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## FISCAL IMPACT REPORT

**SPONSOR** Candelaria/Shendo      **ORIGINAL DATE** 1/28/2019  
**LAST UPDATED** 2/04/19      **HB** \_\_\_\_\_

**SHORT TITLE** Tribal Judges in Judicial Education Center      **SB** 313/aSIAC/aSJC

**ANALYST** Torres

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

|              | FY19 | FY20  | FY21  | 3 Year<br>Total Cost | Recurring or<br>Nonrecurring | Fund<br>Affected |
|--------------|------|-------|-------|----------------------|------------------------------|------------------|
| <b>Total</b> | None | \$6.6 | \$6.6 | \$13.1               | Recurring                    | General<br>Fund  |

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

University of New Mexico (UNM)

Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of SJC Amendment

The Senate Judiciary Committee amendment to Senate Bill 313 strikes language specifying the amount and frequency of one type of judicial education: disposition of driving under the influence cases.

#### Synopsis of SICAC Amendment

The Senate Indian and Cultural Affairs Committee amendment to Senate Bill 313 authorizes the New Mexico Judicial Education Center (JEC) to offer education to tribal judges along with judges working in the state and municipal court system. The amendment does not require tribal judge attendance.

#### Synopsis of Original Bill

The Judicial Education Center is directed by NMSA 34-13-2.B to offer regular education, training, and instruction to New Mexico judges and court staff working in the state court system (including municipal and probate judges, who are employed by local governments). The bill adds tribal court judges to those judges who receive regular judicial education.

## **FISCAL IMPLICATIONS**

The Judicial Education Center (JEC) at the Institute of Public Law (IPL) is wholly funded by fees derived from state court filings, which are deposited in the Judicial Education Fund and appropriated in their entirety to JEC (NMSA 34-13-1). According to JEC, offering relevant judicial education programs to tribal court judges would cost approximately \$6.6 thousand per year or less than 1 percent of JEC funding.

## **SIGNIFICANT ISSUES**

New Mexico's tribal courts serve the state's 23 reservations and pueblos, the population of which comprises about 10 percent of the state's total population. Tribal courts' jurisdiction includes civil and criminal actions arising within the pueblos' and reservations' boundaries. Tribal judges exercise most of the same powers and duties – trial, appellate, and administrative -- within their jurisdictions as do state court judges.

According to AOC, the Supreme Court believes regular judicial education for all judges working within the state benefits all the people of New Mexico and that JEC's work would be positively improved by this bill's authorization of tribal judge training and instruction.

## **AMENDMENTS**

The amendment to SB 313 by the Senate Indian and Cultural Affairs Committee presents no additional financial impact on the New Mexico Judicial Education Center (JEC).

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