

1 AN ACT

2 RELATING TO MAGISTRATE COURTS; ELIMINATING CIRCUITS IN THE
3 COLFAX, GUADALUPE, LEA AND QUAY MAGISTRATE DISTRICTS; MOVING
4 THE THOREAU DIVISION TO GALLUP IN THE MCKINLEY DISTRICT;
5 ELIMINATING A DIVISION IN THE LEA MAGISTRATE DISTRICT.

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

8 Section 1. Section 35-1-7 NMSA 1978 (being Laws 1968,
9 Chapter 62, Section 9, as amended) is amended to read:

10 "35-1-7. MAGISTRATE COURT--COLFAX DISTRICT.--There
11 shall be two magistrates in Colfax magistrate district,
12 division 1 in Raton and division 2 in Springer."

13 Section 2. Section 35-1-13 NMSA 1978 (being Laws 1968,
14 Chapter 62, Section 15, as amended) is amended to read:

15 "35-1-13. MAGISTRATE COURT--GUADALUPE DISTRICT.--There
16 shall be one magistrate in Guadalupe magistrate district
17 whose principal court is in Santa Rosa."

18 Section 3. Section 35-1-16 NMSA 1978 (being Laws 1968,
19 Chapter 62, Section 18, as amended) is amended to read:

20 "35-1-16. MAGISTRATE COURT--LEA DISTRICT.--

21 A. Through December 31, 2010, there shall be five
22 magistrates in Lea magistrate district, division 1 in
23 Lovington, divisions 2 and 5 operating as a single court in
24 Hobbs, division 3 in Eunice and division 4. The division 3
25 magistrate shall ride circuit to Jal on a regularly scheduled

1 basis and shall ride circuit to Hobbs as needed. The
2 division 4 magistrate shall ride circuit to Lovington, Hobbs
3 and Eunice.

4 B. On January 1, 2011, there shall be four
5 magistrates in the Lea magistrate district, divisions 1 and 2
6 operating as a single court in Hobbs, division 3 in Eunice
7 and division 4 in Lovington. The division 3 magistrate shall
8 ride circuit to Jal on a regularly scheduled basis and shall
9 ride circuit to Hobbs as needed.

10 C. Magistrate judges shall not be elected at large
11 from the district but shall be elected by the voters of the
12 division for which the magistrate sits. Magistrate judges
13 shall reside in their divisions but shall have district-wide
14 jurisdiction. For the 2010 and subsequent elections, the
15 composition of the divisions for elections and residence
16 purposes is as follows:

17 (1) division 1 is composed of Lea county
18 precincts 23 through 30, 32 and 41 through 43;

19 (2) division 2 is composed of Lea county
20 precincts 33 through 35, 44, 51 through 55 and 61;

21 (3) division 3 is composed of Lea county
22 precincts 20, 22, 31, 36, 62 and 71 through 74; and

23 (4) division 4 is composed of Lea county
24 precincts 2, 3, 10 through 18 and 21."

25 Section 4. Section 35-1-20 NMSA 1978 (being Laws 1968,

1 Chapter 62, Section 22, as amended) is amended to read:

2 "35-1-20. MAGISTRATE COURT--MCKINLEY DISTRICT.--There
3 shall be three magistrates in McKinley magistrate district,
4 divisions 1, 2 and 3 operating as a single court in Gallup.
5 The division 3 magistrate shall ride circuit to Thoreau."

6 Section 5. Section 35-1-23 NMSA 1978 (being Laws 1968,
7 Chapter 62, Section 25, as amended) is amended to read:

8 "35-1-23. MAGISTRATE COURT--QUAY DISTRICT.--There shall
9 be one magistrate in Quay magistrate district whose principal
10 court is in Tucumcari."

11 Section 6. TEMPORARY PROVISION--CLERK POSITIONS--OTHER
12 RESOURCES.--The magistrate court clerk positions assigned to
13 the magistrate courts shall not be decreased as a result of
14 this act, but the administrative office of the courts shall
15 reassign positions from the eliminated division in the Lea
16 district to other magistrate courts. The administrative
17 office of the courts shall reassign other resources,
18 including furniture, equipment and supplies, to other
19 magistrate courts as needed.

20 Section 7. EFFECTIVE DATE.--The effective date of the
21 provisions of this act is July 1, 2009. _____

22
23
24
25