

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**  
**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)  
*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 01.31.25 *Check all that apply:*  
**Bill Number:** H 188 Original  Correction   
 Amendment  Substitute

**Sponsor:** Silva **Agency Name and Code** AOC 21800  
**Short Title:** Chaparral Riding Circuit Court **Number:** \_\_\_\_\_  
**Title:** \_\_\_\_\_ **Person Writing** Cynthia Pacheco  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		5,000,000	300,000	4,800,000	Recurring	General Funds

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB 144  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis: House Bill 144 would require the magistrate court in Dona Ana County to ride circuit to Sunland Park and Chaparral on a regular basis.

#### **FISCAL IMPLICATIONS**

The legislation contains no appropriations and does not have a delayed effective date. The Judiciary participates in a Unified Budget process. The Unified Budget for fiscal year 26 does not contain a capital, supplemental, or operating budget request that would be necessary to begin riding circuit to either Sunland Park or Chaparral. At the time of this writing, there were no commercial suitable properties available for purchase or lease in either location. Without the ability to inspect leased properties available, it is unknown whether a suitable commercial lease would be available.

Based on other court buildings and similarly situated circuit courts, the judiciary would require a minimum of \$4,000,000 in Capital Outlay to build a new facility and a minimum of \$500,000 increase to the operating budget of the 3rd Judicial District. The increase to operating budget is based on the need to hire court staff, purchase equipment and furnishings, update materials, and educate justice partners and the public about the new court location. The annual cost of the new court location would be \$300,000 minimum per year, plus lease costs if the Judiciary does not own the building.

#### **SIGNIFICANT ISSUES**

If this bill becomes law, it would require the Dona Ana County Magistrate Court to begin riding circuit to both locations on June 20, 2025. Even if the bill were amended and provided adequate appropriations to build and staff the new courthouse, there are multiple facilities projects underway that take precedence due to the caseload or safety concerns with the current locations. The soonest that this project could be completed is the end of fiscal year 2031.

The AOC currently has a funded project to purchase land and construct a magistrate court in Anthony, New Mexico. This is part of a larger project designed to serve the access to justice needs of southern Dona Ana County.

#### **PERFORMANCE IMPLICATIONS**

“Riding circuit” refers to the practice of a judge traveling to a court on a regularly scheduled basis. Although a judge will not be present at the circuit court every day, New Mexico does not have part time magistrate courts. All circuit courts are open to the public for a minimum 40 hours per week. Without a workload study, it is impossible to know whether the seven existing magistrates are sufficient to operate a circuit court.

The court location where the cases are filed is not driven by the address of litigants, it is driven by the location where prosecutors or plaintiffs choose to file charging documents. Without a study of law enforcement in the area, it is unknown whether any cases under state jurisdiction would be filed in Sunland Park, which is currently served by a municipal court. Law enforcement agencies in Dona Ana County are unlikely to file in either location over the busier courts in Las Cruces and Anthony.

**ADMINISTRATIVE IMPLICATIONS  
CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

The magistrate judges are in the middle of their terms, and were elected by Dona Ana County to preside in the Las Cruces and ride circuit to the Anthony courthouse. Changing the seat where they preside in the middle of a term is ill-advised.

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

The AOC and the 3<sup>rd</sup> Judicial District recommend the use of a justice station in lieu of circuit courts. Further, the AOC recommends that workload and usage studies should precede the creation of a new court.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo

**AMENDMENTS**