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HOUSE JOINT MEMORIAL 28

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Thomas E. Swisstack

A JOINT MEMORIAL

REQUESTING THE PUBLIC DEFENDER DEPARTMENT AND THE NEW MEXICO DISTRICT ATTORNEYS ASSOCIATION TO STUDY THE FEASIBILITY OF A TWENTY-YEAR RETIREMENT PLAN FOR ASSISTANT PUBLIC DEFENDERS AND ASSISTANT DISTRICT ATTORNEYS.

WHEREAS, during testimony before the interim corrections oversight and justice committee in November 2003, the public defender department and the New Mexico district attorneys association advised the committee of their mutual difficulty in recruiting and retaining newly graduated lawyers; and

WHEREAS, there are graduates who are keenly interested in public law practice, but entry-level salaries for those jobs are not competitive with salaries for legal jobs in the private sector; and

WHEREAS, young lawyers who do accept public sector jobs

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1 often use those positions as a training ground and soon move on
2 to private practice; and

3 WHEREAS, it was suggested during the November 2003
4 committee hearing that a twenty-year retirement plan for
5 assistant public defenders and assistant district attorneys
6 might serve as an attractive incentive for young lawyers to
7 pursue a long-term career in government service;

8 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
9 STATE OF NEW MEXICO that the public defender department and the
10 New Mexico district attorneys association be requested to study
11 the feasibility of a twenty-year retirement plan for assistant
12 public defenders and assistant district attorneys; and

13 BE IT FURTHER RESOLVED that the public defender department
14 and the New Mexico district attorneys association seek an
15 actuarial study regarding the expense of a twenty-year
16 retirement plan from the public employees retirement
17 association; and

18 BE IT FURTHER RESOLVED that the public defender department
19 and the New Mexico district attorneys association report their
20 findings, including the expense of a twenty-year retirement
21 plan, to the interim corrections oversight and justice
22 committee no later than November 1, 2004; and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the chief public defender and the president of
25 the New Mexico district attorneys association.