe

**Court Of Appeals**

Santa Fe & Albuquerque

★ District & Magistrate Courts

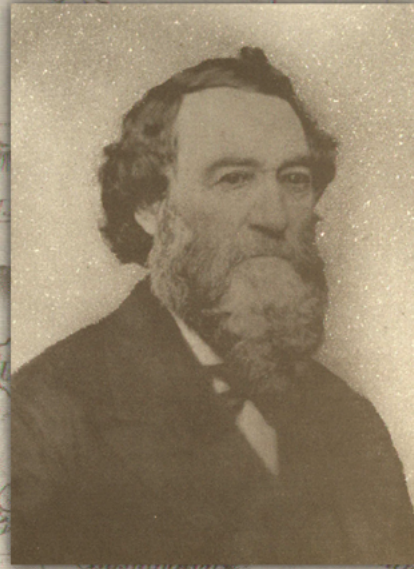
★ District Courts

▲ Metropolitan Court

■ Magistrate Full Courts

○ Magistrate Circuit Courts

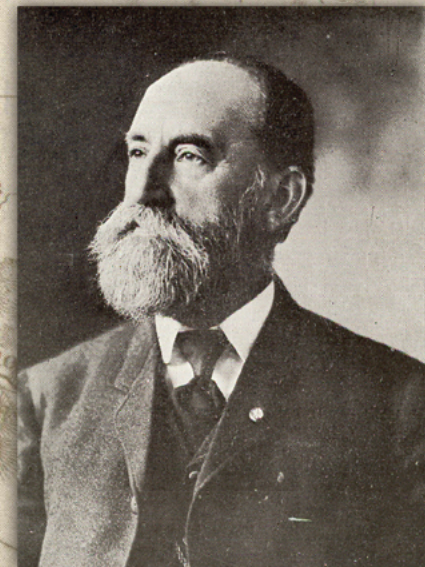




▲ Kirby Benedict  
Associate Justice 1853;  
Chief Justice 1858 - 1866

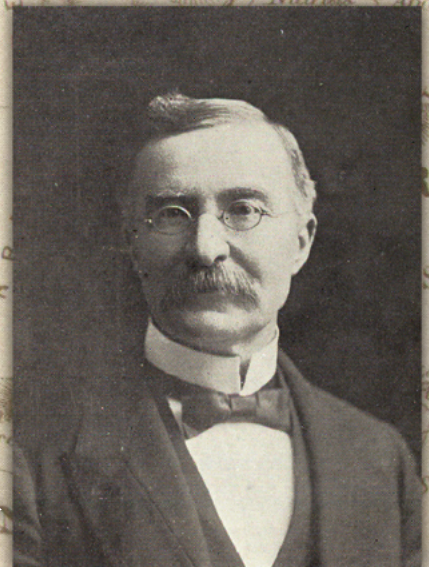


▲ Frank W. Parker  
Associate Justice 1898; Chief  
Justice 1918-1920 and 1923-1928;  
Associate Justice until his death  
in 1932



▲ Joab Houghton Chief Justice  
1846 - 1851; Associate Justice  
1865-1869

◀ Lebaron Bradford Prince  
Chief Justice 1879 - 1882



John McFie ▶  
Associate Justice 1889 - 1911



# The New Mexico Courts, Then and Now

By Justice Charles W. Daniels, New Mexico Supreme Court

## Territorial Days 1846-1912

When General Stephen Kearny took control of what would become the Territory of New Mexico at the outset of the Mexican-American War in 1846, he immediately adopted a body of laws that became known as the Kearny Code, from which our current statutes originated, and created a judicial system to replace the village *alcaldes* that had dispensed justice during Mexican rule. The large territory was divided into three judicial districts, each with one circuit-riding district judge. For eleven months of the year the judges would travel from county to county and hear cases, and in January they would convene in Santa Fe as the territorial Supreme Court to hear appeals from the very cases they had decided. As the territory grew in population and new counties were created, the number of district judges – and therefore the number of justices on the Supreme Court – increased, growing from three in 1846 to seven by 1912, when the State of New Mexico was admitted to the Union as the 47th state.

## Creation of the State Judicial System 1912

The new state constitution separated the judges sitting on the Supreme Court and the district courts, beginning with three justices on the Supreme Court and eight district judges, each in a single-judge district. In 1929, the Supreme Court was enlarged to a membership of five justices, a size that continues to the present day. As of June 30, 2014, there were thirteen judicial districts with 90 district judges, all but one sitting in multi-judge districts.

## Creation of the Court of Appeals and Magistrate Courts 1966

As the population of the state and the demands on its judicial system continued to grow, the appellate court system was changed to handle the increasing workload more efficiently. The New Mexico Court of Appeals was created in 1966, growing from an initial four judges located at the Supreme Court building in Santa Fe to its current composition of ten judges with courthouses and chambers in both Albuquerque and Santa Fe.

The Court of Appeals is now the primary error-correcting appellate court reviewing the decisions of lower courts. The Supreme Court exercises supervision over the entire judicial system, with discretionary authority to review decisions of the Court of Appeals in addition to mandatory appellate jurisdiction in certain cases, ex-

traordinary writ jurisdiction to hear matters involving emergencies and important public issues, responsibilities for promulgating rules of practice and procedure for the courts, and obligations of enforcing rules of ethics for lawyers and judges.

## Courts of Limited Jurisdiction

In 1966, a system of fulltime state-salaried magistrate court judges was created to hear misdemeanor criminal offenses and small civil cases, in place of the justice of the peace system, which had compensated its judges directly from the fines and fees they imposed on litigants appearing before them. At the end of fiscal year 2014 there were 66 magistrates serving our state, with one or more judges in each county. As with municipal judges hearing cases of violations of city ordinances and probate judges hearing simpler matters involving administration of decedents' estates, the decisions of these non-record courts are appealable to the district courts before they can be considered by the appellate courts.

## Creation of the Metropolitan Courts 1979

In 1979, the Legislature created a specialized form of magistrate court for large metropolitan areas, with Bernalillo County being the only one to qualify by population size. Called metropolitan courts to distinguish them from traditional magistrate courts, their judges must be law school graduates with experience in the practice of law. The court hears certain of its more serious cases, such as DWI and domestic violence, on the record for review in the district court instead of having to be retried on appeal. There are currently nineteen judges on the Bernalillo County Metropolitan Court, the busiest court in the state.

## The Future of our Courts

Although our justice system has become much more complex as our state, our government, and our society have grown, our courts find it increasingly difficult to meet their vastly expanded responsibilities with the limited resources currently available. Our judges and staff remain committed to working collaboratively with the legislative and executive branches to improve our state's ability to face today's needs and to plan for the inevitable challenges of the future.

# Judiciary Accomplishments

## Fiscal Year 2014

### Children and Families

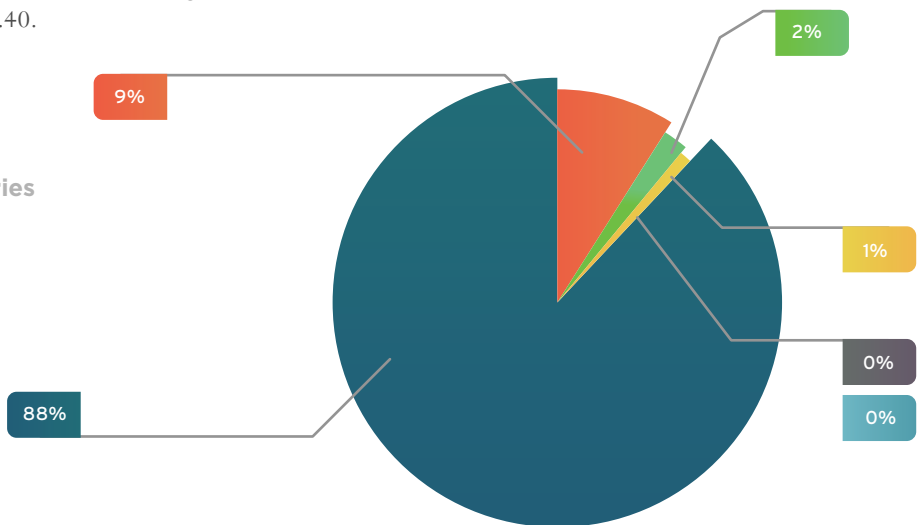
#### Court Appointed Attorneys

The New Mexico Judiciary continues to take an active role in ensuring quality representation in child abuse and neglect proceedings. The Administrative Office of the Court oversees all Children's Court contract attorneys, ensuring compliance with contractual obligations and providing technical assistance including opportunities for free or reduced cost training.

Funding for Children's Court contract attorneys is made by a general fund appropriation to the Court Appointed Attorney Fund (CAAF). FY14 funding to the CAAF was \$4,788,571.40.

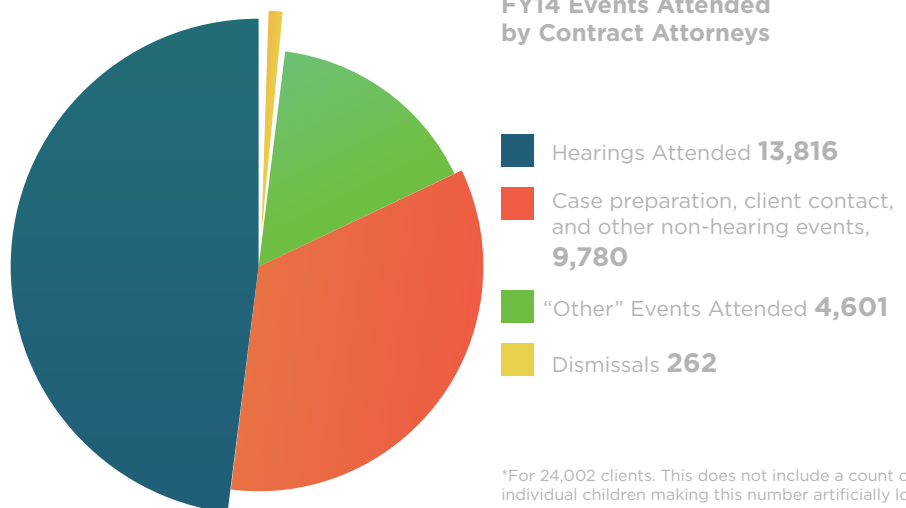
#### Percentage of Budget - All Categories

- Contract Abuse & Neglect
- Contract Mental Health
- AOC Salary
- New Mexico State University
- -Children's Law Institute
- Other/prior year
- Non Contract



Other events include: Family Centered Meetings, Treatment Team Meetings, Mental Health Reviews and other extra-judicial events; and appeals.

#### FY14 Events Attended by Contract Attorneys



\*For 24,002 clients. This does not include a count of individual children making this number artificially low



## Court Improvement Project

The Supreme Court's Children's Court Improvement Commission (CCIC) is a multi-disciplinary initiative to improve judicial proceedings related to child abuse and neglect, foster care, and adoption. For nearly twenty years the CCIC has worked to improve the permanency, safety, and well-being of children and youth in state custody. Our collaborative partners include representatives from the Judiciary, the Children, Youth, and Families Department, the Public Education Department, foster parent and youth organizations, as well as children's advocacy groups.

2014 marked the 21st year of the annual Children's Law Institute (CLI) and brought together over 950 registrants from across the state. The 2015 CLI will be held January 7-9 in Albuquerque. Additional information is available on the web at [www.childrenslawinstitute.org](http://www.childrenslawinstitute.org). The CCIC in conjunction with the University of New Mexico's Corrine Wolfe Children's Law Center also offered a number of cross-disciplinary training events across the state, a statewide Parent Representation Summit, an Open Courts Forum to develop recommendations as to whether civil abuse or neglect cases should remain closed to the public, as well as the annual core training for new judges and attorneys. The CCIC also updated its *Best Practice Bulletins, Information Booklets, and Practice Guides* which can be accessed at [www.nmcourts.com/CourtImprovement/index.htm](http://www.nmcourts.com/CourtImprovement/index.htm)

### CCIC Training Events

Dates	Title	Location	Number of Attendees
July 31, 2013 and the following six weeks	<i>Short Term Intensive Mentoring Program (for new contract attorneys who represent parents, children, and youth)</i>	Albuquerque (training event) Statewide (6-week mentoring relationships)	15
August 1 -2, 2013	<i>Essential Information for Practicing and Presiding in Child Welfare Cases: A Core Curriculum for Judges and Lawyers</i>	Albuquerque	40
October 29, 2013	<i>Parent Representation Summit</i>	Albuquerque	140
January 15-17, 2014	<i>Children's Law Institute</i>	Albuquerque	950
March 28, 2014	<i>Open Courts Forum</i>	Albuquerque	60
April 4, 2014	<i>Enhancing Well-Being: Mental Health &amp; Other Considerations for Families Involved in Child Welfare</i>	Roswell	39
April 11, 2014		Taos	38
April 25, 2014		Farmington	34
May 2, 2014		Albuquerque	72
May 16, 2014		Las Cruces	35

## Court Appointed Special Advocates

Court Appointed Special Advocates (CASA) is a volunteer-powered network of committed New Mexicans who provide foster children with individualized attention as they move through the child welfare system. Appointed by a judge, CASA volunteers gather in-depth information about the child and provide objective reports and informed recommendations to the court. CASA volunteers serve as the eyes and ears of the court, bringing judges the information they need to make the best possible decision for each child.



Find your local **CASA** program on the “Who We Are” page of [www.nmcasa.org](http://www.nmcasa.org)

**Sixteen** local CASA programs with offices in **twenty-one** communities serving **twelve** judicial districts work daily for New Mexico’s children. State general funds appropriated for the CASA program are administered by the Administrative Office of the Courts through each Judicial District Court with recommendations from the New Mexico CASA Network.



*“To give a child a CASA volunteer is to give them a voice. To give them a voice is to give them hope, and to give them hope is to give them the world. I believe that with all my heart.”*

—Pamela, former foster child

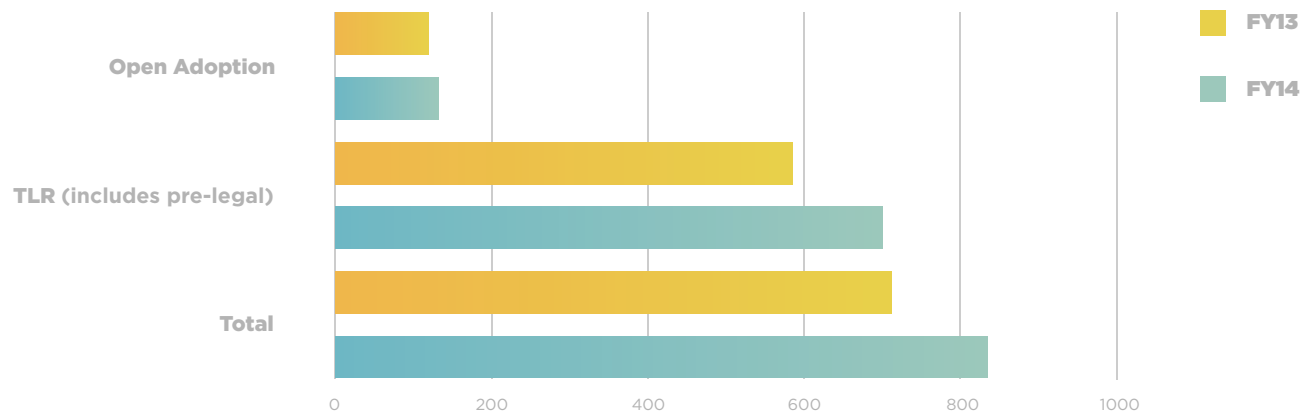


## Children's Court Mediation

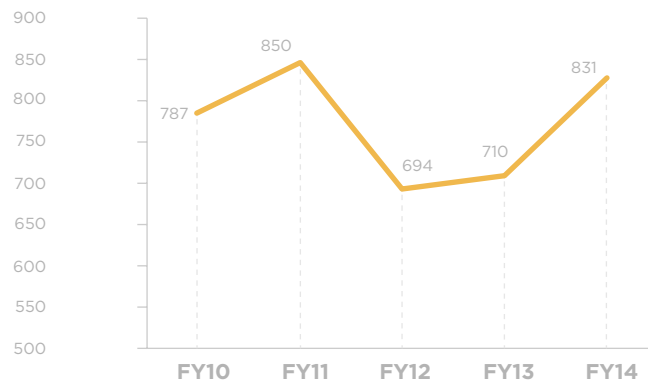
Since 2000, the Children's Court Mediation Program (CCMP) has offered and provided program support for mediation in abuse and neglect cases. Professional mediators help the parties focus on the best interest of the children and address the unique needs of each individual family. Referrals are accepted at any time that a case is before the court and services are provided free of charge to families. The program is funded by state recurring funds, an ongoing grant of Title IV-B and Title I-E funds from CYFD, and supplemental in-kind support from CYFD and local district courts.

Eight hundred and thirty-one (831) total referrals were received in FY14 a significant increase over FY13. The five-year trend shows a remarkable increase in the number of cases referred since FY12 and that the majority of cases are consistently Time Limited Reunifications (TLR). The TLR program provides time-limited intensive home-based services to parents to assist in reunifying families in an expedited timeframe.

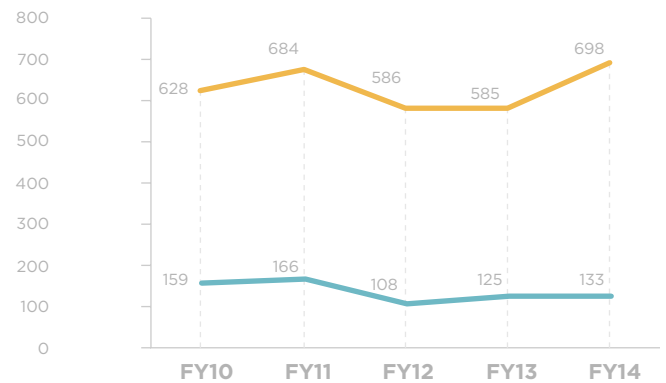
REFERRALS COMPARED FOR FY13 TO FY14



5 Year Trend  
NUMBER OF REFERRALS

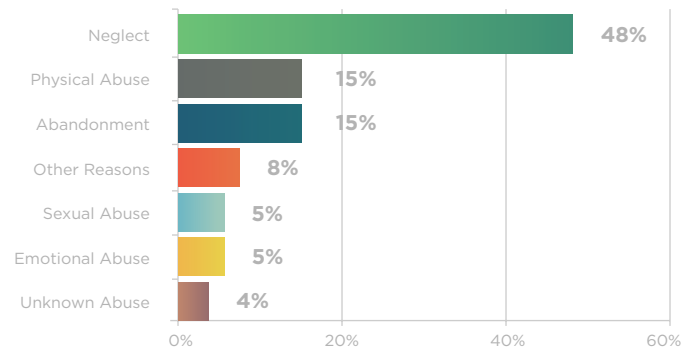


5 Year Trend  
NUMBER OF REFERRALS

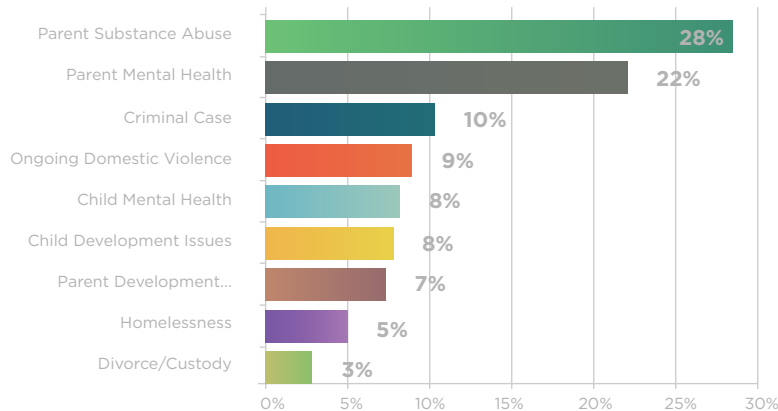


Families who participate in mediation come with histories that include a variety of challenges and obstacles. In FY14 a primary characteristic of families in abuse/neglect mediations was a history of neglect (48%). Families are also referred because of reports of physical abuse (15%), sexual abuse (5%), emotional abuse (5%), and abandonment (15%). The percentages do not total 100% because almost all families come into the program with more than one obstacle.

#### REASONS FOR REFERRAL



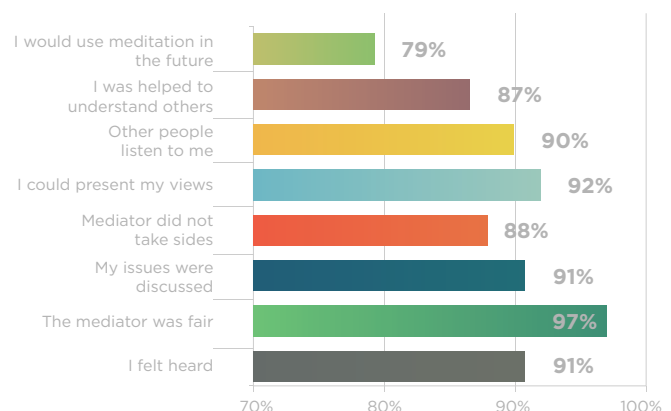
#### FAMILY CHARACTERISTICS



In addition to the challenges of abuse and neglect, many families who participate in mediation have histories of other problems. In FY14, the Children's court Mediation Program found that children often live with parents who have substance abuse problems (28%), mental health issues (22%), and ongoing domestic violence (9%).

The Children's Court Mediation Program is honored to partner with the Children, Youth, and Families Department to provide a resource to parents and families that promotes and improves engagement, understanding, and the potential for reunification. Mediation provides parents a navigational tool and resource and those who participated in mediation in FY14 were highly satisfied with their experiences. Almost all parents completing the feedback form felt the process was fair and 79% would be willing to use mediation again. In mediation, parents felt they were heard, were able to speak up and could understand others' points of view. Without this resource, many parents and families would remain frightened and confused about a system that can feel too large for them to navigate.

#### PARENT / GUARDIAN SATISFACTION WITH MEDIATION





## Safe Exchange and Supervised Visitation

The Safe Exchange & Supervised Visitation program (SESV) permits children to maintain their relationships with their parents while protecting them from harm, when their parents experience high conflict. District courts refer divorce, separation, custody, parentage, and domestic violence cases to local service providers who monitor visits and exchanges in safe, child-friendly environments, protecting children and removing them from the middle of parental disputes. Programs operate in nine judicial districts including: Los Alamos, Rio Arriba, and Santa Fe (First Judicial District), Bernalillo (Second), Doña Ana (Third), Chaves, Eddy, and Lea (Fifth), Grant, Hidalgo, and Luna (Sixth), Taos (Eighth), Curry and Roosevelt (Ninth), San Juan (Eleventh), and Cibola, Sandoval and Valencia (Thirteenth). Seeking to improve services statewide, yet meet local needs, AOC procured a professional program evaluator to create a Best Practices Manual. Implementation of the best practices will be assessed in 2015. Visit <https://safeexchange.nmcourts.gov> for additional information.

Program Participants	<b>2,405 children and adults</b>	An average of 86 children and 115 adults received services each month
Number of Supervised Visits or Exchanges	<b>12,073</b>	On average, 1,006 services were provided each month (533 visits and 474 exchanges)
Total Hours of Service Provided	<b>14,757</b>	

## Adult Guardianship and Conservatorship



Adult Guardianship and Conservatorship cases are handled through a sequestered civil court process where the court may grant another person or entity the duty and power to make personal, healthcare, and financial decisions for an incapacitated adult. An adult can be found to be incapacitated due to mental illness, mental deficiency, physical illness or disability, or chronic use of drugs or intoxication, to the extent that the person is unable to manage their personal and/or financial affairs. Guardians are appointed by the court to make personal and health care decisions for the incapacitated person. Conservators are appointed by the court to manage the

property and/or financial affairs of an incapacitated person. Since an incapacitated person can lose significant individual rights and self-determination, it is extremely vital that those appointed to serve in the role of either a guardian or conservator be monitored and held accountable by the court.

In FY14 the AOC retained a part-time staff attorney to focus on adult guardianship and conservatorship cases. The attorney will:

- Recommend systemic and organizational changes that can help the courts manage adult guardianship and conservatorship cases;
- Work with the Judicial Information Division to maximize the entry and retrieval of data in the statewide court management system, Odyssey, to ensure that guardians and conservators submit timely reports; and
- Develop a training program for newly appointed guardians and conservators.

These tools will provide the courts with additional resources to help manage adult guardianship and conservatorship cases in New Mexico.

## Domestic Violence, Sexual Assault, and Stalking

Since late FY10, the Administrative Office of the Courts (AOC) has been awarded a federal Violence Against Women Act (VAWA) grant through the New Mexico Crime Victims Reparation Commission. The primary goal of the VAWA grant is “enhancing the Administrative Office of the Courts’ capability to address domestic violence, sexual assault, stalking and dating violence issues by having a staff attorney position dedicated to this subject matter.” A part-time staff attorney was hired for this position in September 2013. In FY14 one of the primary areas of focus under the grant was addressing issues around orders of protection. In June 2014, the attorney convened a meeting of District Court clerks from 25 different courts, representing all 13 judicial districts throughout New Mexico, to discuss the issues facing the courts in handling domestic violence orders of protection. A total of 57 court clerks attended the meeting and discussed the following topics:

- Confidentiality/Request to Omit Address
- Foreign Orders of Protection
- Counter-Petition/Minors as Parties
- Victim Resources/Referrals/Limited English Proficient
- Emergency Petitions/Process of Service/Entry into NCIC
- Faulty Forms/Odyssey Issues

As a result of this meeting, a Best Practices Manual is currently being drafted and should be completed in early FY15. The attorney will continue to be the AOC’s point of contact and will promote best practices within the court system on issues related to domestic violence, sexual assault, dating violence and stalking.

## Equal Access to Our Courts

### Access to Justice Commission

Established by the New Mexico Supreme Court in 2004, the Commission on Access to Justice (ATJ) is a statewide body dedicated to expanding resources for civil legal assistance to New Mexicans living in poverty. New Mexico has the second-highest percentage of people living in poverty according to U.S. Census Bureau numbers released in September, 2014. 21.9 % of New Mexico residents lived in poverty in 2013, roughly 22,000 more people than in 2012 (20.8 %) and significantly more than the national average of 15.8%. Only Mississippi had a poverty rate higher than New Mexico in 2013 with 24 % of that state’s residents living in poverty.

Through the work of the ATJ, however, New Mexico does a better job of providing access to justice than most other states that have much lower poverty rates. In 2014, the National Center for Access to Justice ranked New Mexico 14th out of 51 jurisdictions on accessibility to justice. New Mexico received a score of 96.4 for providing support for individuals with limited English proficiency and a score of 67.6 (only 13 states had higher rankings) for providing support for self-represented litigants.

Each year the ATJ Commission works with New Mexico Legal Aid and the State Bar to promote and organize pro bono efforts throughout the state including free legal clinics and legal fairs. Through these efforts, in calendar year 2013, 484 attorneys provided free or reduced cost legal services to 24,980 people.

The ATJ Commission continued its work to provide assistance to self-represented litigants in family law cases. Over 70% of domestic relations cases filed in our courts involve one or more self-represented parties. This year the ATJ Commission supported and trained court staff to provide information to the public without giving legal advice and worked to automate standardized plain language family law forms. These forms will ultimately be available online so that litigants may access them from home, in the courts, or at public libraries. Online interview forms are currently being piloted in the Second Judicial District in Albuquerque and the public response has been extremely positive. Despite relative unfamiliarity with computers, one user commented that the interview was “So easy a child could do it.”

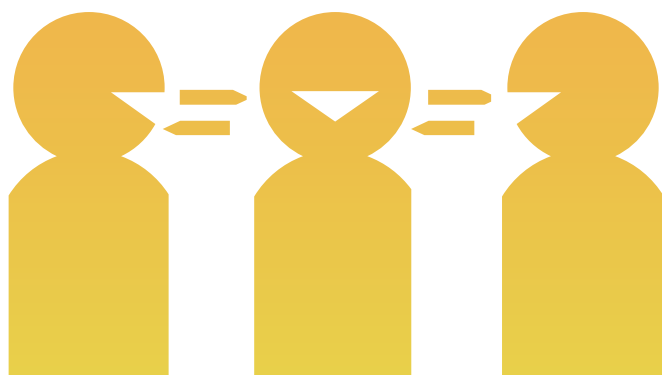
Form	Time to Complete	Difficulty
Free Process	94% completed the form in 15 minutes or less	75% described the process as “easy”
Divorce Petition	94% completed the form in 15 minutes or less	84% described the process as “easy”

### Survey Results

## Language Access Services

Language Access Services (LAS) oversees interpreting services for court proceedings, certifies or otherwise qualifies all interpreters working in state courts, and supports state courts to ensure language access outside the courtroom. LAS also supports court staff by providing resources and consultant services for language access planning, ensuring that state courts have and maintain language access plans, that all staff complete mandatory language access training, and that all courts have signage and properly translated informational documents and website content.

### FY14 Language Access Services



23,000 interpreted proceedings in  
50 languages

Language Access Services ensures equal access to justice by supporting state courts through...

Language access plans, signage, mandatory training and translation of informational documents.

A centralized web-based interpreter scheduling system.

Bilingual staff and court interpreter training and certification through the NM Center for Language Access.

Strategic national partnerships to expand resources for program development and training in NM

[languageaccess.nmcourts.gov](http://languageaccess.nmcourts.gov) -  
[nmcenterforlanguageaccess.org](http://nmcenterforlanguageaccess.org)

## Committee for the Improvement of Jury Service

The jury system is the cornerstone of our legal process, and jurors are essential to our legal system. In FY14, New Mexico's district, metro and magistrate courts summonsed over 157,000 prospective jurors. The Supreme Court's Committee for the Improvement of Jury Service in New Mexico continues to focus on making jurors' experience as positive as possible.

In FY14 the Committee:

- **Published** the first Jury Best Practices Manual. The manual addresses commonly asked questions and procedures to assist jury staff in providing the best and uniform service throughout the state.

- **Eliminated** separate jury orientations. Study results indicate that jury orientation sessions held separately from jury selection days are no more effective than online or "selection day" orientations. Moreover, separate orientations are inconvenient for jurors and expensive for courts. The Committee recommended to the Supreme Court that separate jury orientations be eliminated. The Court agreed and in July 2014 entered an order requiring courts to discontinue the use of separate jury orientations.

- **Improved** jury summons processes. The committee developed a standard “jury yield report” which requires courts to submit monthly data to the Administrative Office of the Courts. Data from these reports will be used to improve the jury summons process.
- **Created and distributed** the Jury Bench Card to all New Mexico judges. The bench card addresses common juror concerns and provides judges with a template for responding to jurors needs.
- **Explored** new jury management system technology to increase juror satisfaction and court productivity through im-

provements to juror summons, selection, management and payment processes.

- **Supported and trained** court personnel statewide. In addition to the Jury Best Practices Manual, the Committee delivered biannual letters to judges addressing new jury procedures, identifying common jury management problems, and offering recommendations for resolution of those problems. Committee members also provided training and information to new judges and court executive officers.

## Law Library

The Supreme Court Law Library is one of only two public law libraries in the state and is open to any individual in the legal community or public at large seeking legal information or knowledge. The Library provides and produces legal information for the judicial, legislative and executive branches of state government, the legal community and the public at large so they may have equal access to the law, effectively address the courts, make laws and write regulations, better understand the legal system and conduct their affairs in accordance with principles of law. Requests for legal information come to the Library from across the state, from outside New Mexico, and even from outside of the United States. Additionally, the Library is the main provider of legal information services to prisoners in New Mexico. In addition to assisting patrons at the Library by phone and by e-mail, law librarians also work off-site collaborating with local community programs to assist self-represented litigants and offer training to attorneys.

The Library maintains a comprehensive legal research collection with a focus on providing the materials patrons need for their day-to-day legal research. The Library’s collection includes New Mexico and Federal laws and cases, regulations, water law, land grant law, natural resources law, tribal law, criminal law, family law, civil procedure, practitioner treatises, forms, and self-help



legal materials. Materials are available in a variety of formats, including paper, microfiche, electronic, and online. This year the Library renewed subscriptions to multiple online databases and legal research services, including Westlaw, LexisNexis, New Mexico OneSource of Law, the Making of Modern Law, ProQuest’s Congressional Hearings Digital Collection, and Heinonline, and purchased a new subscription to the online

version of the Oxford English Dictionary. Additionally, the Library expanded its Westlaw subscription to include the District Courts, increased the number of free patron access Westlaw computers to seven, and added one new patron access computer for LexisNexis.

The Library, housed in the historic Supreme Court building, also undertook a significant renovation project. The 1930’s original cork flooring was in dire need of



replacement, and work began in February 2014 to strip away the old cork and replace it with new, but similar, tiles to preserve the historic integrity of the building. Replacement tile was sourced in Portugal but the original shipment was onboard a vessel that froze in the ice in the St. Lawrence River. When the tile eventually arrived, the quantity proved to be inadequate for the job, and a second shipment needed to complete the first-floor atrium area was mismatched in color. While the tile had not yet arrived at the end of the fiscal year, installation is scheduled to resume in March 2015. The Library has continued to operate and offer full services to the public, but patron access to the stacks has been limited to visits supervised by library staff.

Finally, State Law Librarian Robert Mead resigned in July 2014 to accept a position as Deputy Public Defender for the State of New Mexico. Law Librarian Senior, Michael Poulson, was appointed as Acting State Law Librarian.

#### FY 2014 by the Numbers:

<b>200,088</b>	books were moved during the library renovation
<b>36,158</b>	new items were added to the library
<b>30,263</b>	existing titles were updated
<b>28,134</b>	new titles were cataloged
<b>12,295</b>	reference requests were received
<b>5,185</b>	patrons were served in person at the Library
<b>2,589</b>	inmate requests were received by mail
<b>2,162</b>	circulation transactions were completed
<b>69</b>	new cardholders were added

## Compilation Commission



The New Mexico Compilation Commission (“NMCC”) is the official legal publisher of the State of New Mexico and, as an enterprise agency, is funded largely through product sales and a percentage of civil action filing fees. Owning and controlling its copyrighted database of laws spanning twenty five years allows New Mexico to: (1) protect its copyrighted editorial content; (2) control the quality standards, publishing schedule, and pricing; (3) engage in strategic decisions that ensure that affordable official laws are available to each legal professional and judge; (4) ensure that the public has free access to the entire body of statutory and case law; and (5) retain sales revenue and corresponding jobs in New Mexico that are normally performed by out-of-state, foreign owned corporations.

The NMCC compiles and publishes the annual session laws into the official New Mexico Statutes Annotated 1978, and also publishes court opinions, court rules, the administrative code, and Attorney

General opinions. It is the national leader in the authentication of case law and electronic access for the legal community and public to statutes, court opinions, court rules and forms, and its public access website averages 26 million hits per year.

In FY14 the NMCC completed a legal review of 11,300 New Mexico Supreme Court and Court of Appeals opinions since 1852 to create case history alerts. These alerts link to court opinion paragraphs on the NMONESOURCE.COM website and alert the user that the opinion has been overruled or reversed. This is a critical component to legal research and ensures that attorneys, judges, and the public at large are relying on the most current and up to date legal authority.

## Court Programs

### Problem-Solving Courts

In 2014 there were 52 problem-solving courts in New Mexico. Problem-solving courts include adult felony drug courts, DWI drug courts, family dependency drug courts, juvenile drug courts, and mental health courts. In each program a local judge leads a team of local professionals including representatives from law enforcement, the public defender and district attorneys' offices, and mental health service providers who work together to ensure the program operates according to applicable standards and policies. New Mexico's problem-solving courts are demanding programs that hold offenders accountable through frequent drug tests, monitored medication for those with a medically treatable mental health issue, probation visits and judicial hearings. They also require pro-social behavior, such as renewed education, community service, and steady employment.



Problem-solving courts were developed to address the recidivism rates among clinically addicted offenders. Based on national data, nearly 50% of jail and prison inmates are clinically addicted. In addition,

on any given day between 300,000 and 400,000 people with mental illness are incarcerated and over 70% of these individuals have co-occurring substance-use disorders. Approximately 95% will return to drug abuse upon their release and 60% to 80% of those offenders will commit a new crime.

The costs to society are staggering. A 2013 Legislative Finance Committee report states that reducing recidivism in New Mexico by just 10% could save millions of dollars. Drug courts and mental health courts work, they

reduce substance abuse and recidivism and are more cost effective than jail or prison.

#### FY14 Drug and Mental Health Court Performance Measures:

Program Type	Recidivism	Cost-per-Client-per-Day	Graduates	Graduation %	Active Clients
Adult (17 + 2 pilot)	26.5%	\$20.08	222	49.7%	470
Juvenile (16 + 1 pilot)	28.1%	\$39.84	124	55.1%	181
DWI (8)	7.96%	\$13.32	210	71.7%	326
Family Dependency (3)	21.3%	\$33.71	19	76.0%	50
<b>Statewide (44 + 3 pilot)</b>	<b>21.5%</b>	<b>\$21.84</b>	<b>575</b>	<b>58.1%</b>	<b>1027</b>
Mental Health (5)	28.3%	\$15.41	121	62.4%	217

### Alternative Dispute Resolution

The Statewide Alternative Dispute Resolution Commission focuses on building a solid foundation in which to grow and enhance Alternative Dispute Resolution (ADR) services within the courts. ADR refers to a variety of methods that help people resolve disputes without a trial. ADR methods include mediation, arbitration, and collaborative law — just to name a few. These methods are confidential and generally less formal, and quicker than traditional court proceedings.

Since its establishment by the Supreme Court in 2011, the Commission has continually worked to develop, enhance, and strengthen court-connected alternative dispute resolution (ADR) programs throughout the New Mexico judiciary.

This has been a remarkably successful year for the Commission. This year the Commission:

- **Finalized** proposed rules for court-connected mediation services after considerable commentary and inclusion of the concerns and needs of impacted stakeholders. The proposed rules were submitted to the Supreme Court on June 26, 2014, for consideration and adoption;
- **Activated** the Statewide ADR website. <https://alternativedisputeresolution.nmcourts.gov/> The user friendly website provides a wealth of information about ADR processes, educational and training opportunities, and resources on how to locate ADR services;
- **Developed** an ADR “Toolbox” for the courts to utilize when developing and enhancing their own programs. The “toolbox”, located on the Statewide ADR website, will include information about court programs throughout New Mexico, policies and procedures manuals for court-connected mediation services, web-based resources, and regional trainings;
- **Produced** a statewide mediation brochure and video. The brochure and video describe what mediation is, the benefits of mediation, and the types of cases/situations in which mediation can be used;
- **Awarded** eight mediation training scholarships. In collaboration with, and with funding by, the Judicial Education Center (JEC), the Commission awards scholarships to court personnel to attend the University of New Mexico’s School of Law basic and family mediation courses. Over the years a total of 25 scholarships to representatives from 16 courts have been awarded;
- **Trained** Taos Magistrate and District Court personnel to develop and implement mediation services within their courts; and
- **Completed** a strategic plan for Advancing ADR Services within the New Mexico Judiciary.

#### New Mexico Judicial Education Center Mediation Scholarships

Court/Role	# Different Individuals	# of Different Courts Represented	Total # of NM Judicial Education Center Mediation Scholarships
Appellate Court Judge	1	1	1
<b>TOTAL Appellate</b>	1	1	1
District Court Judge/Hearing Officer	4	4	5
District Court Staff	12	8	13
<b>TOTAL District</b>	16	10	18
Magistrate Judge	3	3	4
Magistrate Staff	1	1	1
<b>TOTAL Magistrate</b>	4	4	5
Metro Court Judge			
Metro Court Staff	1	1	1
<b>TOTAL Metro</b>	1	1	1
<b>GRAND TOTALS</b>	22	26	25

## Technology and Case Management

The Judicial Information Division (JID) is the technology arm of the New Mexico Judiciary, and is directed by the Chief Information Officer, who reports to the Director of the Administrative Office of the Courts. JID provides technology support to the Supreme Court, the Court of Appeals, 33 district courts in 13 judicial districts, 48 magistrate courts, and the Metropolitan Court in Albuquerque.

During FY14, JID's major endeavor was supporting Metro Court as they implemented the Odyssey case management system. To achieve this, JID implemented a number of custom software integrations. Each of these integrations increased efficiency by reducing, or in some cases eliminating, manual data entry.

These custom integrations include:

<b>Warrant, affidavit, and summons generation</b>	To date, this application has generated more than <b>11,000 summons</b> , more than <b>7,000 affidavits</b> , and more than <b>15,000 warrants</b>
<b>Notification of driver license suspensions and reinstatements</b>	To date, this application has generated more than <b>20,000 notifications to MVD</b>
<b>Notification of citation abstracts</b>	To date, this application has generated more than <b>40,000 notices to MVD and APD</b>
<b>Creation of Odyssey cases for unpaid or disputed parking citations from the City of Albuquerque</b>	To date, this application has processed more than <b>8,000 parking citations</b> and generated <b>more than 7,400 court cases in Odyssey</b>
<b>Notification of officer hearings for Albuquerque Police Department and Bernalillo County Sheriff's Office</b>	To date, this application has generated <b>more than 10,000 notifications or cancellations requiring officer attendance</b>
<b>Added infrastructure to support automated entry of officer schedules into Odyssey</b>	This application enables court clerks to check availability of officers when scheduling hearings
<b>Automated the daily report list of defendants to be transported from the detention center to the court to attend scheduled hearings</b>	This application saves law enforcement, attorney and court time by ensuring that incarcerated defendants appear for their hearings.



JID's general court services and support were wide reaching as well. Support for courts, court programs, and special court projects include web site development and maintenance, custom form development in Odyssey, and ad hoc custom reports.

Accomplishments this year include:

- **Creation and revision of over 100 custom forms** in Odyssey's case manager and supervision modules. This enables clerks to quickly produce documents from within Odyssey, greatly reducing manual data entry;
- **Creation, maintenance, and support of more than a dozen web sites** for various courts, court projects, and court programs;
- **Development of content management infrastructure to support public information kiosks** that are used in court lobbies making this service far more intuitive and efficient;
- **Improved court processing** by installing audio/visual systems in new and existing court rooms throughout the state promoting integrated evidence presentation into court and jury rooms for:
  - Magistrate Court in Gallup (4 Court and 2 Jury rooms)
  - Magistrate Court in Aztec (1 Court and 2 Jury rooms)
  - District Court in Taos (2 Court and 2 Jury rooms)
  - District Court in Raton (1 Court and 2 Jury rooms)
  - District Court in Carrizozo (1 Court 1 Jury room)
- **Developed and deployed a new "help desk" ticketing system** which resulted in improved customer service and reduced average response time from two weeks to one week, from ticket open to ticket closed; and
- **Began providing backup space for court data storage** at the Albuquerque data center. Several district courts have already taken advantage of this capability, including courts in Bernalillo, Grants, Los Lunas, Raton, Deming, Las Cruces and Las Vegas.

During the coming years, JID will continue to leverage new technologies to expand e-filing in New Mexico to domestic relations and criminal case types. JID is executing projects to create online intelligent forms for self-represented litigants and to expand e-payments to all magistrate and district courts. This will allow citizens to settle court fines and fees from their computers and mobile devices. These new online services will be facilitated by the development of a comprehensive court information portal that will provide secure online access to critical case data and documents.

## State Water Rights

Stream adjudications are judicial proceedings to determine the extent and priority of all water rights in a particular river system. Stream adjudications are initiated when New Mexico's State Engineer files a complaint that, in effect, asks the court to join as defendants all the water rights claimants in a specified stream system. Unlike other states, New Mexico does not require water rights claimants to come forward and identify themselves or their water claims. Instead, the law requires that the State Engineer perform hydrographic surveys in which the legal bases and characteristics of each water right are mapped. These surveys may take upwards of a decade to complete. Once all of the water rights claimants are identified and served with notice of the adjudication, the claim may be settled, mediated, or litigated.

There are five active stream adjudications in New Mexico's state courts: the San Juan River Basin adjudication covering a large watershed in northwestern New Mexico; the Lower Rio Grande adjudication, extending below Elephant Butte reservoir; the Pecos River Basin adjudication, spanning from Las Vegas south to Carlsbad; the Rio San Jose adjudication, occurring in midwestern New Mexico; and the Animas Underground Basin adjudication in Hidalgo County. In an effort to facilitate effective case management, the New Mexico Supreme Court has designated Judge James Wechsler, of the New Mexico Court of Appeals, to preside over the state water right



adjudications. At present, Judge Wechsler presides over the Lower Rio Grande, Pecos, San Juan, Rio San Jose, and Santa Fe water right adjudications. Judge J. C. Robinson presides over the Animas Underground Basin adjudication.

### Lower Rio Grande Adjudication

Basin-wide Issues including Federal Claims	Progress
Elephant Butte Irrigation District Assessed Acreage	Order entered November 2009
Stream System Issue 101: Irrigation water requirements for pecans and all crops	<b>Complete:</b> Final Judgment entered August 2011
Stream System Issue 102: EBID groundwater claim	<b>Complete:</b> Subfile order entered October 2010
Stream System Issue 103: Domestic wells: priority date and amount	Order designating issue entered December 2009; no current activity
Stream System Issue 104: US' Interests in the Rio Grande Project <ul style="list-style-type: none"> <li>1) Sources of water for the US' Rio Grande Project</li> <li>2) Amount of water</li> <li>3) Priority date</li> </ul>	1) <b>Complete:</b> Order filed August 2012 2) <b>Complete:</b> Order entered February 2014 3) <b>Scheduling Order:</b> entered March 13, 2014. Pretrial activities in progress
Stream System Issue 105: Claims of the Estate of Nathan Boyd	<b>Complete:</b> Order entered February 2012. Appeal pending before Court of Appeals.
Resolution of Objectives	<b>Working Session:</b> April 2014 <b>Status Conference:</b> May 2014 <b>Working Session:</b> July 2014

## San Juan River Basin Adjudication

Basin-wide Issues	Progress
<b>Stream System Issue 1:</b> Measurement of amounts of water and rates of flow	<b>Complete:</b> Final Judgment entered July 2007
<b>Stream System Issue 2:</b> Determination of priority dates	<b>Complete:</b> Order entered October 2007
<b>Stream System Issue 3:</b> Rights unquantified in the Echo Ditch Decree	<b>Complete:</b> Order entered October 2007
Water rights settlements with San Juan Water Commission, La Plata Conservancy District, Aztec and Bloomfield	<b>Complete:</b> Negotiated in 2013
Adjudication of BHP Navajo Coal water rights	<b>Complete</b>
Indian Water Rights Claims	Progress
Navajo Nation Water Rights Settlement Agreement-State of New Mexico, the U.S., and the Navajo Nation	Executed in December 2013
Partial Final Judgment and Decree on Jicarilla Apache Nation's water rights	Entered 1999
Court conducted Expedited inter se proceeding on Navajo Nation's water rights with over 12, 000 claimants	Entry of 2 Partial Final Judgments and Decrees, November, 2013
Notices of Appeal	Filed 2013 in NM Court of Appeals
Petition for Writ to New Mexico Supreme Court	Filed May 2014

## Tribal-State Judicial Consortium

A Supreme Court advisory body, the Tribal-State Judicial Consortium consists of seven State and seven Tribal judges actively working to build relationships and improve communication across jurisdictional lines to better resolve disputes. The Consortium is one of only 9 such forums in the United States and the longest lasting of them. During FY14, the Consortium focused on improving access to services for Native children and families, enhancing understanding of practices in State and Tribal Courts, and heightening cross-recognition of Tribal and State judicial orders.

The Consortium sponsored a workshop at the 2014 Children's Law Institute with speakers Terry Cross, a national Indian Child Welfare Act (ICWA) expert, and Attorney General Gary King, who assisted with amicus briefs in the recent U.S. Supreme Court case of "Baby Veronica." Their remarks made it clear that fewer children would be removed from their homes if funding and social and mental health services were provided to Native children and their parents. However, access to these services is limited.

Since 2007, the Consortium has routinely supported between 6 and 15 Tribal Judges with travel expenses to participate in the annual State Judicial Conclave and Magistrate Judges Conference. In FY14,



*The Honorable William Johnson (on the left) receiving the Outstanding Criminal Justice Program Award*

11 Tribal Judges attended the Conclave, and 9 attended the Magistrate Conference. In addition, the Consortium conducted a workshop at the Conclave on ensuring the safety of domestic violence victims and their children when they leave their home jurisdiction. Joined by Federal Judge Christina Armijo, Tribal and State Judges emphasized the importance of recognizing and enforcing all protection orders no matter which court issued them. A breakfast workshop featured Retired Justice Patricio Serna and former director of the American Indian Law Center Sam Deloria.

In FY14 the Consortium continued to work towards enhancing understanding of Tribal and State Court cases and proceedings, focusing on Court visits, the Indian Child Welfare Act, full faith and credit or cross-recognition of Court orders, access to State services, and a new juvenile justice effort. One committee arranges visits in District and Tribal Courts so that judges have an opportunity to observe each other's hearings. District Court Judge John Davis hosted two such visits where judges learned how mediation and other services can

help manage a large family law caseload. Tribal Judge Randy Collins hosted a visit at Acoma Tribal Court where judges observed criminal and wellness cases, of special interest to those handling drug cases. Another committee is working on recognition of Tribal orders for involuntary commitment in mental health cases.

Finally, the Consortium's Co-Chairs and members have traveled widely to share information on the Consortium's collaborative projects at various State-Tribal conferences in Mississippi, Texas, California, Missouri and Oklahoma. Consortium members have provided information on Federal Indian law, State and Federal case law, and the necessity of services for Indian children, including juveniles who need treatment, not detention, for substance abuse or suicide prevention. These efforts prompted the National Criminal Justice Association to honor the Consortium in August 2013 with its Outstanding Criminal Justice Program Award, for its success in improving awareness and strengthening relationships between Tribal and State judiciaries.

## Judicial Performance Evaluation Commission

The Judicial Performance Evaluation Commission (JPEC) was established by the Supreme Court of New Mexico in 1997 as a volunteer nonpartisan commission to improve the performance of New Mexico's judges and provide useful, credible information to voters on judges standing for retention in general elections. JPEC has 15 members, including 7 lawyers and 8 non-lawyers, who are appointed to staggered terms by the Supreme Court. Commission members are selected from nominations by the Governor, Chief Justice of the Supreme Court, Speaker of the House, President Pro Tempore, House Minority Leader, Senate Minority Leader and President of the State Bar. Members are appointed from divergent professions, backgrounds and geographical areas of the state.

JPEC surveys individuals who come in contact with the judge being reviewed including attorneys, court staff, jurors, other judges and resource staff (e.g. law enforcement, probation and parole officers, and interpreters). An independent research firm distributes the surveys, then tabulates and reports them to JPEC. Judges are evaluated on: legal ability, fairness, communication skills, preparation, attentiveness, temperament and control over proceedings. Additionally, JPEC reviews statistics from the Administrative Office of the Courts for each individual judge including caseloads, excusals

and the time it takes to get cases resolved. JPEC may send court observers to individual courts to personally observe and comment on the judge's actions in court. JPEC meets individually with each judge being evaluated to review the survey results as well as to review his or her self-assessment of performance.

In 2014, JPEC completed its evaluations of the 85 judges scheduled to stand for retention in November, 2014. This included one Supreme Court justice, three Court of Appeals judges, 69 District Court judges, and twelve Metropolitan Court judges. New Mexico's constitution requires that judges who stand for retention must receive at least 57% voter approval to remain on the bench. Unlike other elected officials, judges in a retention election are not running against an opponent and their campaign activities must conform to the Code of Judicial Conduct. Thus judges and justices standing for retention typically do not make campaign speeches, take a position on issues, or run advertisements. JPEC's evaluations and subsequent recommendations thus provide voters with valuable information necessary to make an informed decision when they vote.

JPEC released its 2014 retention recommendations on September 19, 2014 which can be found in both English and Spanish on the JPEC's website at [www.nmjpec.org](http://www.nmjpec.org)



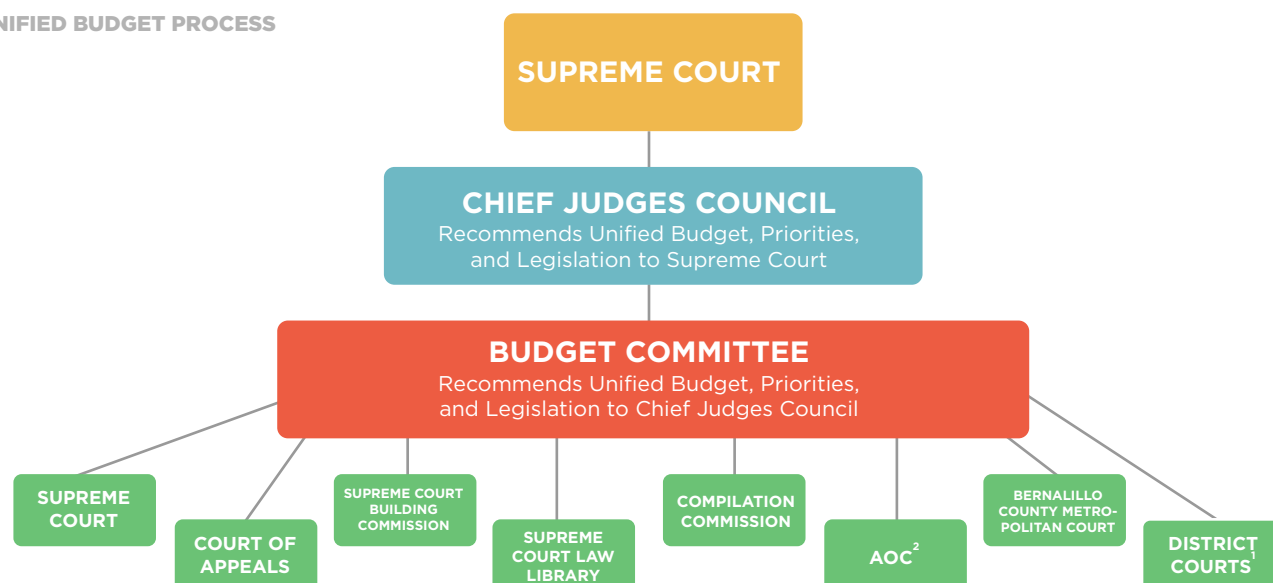
# A Unified Judiciary

## Judicial Budget

New Mexico has a unified state court funding system. Each year the Judiciary engages in a thorough and stringent budget review process which ultimately results in a unified budget request for our magistrate, metropolitan, district, and appellate courts, as well as the Administrative Office of the Courts. This centralized budgeting process allows us to ensure that all of our courts, urban and rural, are treated fairly and have the resources they need to best serve their communities.

Each day, courts at every level resolve disputes that directly and indirectly impact the health, safety, economic, social, and civil interests of all New Mexicans and they do so at a fraction of the state's overall state budget. In FY14 the legislature appropriated 2.51% of the general fund to the Judiciary.

### UNIFIED BUDGET PROCESS

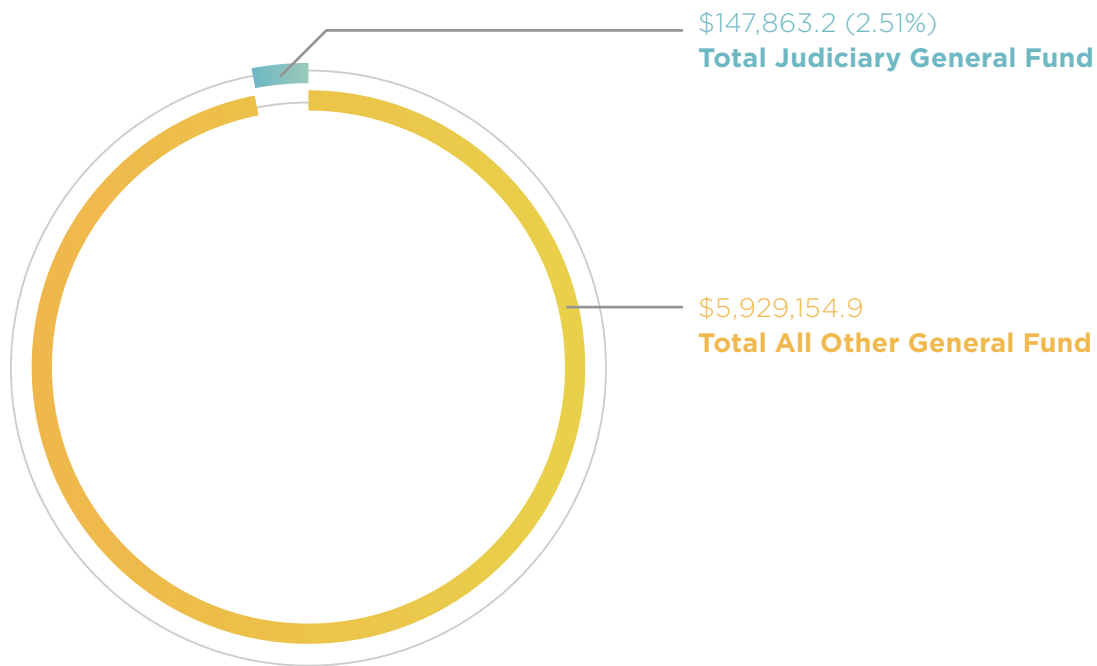


### 1. Each District Court submits an individual budget request. The judicial districts are:

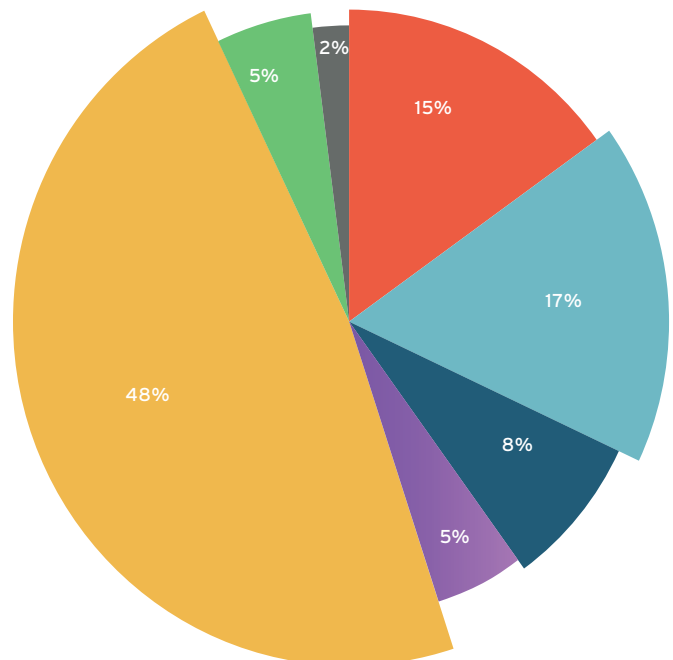
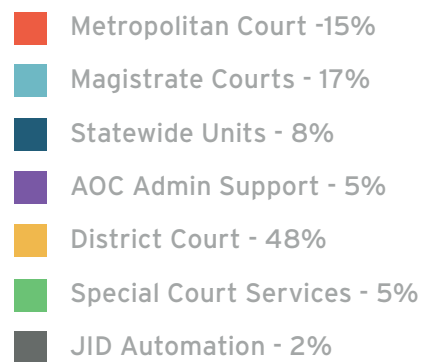
1st	2nd	3rd	4th	5th	6th	7th
Rio Arriba Santa Fe Los Alamos	Bernalillo	Doña Ana	Mora San Miguel Guadalupe	Lea Eddy Chaves	Grant Luna Hidalgo	Catron Sierra Socorro Torrance
8th	9th	10th	11th	12th	13th	
Taos Colfax Union	Curry Roosevelt	Harding Quay De Baca	San Juan McKinley	Lincoln Otero	Cibola Sandoval Valencia	

### 2. Administrative Office of the Courts submits budgets for Magistrate Courts, Administrative Services, Court Services, and the Judicial Information Division.

**FY14 General Fund Appropriation  
Distribution (in thousands)**



**FY14 OpBud General Fund Appropriation  
Distribution Percentages**



## New Judgeships

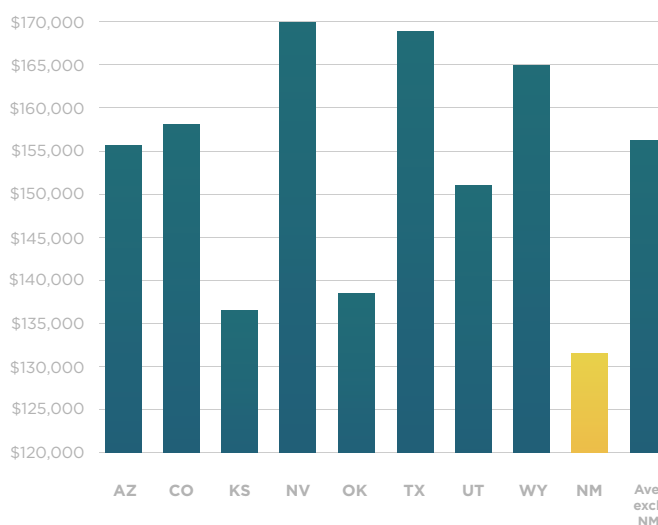
The New Mexico Legislature appropriated funding for four new district court judges and one new magistrate court judge during the 2014 legislative session. The First (Santa Fe), Second (Bernalillo), Fifth (Lea), and Thirteenth (Sandoval) judicial districts and the Las Cruces Magistrate court each received one new judge.

## Judicial Compensation and Retirement Benefits

Since its inception, the bipartisan Judicial Compensation Commission has consistently found that judicial salaries are among the lowest in the region and in the nation. Prior to the 2014 legislative session, the Commission recommended an 11% pay increase for New Mexico's judges. During the session the legislature approved an 8% pay increase. 3% of that increase was vetoed by the Governor, resulting in a net 5% increase for New Mexico's judges.

The Executive, Legislative and Judicial branches worked together to ensure the solvency of both the Magistrate and the Judicial Retirement accounts which were headed towards insolvency. By increasing judges' contributions, reducing the annual service credit, suspending cost of living adjustments for retired judges, and increasing the state's contribution, actuarial projections show both funds at 100% funding within thirty years.

**Supreme Court Justice Salaries as of July 1, 2014 in Western Comparison States**



## Looking Ahead

In April, 2014 Supreme Court Justice Barbara J. Vigil was elected by her colleagues to serve a two-year term as Chief Justice. Building on the work of her predecessors, the Chief Justice has established three working committees to advise the Court as it plans for the future.

The *Strategic Planning Committee* is tasked with reviewing and updating the Judiciary's Strategic Plan and incorporating the more recent Re-engineering Report.

The *Workload Study Committee* is tasked with assessing current work processes to develop a model for measuring workload in courts statewide. Changes in our statewide case management system, e-filing, increasing numbers of self-represented litigants, and broader use of alternative dispute resolution have changed how courts work. A current and comprehensive assessment of how courts actually work today will inform our understanding of the number of judges and staff needed to best serve the public in the future.

The *Employee Fair Pay Committee* is tasked with developing a long-term sustainable plan to achieve and maintain employee compensation consistent with the data-driven Judicial Branch Compensation and Classification Plan. Additionally, the Judiciary will also develop a plan, in conjunction with the bi-partisan Judicial Compensation Commission, to achieve and maintain equitable compensation for our judges.



# New Mexico Courts

*Supreme Court Justices and Court Staff, 2014*

## New Mexico Supreme Court

The Supreme Court is the highest court, and the court of last resort, for the State of New Mexico. The Supreme Court consists of five Justices, who serve eight-year terms. In 2014, the Court elected the Honorable Barbara J. Vigil as Chief Justice. She is only the third female Chief Justice in the history of the Supreme Court. The Chief Justice serves a two-year term and is elected in April of even-numbered years by the five Justices on the Court.

The Supreme Court has *mandatory, exclusive appellate jurisdiction* over criminal appeals in which the trial court imposed a sentence of life or death penalty or granted a petition for a writ of habeas corpus, over appeals from the Public Regulation Commission, and over appeals in election challenges. The Supreme Court has *discretionary, appellate jurisdiction* to review decisions of New Mexico Court of Appeals through the issuance of writs of certiorari. The Supreme Court also has original jurisdiction in quo warranto proceedings and mandamus against all state officers, boards, and commissions, superintending control over all lower state courts, and the power to issue extraordinary writs such as mandamus, prohibition, habeas corpus, and other writs necessary and proper for complete exercise of the Court's jurisdiction.

In addition to its regular caseload responsibilities, the Court is responsible for the statewide administrative oversight of the entire Judiciary, which includes the promulgation of rules of practice and procedure and the appointment and oversight of over 40 committees, boards, and commissions who assist the Court with its administrative oversight of the bench and bar. The Court also is responsible for the admission and regulation of attorneys and judges, which includes setting and enforcing the requirements for the continuing legal

education of attorneys and judges and imposing discipline against attorneys and judges for professional misconduct.

In FY14

- 562 new cases were filed in the Supreme Court:
  - 76% (429 cases) sought review of Court of Appeals decisions under the Supreme Court's power to issue writs of certiorari;
  - 15% (82 cases) sought extraordinary writ relief under the Court's original jurisdiction;
  - 8% (47 cases) were cases filed under the Court's mandatory appellate jurisdiction over capital appeals, appeals from decisions of the Public Regulation Commission, and election appeals, along with the Court's jurisdiction over disciplinary cases against judges and attorneys; and
  - 1% (4 cases) were certification requests from the New Mexico Court of Appeals and the federal courts.
- 533 cases were disposed of:
  - 73% (387 cases) arose from petitions from writs of certiorari seeking review of decisions of the Court of Appeals;
  - 14% (74 cases) arose from petitions seeking extraordinary writ relief under the Court's original jurisdiction;
  - The remaining 13% (72 cases) included:
    - » 18 capital appeals,
    - » 7 Public Regulation Commission appeals,
    - » 8 other mandatory appeals (e.g. appeals from election challenges),
    - » 6 certification requests, and
    - » 33 disciplinary matters.



As part of its superintending control over the bench and bar, in Fiscal Year 2014, the Court approved **119 amendments to its rules of practice and procedure and admitted 284 new attorneys to the State Bar of New Mexico.**

The Supreme Court Building, located in Santa Fe, was built in 1937 and is the only Public Works Administration project in New Mexico that is still being used for its original purpose. Registered on the National Register of Historic Places and the New Mexico Register of Historic Buildings, the building has been recognized by the City of Santa Fe as a significant structure in the downtown historic district. The building is located at the corner of Alameda and Don Gaspar alongside the Santa Fe River and is immediately recognizable by its historic brass doors at the front entrance to the building. The Supreme Court Courtroom retains all of the original hand carved woodwork, chandeliers, and artwork and looks today as it did when it was built.

The Supreme Court Building is home to the Court's five Justices and the Court's 30 employees. Each Justice receives assistance from one paralegal and two law clerks. The Chief Justice also receives additional

assistance from an attorney administrative assistant. The Supreme Court Clerk's Office and Office of Supreme Court Counsel, overseen by the Clerk of Court and Chief Counsel, provide administrative and legal support to the Court through a team of senior attorneys, court clerks, and administrative support staff.

The historic building is meticulously maintained by the Supreme Court Building Commission. In addition to housing the Supreme Court, the Supreme Court Building also provides office space for judges and staff from the Court of Appeals as well as for employees of the Supreme Court Law Library and Administrative Office of the Courts. The operation of the building is supervised by the Supreme Court Chief Clerk, who serves as the building manager, in consultation with the building superintendent and chief security officer. The Commission also employs a twelve-member security and maintenance staff. In 2014, the Building Commission completed the replacement of the twenty roofs that cover the Supreme Court Building and also started a new renovation project to replace the flooring and upgrade the interior railing for the law library.

*The Supreme Court Building Commission, 2014*





## Court of Appeals

### New Mexico Court of Appeals

The Court of Appeals is New Mexico's intermediate appellate court. The court is the first, and often the final, appellate court for most cases. The Court of Appeals has mandatory jurisdiction in civil cases, non-capital criminal and juvenile cases and discretionary jurisdiction over most cases appealed from administrative proceedings.

There are ten judges on the Court of Appeals. Seven of the judges are assigned to the court's Albuquerque office and three are located in the Supreme Court building. By law, the judges act in panels of three on all appellate opinions. An agreement of two judges is required to decide a case. Each judge has a paralegal and a law clerk. The court is assisted by the Prehearing Division and the Appellate Mediation Office.

The court's Prehearing Division assists the court by screening all appeals for assignment to the court's summary and non-summary calendars. Staff attorneys provide the court with calendar assignment recommendations, proposed notices of summary disposition, and proposed opinions. The Division also provides the court with recommendations and proposed orders on applications for interlocutory appeals, petitions for writs of certiorari, and petitions for writs of error.

The court prioritizes certain types of cases: child abuse and neglect, termination of parental rights, interlocutory appeals, workers' compensation, and criminal cases. These types of cases are usually submitted to a panel of judges within 30 days after briefing is completed. The court has been successful at promptly submitting all cases—not just priority cases—to panels of judges once briefing is completed by the parties. The court's list of cases ready to be submitted to a panel (the "ready list") is the shortest it has been since 2008.

Mediation is available for any matter pending before the court. Mediation conferences are designed to reduce the time and expense of civil appeals by addressing any matter that may aid in disposition. The mediation conferences offer parties and their counsel confidential, no cost, risk-free opportunities to explore possibilities for voluntary settlements.



*Standing: Judge M. Monica Zamora, Judge Linda M. Vanzi, Judge Michael E. Vigil, Judge Timothy L. Garcia, and Judge J. Miles Hanisee. Seated: Judge Jonathan B. Sutin, Judge James J. Wechsler, Chief Judge Roderick T. Kennedy, Judge Michael D. Bustamante, and Judge Cynthia A. Fry.*

#### In FY14:

- 891 new cases were filed with the Court of Appeals:
  - o 396 criminal cases;
  - o 495 civil cases including:
    - » 52 discretionary jurisdiction cases,
    - » 49 divorce cases,
    - » 49 appeals from the Workers' Compensation Administration, and
    - » 53 termination of parental rights cases.
- 864 cases were disposed of:
  - o 664 by opinion including
    - » 297 criminal cases, and,
    - » 367 civil cases,

Over half of the court's opinions were summary calendar opinions, helping the court achieve its **97% disposition rate**.

## General Jurisdiction Courts

### District Courts

New Mexico's District Courts are general jurisdiction trial courts. In FY14, there were ninety district court judges in thirteen judicial districts who heard criminal and civil cases. Criminal proceedings include both misdemeanor and felony offenses. Civil cases include personal injury, property, domestic relations, and mental health matters. District courts also hear child abuse and neglect and juvenile justice cases.

New Mexico's District Court judges serve six-year terms and may be appointed by the Governor based upon a recommendation from the

Judicial Nominating Commission or elected in a partisan election. If a judge is appointed, the judge must run in the next general election. Judges who are successfully elected are eligible to run for retention thereafter. An attorney must be at least 35 years old, have practiced for at least six years, and reside in the judicial district for which they would like to be appointed or elected before they may become a judge.

In FY14 New Mexico's district courts held 590 criminal jury trials, 72 civil jury trials and achieved a total disposition rate of 99.94%.

## 1<sup>st</sup> JUDICIAL DISTRICT:

### Quick facts:

- 8 Judges
- 86 FT Employees
- 5 Language Access Specialists – 4 (Santa Fe), 1 (Rio Arriba)
- 3 county judicial district with courthouses in Santa Fe, Rio Arriba, and Los Alamos counties
- Judicial district population: 202,366
- 1 child support hearing officer
- 3 problem-solving courts: Adult Drug Court, Juvenile Drug Court, Treatment Court
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings
- Family Court Services Program – expeditiously resolves child custody issues
- Self Help Center – provides forms and other assistance to self-represented litigants
- Jury Division – provides information and assistance to jurors
- Pre-Trial Services – ensures safety to the community while monitoring individuals awaiting trial, reducing the cost of pre-trial incarceration.
- Website - <https://firstdistrictcourt.nmcourts.gov/>



Santa Fe County

District 1	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	1249	1248	2181	87.34%
Juvenile Criminal	165	260	408	96.00%
Civil (minus Abuse and Neglect)	6127	1584	7161	92.87%
Juvenile (Abuse and Neglect)	27	1	25	89.29%
<b>Total</b>	<b>7568</b>	<b>3093</b>	<b>9775</b>	<b>91.69%</b>
Jury Trials				
Criminal			20	
Civil			18	

## 2<sup>nd</sup> JUDICIAL DISTRICT:

### Quick facts:

- 26 judges including
  - o 1 Children's court with 3 judges
  - o 1 Criminal court with 10 judges
  - o 1 Civil court with 9 judges
  - o 1 Family court with 4 judges
- 357 FT employees
- 10 hearing officers
- 1 county judicial district: Bernalillo
- Judicial District population: 662,564
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings
- 1 Veteran's Court
- 4 problem-solving courts: Adult Drug Court, Mental Health Court, Veteran's Court, Felony DWI Court, and Juvenile Drug Court
- Child Support Program – ensures prompt and full payments for dependent children
- Court Clinic – reduces the level of conflict between parties or parents to meet the best interests of children
- Center for Dispute Resolution – offers fair, efficient, and cost effective mediation and arbitration to help parties achieve an informal resolution to their disputes
- Domestic Violence Program – serves persons who are victims of actual or threatened abuse by a household member
- Pre-Trial Services – ensures safety to the community while monitoring individuals awaiting trial, reducing the cost of pre-trial incarceration
- Mortgage Assistance Program – provides assistance to those going through the mortgage foreclosure process
- No findings on financial audit since 2010
- Website - <http://seconddistrictcourt.nmcourts.gov/>



Bernalillo County

District 2	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	6012	4695	10848	101.32%
Juvenile Criminal	1288	339	1799	110.57%
Civil (minus Abuse and Neglect)	19517	13508	34331	103.95%
Juvenile (Abuse and Neglect)	223	0	134	60.09%
<b>Total</b>	<b>27040</b>	<b>18542</b>	<b>47112</b>	<b>103.36%</b>
Jury Trials				
Criminal			155	
Civil			29	

## 3<sup>rd</sup> JUDICIAL DISTRICT:

### Quick facts:

- 8 Judges
- 84 FT Employees
- 1 county judicial district: Dona Ana
- Judicial district population: 209,233
- 1 Child support hearing officer, 1 Domestic Violence Special Commissioner
- 3 problem-solving courts: Adult Drug Court, Juvenile Drug Court and Family Reunification Court which offers a collaborative multi-disciplinary approach to assist abused and neglected children and their families
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings
- Alternative Dispute Resolution Program –includes domestic relations mediation, settlement facilitation, arbitration, water law mediation and a children's court mediation program
- Self Help Center – provides forms and other assistance to self-represented litigants
- Teen Court – a voluntary alternative to the juvenile justice and criminal justice systems for young people who have committed a crime or offense
- Pre-Trial Services – ensures safety to the community while monitoring individuals awaiting trial, reducing the cost of pre-trial incarceration
- Undertook innovative realignment of judicial caseload responsibilities to better serve the public and legal community
- Website - <http://www.thirddistrictcourt.com/>



*Dona Ana County*

District 3	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	1438	1044	2840	114.42%
Juvenile Criminal	306	160	434	93.13%
Civil (minus Abuse and Neglect)	6864	2838	9476	97.67%
Juvenile (Abuse and Neglect)	55	0	39	70.91%
<b>Total</b>	<b>8663</b>	<b>4042</b>	<b>12789</b>	<b>100.66%</b>
Jury Trials				
Criminal			56	
Civil			6	

## 4<sup>th</sup> JUDICIAL DISTRICT:

*Guadalupe County*

### Quick facts:

- 3 Judges
- 26 FT Employees
- 3 county judicial district with courthouses in San Miguel and Guadalupe counties with plans for a courtroom in the Mora County Courthouse in 2017
- Judicial district population: 38,961





- 2 problem-solving courts: Adult Drug Court and Juvenile Drug Court (San Miguel)
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings
- Mediation Program – child custody and visitation matters
- Jury Division – provides information and assistance to jurors including a toll-free number for jurors who reside in outlying areas as well as e-mail addresses for each court location
- Self Help Center – provides forms and other assistance to self-represented litigants
- Public Kiosk – provides access to court records
- Website - <https://fourthdistrictcourt.nmcourts.gov/>

District 4	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	307	196	531	105.57%
Juvenile Criminal	44	42	112	130.23%
Civil (minus Abuse and Neglect)	1467	1868	3174	95.17%
Juvenile (Abuse and Neglect)	13	1	19	135.71%
<b>Total</b>	<b>1831</b>	<b>2107</b>	<b>3836</b>	<b>97.41%</b>
Jury Trials				
Criminal			8	
Civil			1	

## 5<sup>th</sup> JUDICIAL DISTRICT:

### Quick facts:

- 10 Judges
- 73 FT Employees
- 5 Language Access Specialists – (3) Chaves, (2) Lea
- 3 county judicial district with courthouses in Chaves, Eddy and Lea counties
- Judicial district population: 184,201
- 2 Domestic Violence Hearing Officers – 1 in Lea County and one that serves both Chaves and Eddy counties
- 3 problem-solving courts: 2 Juvenile Drug Courts (Chaves and Eddy), 1 Family Dependency Drug Court (Lea)
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings (Chaves and Eddy counties)
- Teen Court – a voluntary alternative to the juvenile justice and criminal justice system for young people who have committed a crime or offense (Chaves, Eddy and Lea)
- Truancy Courts – ensure that students are in school and that their parents or guardians are involved in the process
- Mediation Services – domestic relations cases (Chaves, Eddy, and Lea)
- Jury Trials – in FY14 the 5th district tried more jury trials per judge than any other district in New Mexico
- Website - <http://www.fifthdistrictcourt.com/>



Chaves County

District 5	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	2027	1002	2668	88.08%
Juvenile Criminal	524	134	587	89.21%
Civil (minus Abuse and Neglect)	6675	2258	8816	98.69%
Juvenile (Abuse and Neglect)	108	1	96	88.07%
<b>Total</b>	<b>9334</b>	<b>3395</b>	<b>12167</b>	<b>95.58%</b>
Jury Trials				
Criminal			123	
Civil			6	

## 6<sup>th</sup> JUDICIAL DISTRICT:

### Quick facts:

- 4 Judges
- 32 FT Employees
- 4 Language Access Specialists – 2 (Luna), 1 (Grant), 1 Hidalgo)
- 3-county judicial district with courthouses in Grant, Hidalgo and Luna counties
- Judicial district population – 59,503
- 3 Problem-solving courts: 2 Adult Drug Courts (Grant and Hidalgo), 1 Juvenile Drug Court (Luna)
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings



Grant County Courthouse

District 6	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	562	320	892	101.13%
Juvenile Criminal	161	65	233	103.10%
Civil (minus Abuse and Neglect)	1554	537	2132	101.96%
Juvenile (Abuse and Neglect)	34	0	38	111.76%
<b>Total</b>	<b>2311</b>	<b>922</b>	<b>3295</b>	<b>101.92%</b>
Jury Trials				
Criminal			23	
Civil			1	

## 7<sup>th</sup> JUDICIAL DISTRICT:

### Quick facts:

- 3 Judges
- 31 FT Employees
- 2 Certified Language Access Specialists – 2 (Socorro)
- 4 county judicial district with courthouses in Catron, Sierra, Socorro and Torrance counties
- Judicial district population: 49,962
- 1 Child support hearing officer (Socorro) travels to all district courthouses to hear cases
- 3 contracted Domestic Violence Special Commissioners
- 3 problem-solving courts: 3 Adult Drug Courts (Sierra, Socorro, and Torrance counties)
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings
- Teen Court – a voluntary alternative to the juvenile justice and criminal justice systems for young people who have committed a crime or offense (Sierra, Socorro & Torrance)
- Mediation Services – domestic relations cases (Catron, Sierra, Socorro and Torrance)
- Pro Bono Committee – coordinates free individual consultations with volunteer attorneys for low-income individuals



Socorro County

District 7	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	379	149	486	92.05%
Juvenile Criminal	88	49	141	102.92%
Civil (minus Abuse and Neglect)	1098	221	1489	112.89%
Juvenile (Abuse and Neglect)	31	0	21	67.74%
<b>Total</b>	<b>1596</b>	<b>419</b>	<b>2137</b>	<b>106.05%</b>
Jury Trials				
Criminal			5	
Civil			0	

## 8<sup>th</sup> JUDICIAL DISTRICT:

### Quick facts:

- 3 Judges
- 28 FT Employees
- 3 county judicial district with courthouses in Taos, Colfax and Union counties
- Judicial district population: 51,236
- 1 Domestic Relations Special Commissioner
- 4 problem-solving courts: 2 Adult Drug Courts (Taos and Colfax); 2 Juvenile Drug Courts (serving Taos, Colfax and Union)
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings



Taos County

- Alternative Dispute Resolution Program – offering mediation in domestic relations cases
- In FY 2014 the 8th Judicial District
  - Collaborated with Taos County Magistrate Court to pilot a program mediating civil and probate cases and 17 new mediators were trained
  - Added audio/video capabilities in Taos and Colfax courts
  - Expanded juvenile drug court services to Union county
  - Created a court website
- Website – <http://www.eighthjudicialdistrictcourt.com/>

District 8	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	414	226	702	109.69%
Juvenile Criminal	84	29	115	101.77%
Civil (minus Abuse and Neglect)	1772	532	2550	110.68%
Juvenile (Abuse and Neglect)	25	0	18	72.00%
<b>Total</b>	<b>2295</b>	<b>787</b>	<b>3385</b>	<b>109.83%</b>
Jury Trials				
Criminal			16	
Civil			0	

## 9<sup>th</sup> JUDICIAL DISTRICT:

### Quick facts:

- 5 Judges
- 45 FT Employees
- 2 Language Access Specialists – 1 (Curry), 1 (Roosevelt)
- 2 county judicial district with courthouses in Curry and Roosevelt counties
- Judicial district population: 68,222
- 2 Child support hearing officers who cover 4 judicial districts (4th, 8th, 9th, and 10th)
- 1 Problem-solving court: Adult Drug Court currently serves both Curry and Roosevelt counties
- 2 Self-Help Resource Centers – 1 (Curry), 1 (Roosevelt)
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings
- Mediation Program – offering mediation services in domestic relations cases including mediation for self-represented litigants
- In FY14 the 9th Judicial District
  - hosted 24 free pro se clinics serving approximately 100 individuals, and an “Ask-a-Lawyer” event with 75 individuals receiving free legal advice
  - hosted a pro bono luncheon and training for volunteer attorneys (40 attendees)
  - provided community educational services including school assemblies on Constitution day (1000 students) and Law Day (500 students), and domestic violence awareness training at Cannon Air Force Base (75 active service members)
  - coordinated National Adoption day event – 11 adoptions and 60 people attended



Curry County



- o continued to provide full court services to Roosevelt county residents while the courthouse is closed for environmental clean-up. Court staff is currently housed in portable trailers.
- Website – <http://www.nmcourts9thjdc.com/>

District 9	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	962	305	1324	104.50%
Juvenile Criminal	187	95	275	97.52%
Civil (minus Abuse and Neglect)	1984	550	2430	95.90%
Juvenile (Abuse and Neglect)	23	0	27	117.39%
<b>Total</b>	<b>3156</b>	<b>950</b>	<b>4056</b>	<b>98.78%</b>
Jury Trials				
Criminal			26	
Civil			3	

## 10<sup>th</sup> JUDICIAL DISTRICT:

### Quick facts:

- 1 Judge
- 9 FT Employees
- 3-county judicial district with courthouses in Quay, DeBaca, and Harding counties
- Judicial district population – 11,758
- Assistance to self-represented litigants – court staff provides forms, guidance, and assistance to self-represented litigants



Quay County

District 10	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	181	85	269	101.13%
Juvenile Criminal	35	22	55	96.49%
Civil (minus Abuse and Neglect)	372	125	498	100.20%
Juvenile (Abuse and Neglect)	13	0	12	92.31%
<b>Total</b>	<b>601</b>	<b>232</b>	<b>834</b>	<b>100.12%</b>
Jury Trials				
Criminal			3	
Civil			1	

# 11<sup>th</sup> JUDICIAL DISTRICT:

## Quick facts:

- 8 Judges
- 81 FT Employees
- 3 Language Access Specialists – 2 (San Juan); 1 (McKinley)
- 2 county judicial district with three courthouses: 2 (San Juan –Farmington and Aztec), 1 (McKinley)
- Judicial district population: 201,536
- 1 Domestic Violence Commissioner and Child Support Hearing Officer
- 4 problem-solving courts: 1 Adult Drug Court (San Juan), 1 Juvenile Drug Court (San Juan), 1 Youth Treatment Court (McKinley), 1 Adult Mental Health Treatment Court (San Juan)
- 1 Grade Court – holds juvenile offenders accountable for their actions and reinforces that their education and maintaining adequate grades is essential for their success
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings
- Mediation – abuse & neglect mediation as well as mediation in domestic relations cases
- Self-Represented Litigants Clinics– provide forms and other assistance to self-represented litigants
- Pre-Trial Services – ensures safety to the community while monitoring individuals awaiting trial, reducing the cost of pre-trial incarceration
- Website – <https://11thjdc.nmcourts.gov/>



McKinley County

District 11	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	1658	653	2178	94.24%
Juvenile Criminal	335	65	373	93.25%
Civil (minus Abuse and Neglect)	4466	1274	5532	96.38%
Juvenile (Abuse and Neglect)	68	0	54	79.41%
<b>Total</b>	<b>6527</b>	<b>1992</b>	<b>8137</b>	<b>95.52%</b>
Jury Trials				
Criminal			50	
Civil			2	

# 12<sup>th</sup> JUDICIAL DISTRICT:

## Quick facts:

- 4 Judges
- 41 FT Employees
- 1 Language Access Specialist
- 2-county judicial district with courthouses in Lincoln and Otero counties
- Judicial district population – 84,294
- 1.5 Domestic Relations Hearing Officers
- 2 problem-solving courts: 1 Adult Drug Court (Otero), 1 Juvenile Drug Court (Lincoln)
- 2 Pilot Problem-solving courts - operating on donated time and services: 1 Adult Drug Court (Lincoln), 1 Juvenile Drug Court (Otero)
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings
- Self Help Center – provides forms and other assistance to self-represented litigants
- Mediation Program - provides alternative dispute resolution services in domestic relations' cases
- Pre-Trial Services – ensures safety to the community while monitoring individuals awaiting trial, reducing the cost of pre-trial incarceration.
- In FY14 the 12th Judicial District
  - o Created an on-line jury orientation
  - o Completed a six-thousand square foot addition to the Lincoln County Courthouse improving security for both the public and court staff
- Website – <http://www.12thdistrict.net/>



Otero County

District 12	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	877	532	1314	93.26%
Juvenile Criminal	181	80	232	88.89%
Civil (minus Abuse and Neglect)	2299	379	2353	87.86%
Juvenile (Abuse and Neglect)	32	0	20	62.50%
<b>Total</b>	<b>3389</b>	<b>991</b>	<b>3919</b>	<b>89.47%</b>
Jury Trials				
Criminal			72	
Civil			4	

# 13<sup>th</sup> JUDICIAL DISTRICT:

Sandoval County

## Quick facts:

- 8 Judges
- 75 FT Employees
- 3 county judicial district with courthouses in Sandoval, Cibola, and Valencia counties
- Judicial district population: 235,343



- 3 Child support hearing officers
- 8 problem-solving courts: 3 Adult Drug Courts (Sandoval, Valencia, Cibola), 3 Juvenile Drug Courts (Sandoval, Valencia and Cibola), 1 Treatment Court (Sandoval), and 1 Family Dependency Treatment Court (Cibola)
- CASA Program – Court Appointed Special Advocates assigned to abuse and neglect proceedings
- Client Support Services Program – social work student interns assist parents in abuse and neglect cases hastening the reunification of the family
- Assistance to Self-Represented Litigants – monthly court clinics in every county, monthly family law dockets, public access computers, forms and on-line resources
- Mediation – available in domestic matters and civil cases including foreclosure and debt/money due cases
- Foreclosure Settlement Project Program – Sandoval and Valencia counties: all foreclosure cases filed involving residential properties are referred to this program to assist the parties in reaching an agreement regarding the property
- 2 Pre-Trial Services Programs – ensure safety to the community while monitoring individuals awaiting trial, reducing the cost of pre-trial incarceration
- Website – <http://www.13districtcourt.com/>

District 13	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Adult Criminal	1525	685	2071	93.71%
Juvenile Criminal	321	111	476	110.19%
Civil (minus Abuse and Neglect)	6757	1263	8391	104.63%
Juvenile (Abuse and Neglect)	73	0	66	90.41%
<b>Total</b>	<b>8676</b>	<b>2059</b>	<b>11004</b>	<b>102.51%</b>
Jury Trials				
Criminal			33	
Civil			1	



## Limited Jurisdiction Courts: The Bernalillo County Metropolitan Court and Magistrate Courts

New Mexico's Magistrate courts and the Bernalillo County Metropolitan Court (BCMC) are courts of limited jurisdiction. These courts may hold jury trials and handle misdemeanor cases, which carry a maximum jail term of 364 days and fines of up to \$1,000, and civil cases where the amount of the dispute does not exceed \$10,000.

### Bernalillo County Metropolitan Court

The Bernalillo County Metropolitan Court (BCMC) was created by the New Mexico State Legislature in 1980. It consolidated the functions of the Albuquerque Municipal Court, the Bernalillo County

Magistrate Court, and Small Claims Court into a single court operation and was designed to serve the greater Albuquerque Metropolitan area, which boasts roughly one-third of the state's population. BCMC was designated as a court of record in 1998 for domestic violence and DWI cases, meaning, on appeal, the defendant does not get a new trial but the case record is reviewed by a District Court Judge to determine if legal error was made. All BCMC Judges serve four-year terms and may stand for retention after winning a partisan election. BCMC judges are required to be, members of the New Mexico State Bar and must have practiced law for a minimum of three years.

# Bernalillo County Metropolitan Court

### Quick facts:

- 19 Judges –
  - 16 in the Criminal Division
  - 3 in the Civil Division
  - Judges share on-duty after hours felony warrant rotations with the 2nd Judicial District Court
- 322 Full-Time Employees
- The only operational Background Investigation Division in the state that operates 24 hours a day, 7 days a week, 365 days a year
- The only in-house Probation Department in the Judiciary
- 2 Problem-Solving Courts - DWI Drug Court and Mental Health Court
- 5 Specialty Courts – Domestic Violence Early Intervention Program, Domestic Violence Repeat Offender program, Competency Court, Courts to School, and Homeless Court
- In FY 2014
  - Over 4.8 million in fines and fees were collected, reconciled and transferred
  - The Customer Service Division served 87,014 customers at register stations and received 111,759 customer phone calls
  - Over 15,714 cash, surety and property bail bonds were posted totaling over 47.9 million
  - The Mediation Division resolved over 400 cases
  - 4,737 defendants were sentenced to perform 68,174 hours of mandatory community service work
  - The Self-Help Center conducted approximately 14,623 interviews of pro-se litigants, 930 were with Spanish speakers
  - Human Resources processed 44 new court employee hires
  - 3,000-4,000 visitors per day
  - 98,339 new case filings which is an average of 5,176 per judge
  - 89,900 cases were resolved
- Website - [www.metrocourt.state.nm.us](http://www.metrocourt.state.nm.us)



*Bernalillo County Metropolitan Court*

Metro Court	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Criminal	80426	227	73224	90.79%
Civil	17910	238	16676	91.89%
<b>Total</b>	<b>98339</b>	<b>465</b>	<b>89900</b>	<b>90.99%</b>
Jury Trials				
Criminal			1348	
Civil			4	

## Magistrate Courts

There is at least one magistrate court in every county in New Mexico, although some counties have more than one office, for a statewide total of forty-eight (48) magistrate courts and sixty-six (66) magistrate court judges. Magistrate court caseloads vary significantly,

from fewer than 500 cases to over 20,000 cases per court. Appeals from magistrate courts are heard in district court where the parties are entitled to a new trial. Judges are elected to four year terms, must run in partisan elections at the end of each term, and are not required to be lawyers.

# Magistrate Courts

### Quick facts:

- 48 Magistrate Courts
- 66 Judges
- 218 FT Employees
- 6 Problem-Solving Courts: DWI Drug Courts in Dona Ana, Eddy, San Miguel, Santa Fe, Torrance and Valencia counties
- In FY14 the Magistrate Division's
  - o **Warrant enforcement program** collected over \$3.4 million in bench warrant fees this year.
  - o **Facilities program** received acknowledgment for its outstanding work on the McKinley County Justice Complex when the project received construction awards in ENR Southwest's 2014 Best Projects Competition, NAIOP-NM Annual Awards of Excellence Competition and ABC-NM's Excellence in Construction Awards. The Facilities Program also undertook a number of important renovation and construction projects:
    - » Aztec (construction/retrofit): Addition of third courtroom, large conference/jury assembly room, holding cells, ancillary offices, and secure enclosed parking for judges and staff. Retrofit of existing building included expansion of archive room, state-of-the-art integrated security, voice, and data networks. Facility fully occupied and operational July, 2014.
    - » Portales (design/construction): Collaboration with Roosevelt County on design/construction of new magistrate court facility to connect directly to existing County Detention Center. Design is complete, and construction is scheduled to begin early spring 2015.
    - » Deming (design/retrofit): Interior retrofit to expand courtroom, improve holding area, upgrade security and files management system. Design complete. Project construction to begin January, 2015.



McKinley County Magistrate Court

- » **Mora:** Working with Mora County under a Joint Powers Agreement to assess existing building shell and determine required remediation to existing construction. The next steps include a Master Plan, design for build-out of the shell, and construction.
- o **Audit program** implemented innovative new research and monitoring methods including statewide remittance testing and tracking of bonds posted at detention centers and law enforcement agencies to ensure bonds are accounted for and received by the courts
- o **Magistrate mediation program** made substantial progress including:
  - » Two new pilot programs in Taos and Dona Ana Magistrate courts. Mediators were recruited and trained, and court staff was trained in standardized program management. Taos is mediating cases and Dona Ana will begin mediating cases in January, 2015.
  - » The Clovis Pilot Program is partnering with Portales Magistrate Court to develop a joint program for both courts. Clovis court staff has also been instrumental in developing policies, procedures, and forms for statewide use.
- o The Division has hired 3 statewide operations managers to troubleshoot and provide support to magistrate courts statewide.

Magistrate Court	New Case Filings	Re-opened Cases	Closed Cases	Disposition Rate
Criminal	158867	439	159109	99.88%
Civil	18574	78	20119	107.87%
<b>Total</b>	<b>177441</b>	<b>517</b>	<b>179228</b>	<b>100.71%</b>
Jury Trials				
Criminal			386	
Civil			3	

### *Small Courts Are Important To Rural Residents*

Harding County, New Mexico is located in the northeastern part of the State. As of the 2010 census, the population was 695, making it the least populous county in the state. The Harding County Magistrate Court is also the smallest caseload court in the State.

Like many other single-judge, small caseload courts in the state, the judge regularly travels to other courts in the absence of a sitting judge and also serves on many statewide committees. Small caseload courts in the state also regularly use court video resources to assist other courts and meet time requirements for arraignment of confined defendants saving a significant amount of prisoner transport costs.

The ability to enter cases for other courts through the statewide case management system also allows small caseload courts to assist busier courts while minimizing travel, and keeping smaller courts open to the public.

—The Honorable Karen Mitchell, Harding County Magistrate Judge



*Tamara Roybal, Lanora Velez, Victoria Galvan, Loreen Mendiola, and HR Director Lynette Paulman- Rodriguez.*

## *A Strong and Healthy Judiciary . . .*

While we are proud of our FY14 accomplishments, none of them would have been possible without the dedicated and professional work of our 1859 employees and judges. Our employees are the backbone of the New Mexico Judiciary and our goal is to continue to attract, develop, motivate and retain a qualified workforce within a supportive and dedicated work environment. The Administrative Office of the Court's Human Resources Division (HRD) is critical to our efforts to achieve that goal.

During FY14 the HRD:

- Developed new, and audited current, job descriptions with the Classification Committee
- Drafted a new DWI policy with the Personnel Rules Committee
- Revised the Judicial Branch Personnel Rules
- Provided full human resources support to the AOC which includes the Magistrate Courts
- Provided a comprehensive list of statewide services to all other judicial entities including: position recruitment, pay for performance programs, salary adjustments and compensation initiatives; investigations into claims of harassment, discrimination and retaliation; personnel rule interpretation and legal compliance; salary surveys; alternative pay range adjustments; and personnel budget projections, and
- Provided training and development opportunities to increase employees' professional proficiency in supervisory techniques, and knowledge of critical employment laws

In the coming year, through a partnership with human resource professionals throughout the Judicial Branch, the HRD will continue to explore workforce and training needs including methods to improve employee operations.

## *Builds Strong and Healthy Communities . . .*

Each day our judges and employees arrive at work to serve the people of New Mexico. Away from work, they spend countless hours contributing their time, energy, and expertise to their communities. Whether distributing Halloween candy to children in the state's custody, volunteering on community boards, speaking to local community groups, or teaching high school students about the dangers of drinking and driving members of the Judicial Branch help to create healthy communities.



*Judges, court staff and volunteer lawyers at the Twelfth Judicial District's Law Day call-in program.*



*Dedication and ribbon cutting ceremony for the Judge Steve Herrera Judicial Complex in Santa Fe*



*The Luna County DWI Program and the Luna County Juvenile Drug Court collaborated to raise students' awareness of the serious consequences of drinking and driving.*



**This report was prepared by the Administrative Office of the Courts with special assistance from**

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