

1 SENATE BILL 487

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Lisa A. Torraco

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10 AN ACT

11 RELATING TO METROPOLITAN COURTS; CHANGING APPEALS FOR CERTAIN
12 CONVICTIONS.

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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. Section 34-8A-6 NMSA 1978 (being Laws 1979,
16 Chapter 346, Section 6, as amended) is amended to read:

17 "34-8A-6. METROPOLITAN COURT--RULES--APPEAL.--

18 A. The supreme court shall adopt separate rules of
19 procedure for the metropolitan courts. The rules shall provide
20 simple procedures for the just, speedy and inexpensive
21 determination of any metropolitan court action.

22 B. The metropolitan court is a court of record for
23 civil actions. Any party aggrieved by a judgment rendered by
24 the metropolitan court in a civil action may appeal to the
25 district court of the county in which the metropolitan court is

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1 located within fifteen days after the judgment was rendered.
2 The manner and method for the appeal shall be set forth by
3 supreme court rule.

4 C. The metropolitan court is a court of record for
5 criminal actions involving driving while under the influence of
6 intoxicating [~~liquors~~] liquor or drugs or involving domestic
7 violence. A criminal action involving domestic violence means
8 an assault or battery under any state law or municipal or
9 county ordinance in which the alleged victim is a household
10 member as defined in the Family Violence Protection Act. Any
11 party aggrieved by a judgment rendered by the metropolitan
12 court in a criminal action involving driving while under the
13 influence of intoxicating [~~liquors~~] liquor or drugs or
14 involving domestic violence may appeal to the [~~district~~] court
15 of [~~the county in which the metropolitan court is located~~]
16 appeals within fifteen days after the judgment was rendered.
17 The manner and method of appeal shall be set forth by supreme
18 court rule.

19 D. The metropolitan court is not a court of record
20 for criminal actions other than driving while under the
21 influence of intoxicating [~~liquors~~] liquor or drugs or domestic
22 violence actions. Any party aggrieved by a judgment rendered
23 by the metropolitan court in a criminal action, other than
24 driving while under the influence of intoxicating [~~liquors~~]
25 liquor or drugs or domestic violence action, may appeal to the

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1 district court of the county in which the metropolitan court is
2 located within fifteen days after the judgment was rendered.
3 The appeal shall be de novo.

4 E. All judgments rendered in civil actions in the
5 metropolitan court shall be subject to the same provisions of
6 law as those rendered in district court."

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