



New Mexico Judiciary

FY26 Budget Request

Legislative Finance Committee
Senator George K. Muñoz, Chair
Representative Nathan P. Small, Vice Chair

November 21, 2024

Judiciary FY26 Budget Request

\$42,999.3 recurring

\$74,145.2 one-time

Budget Request Highlights

\$40 million (one-time) to complete statewide implementation of For the Record (FTR) - Speech to Text

\$25.2 million (one-time for 6 yrs) for statewide security needs

\$13.6 million for pay increases for lowest paid employees throughout the state

\$7.1 million for critical IT needs, including cybersecurity

\$3.3 million for statewide pretrial services

\$2.2 million for jury & witness program to pay for juror costs in all courts

\$2.7 million for recurring funding for behavioral health programs

\$731,800 for magistrate courts and AOC facilities leases

\$608,800 for interpreter costs

\$285,000 for a statewide self-help center

Employee Compensation

- 2,000 employees across the state
- Entry-level Judicial Branch employees
 - make 25% less than their counterparts in the Executive Branch*
 - qualify for means-tested public assistance
 - are below the MIT living wage in NM**

| <u>Current Pay</u> | <u>% Increase</u> | <u># of EEs</u> | <u>Cost</u> |
|---------------------|-------------------|-----------------|---------------------|
| < \$45,000 | 25% | 304 | \$3,989,781 |
| \$45,001 - \$60,000 | 18% | 545 | \$6,417,217 |
| \$60,001 - \$75,000 | 8% | 318 | \$2,201,387 |
| \$75,001 - \$99,999 | 4% | 233 | \$1,015,968 |
| Total | | 1,400 | \$13,624,353 |

Statewide Security - \$25,200,000 (6-year request)

Security threats have increased by 60% since FY23 and the level of violence is unprecedented.

In **Espanola**, the judge had to disarm a person who was overdosing.

In **Grants**, a man carrying an axe entered the courthouse announcing an intention to kill a judge.

In **Carrizozo**, an armed man entered the courthouse and demanded to be sworn in as sheriff.

In **Los Lunas**, a man with a history of making pipe bombs is currently on the run and fixated on the magistrate court.

In **Santa Fe**, an unknown person deposits balloons with heroin the day before custody arraignments at least once a month.

In **Clayton**, a person who was disturbed entered the courthouse, requiring the only employee in the courthouse to hide inside an abandoned safe while law enforcement surrounded the building and ultimately conducted a search before freeing the employee.

- County Sheriff
 - District Court pursuant to statute
 - Magistrate Courts by contract
 - Rural LE agencies are facing critical staffing shortages
- Private security
 - By contract in some magistrate courts
 - Difficult to obtain at reasonable prices in rural communities
- Equipment
 - Lighting, Access Control, X-Ray deter crime but require personnel

Statewide Security Request

\$25 million - 50 judicial facilities (roughly \$421,000/facility)

\$2 million - Santa Fe Magistrate Court

\$200,000 - AutoClear x-ray scanners and magnetometers

- One-time funding request over 6-year to upgrade security at all judicial facilities across the state
 - Procurement of equipment hardware, software and installation
 - Semi-centralization of services to quickly retrieve video footage, secure entry
 - Fire alarm system & detections upgrades
 - Intrusion system & detection
 - Duress alarms
 - Walk through metal detectors
 - AutoClear x-ray scanners

Behavioral Health Update

\$3,000,000 - 2024 Special Session HB1

Competency Diversion

Criminal

3 participating districts

*Dona Ana, San Miguel, Mora, Guadalupe,
Lincoln, Otero Counties*

5 contracted local treatment providers

8 forensic navigators

31 participants since October

Program evaluation contract

Assisted Outpatient Treatment

Civil

- Drafting policies and procedures with a step-down referral process
- Attorney contracts for representation
- 1st Judicial District in development

Successes

Case filings increased in FY24:

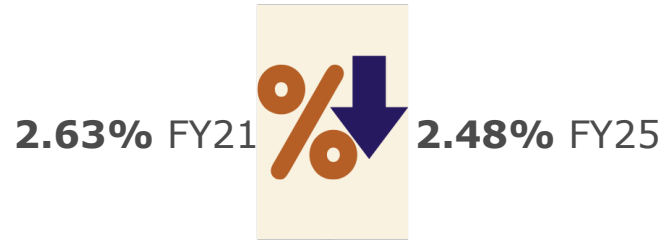
- ▶ Up 4% in District Courts
- ▶ Up 8 % Magistrate Courts
- ▶ Up 9% in Metro Court

Clearance Rates Remain High:

- ▶ 98.5% in District Courts
 - ▶ 102.3% Magistrate Courts
 - ▶ 107.1% in Metro Court
 - ▶ 103.6% in Ct. of Appeals
 - ▶ 110.1% in Supreme Court
-
- ▶ 55 Treatment Court programs statewide
-
- ▶ Behavioral Health Pilot Programs

Challenges

Judiciary's share of state general fund is shrinking.

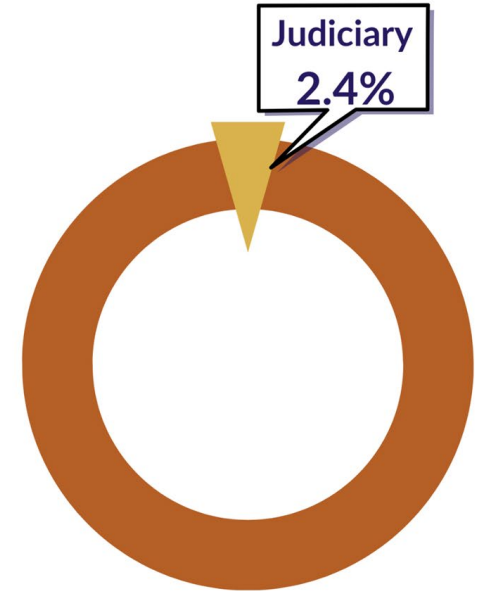


\$150 million difference

Employee Recruitment & Retention

- ▶ FY23 - 36% employee turnover
 - ▶ Turnover cost - \$17 million

FY24 State General Fund Budget





Administrative Office of the Courts

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AOC Budget Request Overview

\$16,746,200 Increase

| | Base Increase Request | Expansion Request |
|---------------------------------------|------------------------------|---------------------------|
| Administrative support (P559) | \$3,046,800 | \$625,800 |
| Statewide judiciary automation (P560) | \$6,144,500 | \$920,000 |
| Court operations (P610) | \$1,479,000 | \$160,000 |
| Special court services (P620) | \$1,817,900 | \$2,552,200 |
| <u>Total</u> | <u>\$12,488,200</u> | <u>\$4,258,000</u> |

AOC One-Time Appropriation Requests

\$40,000,000 - Courtroom modernization and Speech to Text FTR statewide upgrade project completion

\$25,200,000 - Special for Statewide security needs (6-yr funding request)

\$430,000 - Supplemental for Language Access increase in interpreter costs

Administrative Support (P559)

\$3,672,600 Increase

Admin support funds

- Jury & Witness Program
- Language Access
- Judicial Performance Evaluation Committee
- Communications
- Human Resources
- Fiscal Services
- AOC Operational Expenses (leases, etc)

Administrative Support (P559) Cont.

Human Resources

- ▶ 67 new hires in FY24 (216.5 total FTEs)
- ▶ 27 new hires in FY25 to date
- ▶ Since July 2024, 7 candidates have declined job offers due to salary
- ▶ 120.0 HR Project Manager request

Fiscal Services

- ▶ 88.0 for one additional Financial Specialist to properly manage appropriations
- ▶ Successfully rolled out matching funds for counties for district court construction and upgrades
- ▶ Added first new Fiscal employee in over 7 years in FY25 thanks to Legislative funding

Administrative Support (P559) Cont.

Jury & Witness

\$2,200,000

increases in juror expenses

\$80,000

1.0 FTE - administrative support to allow for specialized jury staff training statewide

FY24 Highlights

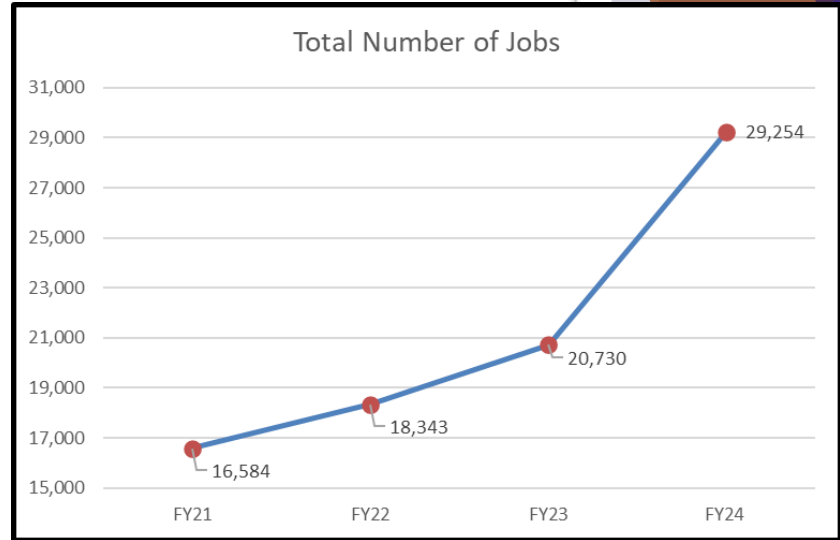
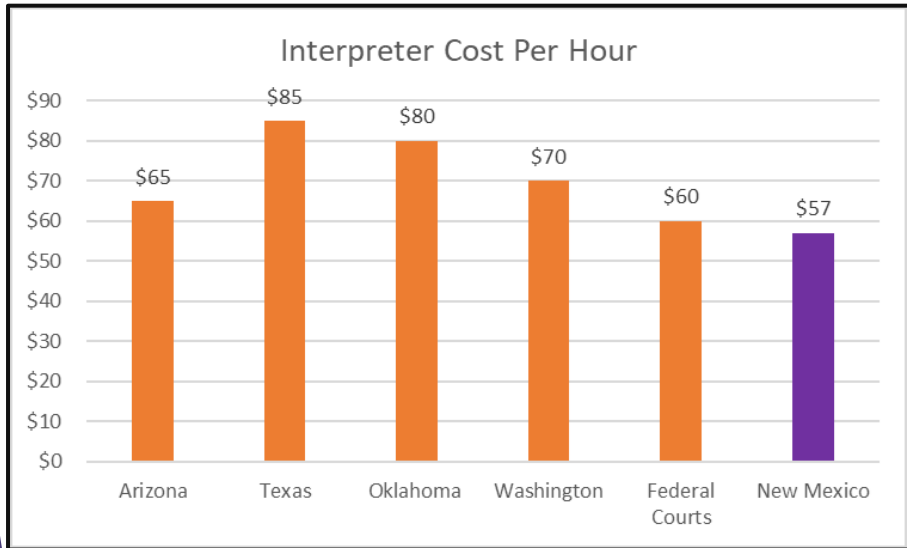
- ▶ **747** jury trials held
- ▶ **24,699** jurors were impaneled
- ▶ **\$3,675,095** paid to jurors and witnesses
- ▶ Since Pre-Covid the cost of jurors has increased 29%
- ▶ From FY23 to FY24 juror costs increased an additional 10%

Administrative Support (P559) Cont.

Language Access - Interpreters

\$430,000 for interpreter rate increases

\$178,800 for 2 FTE for interpreter scheduling & coordination



Statewide Judiciary Automation (P560)

Judicial Information Division (JID)

The Judicial Information Division provides the IT services for the New Mexico judicial branch:

- Network design, connectivity, and support
- Cybersecurity leadership, policies, services, and tools
- Enterprise applications, including case management
- Software development,
- Computer and desktop maintenance and support,
- Court data analysis and governance
- Courtroom technology and other IT related services

Statewide Judiciary Automation (P560)

Judicial Information Division - \$7.4 million

\$6,144,500 - expansion and right sizing

- Cybersecurity tools and environment hardening
- Critical services funding shortfall for judicial internet connectivity, statewide software licenses for email and related functions, data backup infrastructure, text alerts for hearings, user authentication
- Statewide For the Record (FTR) annual licensing
- IT infrastructure upgrades and license cost increases
- Permanent funding for 8 existing positions

\$920,000 - new FTE positions

Since 2014, JID added a significant number of services and applications without corresponding staff FTE positions to support this work

- 6 FTE to support security and expanded IT services
 - Network System Administrators (2 FTE)
 - Application support (2 FTE for e-filing, case management, public access)
 - Data analysts (2 FTE)
- IT Recruiting has become increasingly difficult.

Magistrate Court (P610)

Court Operations Division - \$1.6 million

\$1,479,000

- Magistrate Court lease increases
- Technical service contract for security access control
- Complete TERM to PERM conversion for 12 filled FTE

\$160,000 for 2 FTE

- Business Specialist for Security Team
- Project Manager for Facilities Team

FY24 Accomplishments

- 10,000 calls/month
- Lease renegotiation
- Court Operation Analysis Team

Special Court Services (P620) - Overview

\$4,370,100

| Program | Base Increase Request | Expansion Request | Description |
|---------------------------|------------------------------|--------------------------|---------------------------------------------------------------------------------|
| Pretrial Services | \$1,277,900 | - | Electronic monitoring unit salaries - 15 employees |
| Behavioral Health | \$1,650,000 | \$662,200 | FTE Funding, Treatment Costs, Diversion Court Navigators, Database costs |
| Access to Justice | \$45,000 | \$240,000 | Self-Help Contractor and 2 new FTEs |
| Court Appointed Attorneys | \$495,000 | - | Increase for existing attorneys and ensure AOT participants have representation |

Special Court Services (P620) Cont.

Pretrial Services

- The AOC Electronic Monitoring (EMS) Unit*:
 - investigated over **245,000** alerts
 - **3,250** elevated investigatory responses resulting in **201** bench warrant requests
 - processed **13,277** release logs from jails in the state.
 - monitors over **215** defendants statewide each day.

\$1,277,900

- Fully fund the EMS Unit and continue statewide, 24-hour monitoring of defendants ordered to GPS.
- Currently funded through Special Appropriation that will be expended in FY25
- Without additional recurring general funding the EMS Unit will be eliminated.

Special Court Services (P620) Cont.

Behavioral Health Programs

\$1,000,000

- ◆ Competency Diversion & AOT
- ◆ For participant treatment costs in the 1st, 3rd, 4th, and 12th judicial districts.
- ◆ Treatment regardless of insurance coverage

\$662,200 for 4 new FTEs

- ◆ 2 statewide program managers
- ◆ 4 local district court program managers

\$50,000

- ◆ Data tracking and management for
Coordination of care
- ◆ Program evaluation

Special Court Services (P620) Cont.

Access to Justice & Court Appointed Attorneys

\$45,000

- Contractor to assist with technical implementation of web-based self-help resources

\$240,000

- 2 FTEs to:
 - 1) manage legal content
 - 2) coordinate live resources to assist with navigating court process or administrative questions regarding a live case

\$495,000

- To ensure representation in court-adjacent programming: Assisted Outpatient Treatment (AOT), civil commitment process, adult guardianships