

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BILL

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO COURT ADMINISTRATION; CREATING THE LANGUAGE ACCESS  
FUND TO PROVIDE FOR LANGUAGE ACCESS SERVICES IN THE COURTS.

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

SECTION 1. A new section of Chapter 34, Article 9 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] LANGUAGE ACCESS FUND--CREATED.--

A. There is created in the state treasury the  
"language access fund" to be administered by the administrative  
office of the courts.

B. All balances in the language access fund may be  
expended only upon appropriation by the legislature to the  
administrative office of the courts for the purpose of paying  
the costs of:

- (1) court interpreters;

underscored material = new  
[bracketed material] = delete

underscoring material = new  
~~[bracketed material] = delete~~

1 (2) operating and staffing the New Mexico  
2 center for language access to accomplish its mission to provide  
3 and support programs that will help courts obtain, improve or  
4 increase the availability of language access services;

5 (3) operating and staffing language access  
6 services for the administrative office of the courts;

7 (4) training for the purpose of enhancing  
8 language access services in the courts; and

9 (5) additional activities deemed necessary by  
10 the director of the administrative office of the courts to meet  
11 constitutional and statutory requirements for language access  
12 services in court and for court-related activities.

13 C. All fees and other revenue collected by the New  
14 Mexico center for language access and interest earned on money  
15 in the language access fund shall be credited to the fund.

16 Payments shall be made upon certification by judicial agencies  
17 of eligible amounts. No part of the fund shall revert at the  
18 end of any fiscal year.

19 D. Payments from the language access fund shall be  
20 made upon vouchers issued and signed by the director of the  
21 administrative office of the courts or the director's designee  
22 upon warrants drawn by the secretary of finance and  
23 administration."

24 SECTION 2. Section 34-9-11 NMSA 1978 (being Laws 1993,  
25 Chapter 106, Section 1, as amended) is amended to read:

.202036.1SA

underscored material = new  
[bracketed material] = delete

1 "34-9-11. JURY AND WITNESS FEE FUND CREATED--  
2 ADMINISTRATION--DISTRIBUTION.--

3 A. There is created in the state treasury the "jury  
4 and witness fee fund" to be administered by the administrative  
5 office of the courts.

6 B. All balances in the jury and witness fee fund  
7 may be expended only upon appropriation by the legislature to  
8 the administrative office of the courts for the purpose of  
9 paying the costs of:

- 10 (1) jurors and prospective jurors;
- 11 (2) witnesses of fact or character subpoenaed  
12 by the court, the prosecution or the defense;

- 13 (3) expert witnesses for grand juries and  
14 magistrate courts; and

15 [~~(4) court interpreters; and~~

16 ~~(5)] (4) defending persons whom the court has  
17 ordered the public defender to represent, when those persons do  
18 not meet the public defender's indigency standards.~~

19 C. All jury fees that the courts collect from  
20 parties requesting civil juries, except for jury demand fees as  
21 set forth in Section 35-6-1 NMSA 1978, and interest earned on  
22 money in the jury and witness fee fund shall be credited to the  
23 fund. Payments shall be made upon certification by judicial  
24 agencies of eligible amounts. No part of the fund shall revert  
25 at the end of any fiscal year.

