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HOUSE MEMORIAL 54

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

William "Bill" R. Rehm

A MEMORIAL

REQUESTING AN ESTIMATE OF WORKLOAD AND COST IMPLICATIONS OF
IMPLEMENTING FELONY CASEFLOW MANAGEMENT IMPROVEMENTS IN THE
SECOND JUDICIAL DISTRICT COURT.

WHEREAS, in 2007, the national center for state courts
completed a weighted workload study for New Mexico, calculating
the court, district attorney and public defender demand, based
on the caseload and operational methods at the time of the
study; and

WHEREAS, the conclusion of the workload study was that New
Mexico trial courts needed thirty-one more judges, district
attorneys' offices needed thirty-one more prosecuting attorneys
and the public defender's office needed forty-one more defense
attorneys; and

WHEREAS, New Mexico has undergone significant budget

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1 cutbacks recently that have greatly reduced resources for
2 courts, district attorneys and the public defender; and

3 WHEREAS, these criminal justice agencies have had to
4 employ furloughs and reduction in services to meet budgets, and
5 funding for the number of judges and district and public
6 defender attorneys continues to be limited; and

7 WHEREAS, in 2009, and in light of reduced funding, the
8 national center for state courts completed a study of felony
9 caseload management in the second judicial district court as
10 part of an effort to determine how to use available judges and
11 district and public defender attorneys more efficiently and in
12 such a way as to improve the caseload process; and

13 WHEREAS, among other things, the study recommended that
14 steps be taken to improve the early transmission of police
15 information from law enforcement to the district attorney; to
16 provide an early pre-indictment proceeding for the court, the
17 district attorney and the public defender to triage cases; to
18 use settlement conferences and other means to promote plea
19 dispositions before trial; and to limit unnecessary trial-date
20 continuances; and

21 WHEREAS, a foreseeable consequence of implementing such
22 recommendations is not only that justice will be accomplished
23 sooner in felony cases, but also that there will be fewer
24 scheduled court events; fewer required court appearances per
25 case for attorneys and law enforcement witnesses; less wasted

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1 time for judges, attorneys, law enforcement and their support
2 staffs; shorter defendant jail time pending adjudication; and
3 reduced prisoner transport costs between the metropolitan
4 detention center and the court; and

5 WHEREAS, since the second judicial district court is the
6 busiest in New Mexico, the implementation of the national
7 center for state courts' recommendations would likely improve
8 the use of current resources in the state's largest trial
9 jurisdiction; and

10 WHEREAS, although implementation of the recommendations
11 will presumably create efficiencies that will reduce costs for
12 various criminal justice stakeholders within Bernalillo county,
13 an estimate of precisely how much each of the criminal justice
14 stakeholders can expect to save by collaborating in the
15 implementation of one or more of the 2009 recommendations is
16 still needed to maximize limited resources; and

17 WHEREAS, the national center for state courts has tested
18 and refined a methodology to provide cost-savings estimates to
19 the court and other participating criminal justice stakeholders
20 seeking to maximize their limited resources while improving the
21 level of justice provided to citizens; and

22 WHEREAS, Bernalillo county and the state justice institute
23 have together contributed sufficient funding for the center to
24 provide the cost-savings estimates for each of the 2009
25 recommendations; and

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1 WHEREAS, the court and its partners could use the cost-
2 savings estimates tied to each 2009 recommendation to determine
3 which initiatives, if undertaken, would provide the greatest
4 measure of justice within the limited budgets available to the
5 court and each of the criminal justice agencies; and

6 WHEREAS, the cost study could also be used to illustrate
7 the effect of delay on the public treasuries and the citizens
8 of Bernalillo county and to heighten the urgency in effecting
9 systemic improvements; and

10 WHEREAS, the study would serve as a model for the state,
11 the administrative office of the courts and the administrative
12 office of the district attorneys to apply in assessing the
13 impact of potential improvements in other judicial districts;

14 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
15 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the second
16 judicial district court, the second judicial district attorney,
17 the public defender, the Albuquerque police department, the
18 Bernalillo county metropolitan detention center, the Bernalillo
19 county sheriff's department and the parole board be strongly
20 encouraged to participate in the national center for state
21 courts study, commissioned and directed by the second judicial
22 district court, to estimate the workload and cost implications
23 of implementing felony caseflow management improvements in
24 Bernalillo county; and

25 BE IT FURTHER RESOLVED that copies of this memorial be

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1 transmitted to the New Mexico supreme court; the governor; the
2 administrative office of the courts and the administrative
3 office of the district attorneys for appropriate distribution
4 to the criminal justice stakeholders in Bernalillo county; and
5 the interim legislative courts, corrections and justice
6 committee.

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