SENATE JOINT RESOLUTION 21

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Cliff R. Pirtle

A JOINT RESOLUTION

PROPOSING AMENDMENTS TO ARTICLE 6, SECTIONS 4 AND 8 OF THE
CONSTITUTION OF NEW MEXICO TO REQUIRE SUPREME COURT JUSTICES TO
BE ELECTED FROM DISTRICTS RATHER THAN IN STATEWIDE ELECTIONS
AND REQUIRING JUSTICES TO RESIDE IN THE DISTRICTS WHEN THEY ARE
FIRST ELECTED OR APPOINTED.

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

SECTION 1. It is proposed to amend Article 6, Section 4 of the constitution of New Mexico to read:

"A. The supreme court of the state shall consist of at least five justices, who shall be chosen as provided in this constitution. One of the justices shall be selected as chief justice as provided by law.

B. The state shall be divided into at least five supreme court districts from which the justices shall be
elected, with one justice elected from each district, as provided by law."

SECTION 2. It is proposed to amend Article 6, Section 8 of the constitution of New Mexico to read:

"A. No person shall be qualified to hold the office of justice of the supreme court unless that person is at least thirty-five years old and has been in the actual practice of law for at least ten years preceding that person's assumption of office and has resided in this state for at least three years immediately preceding that person's assumption of office. The actual practice of law shall include a lawyer's service upon the bench of any court of this state. [The increased qualifications provided by this 1988 amendment shall not apply to justices and judges serving at the time this amendment passes or elected at the general election in 1988.]

B. Beginning in 2024, when a justice of the supreme court is first elected to office or appointed to fill a vacancy, the justice shall reside in the district from which the justice is elected or appointed, as provided by law."

SECTION 3. The amendments proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

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