

THIRD JUDICIAL DISTRICT ATTORNEY'S OFFICE

Case Management Order &
Other District Attorney Issues



Presented by:
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OUR TEAM



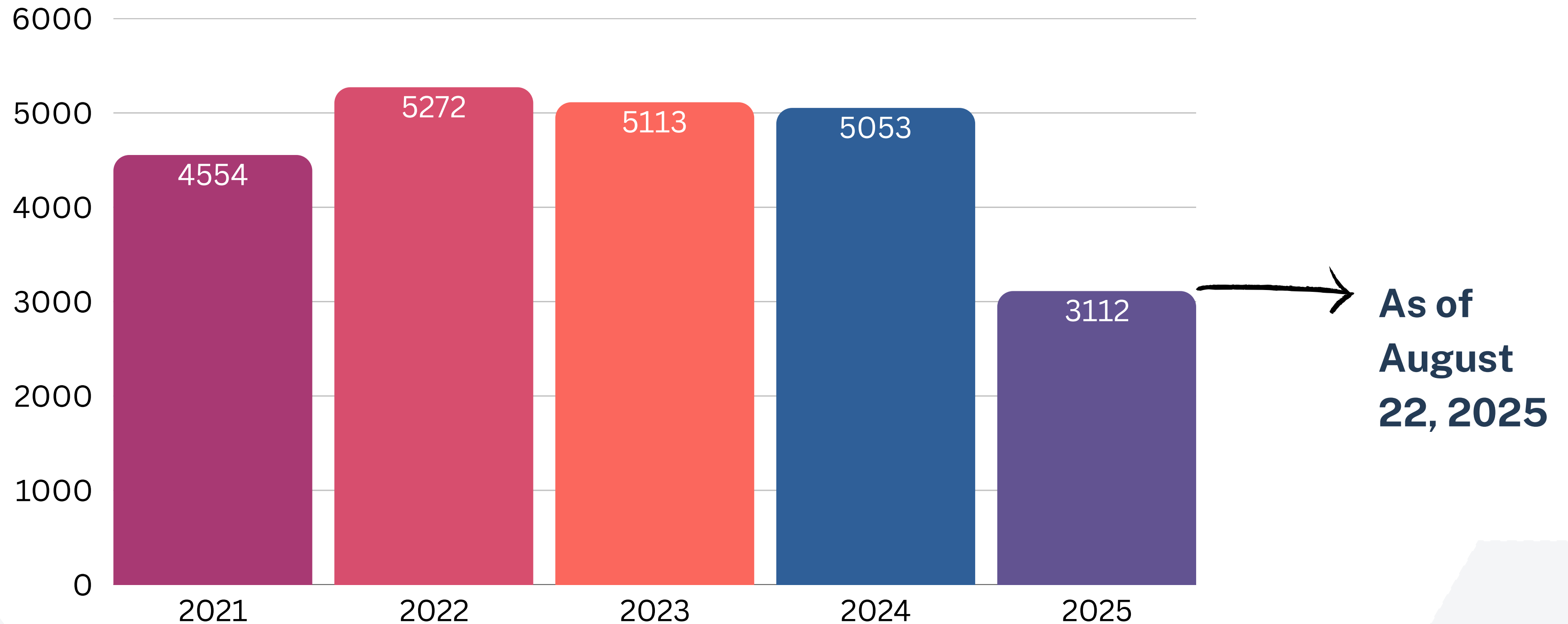
**CASES PENDING
GRAND JURY
IN JANUARY 2025**

1,600 +

CASES CURRENTLY PENDING GRAND JURY

938

CASES OPENED BY CALENDAR YEAR



CASES DISMISSED DUE TO LR3-303

700 +

Since implementation of case
management orders in July 2023

DOMESTIC VIOLENCE CASES

TOTAL CASES CLOSED: 831

**389 CASES DISMISSED DUE TO LACK OF
LAW ENFORCEMENT ENGAGEMENT**

**310 DISMISSED DUE TO LACK OF
COOPERATION BY VICTIM/WITNESS**

29 SUCCESSFULLY COMPLETED

FELONY DOMESTIC VIOLENSE CASES

ALL 2024

173

Felony Domestic Violence - Aggravated Battery & Assault related cases filed.

110

cases were closed due to lack of law enforcement or witness participation

20

cases were successfully adjudicated.

DWI CASES

TOTAL CASES CLOSED: 641

**205 CASES EXCLUDED DUE TO
LACK OF COOPERATION**

**235 SUCCESSFULLY
COMPLETED**

CHALLENGES UNDER NMSC RULE LR3-303

- **Stricter**

LR3-303 is much stricter and more specific than the general NMRA rules. It imposes hard deadlines, track-based trial schedules, mandatory early hearings, and strict sanctions for failure to comply.

- **“Pilot Program”**

LR3-303 is identified as a pilot project. There should be a more in-depth review of its impacts. There is no evaluation period built in to review effectiveness.

CHALLENGES UNDER NMSC RULE LR3-303

- **Arraignments**

An individual must be arraigned within 15 days, if out of custody - or 7 days if in custody.

- **Witness List**



Once the initial list is filed, there is little flexibility to amend the witness list past the deadline.

- **Status Conference**

Eliminate initial status conference. Track determination could be made via email. Save time and cases.

ARRAIGNMENT CHALLENGES

- Arraignment scheduling, caps, and tight deadlines lead to administrative conflicts.
- 60-80+ notices have to be sent out to both defendants and defense attorneys.

SUN	MON	TUES	WED	THUR	FRI	SAT
		GRAND JURY	PRELIM 1	2	3	4
5		7	8	9	10	11
12		14	15			

CHALLENGES UNDER NMSC RULE LR3-303

- **Pre-Trial Interviews**

One missed PTI can lead to dismissal of the case.
No allowance for second interview

- **Discovery**

More flexibility in discovery deadlines.
15 Days after arraignment.

The District Attorney does not have direct control over law enforcement agencies that provide nearly all of the evidence.

OTHER ISSUES

- **Hazard Pay for Prosecutors**
- **Retention & Recruitment Funds**
- **Expanding Attorney Pool for Prosecutors**
- **Underutilization of Treatment Courts**
- **Financial Sanctions of Attorneys**
- **Pay Equity Between District Attorneys & District Judges**

THANK YOU



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