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## FISCAL IMPACT REPORT

**BILL NUMBER:** Senate Bill 35

**SHORT TITLE:** Create Addition 1st District Judgeship

**SPONSOR:** Trujillo/Wirth

**LAST ORIGINAL**  
**UPDATE:** \_\_\_\_\_ **DATE:** 2/3/26 **ANALYST:** Jacobs

**APPROPRIATION\***  
(dollars in thousands)

FY26	FY27	Recurring or Nonrecurring	Fund Affected
	\$451.4	Recurring	General Fund

\*Amounts reflect most recent analysis of this legislation.

### Sources of Information

LFC Files

Agency or Agencies Providing Analysis

Administrative Office of the Courts

Administrative Office of the District Attorneys

Public Defender Department

New Mexico Sentencing Commission

## SUMMARY

### Synopsis of Senate Bill 35

Senate Bill 35 (SB35) amends Section 34-6-4 NMSA 1978 to create an additional district judge position in the First Judicial District Court. SB35 appropriates \$451.4 thousand from the general fund to the First Judicial District Court for the purpose of funding a new civil court judgeship, including salaries and benefits for the judge and staff, furniture, equipment, and supplies.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, which is May 20, 2026.

## FISCAL IMPLICATIONS

The appropriation of \$451.4 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY27 shall revert to the general fund.

According to the Administrative Office of the Courts (AOC), the appropriation would pay for the additional civil court judge, a court monitor, and a trial court assistant.

The Administrative Office of the District Attorneys (AODA) reports the First Judicial District Attorney would need two more attorneys and corresponding staff to cover the new judicial position.

## **SIGNIFICANT ISSUES**

AOC provides the following:

The FJDC's civil caseload is substantial, not just due to filing volume but also case complexity. Data shows that wrongful death, medical malpractice and other complex claims increased significantly over the past five years in the FJDC.

There are 228 active pending cases in Division VI that are older than 600 days, and many of these are wrongful death or medical malpractice cases. 80, or 35 percent, of these cases involve state government litigation and/or a personal representative from another jurisdiction. Debt and money due cases are trending steeply higher following COVID and are anticipated to return to pre-COVID levels in the near future.

Finally, FJDC is in the rulemaking cycle to adopt a CMO for criminal matters because time to disposition in those matters is high. Trials are expected to increase as the FJDC implements this docket management tool. Due to both workload and limited docket flexibility, FJDC requires an additional judge.

## **PERFORMANCE IMPLICATIONS**

The additional judgeship would improve the first judicial district's civil court by hearing cases and issuing final decisions at a faster rate.

HJ/ct/cf