

SENATE JOINT MEMORIAL 22

47th legislature - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

H. Di ane Snyder

FOR THE CORRECTIONS OVERSIGHT, COURTS AND JUSTICE COMMITTEE

A JOINT MEMORIAL

REQUESTING THE ADMINISTRATIVE OFFICE OF THE COURTS, THE ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS AND THE NEW MEXICO ASSOCIATION OF COUNTIES TO STUDY THE STATUTORY REQUIREMENTS THAT COUNTIES PROVIDE FACILITIES FOR DISTRICT COURTS AND DISTRICT ATTORNEYS.

WHEREAS, New Mexico counties are required to provide adequate quarters for the operation of the district courts, including juvenile probation services, and district attorneys and to provide necessary utilities and maintenance service for the operation and upkeep of the district court and district attorney facilities; and

WHEREAS, "adequate quarters" and "necessary utilities and maintenance service" are not defined in statute and this lack of clear definition has led to confusion and lawsuits between .152559.1

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

the courts and the counties in trying to determine the respective financial responsibilities of the counties and the state; and

WHEREAS, both the counties and the state would benefit from clear definitions or guidelines that would detail the financial responsibilities of the counties and the state;

NOW. THEREFORE. BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the administrative office of the courts, the administrative office of the district attorneys and the New Mexico association of counties be requested to study the requirement that counties provide adequate quarters and necessary utilities and maintenance service for district court and district attorney facilities; and

BE IT FURTHER RESOLVED that the administrative office of the courts, the administrative office of the district attorneys and the New Mexico association of counties develop a clear definition of "adequate quarters" and "necessary utilities and maintenance service" or develop guidelines detailing the respective responsibilities of the counties and the state; and

BE IT FURTHER RESOLVED that the administrative office of the courts, the administrative office of the district attorneys and the New Mexico association of counties report their findings to the corrections oversight, courts and justice committee no later than November 30, 2005; and

BE IT FURTHER RESOLVED that copies of this memorial be

. 152559. 1

transmitted to the administrative office of the courts, the administrative office of the district attorneys and the New Mexico association of counties.

- 3 -