

AN ACT

RELATING TO COURTS; CREATING ADDITIONAL DISTRICT,  
METROPOLITAN AND MAGISTRATE JUDGESHIIPS; PROVIDING FOR  
ADDITIONAL RESOURCES FOR DISTRICT ATTORNEYS AND PUBLIC  
DEFENDERS; MAKING APPROPRIATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-6-6 NMSA 1978 (being Laws 1968,  
Chapter 69, Section 9, as amended) is amended to read:

"34-6-6. JUDGES--THIRD JUDICIAL DISTRICT.--There shall  
be seven district judges in the third judicial district."

Section 2. Section 34-6-9 NMSA 1978 (being Laws 1968,  
Chapter 69, Section 12, as amended) is amended to read:

"34-6-9. JUDGES--SIXTH JUDICIAL DISTRICT.--There shall  
be three district judges in the sixth judicial district. The  
judge of division one shall reside and maintain his principal  
office in Grant county."

Section 3. Section 34-6-14 NMSA 1978 (being Laws 1968,  
Chapter 69, Section 17, as amended by Laws 1995, Chapter 178,  
Section 3 and also by Laws 1995, Chapter 179, Section 1) is  
amended to read:

"34-6-14. JUDGES--ELEVENTH JUDICIAL DISTRICT.--There  
shall be eight district judges in the eleventh judicial  
district. The judges of divisions one, three, four, six,  
seven and eight shall reside and maintain their principal

offices in San Juan county. The judges of divisions two and five shall reside and maintain their principal offices in McKinley county. "

Section 4. Section 34-6-16 NMSA 1978 (being Laws 1971, Chapter 52, Section 3, as amended) is amended to read:

"34-6-16. JUDGES--THIRTEENTH JUDICIAL DISTRICT.--There shall be six district judges in the thirteenth judicial district. The judges of divisions one, three and six shall reside and maintain their principal offices in Valencia county. The judges of divisions two and five shall reside and maintain their principal offices in Sandoval county. The judge of division four shall reside and maintain his principal office in Cibola county. "

Section 5. Section 34-8A-4.1 NMSA 1978 (being Laws 1981, Chapter 318, Section 2, as amended) is amended to read:

"34-8A-4.1. METROPOLITAN COURT JUDGES--TERMS OF OFFICE--ELECTION.--

A. The elected term of office for each judge of the metropolitan court is four years.

B. Any person appointed to fill a vacancy on the metropolitan court after January 1, 1989 shall serve until the next general election. That person's successor shall be chosen at that general election and shall hold the office until the general election four years later.

C. Judges of the Bernalillo county metropolitan

court for divisions thirteen, fourteen and fifteen shall be appointed and shall serve until the 1992 general election. Their successors shall be chosen at that general election and shall hold office until the general election four years later. Additional judges shall be appointed and elected pursuant to Article 6 of the constitution of New Mexico.

D. A judge of the Bernalillo county metropolitan court for division sixteen shall be appointed and shall serve until the 2000 general election. His successor shall be chosen at that general election and shall hold office until the general election four years later.

E. A judge of the Bernalillo county metropolitan court for division seventeen shall be appointed and shall serve until the 2002 general election. His successor shall be chosen at that general election and shall hold office until the general election four years later.

F. A judge of the Bernalillo county metropolitan court for division eighteen shall be appointed and shall serve until the 2002 general election. His successor shall be chosen at the general election and shall hold office until the general election four years later."

Section 6. Section 35-1-6 NMSA 1978 (being Laws 1968, Chapter 62, Section 8, as amended) is amended to read:

"35-1-6. MAGISTRATE COURT--CHAVES DISTRICT.-- There shall be three magistrates in Chaves magistrate district,

divisions 1, 2 and 3 operating as a single court in Roswell."

Section 7. Section 35-1-10 NMSA 1978 (being Laws 1968, Chapter 62, Section 12, as amended) is amended to read:

"35-1-10. MAGISTRATE COURT--DONA ANA DISTRICT.--There shall be six magistrates in Dona Ana magistrate district. Divisions 1, 2, 3, 4, 5 and 6 shall operate as a single court in Las Cruces and shall rotate riding circuit to Anthony and Hatch on a regularly scheduled basis."

Section 8. Section 35-1-29 NMSA 1978 (being Laws 1968, Chapter 62, Section 31, as amended) is amended to read:

"35-1-29. MAGISTRATE COURT--SANTA FE DISTRICT.--There shall be four magistrates in Santa Fe magistrate district, divisions 1, 2, 3 and 4 operating as a single court in Santa Fe; however, one magistrate shall ride circuit to Pojoaque on a regularly scheduled basis."

Section 9. Section 35-1-23 NMSA 1978 (being Laws 1968, Chapter 62, Section 25, as amended) is amended to read:

"35-1-23. MAGISTRATE COURT--QUAY DISTRICT.--There shall be two magistrates in Quay magistrate district, division 1 in Tucumcari and division 2 in San Jon."

Section 10. TEMPORARY PROVISION--DISTRICT AND METROPOLITAN JUDGESHI PS--APPOINTMENTS.--The additional district and metropolitan judgeships provided for in this act shall be filled by appointment by the governor pursuant to the

provisions of Article 6 of the constitution of New Mexico for terms beginning July 1, 2001.

Section 11. TEMPORARY PROVISION--MAGISTRATE COURTS--  
APPOINTMENT AND ELECTION.--The additional magistrate judgeships provided for in this act shall be filled by appointment by the governor. The appointed magistrates shall begin serving on July 1, 2001 and shall serve until succeeded by magistrates elected at the general election in 2002. The elected magistrates' terms of office shall begin on January 1, 2003.

Section 12. APPROPRIATIONS.--

A. The following amounts are appropriated from the general fund to the following agencies for expenditure in fiscal year 2002 for the following purposes in the third judicial district:

(1) two hundred seventy-one thousand four hundred dollars (\$271,400) to the third judicial district court to provide salaries and benefits and furniture, supplies and equipment for one additional judge and support staff;

(2) one hundred ninety-three thousand seven hundred dollars (\$193,700) to the third judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to increased district court workload; and

(3) two hundred thousand two hundred dollars (\$200,200) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional public defender attorneys and support staff and to provide for costs of contract and conflict counsel due to increased district court workload.

B. The following amounts are appropriated from the general fund to the following agencies for expenditure in fiscal year 2002 for the following purposes in the sixth judicial district:

(1) two hundred seventy-one thousand four hundred dollars (\$271,400) to the sixth judicial district court to provide salaries and benefits and furniture, supplies and equipment for one additional judge and support staff;

(2) one hundred fifty-one thousand dollars (\$151,000) to the sixth judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to increased district court workload; and

(3) fifty thousand dollars (\$50,000) to the public defender department to pay costs of contract and conflict counsel due to increased district court workload.

C. The following amounts are appropriated from the general fund to the following agencies for expenditure in

fiscal year 2002 for the following purposes in the eleventh judicial district:

(1) five hundred forty-two thousand eight hundred dollars (\$542,800) to the eleventh judicial district court to provide salaries and benefits and furniture, supplies and equipment for two additional judges and support staff;

(2) one hundred twenty thousand six hundred dollars (\$120,600) to the eleventh judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to increased district court workload; and

(3) one hundred eighty-five thousand two hundred dollars (\$185,200) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional public defender attorneys and support staff and to provide for costs of contract and conflict counsel due to increased district court workload.

D. The following amounts are appropriated from the general fund to the following agencies for expenditure in fiscal year 2002 for the following purposes in the thirteenth judicial district:

(1) two hundred seventy-one thousand four hundred dollars (\$271,400) to the thirteenth judicial district court to provide salaries and benefits and

furniture, supplies

and equipment for one additional judge and support staff;

(2) ninety-nine thousand four hundred dollars (\$99,400) to the thirteenth judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to increased workload in division one; and

(3) sixty thousand dollars (\$60,000) to the public defender department to pay costs of contract and conflict counsel due to increased district court workload.

E. The following amounts are appropriated from the general fund to the following agencies for expenditure in fiscal year 2002 for increased costs in the Bernalillo county metropolitan court:

(1) two hundred fifty-eight thousand two hundred dollars (\$258,200) to the Bernalillo county metropolitan court to provide salaries and benefits and furniture, supplies and equipment for a judge and support staff in division seventeen;

(2) two hundred fifty-eight thousand two hundred dollars (\$258,200) to the Bernalillo county metropolitan court to provide salaries and benefits and furniture, supplies and equipment for a judge and support staff in division eighteen;

(3) one hundred fifty-six thousand five

hundred dollars (\$156,500) to the second judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to increased metropolitan court workload; and

(4) three hundred eight thousand eight hundred dollars (\$308,800) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional public defender attorneys and support staff and to provide for costs of contract and conflict counsel due to increased metropolitan court workload.

F. The following amounts are appropriated from the general fund to the following agencies for expenditure in fiscal year 2002 for costs associated with additional magistrate judges in Chaves, Dona Ana and Santa Fe magistrate districts:

(1) to the administrative office of the courts:

(a) ninety-four thousand four hundred dollars (\$94,400) to provide salaries and benefits and furniture, supplies and equipment for one additional magistrate in the Chaves magistrate district;

(b) one hundred eighty-eight thousand seven hundred dollars (\$188,700) to provide salaries and benefits and furniture, supplies and equipment for two

additional magistrates in the Dona Ana magistrate district;  
and

(c) ninety-four thousand four hundred dollars (\$94,400) to provide salaries and benefits and furniture, supplies and equipment for one additional magistrate in the Santa Fe magistrate district;

(2) seventy-five thousand four hundred dollars (\$75,400) to the fifth judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to the increased workload in the Chaves magistrate court;

(3) eighty-seven thousand one hundred dollars (\$87,100) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional public defender attorneys and support staff and to provide for costs of contract and conflict counsel due to increased workload in the Chaves magistrate court;

(4) two hundred forty-five thousand four hundred dollars (\$245,400) to the third judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to the increased workload in the Dona Ana magistrate court;

(5) two hundred thirty-five thousand five hundred dollars (\$235,500) to the public defender department

to provide salaries and benefits and furniture, supplies and equipment for additional public defender attorneys and support staff and to provide for costs of contract and conflict counsel due to increased workload in the Dona Ana magistrate court;

(6) seventy-six thousand six hundred dollars (\$76,600) to the first judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to the increased workload in the Santa Fe magistrate court; and

(7) ninety-five thousand dollars (\$95,000) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional public defender attorneys and support staff and to provide for costs of contract and conflict counsel due to increased workload in the Santa Fe magistrate court.

G. Any unexpended or unencumbered balance remaining from any of the appropriations in this section at the end of fiscal year 2002 shall revert to the general fund.

**Section 13. TEMPORARY PROVISION--QUAY MAGISTRATE DISTRICT DIVISION 2--APPOINTMENT--ELECTION.--**

A. The office of magistrate in Quay magistrate district division 2 shall be filled by appointment by the governor to begin serving on July 1, 2001. The appointed magistrate shall serve until his successor has been elected

