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FISCAL IMPACT REPORT

SPONSOR: Aragon DATE TYPED: 02/25/03 HB _____

SHORT TITLE: District Court Facilities Standards SB 840

ANALYST: Hayes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB 145

SOURCES OF INFORMATION

Administrative Office of the Courts (AOC)
Facility Standards for Magistrate Courts in New Mexico

SUMMARY

Synopsis of Bill

Currently, Section 34-6-24 NMSA 1978 states that “Each board of county commissioners shall provide adequate quarters for the operation of the district court... and provide necessary utilities and maintenance service for the operation and upkeep of district court facilities.”

Senate Bill 840 amends this Section to include that “The supreme court shall adopt district court facility standards for adequacy of court facilities, including security and technology infrastructure.”

Significant Issues

1. The phrase “adequate quarters” has different interpretations in different counties. Some counties well-maintain the courthouse in their district; others do not. Some district courthouse buildings in the state have even received building code violations because they do not meet minimum code requirements.
2. In order to standardize the notion of “adequate quarters,” this legislation is directing the

Supreme Court to develop district court facility standards to ensure consistent, safe and efficient courthouse facilities around the state.

3. The magistrate courts have a document entitled *Facility Standards for Magistrate Courts in New Mexico* approved by the New Mexico Supreme Court. It details minimum standards for square footage and space allocation, sound proofing for walls, security features, parking, signage, bathrooms, design elements and “circulation paths.” The standards are meant to facilitate the process of identifying a court’s needs and the eventual acquisition or renovation of space used by the magistrate courts. In addition, these standards take into consideration materials provided by the National Center for State Courts (NCSC).
4. Magistrate courts are funded through the state. District courts do not have minimum statewide standards because they are funded by individual county governments.

FISCAL IMPLICATIONS

There is no appropriation associated with this bill; however, SB 840 could have an impact on counties in the future, depending on the facilities standards that are adopted by the Supreme Court and the extent to which certain counties may need to upgrade, renovate, expand or do repair work to the courthouse in their districts in order to meet the standards. As a result, it is suggested that the counties be included in the development of the facility standards. If not, potential conflicts may ensue.

CMH/sb