

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:

"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;
- (2) operating and staffing the New Mexico
center for language access to accomplish its mission to
provide and support programs that will help courts obtain,
improve or increase the availability of language access
services;
- (3) operating and staffing language access
services for the administrative office of the courts;
- (4) training for the purpose of enhancing
language access services in the courts; and

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

C. All fees and other revenue collected by the New Mexico Center for language access and interest earned on money in the language access fund shall be credited to the fund. Payments shall be made upon certification by judicial agencies of eligible amounts. No part of the fund shall revert at the end of any fiscal year.

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

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

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

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

B. All balances in the jury and witness fee 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) jurors and prospective jurors;
- (2) witnesses of fact or character subpoenaed by the court, the prosecution or the defense;
- (3) expert witnesses for grand juries and magistrate courts; and
- (4) defending persons whom the court has ordered the public defender to represent, when those persons do not meet the public defender's indigency standards.

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

D. Payments from the jury and witness fee fund shall be made upon vouchers issued and signed by the director of the administrative office of the courts or the director's designee upon warrants drawn by the secretary of finance and administration."
