

District courts, on the other hand, do not have minimum statewide standards because they are funded by county governments, not the state.

2. It is suggested that the Supreme Court develop district court standards first, and then conduct a court facilities improvement study in order to identify deficiencies—not the other way around. Without such standards, there is no mechanism in place to define what is “deficient” at a courthouse.
3. a) Since counties are responsible for the funding and maintenance of district court buildings, it is suggested that they are included in the process; county officials need to “buy in” to the idea of conducting a study of the courthouses for which they are responsible. If not, potential conflicts may develop.

b) The State could ask the counties to pay half the cost of the study for district courthouses in their county. It is unclear why the state’s general fund should bear the full costs. In any case, sharing the cost with the State would demonstrate the willingness of the counties to “accept” the findings of the study. Without their acceptance, any facility study, despite the cost, would be meaningless if a county is not willing to review the results, to renovate as requested, to effectuate the necessary repairs or to provide adequate spacing.
4. The Judiciary should consider consulting with the General Services Department (GSD) to enlist its help and expertise with this project. GSD is responsible for office space management oversight, building design and construction management. Collaborating with GSD may also defray the costs of the proposed facility study.

FISCAL IMPLICATIONS

The appropriation of \$1,500.0 contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY04 shall revert to the general fund.

Even though there are 13 judicial districts in New Mexico, several of those districts encompass more than one county. As a result, there are actually 34 district courts throughout the state. The cost for evaluating each court pursuant to this act is \$46,875.*

(*The calculation does not include the 2nd Judicial District Court since it just moved into a new courthouse nor does it include the 6th District which conducted its own facilities study last year.)

ADMINISTRATIVE IMPLICATIONS

The AOC has stated that there would be minimal administrative impact as a result of this legislation.

POSSIBLE QUESTIONS

1. Since the 6th Judicial District Court spent \$60.0 last year on its own court facility study, are the results of its report being used to develop standards or evaluate other court facilities? What were the results of the 6th district’s study?

CH/njw