

1 A MEMORIAL

2 REQUESTING THE ADMINISTRATIVE OFFICE OF THE COURTS, THE
3 NEW MEXICO ASSOCIATION OF COUNTIES AND THE CURRY COUNTY COURT
4 COMPLIANCE DEPARTMENT TO STUDY THE TRANSFER OF COUNTY
5 EMPLOYEES TO THE MAGISTRATE COURTS TO OPERATE COMPLIANCE
6 PROGRAMS.

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8 WHEREAS, under current New Mexico law, certain offenders
9 are sentenced to terms of probation with specific probation
10 conditions; and

11 WHEREAS, county governments have employed individuals to
12 work with the magistrate courts in the capacity of court
13 compliance officers; and

14 WHEREAS, the duties and responsibilities of court
15 compliance officers include monitoring certain offenders
16 convicted of misdemeanors, including pre- and post-sentencing
17 reports, residential and employment visits and collection of
18 program costs; and

19 WHEREAS, the county compliance employees are not hired,
20 trained or supervised by the courts; and

21 WHEREAS, counties have independent hours of operation
22 and different rules, procedures and requirements than the
23 courts; and

24 WHEREAS, county rules for employees, including
25 compliance officers, may be inconsistent with the

1 requirements necessary to monitor the conditions of
2 probation; and

3 WHEREAS, the fees collected by the county compliance
4 employees are used to fund operations of the county
5 compliance operations;

6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
7 STATE OF NEW MEXICO that the administrative office of the
8 courts, the New Mexico association of counties and the
9 Curry county court compliance department be requested to
10 study the ramifications of the transfer of county employees
11 to the magistrate courts to operate compliance programs and
12 possible fiscal systems in which program costs collected by
13 compliance officers are deposited into a nonreverting fund
14 created in the state treasury to be administered by the
15 administrative office of the courts to fund compliance
16 operations and propose legislation to the legislative finance
17 committee and any other appropriate interim legislative
18 committee not later than October 1, 2015; and

19 BE IT FURTHER RESOLVED that copies of this memorial be
20 transmitted to the co-chairs of the New Mexico legislative
21 council, the administrative office of the courts, the
22 New Mexico association of counties and the Curry county court
23 compliance department. _____

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