

**New Mexico Judiciary**  
**Annual Report**  
**2005**



*Working Together to Improve the  
Justice System*

## Annual Message

My term as Chief Justice began with a burst of activity. In January of 2005, Governor Richardson and I organized a summit to discuss the very pressing issue of disposition of DWI cases in our state. The Summit brought together judges, prosecutors, defense attorneys, legislators, and concerned members of the community to air their views and engage in productive dialogue. The Summit sparked fruitful discussion, as well as a spirit of cooperation among the core entities of our criminal justice system.

Following this event, we received an unprecedented eight new judgeships around the state. Effective July 1, 2005, we saw new judgeships created in the second judicial district covering Bernalillo county, the ninth judicial district covering Curry and Roosevelt counties, and the eleventh judicial district covering McKinley and San Juan counties. We also welcomed two additional metropolitan court judgeships in Bernalillo County, and three magistrate judgeships in Sandoval, San Juan and Santa Fe counties. I am very grateful for the overwhelming support from the Governor and from the legislative leadership. We in the Judiciary will do our part to see that the new judgeships meet the growing demand for fair, expeditious resolutions of civil and criminal cases at all levels.

The Summit also began a year of efforts to work with entities affected by the court system to improve programs and better serve the public. The Criminal Justice Task Force continues its study of staffing and funding needs to provide adequate, ethical representation of low-income New Mexicans. Similarly, the New Mexico Commission on Access to Justice, established through the efforts of Justice Maes, is in the active planning stages of tackling the problem of providing civil legal services to low income New Mexicans.

Our talented and dedicated staff plays an indispensable role as we respond to the heightened public expectations of the judiciary, and I thank all of them for their hard work. As the world continues to change, the public looks to the courts as a beacon of stability, independence, and protector of our most cherished freedoms and liberties. The public trust is essential to our function as an independent branch of government. The Judicial Standards Commission, which investigates citizen complaints against judges, and Judicial Performance Evaluation Commission, which reviews the performance of judges running for retention, play a vital role in maintaining trust in the judiciary, and public access to information.

These are just a few of the many Committees working very hard to ensure that the judiciary continues to meet the needs of a growing, and changing, society. Their commitment and dedication is essential to our success, and is greatly appreciated. I am confident that our accomplishments this year will allow us to reach even further next year.

Richard C. Bosson  
Chief Justice



## Chief Justice's Initiatives

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### DWI

The New Mexico community is concerned about DWI statistics in the state, as well as the ability of these cases to be heard on the merits by the court system. On January 15, 2005, a Summit was convened by Chief Justice Bosson and Governor Richardson to discuss the issue of dismissals of DWI cases, prior to a hearing of those cases on the merits. The Summit brought together district court judges, metropolitan court judges, and magistrates, as well as members of the legislature, district attorney's office, public defender's office, researchers from the University of New Mexico and community leaders.

Following the January Summit, Chief Justice Bosson spearheaded an initiative to learn more about how the rules governing criminal procedures at the Bernalillo County Metropolitan Court may affect the processing of DWI cases. After conducting several meetings with the judges of the Metropolitan Court, the Chief Justice presented the Courts of Limited Jurisdiction Rules Committee, which makes recommendations to the Supreme Court on the rules of the Metropolitan Court, with numerous proposals for the Committee's study and consideration. The proposals are directed towards more efficient case management.

The proposals contemplate modifications to the discovery rule that set in place more formal procedures when the parties are unable to complete discovery and enable greater judicial intervention so that cases can be adjudicated on the merits. The Committee is also considering improvements to the rule that requires a trial to occur within a six-month window.

### CRIMINAL JUSTICE TASK FORCE

On January 16, 2004, the Supreme Court formed the Criminal Justice Task Force at the initiative of then Chief Justice Maes with the long-term mission of analyzing and reporting to the Supreme Court on resource and related issues of the New Mexico criminal justice system as a whole, including the judiciary, the district attorneys, and the public defender department.

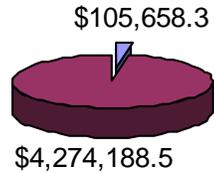
The Task Force, chaired by Chief Public Defender John Bigelow, recognized that a comprehensive system-wide review and analysis is crucial for long-term strategic planning and resource allocation. The Legislature appropriated to the New Mexico Sentencing Commission partial funding to conduct a resource needs assessment of the judiciary, the district attorneys and the public defender department. The New Mexico Sentencing Commission is currently working to ascertain the additional amount of funding needed to complete the three-way assessment.

The Task Force also recognized that immediate short-term relief for the public defender department is necessary to allow the criminal justice system to work at a level necessary to satisfy the concerns of public safety and maintain integrity in the judicial process. The Task Force offered interim recommendations for increased funding and personnel for the public defender department which were forwarded to the Governor.

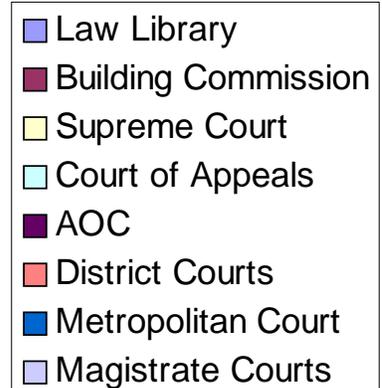
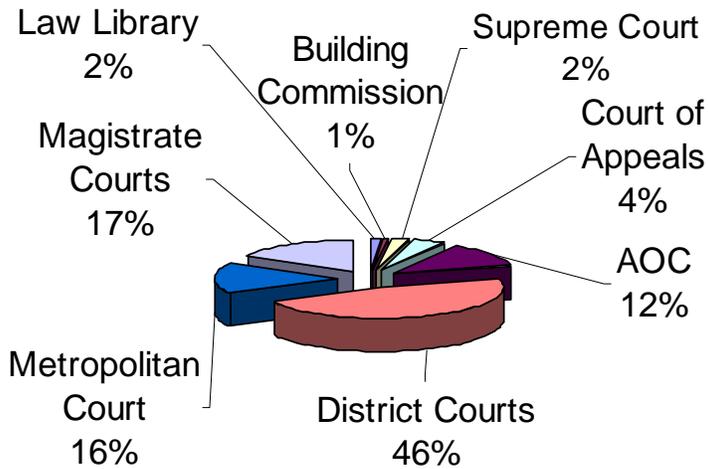
Additionally, regional criminal justice task forces were formed to address how to make the best possible use of limited resources to ensure the most efficient operation of the criminal justice system.

# The Budget of the New Mexico Judiciary

## 2005 Fiscal Year General Fund Appropriation Distribution (in thousands)



## 2005 Fiscal Year Judicial Unit General Fund Appropriation Distribution Percentage



# Special Programs

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## Judicial Compensation Commission

In FY 05, legislation was passed creating the Judicial Compensation Commission to make yearly recommendations to the legislature on salaries for New Mexico justices and judges.

## Judicial Performance Evaluation Commission

By June 30, 2005, the Judicial Performance Evaluation Commission (JPEC) conducted 24 interim evaluations with the judges in the Third, Fifth, Sixth, Ninth, Tenth, and Twelfth judicial districts. The JPEC has planned 44 interim evaluations over the next year with the judges in the First, Second, Fourth, Seventh, Eighth, Eleventh, and Thirteenth judicial districts. JPEC conducts interim evaluations for the purpose of improving a judge's performance and does not release interim results to the public.

The JPEC completed a final evaluation of Judge Roderick Kennedy who stood for retention in November 2004. The narrative profile for Judge Roderick Kennedy was released forty-five days before the 2004 general election and distributed to the media and the public to inform the public about the accomplishments and performance of the appellate court judge.

## Access to Justice Commission

During FY 05 the New Mexico Supreme Court created the Access to Justice Commission to focus on the state of civil legal services throughout the state. The Commission membership includes judges, legislators, legal service providers for low income persons, and attorneys. The Commission will develop a statewide plan that identifies needs, addresses resources and the means necessary to provide a responsive delivery system, and to increase public awareness of the importance of equal access to justice for all. The work of the Commission will be ongoing.

## Court Improvement Project

During FY 05, the New Mexico Court Improvement Project (CIP) continued to work on the major initiatives identified over the past few years. The major accomplishments are summarized below.

**Training and Technical Assistance:** CIP co-sponsored and was a key participant in the planning efforts for the 2005 Annual Children's Law Institute. This statewide conference provides new information and skills for attorneys, judges, social workers, juvenile probation/parole officers, CRB members, CASAs, foster parents, service providers and others involved with children and families who are involved with the child abuse/neglect and juvenile justice systems.

CIP also assisted in the planning of a series of regional training events to familiarize participants in the child welfare and juvenile justice systems with the changes made to the New Mexico Children's Code by the 2005 legislature.

**Court Improvement Project Booklets:** Among the products of the Guardianship Committee were two new Court Improvement Project booklets. The first, *Stepping Up to Care for a Child*, focuses on resources for grandparents and other caregivers. The second is *Planning for Your Children: A Resource to Help You Plan for Your Children While You Are in Jail or Prison*. The Guardianship Committee's original booklet, *Away from Home: Children & Youth Living Apart from their Parents*, was revised somewhat and reissued. In addition, the Task Force assisted Pegasus Legal Services for Children and the Grandparent & Kinship Coalition in their publication, *Grandparents & Their Grandchildren: A Brief Guide to the Laws of New Mexico*.

In the first half of 2005, one other booklet was published: *Advocacy & Legal Representation in Child Abuse & Neglect Cases*. Another booklet, *Concurrent Planning: A Guide for Judges, Attorneys and Others Working with Children & Families* is in final production.

**Quality of Advocacy:** CIP developed and secured legislative passage of an amendment to the Children's Code requiring the appointment of a youth attorney for children age 14 and over in abuse/neglect cases and drafted performance standards for the youth attorney.

**Tribal-State Relations:** CIP conducted a one-day summit on a proposed court rule implementing full faith and credit and comity.

## Tribal-State Judicial Consortium

Originally a Court Improvement Project Initiative, the Tribal-State Judicial Consortium was established in 1998 to promote coordination and cooperation between tribal and state courts in New Mexico. To that end, tribal and state judges who are appointed members of the Consortium began co-hosting an annual event in 2000 to enhance understanding, communication and collaboration. Accomplishments achieved in FY05 include convening the Fifth Annual Cross-Court Cultural Exchange, held in Ruidoso, New Mexico on September 29-October 1, 2005 and hosted by the Twelfth Judicial District Court and the Mescalero Apache Tribal Court. A visit to nearby Mescalero was the highlight of the Exchange with President Chino welcoming participants and local children attending the Headstart Program performing traditional Apache dances.

The Tribal-State Judicial Consortium also held a statewide summit on the topic of full faith and credit on May 6, 2005 entitled: "Removing Barriers" State Court Recognition of Tribal Court Orders. The Summit brought together a number of perspectives and the ensuing discussion resulted in a decision to draft a new rule for consideration by the New Mexico Supreme Court.

The Tribal-State Judicial Consortium is currently preparing to co-host the 18th Annual National Consortium on Ethnic and Racial Fairness in the Courts with the National Center for State Courts. The national conference will be held in Albuquerque, NM, in April of 2006, and the theme is "Healing our Past: Braiding A New Future." Consortium members are currently in the planning stages of the conference and in the process of soliciting a call for workshops.

### **Court Interpreter Project**

During FY 05, the Court Interpreter Program completed the full cycle of training and certification testing for Spanish interpreters for the first time in four years. The Spanish court interpreter certification exam was administered to almost 100 people. Of those, twelve passed all three portions of the exam and became certified court interpreters. This certification rate is consistent with the other states in the National Consortium for State Court Interpreter Certification. These interpreters are working in courts throughout the state today.

The full court interpreter training and testing cycle will now be repeated yearly. During the second half of FY 05 almost 100 potential Spanish interpreters attended the orientation workshop. A separate workshop was held for a dozen interpreters in languages other than Spanish, including Mandarin, Cantonese, Vietnamese, American Sign, and German.

### **Jury Services**

Passage of legislation during the 2005 session has improved jury service for New Mexicans. All jurors will be allowed to postpone jury service automatically one time for up to six months. Statutory language regarding excusing persons from jury duty has been clarified. To enhance the representativeness of the jury pool, personal income tax filers will be added to the jury source list that already includes registered voters and licensed drivers. Several legislators, Senator Lidio Rainaldi, Senator Michael Sanchez, and Representative Terry Marquardt were instrumental in passing this legislation.

### **Domestic Relations Task Force**

In 2003, Chief Justice Petra Jimenez Maes convened the Domestic Relations Task Force to review policy and procedures involving domestic relations cases. The Task Force continues to evaluate current family law procedure and its practical application, with an eye towards better

serving the future needs of the family. The Task Force considers important family issues such as rebuilding parent/child relationships and preserving family resources, and how the law might better address these longer term needs.

Earlier this year, the Task Force completed work on a rule regarding mandatory disclosure in domestic relations actions. The new rule is designed to reduce acrimony and distrust between parties, to lessen the costs of domestic relations disputes, and to encourage parties to restructure their relationship in a respectful and efficient manner.

The Task Force is also studying the use of guardians ad litem (GALs) in domestic relations cases. The Task Force is studying both the current law and practice across the state to identify key issues and concerns in the appointment of GALs and subsequent delegation of duties.

The **First Judicial District** Domestic Relations Division experienced a 30 percent increase in workload associated with domestic relations cases.

The **Second Judicial District** Domestic Violence Division:

- Launched a program to evaluate the Batterer Intervention Program (BIP) that provides court-ordered services to offenders.
- Translated its domestic violence safety plan into Spanish.
- Continued the Family Assessment and Intervention Resources Program (FAIR) to provide services to families touched by domestic violence. The FAIR program also provides training opportunities for doctoral clinical psychology students from the University of New Mexico.
- Began implementation of a GPS tracking program where repeat offenders may be fitted with a tracking device to alert victims of possible violations.

The **Eighth Judicial District Court**:

- Recruited and created several internships for its Domestic Violence Division. The interns assisted in developing procedures to comply with HIPAA guidelines, reviewing files and providing community research.
- Received a \$5,000 grant to provide counseling and drug alcohol assessments for petitioners and respondents in domestic violence cases.
- Funded attorneys to represent litigants who were charged with contempt of court and were facing possible jail time.

## Children's Court Mediation Program

Since March 2000, the Administrative Office of the Courts (AOC) has worked with the New Mexico Children Youth and Families Department (CYFD) to develop the use of mediation in abuse and neglect cases. During the past five years, the program has grown to include fourteen counties (Bernalillo, Catron, Chaves, Cibola, Grant, Hidalgo, Lea, Luna, San Juan, Sandoval, Sierra, Socorro, Torrance, and Valencia) in six judicial districts (Second, Fifth, Sixth, Seventh, Eleventh, and Thirteenth). Cases are mediated at all stages of pre-legal and legal cases from investigation to termination. Approximately 1,311 cases have been mediated over the last five years.

The purpose of the Children's Court Mediation Program is to assist the Adoption and Safe Families Act (ASFA) goals of permanency, child safety and child well-being by:

- C Helping to conserve judicial and CYFD resources;
- C Improving families' understanding of and satisfaction with the legal process;
- C Improving the quality of and compliance with treatment plans; and
- C Increasing options for placement, permanency and services.

Mediation provides a non-adversarial approach to helping CYFD and the courts work together with families facing long-term issues such as substance abuse, domestic violence and mental illness to reach permanency solutions for their children.

The AOC was successful in securing general funds of \$46,401 for the Children's Court Mediation Program. In addition, CYFD renewed its federal grant of \$80,000 from Title IV-B funds for mediation services.

## Access and Supervised Visitation Program

Since 2001, the AOC has received general funds for the support of access and supervised visitation programs in twelve counties (Rio Arriba, Santa Fe, Bernalillo, Dona Ana, Chaves, Eddy, Grant, Luna, Hidalgo, Curry, Roosevelt, and Sandoval) in seven judicial districts.

The access and supervised visitation programs provide families a safe place for parent/child visitations or exchanges of children between parents in cases of child abuse/neglect, separation, divorce, substance abuse, mental illness or family violence. Other services to parents may include improving parenting skills, learning appropriate play behavior and developing positive relationships with their children.

These programs serve the local courts who routinely write the local access and visitation program services into their court orders, stipulating the level of supervision

required. Benefits of access and visitation programs include continuity of the non-custodial parent/child relationship, prevention of further violence, improved child well-being, and limits on the revolving door nature of cases that clog the courts with requests for changes in court orders and visitations.

The **Second Judicial District** was successful in securing general funds for its access and supervised visitation program to replace lapsing funding from the city and county in FY 06.

## Court Appointed Special Advocates (CASA)

The **Second Judicial District** CASA program was recognized by National CASA as demonstrating a quality program.

The **Fourth Judicial District** collaborated with the First Judicial District and the New Mexico Highlands Social Work program to provide administration and volunteers locally for children in abuse and neglect cases.

The **Twelfth Judicial District** used its CASA program to provide services in abuse and neglect cases and to provide education programs for divorcing parents

The **Thirteenth Judicial District** initiated a CASA program, supervised visitation and mediation in abuse and neglect cases.

## Alternative Dispute Resolution/Mediation

The **First Judicial District** received requests for settlement facilitators in 210 civil and domestic cases in FY 05. At present, there are 215 attorneys who volunteer their time as settlement facilitators. The court conducted 592 mediation sessions in 2005. The Family Court Services Division processed 133 abuse and neglect cases in 2005.

The **Twelfth Judicial District** offers alternative dispute resolution through mediation, arbitration and settlement facilitation programs.

The **Bernalillo County Metropolitan Court** created brochures, pamphlets and written reports to provide information concerning mediation.

## Second Judicial District

- Celebrated National Adoption Day on Saturday, November 20, 2004. The clerk's office filed 43 final judgments, compared to 29 judgments the previous year.
- Literacy Program collaborated with Technical Vocational Institute to establish a GED prep class and encourage students to further their education
- Donated computers to students through its Literacy Lab. The computers were repaired by lab staff, volunteers and lab participants.

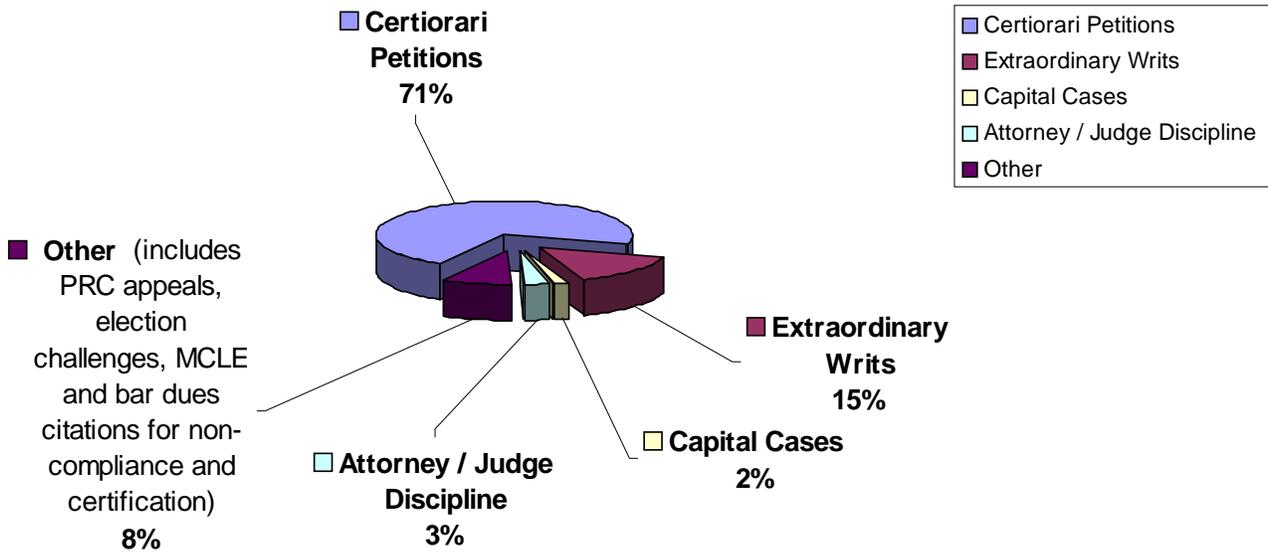
- Conducts “Voice of the Juror” surveys to ensure the proper respect and treatment of jurors.

The **Magistrate Court Warrant Enforcement Program** collects outstanding fines and fees for the magistrate courts. In FY 05, the program collected \$3.5 million in outstanding fines and fees and collected over \$2 million in bench warrant fees, for a total of \$5,585,114.

The **Bernalillo County Metropolitan Court**, in cooperation with the Albuquerque Police Department, implemented Operation Warrant Enforcement to “round up” offenders who had outstanding warrants pending in Metropolitan Court.

### Supreme Court New Filings - FY 2005

Please note that filings do not represent the entire workload of the Supreme Court



# Therapeutic Courts

## Drug Courts

The New Mexico Supreme Court and the Governor's Office issued a joint Proclamation of May as "New Mexico Drug Court Month." Governor Richardson, Chief Justice Richard Bosson, Senator H. Diane Snyder, and many other members of the judiciary, legislature, and executive agencies attended a graduation ceremony at First Judicial District Judge Michael Vigil's Adult Drug Court, followed by a press conference afterwards during which the Chief Justice and Governor signed the proclamation.

- The state's drug courts graduated another 543 participants in FY 05.
- Recidivism of graduates averaged 5.75% one year after graduation, and 12% two years after graduation.
- National averages, based on 95 of the country's largest drug courts, are 16.7% and 27.5%, respectively, for the same post-graduation time periods.
- Cost-per-client-per-day averaged \$19.94 per day, a substantial savings over the daily cost of incarceration of \$73.97.
- Retention of program participants (an important measure as studies show the longer the substance abuse treatment the better the outcomes) averaged an excellent 85.45%.
- The AOC completed the rollout of the standardized drug court database, enabling uniformity of data collection, reporting of performance measures, and transmission of all program data to a central server at AOC's office in Santa Fe. This central server will enable further data mining for legislative inquiries and improved performance analysis.
- The program directors of the state's drug courts attended a number of AOC sponsored training sessions aimed at improved program performance through better understanding of:
  - HIPAA and Federal confidentiality standards as they pertain to maintaining the privacy of the drug court participants.
  - The Department of Public Safety's Criminal Justice Information System Network (NMCJIS), used by the drug courts for tracking the reoffense rate of program graduates.
  - SCRAM alcohol-monitoring ankle bracelets, now used by several drug courts for improved monitoring of participant alcohol abuse.

In addition to those training sessions, the drug court program directors joined with approximately 200 drug court professionals from around the state for the Seventh Annual New Mexico Association of Drug Court Professionals (NMADCP) Conference, which was held on November 6-7, 2004, in Albuquerque.

## Second Judicial District

- **Family Dependency Court:** Increased program incentives for participants by enlisting the support of local businesses, clarified procedures and policies through hands-on intervention with the target population and worked with child protective service agencies to expand coverage.
- **Mental Health Court:** The Pretrial Services Division provided jail diversion services for individuals with severe persistent mental illness. Additional funding obtained in FY 05 from the Legislature and from the City of Albuquerque and Bernalillo County will allow the program to serve additional clients. In FY 05, 103 referrals were received and staffed; 40 participants were accepted into the Mental Health Court, 20 successfully completed the program and 4 participants were terminated from the program for failure to comply with court mandates.
- **Tuancy Court:** Created a pre-prosecution diversion program in cooperation with the district attorney's office where parents voluntarily submit to a 16-week school attendance program. The court collaborated with the public schools to distribute educational material, to organize Every Day Counts concerts, and to implement attendance partnership programs in cooperation with parent support groups, advocacy groups and service organizations.

## Teen Court

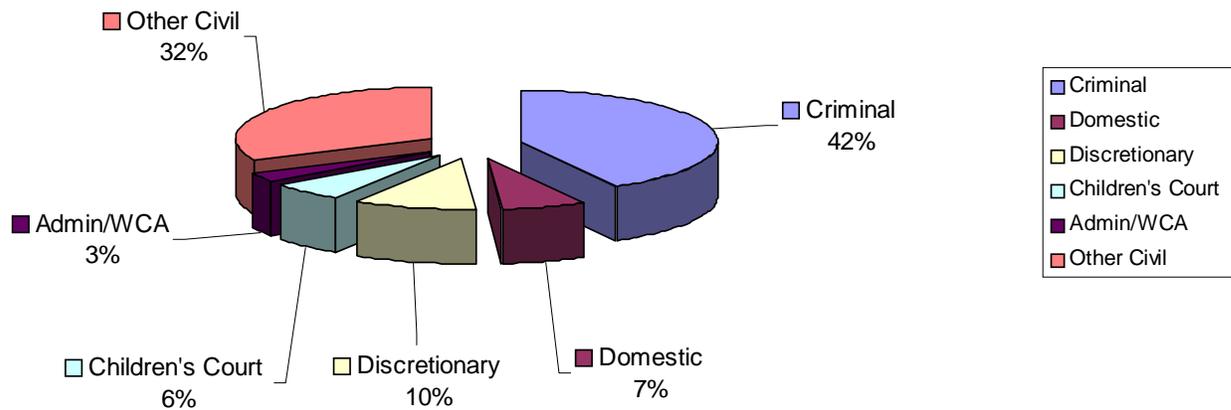
The **Fifth Judicial District** Teen Court serves participants in Chaves and Lea Counties.

## Bernalillo County Metropolitan Court

- Initiated the **Domestic Violence Repeat Offender Program** in FY 05. The program integrates one-on-one judicial interaction, intensive supervision and monitoring of offenders and extensive treatment services for the abusers, their victims and children to improve public safety and protect those families directly affected by domestic violence.
- Expanded the **Domestic Violence Early Intervention Program**. The program targets first-time offenders to provide counseling, supervision and monitoring.

- Expanded the **Mental Health Court Program**, including the incarcerated defendant/offender component of the program. The program was designed to divert mentally ill offenders from prosecution, as a sentencing alternative to jail when it is appropriate.
- Expanded the **Homeless Court**. This court identifies persons who have prepared or are preparing themselves to break away from the homeless cycle. Once identified, the program assists with eliminating legal barriers to re-entry into the community of law-abiding citizens.
- Expanded the **Native American Track of the DWI/Drug Court** program. Working within the framework of the DWI/Drug Court, the program targets offenders with both substance abuse and mental health disorders to provide individualized treatment and an integrated approach by the trained multi-disciplinary team.
- Expanded the **Urban Native American Drug Court Track** to better serve Native Americans participating in the DWI/Drug Court by providing culturally appropriate services to offenders.
- Created the **Ignition Interlock Compliance Unit** to address monitoring requirements of the ignition interlock device sections of the DWI laws of the state.

### Court of Appeals - New Filings - FY 05



# Judicial Branch Strategic Goals

## Goal 1: Improve case flow management to provide timely and fair proceedings

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### The New Mexico Court of Appeals:

- Used its case management system to more efficiently manage its caseload. The Court decided 66 percent of its caseload either by order (24 percent) or on a summary calendar (42 percent). Decisions on the summary calendar averaged seven months from notice of appeal to decision. Of the cases decided by order, many were settled through the Court's mediation program.
- Referred most civil cases not decided on its summary calendar to the **Court of Appeals Mediation Program** for mandatory mediation. The mediation office processed 143 cases (an increase of 17 percent over the previous year), yielding a settlement rate of 29 percent.
- **Transcription Program** paid for transcription of audiotaped proceedings and for stenographically recorded proceedings for indigent appeals and cases involving the termination of parental rights. The program provides cost savings and reduces the time spent listening to audiotapes in order to review the record on appeal.
- Provided forms packets and an interactive CD-ROM for self-represented litigants. Eleven percent of the Court's caseload involves self-represented litigants. The forms are also available on the Court's website (<http://coa.nmcourts.com>). The Court operates a pro bono program that links volunteer appellate attorneys with self-represented litigants. The Court continues to work with New Mexico Children, Youth and Families Department, the Court Improvement Project and counsel appointed for parents to expedite appellate decisions that may affect children in foster care.

The **Second Judicial District** decreased turnaround time for filing, indexing and docketing child support cases. The Domestic Violence Division implemented a new work flow process to improve customer service and decrease waiting periods for court users.

The **Third Judicial District** Family Reunification Court Program (FRCP) reunified five children with their parents from foster care within five months of program entry. The FRCP team completed national Drug Court Planning Initiative training which will assist the program in securing federal grants to sustain the program.

The **Sixth Judicial District** provides services for self-represented litigants in all three counties of the district.

The **Seventh Judicial District** used a juror exit questionnaire to improve processes for jurors.

The **Eighth Judicial District** used its differentiated case flow management system in civil cases and provided services to self-represented litigants.

The **Tenth Judicial District** continued to work with the Department of Corrections ensure collection of fines and fees in criminal cases.

The **Twelfth Judicial District** used its differentiated case management system to expedite the flow of criminal and civil cases. The chief judge met with the district attorney and the public defender to explore ways to process cases more efficiently. The Twelfth Judicial District also provides forms and assistance to self-represented litigants.

The **Thirteenth Judicial District** continues to plan a district-wide Pro Se Court which will consist of focused services, including specialized dockets.

## Goal 2: Provide training to enhance the skills of judges and court staff

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### The **Rozier E. Sanchez Judicial Education Center (JEC)**:

- Produced or supported a total of more than 30 educational programs, including annual conferences for every group of judges and clerks, as well as

domestic violence commissioners and court supervisors.

- Continued to provide specialized seminars on priority topics, including five regional seminars on domestic

violence and a seminar specifically for designated water law judges.

- Continued to include priority topics, particularly domestic violence and DWI, in its annual conferences for judges and court staff.
- Received a special legislative appropriation to expand its educational programs on domestic violence, and continued to receive funding from the Traffic Safety Bureau of the New Mexico Department of Transportation to support its DWI programs.
- Offered regional seminars for district court employees on topics developed by local planning committees and coordinators, including court security, building a better workplace, and dealing with generational differences.
- Continued to support volunteer mediation programs in magistrate courts by re-offering its web-based, professionally-facilitated course on alternative dispute resolution and by sponsoring training for voluntary community mediators in four locations throughout the state.
- Supported attendance at national seminars, with 58 judges and court personnel traveling to the National Judicial College in Reno, Nevada, and other locations.
- Updated and distributed its benchbooks for probate judges and magistrate/metropolitan court judges, and collected materials for future updates of its six other benchbooks.
- Continued to add resources to its website, including tutorials for judges on civil law topics and informational brochures for the public on court proceedings.
- Teamed up with the National Judicial Education Program to Promote Equality for Women and Men in the Courts (NJEP), a New-York based non-profit entity dedicated to educating judges on fair and effective handling of sexual assault cases, to provide online training and educational resources on sexual assault in domestic violence cases.
- Continued its partnership with the National Highway Traffic Safety Administration and the National Association of State Judicial Educators to maintain and add resources to the National Online Resource Library for the Judiciary on Impaired Driving.
- Secured funding from the State Justice Institute, through a grant administered by the AOC, to undertake a comprehensive evaluation of JEC's educational programs and resources for magistrate courts, with the goal of improving its offering to better meet the needs of these courts.

- Worked closely with JID to test and adapt technology for educational uses, especially videoconferencing.
- JEC Director Paul Biderman developed and taught, along with Professor Ted Occhialino, a new and innovative seminar for the School of Law on Judging, which drew upon sitting and retired judges as guest lecturers.

The **Court of Appeals** continues its cross-training program in the clerk's office to ensure that all judicial specialist duties can be performed by several people. Judges, staff attorneys and other court personnel participate in annual training for the new law clerks hired each fall by the Court of Appeals judges and Supreme Court justices. Several staff attorneys are members of the national Council of Appellate Staff Attorneys and attend a week-long annual training in Utah. The judges of the Court attend the annual Judicial Conclave coordinated by the Judicial Education Center.

The **Supreme Court Law Library** said fond farewells to two 25-year staff members in FY 05. Library staff are working together to enhance the skills of the replacement staff.

The **Second Judicial District** provided training for a domestic violence special commissioner, promoted realtime court reporting by providing training and education to uncertified reporters, provided court monitors to cover child support hearings, performed in-service education for seasoned CASA volunteers and began a survey of the hearing officers and special commissioners in the district.

The **Third Judicial District** utilized specialized panel members to serve on new employee selection panels. Staff were cross-trained to provide enhanced service to the public, and staff from the domestic violence division and financial services division received additional training.

A **Seventh Judicial District** employee chairs the Southwest Regional Training Conference committee.

The **Eighth Judicial District** continued its program of cross-training staff in all divisions of the court. Employees have attended workshops on communication skills, time management and distance learning courses.

The **Tenth Judicial District** installed an enhanced sound system for hearing impaired court users.

Judges and staff in the **Twelfth Judicial District** attended the Drug Court Conference; the domestic violence hearing officer attended training; and several employees took college courses toward their degree in criminal justice.

The **Bernalillo County Metropolitan Court** established a Training Coordinator position to oversee the development and implementation of a strategic training plan.

### **Goal 3: Provide reasonable and affordable access to justice in safe and adequate facilities**

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The **Statewide Court Security Committee** is currently reviewing the final draft of the statewide security guidelines and anticipates submitting those guidelines to the New Mexico Supreme Court before the end of the year.

The **Supreme Court Law Library** explored ways to create space for new titles and volumes. Compact shelving is being explored as a way to make the most efficient use of limited space, while some volumes are being weeded from the library's collection. The Library provided extended hours to patrons until the latter part of FY 05, when hours were curtailed because of limited funding for security personnel and general concerns over building safety.

The **Second Judicial District Pro Se Division** provided services to self-represented litigants, increased security patrols in the Domestic Violence Division, established an express window for domestic violence cases, provided the services of an on-call clinician to provide immediate assistance to the Court during cases involving children and the Court Clinic provided scheduling consideration for litigants who have to travel from out of town to attend court.

The **Second Judicial District** accommodates its qualified jurors by providing free parking, bus tokens, and hearing devices for hearing impaired jurors.

The **Third Judicial District** completed a \$2.3 million domestic wing to its courthouse, adding two courtrooms, two hearing rooms and a clerk's office. The additional space vacated by the domestic division was used to ease overcrowding in other divisions.

The **Fifth Judicial District** moved into renovated and new facilities in Chaves County in March of 2005. The \$15 million project provided a new clerk's office and four courtrooms in the new facility and a renovation of the historic courthouse. The **Chaves County Magistrate Court** is also located in the new facility.

The **Sixth Judicial District** completed the installation of devices for hearing impaired jurors and court users in every courtroom in the district.

The **Eighth Judicial District** continued to work with Taos and Colfax counties to plan for new court facilities.

The **Eleventh Judicial District** installed a video camera system and card access system.

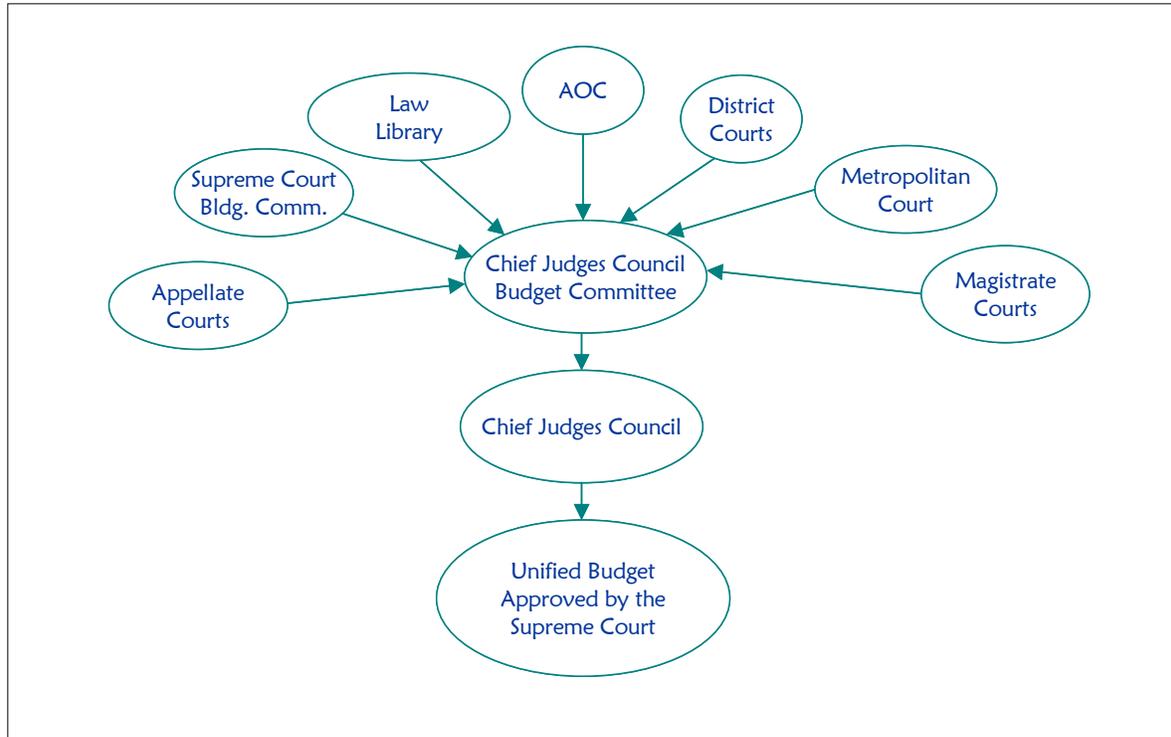
The **Eleventh Judicial District** completed the remodel and new construction of the historic courthouse in Gallup.

The **Thirteenth Judicial District** continued construction of two new courthouses. Courtrooms in Sandoval County were modeled after the Courtroom 21 concept to provide for evidence presentation systems, real time reporting and video conferencing. The design for the Valencia County courthouse is nearing completion and the county is actively seeking a suitable building site.

The **Bernalillo County Metropolitan Court** met with local law enforcement officials, security advisors and other first responders to ensure the courthouse is safe and that appropriate security measures are being followed.

## Goal 4: Obtain adequate funding and resources for court operations

Since 1988, the courts have pursued a unified budget approach for the state Judiciary. Judicial budgets are prepared in accordance with a consistent overall philosophy using a common approach, common measures and common direction by the Chief Judges Council, with the approval of the Supreme Court.



In FY 05, the following **eight new judgeships** were added by way of legislation sponsored by Representative Henry Kiki Saavedra and endorsed by Governor Richardson.

- A district judge in the Second Judicial District, in the Ninth Judicial District, and in the Eleventh Judicial District.
- Two judges in the Bernalillo County Metropolitan Court.
- A magistrate judge in Sandoval County, in San Juan County and in Santa Fe County.

In FY 05, the Legislature appropriate \$500,000 to purchase **security equipment** for New Mexico courts.

### The **Second Judicial District Court:**

- Hired a program director to supervise staff, develop and streamline procedures and oversee special projects.
- Received a \$5,000 grant from the Albuquerque Community Foundation for the Say No to the Abuse

of Power (SNAP) and Program for the Empowerment of Girls (PEG) programs.

- Obtained funding to continue the Family Assessment Intervention Resources (FAIR) program.
- Received funding for two judicial specialist positions in the Criminal Division.

### The **Bernalillo County Metropolitan Court:**

- reorganized its Fiscal Services Division.
- Created the Jury Management Division.
- Added eleven new cash registers and eight new credit card terminals.
- Added the position of Communications, Information and Public Outreach Director.

The Legislature appropriated \$514,000 for leasing a new magistrate court facility in **Doña Ana County**.

## Goal 5: Obtain and use technology to collect, process and share information needed to process cases and manage resources

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The **Judicial Information Division of the AOC** completed the following deliverables:

- Continued rollout of video arraignment services to courts statewide, and delivered complete video arraignment services to 32 magistrate courts and 26 detention centers. This continuing effort includes the capability of utilizing the video arraignment infrastructure to connect 19 counties to the Judicial Information Division in Santa Fe for video conferencing and distance learning.
- Completed the statewide jury management application rollout and trained all jury clerks in the use of the application. This application provides for complete management of the jury selection process in New Mexico district and magistrate courts.
- Completed development of two software applications that will assist judges and clerks as follows: 1) My Court: this application provides a complete docket management program for judges; and, 2) Case Lookup: this application is an overhaul of a previous application, which provides browser-based access to district and magistrate court cases, both active and closed.
- Implemented a Water Rights Imaging System for use by court staff in managing complex water rights litigation and capturing large volumes of paper documents in a way that allows for easy search and retrieval.
- Implemented a new help desk application to manage calls for technical assistance from district and magistrate courts. Reduced the backlog of pending help desk calls by more than eighty percent by completely overhauling help desk response procedures.
- Implemented a field support program and hired five new field support technicians to improve service to judges and court staff throughout New Mexico.
- In conjunction with the Judicial Information Systems Council (JIFFY), developed standards for digital court recording and digital document imaging.
- In conjunction with the New Mexico Traffic Safety Bureau, completed work on the Ignition Interlock Data Warehouse and prepared the application for transition to the New Mexico Department of Transportation.
- Sponsored the Justice Information Sharing Council, a multi-agency consortium of New Mexico justice

practitioners and supported development of the pilot consolidated query application.

- Developed custom project planning, strategic planning and performance measurement methods and templates to manage project risk and ensure the highest levels of project success.

### The **Court of Appeals**:

- Used an appellate version of the statewide automated docketing system for current cases and a legacy version of the Court's previous automated docketing system which was developed by JID.
- Received \$140,000 in funding to outsource the imaging of several years of old closed case files, convert microfilm to CD-ROMs and upgrade its software and hardware for in-house imaging of recently closed case files. Closed case files will be imaged both on CD-ROMs and on a shared hard drive, for use by staff and the public.
- Maintained a website (<http://coa.nmcourts.com>) containing information about the Court, its judges and its caseload, statistics and procedural information.

### The **Supreme Court Law Library**:

- Experienced a 27.5 percent increase in website hits in FY 05.
- Experienced an 11 percent increase in information and research requests in FY 05.

### The **Second Judicial District**:

- Continued to develop a system for electronic transmittal of jury vouchers. The system is scheduled for completion in FY 06.
- Implemented an automated case file tracking and monitoring system.
- Began development of a portable bar code scanning application for the Criminal Division.
- Improved its website to include daily schedules for jurors.
- Used a template to electronically generate all protection orders.
- Incorporated PHP scripts and MySQL database processes into the Court's intranet portal for calendaring purposes and an employee directory.

- Continued its Electronic Document Management System project to reduce handling of paper files and improve efficiency.

**The Third Judicial District**

- Replaced computer monitors and keyboards with larger flat panel monitors and ergonomic keyboards.
- Relocated domestic case files to a technologically integrated filing system. Case files are bar-coded and tracked with specialized software.
- Imaged stream adjudication case files and located the files on a centralized server for easy accessibility.

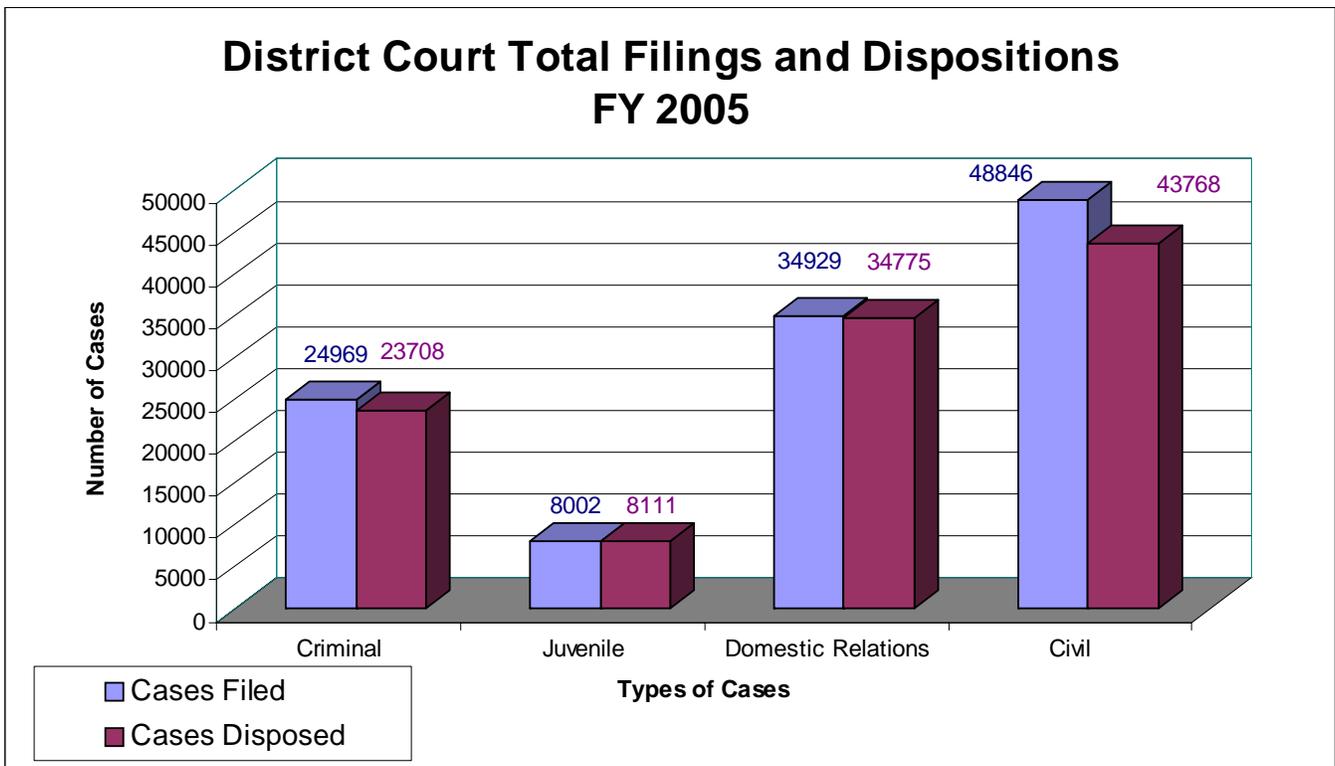
**The Fourth Judicial District:**

- Purchased and installed digital recording equipment and began construction of a court website.

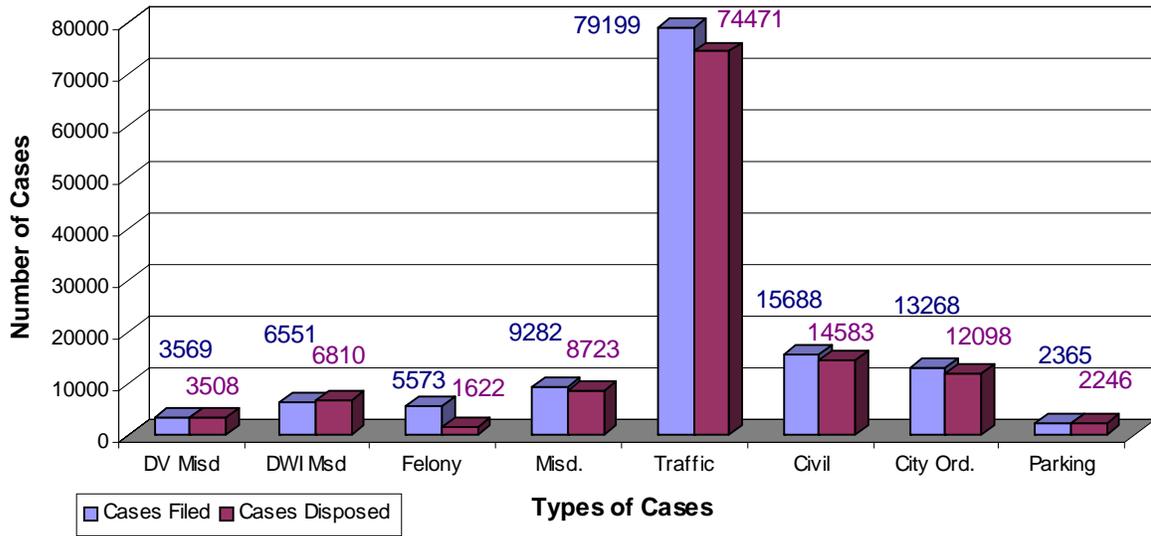
The **Twelfth Judicial District** continued to implement video arraignment capabilities in three courtrooms in Otero County.

**The Bernalillo County Metropolitan Court:**

- Implemented the Law Enforcement Check-in System.
- Re-engineered its case management system, document imaging application and website.
- Transferred data to the judiciary’s statewide data repository.
- Implemented the Motor Vehicle Division Suspension Program.
- Installed video arraignment equipment in all criminal courtrooms.



## Bernalillo County Metropolitan Court Total Filings and Dispositions - FY 2005



## Magistrate Court Total Filings and Dispositions FY 2005

