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AN ACT

RELATING TO COURT ADMINISTRATION; CREATING THE LANGUAGE
ACCESS FUND TO PROVIDE FOR LANGUAGE ACCESS SERVICES IN THE
COURTS AND REMOVING LANGUAGE ACCESS SERVICES FROM THE JURY
AND WITNESS FEE FUND.

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 the 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;

1 (4) training for the purpose of enhancing
2 language access services in the courts; and

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

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

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

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

21 "34-9-11. JURY AND WITNESS FEE FUND CREATED--
22 ADMINISTRATION--DISTRIBUTION.--

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

1 B. All balances in the jury and witness fee fund
2 may be expended only upon appropriation by the legislature to
3 the administrative office of the courts for the purpose of
4 paying the costs of:

5 (1) jurors and prospective jurors;

6 (2) witnesses of fact or character
7 subpoenaed by the court, the prosecution or the defense;

8 (3) expert witnesses for grand juries and
9 magistrate courts; and

10 (4) defending persons whom the court has
11 ordered a public defender to represent, when those persons do
12 not meet the public defender department's indigency
13 standards.

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

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