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SENATE BILL 150

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Linda M. Lopez

FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO COURTS; ALLOWING THE SUPREME COURT TO SET COPYING FEES CHARGED BY THE APPELLATE COURTS IN THE SAME MANNER AS FOR THE LOWER COURTS.

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

Section 1. Section 34-2-5 NMSA 1978 (being Laws 1933, Chapter 81, Section 1, as amended) is amended to read:

"34-2-5. DOCKET FEES--COLLECTION BY SUPREME COURT CLERK.--The clerk of the supreme court shall collect ~~the following fees:~~

~~A.]~~ in all cases docketed in the court, except those in which statutory exemption exists and those in which the court on showing of poverty may, by order, waive the fee, one hundred twenty-five dollars (\$125), twenty-five dollars (\$25.00) of which shall be deposited in the court automation

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1 fund and ninety-six dollars (\$96.00) of which shall be
2 deposited in the court facilities fund; provided that in cases
3 in which a motion to docket and dismiss an appeal is filed for
4 failure to file a statement of the issues, the fee shall be
5 twenty dollars (\$20.00), ten dollars (\$10.00) of which shall be
6 deposited in the court automation fund and ten dollars (\$10.00)
7 of which shall be deposited in the court facilities fund

8 ~~B. for one copy of files or a record, ten cents~~
9 ~~(\$.10) per folio and for additional copies ordered at the same~~
10 ~~time five cents (\$.05) per folio;~~

11 ~~C. for comparing copies of files or records~~
12 ~~tendered to him, five cents (\$.05) per folio; and~~

13 ~~D. for each certificate, one dollar (\$1.00)]."~~

14 Section 2. Section 34-5-6 NMSA 1978 (being Laws 1966,
15 Chapter 28, Section 6, as amended) is amended to read:

16 "34-5-6. COURT OF APPEALS--FEES AND COSTS.--

17 A. The clerk of the court of appeals shall collect
18 the following fees:

19 docket fee, twenty-five dollars (\$25.00) of
20 which shall be deposited in the court
21 automation fund and one hundred dollars
22 (\$100) of which shall be deposited in
23 the court facilities fund \$125.00
24 docket fee for cases in which a
25 motion to docket and dismiss the

