

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT

RELATING TO COURTS; ALLOWING COLLECTION OF FEES AND COSTS BY
A MAGISTRATE ACTING IN ANOTHER MAGISTRATE DISTRICT BY
DESIGNATION.

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

Section 1. Section 35-3-6 NMSA 1978 (being Laws 1968,
Chapter 62, Section 51, as amended) is amended to read:

"35-3-6. JURISDICTION--TERRITORIAL LIMITS.--

A. The territorial jurisdiction of a magistrate is
coextensive with the magistrate district in which the
magistrate serves. A magistrate also has jurisdiction in any
criminal action involving violation of a law relating to
motor vehicles arising in a magistrate district adjoining at
any point that in which the magistrate serves and within
magistrate trial jurisdiction; provided that the defendant is
entitled to a change of venue to the district where the cause
of action arose if the defendant so moves at, or within
fifteen days after, arraignment.

B. A magistrate has jurisdiction to sit in any
action arising in any other magistrate district when
designated for a specific period of time by a district judge
because of the unavailability of a magistrate in that
magistrate district. A magistrate acting in another
magistrate district by designation pursuant to this

1 subsection shall include the cases heard by designation in
2 the magistrate's own reports to the administrative office of
3 the courts, indicating on the reports that the magistrate's
4 jurisdiction is by designation.

5 C. In a criminal action in which a magistrate has
6 territorial jurisdiction over the offense pursuant to this
7 section, the magistrate court has personal jurisdiction over
8 the defendant for the purpose of service of process upon the
9 defendant wherever the defendant resides or may be found
10 within the state.

11 D. In a civil action arising within the
12 magistrate's territorial jurisdiction, the magistrate court
13 has personal jurisdiction over the defendant for the purpose
14 of service of process upon the defendant wherever the
15 defendant resides or may be found within the state.

16 E. The territorial limitations of magistrate court
17 jurisdiction shall not apply to actions to enforce judgments
18 entered in the magistrate district and writs issued in aid of
19 those actions."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25