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SENATE MEMORIAL 84

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Jacob R. Candelaria

A MEMORIAL

REQUESTING THE ADMINISTRATIVE OFFICE OF THE COURTS AND THE
JUDICIAL EDUCATION CENTER TO STUDY AND REPORT ON ADMINISTRATIVE
LAW JUDGE EDUCATIONAL NEEDS, RESOURCES AND BEST PRACTICES.

WHEREAS, administrative law judges in New Mexico discharge
important responsibilities in the application of law to facts
and the conduct of proceedings involving parties with
substantial interests in the proper outcome of matters
involving money, property and liberty; and

WHEREAS, numerous executive branch agencies and
independent regulatory agencies in New Mexico employ
administrative law judges to conduct proceedings that have
legal significance and depend on administrative law judges to
conduct those proceedings in a proper manner to reach the
appropriate outcome; and

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1 WHEREAS, New Mexico would benefit from an effective means
2 of training administrative law judges in best practices
3 concerning the conduct of proceedings, the application of law
4 to facts, the determination of facts in contested proceedings
5 and the effect of substantive bodies of law on executive branch
6 agency decisions; and

7 WHEREAS, the judicial education center within the
8 institute of public law at the university of New Mexico law
9 school is directed by statute to offer training only to judges
10 and court personnel employed by the judicial branch; and

11 WHEREAS, the judicial education center has expertise in
12 assessing best practices in training and educating judges that
13 would be valuable in determining the proper means of training
14 administrative law judges employed by the executive branch and
15 independent regulatory agencies; and

16 WHEREAS, the administrative office of the courts has
17 expertise in assessing best practices in the training of judges
18 in state and tribal courts and has a working relationship with
19 the judicial education center that enables both the
20 administrative office of the courts and the judicial education
21 center to cooperate in research projects affecting judicial
22 training; and

23 WHEREAS, to determine administrative law judge education
24 and training requirements, a study and assessment by the
25 judicial education center and administrative office of the

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1 courts of needs, resources and options for such education and
2 training and a report of recommendations would be beneficial;

3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
4 OF NEW MEXICO that the administrative office of the courts and
5 judicial education center be requested to study administrative
6 law judge educational needs, resources and best practices
7 during the legislative interim; and

8 BE IT FURTHER RESOLVED that the administrative office of
9 the courts and the judicial education center include
10 representatives of administrative law judges employed in the
11 executive branch and independent regulatory agencies in
12 discussions during preparation of the administrative law judge
13 study; and

14 BE IT FURTHER RESOLVED that the administrative office of
15 the courts and the judicial education center present the
16 administrative law judge study and requests for legislation to
17 address administrative law judge education to the interim
18 committee dealing with courts, corrections and justice issues
19 by October 1, 2019; and

20 BE IT FURTHER RESOLVED that the administrative law judge
21 study be shared with the governor, for transmission to
22 executive branch agencies employing or contracting for the use
23 of administrative law judges, and with independent regulatory
24 agency directors employing or otherwise using administrative
25 law judges; and

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BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the governor, the director of the administrative office of the courts, the director of the judicial education center and the co-chairs of the New Mexico legislative council.