

HOUSE BILL 279

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

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Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

ENDORSED BY THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO COURTS; PROVIDING THAT ON-RECORD PROCEEDINGS IN METROPOLITAN COURTS MAY BE APPEALED DIRECTLY TO THE COURT OF APPEALS.

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

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

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

A. The supreme court shall adopt separate rules of procedure for the metropolitan courts. The rules shall provide

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simple procedures for the just, speedy and inexpensive determination of any metropolitan court action.

B. SJC→~~The~~←SJC SJC→Other than for actions brought pursuant to the Uniform Owner-Resident Relations Act, the←SJC metropolitan court is a court of record for civil actions. Any party aggrieved by a judgment rendered by the metropolitan court in a civil action may appeal to the [~~district court of the county in which the metropolitan court is located within fifteen days after the judgment was rendered~~] court of appeals. The manner and method for the appeal shall be set forth by supreme court rule.

SJC→C. The metropolitan court is not a court of record for civil actions brought pursuant to the Uniform Owner-Resident Relations Act. Any party aggrieved by a judgment rendered by the metropolitan court in a civil action brought pursuant to the Uniform Owner-Resident Relations Act may appeal to the district court of the county in which the metropolitan court is located within fifteen days after the judgment was rendered. The appeal shall be de novo.←SJC

SJC→~~C.~~ D.←SJC The metropolitan court is a court of record for criminal actions involving driving while under the influence of intoxicating [~~liquors~~] liquor or drugs or involving domestic violence. A criminal action involving domestic violence means an assault or battery under any state law or municipal or county ordinance in which the alleged

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victim is a household member as defined in the Family Violence Protection Act. Any party aggrieved by a judgment rendered by the metropolitan court in a criminal action involving driving while under the influence of intoxicating [~~liquors~~] liquor or drugs or involving domestic violence may appeal to the [~~district court of the county in which the metropolitan court is located within fifteen days after the judgment was rendered]~~ court of appeals. The manner and method of appeal shall be set forth by supreme court rule.

SJC→~~D.~~ **E.**←SJC The metropolitan court is not a court of record for criminal actions other than driving while under the influence of intoxicating [~~liquors~~] liquor or drugs or domestic violence actions. Any party aggrieved by a judgment rendered by the metropolitan court in a criminal action, other than driving while under the influence of intoxicating [~~liquors~~] liquor or drugs or domestic violence action, may appeal to the district court of the county in which the metropolitan court is located within fifteen days after the judgment was rendered. The appeal shall be de novo.

SJC→~~E.~~ **F.**←SJC All judgments rendered in civil actions in the metropolitan court shall be subject to the same provisions of law as those rendered in district court."