

LFC Requester:	Felix Chavez
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov and email to 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: 2/17/2025 *Check all that apply:*
Bill Number: HB 352 Original Correction
 Amendment Substitute

Sponsor: Jaramillo **Agency Name and Code** LOPD-280
 Reprs. Herrera and Sanchez, Sen. **Number:** _____
Short Title: CLOSE & RELOCATE CERTAIN MAGISTRATE COURTS **Person Writing** Theresa Edwards
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	None	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
None	None	None	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	Minimal	Minimal	Minimal	Minimal	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

House Bill 352 (HB 352) would:

- Remove the requirement for Dona Ana district magistrate judges to ride circuit to Hatch.
- Beginning January 1, 2027, consolidate the Grant District Magistrate Court to a single court in Silver City, discontinuing the Bayard Division.
- Remove the requirement for Lea District magistrate judges to ride circuit to Jal.
- Remove the requirement for McKinley District magistrate judges to ride circuit to Thoreau.
- Beginning January 1, 2027, removes the requirement for Rio Arriba magistrates to ride circuit to Chama and instead requires magistrates to ride circuit to Tierra Amarilla as needed.
- Beginning January 1, 2027, discontinues the Farmington court in the San Juan magistrate district and requires there be a single court in Aztec.
- Remove the requirement for Santa Fe district magistrate judges to ride circuit to Pojoaque.
- Remove the requirement for Torrance district magistrate judges to ride circuit to Estancia.

FISCAL IMPLICATIONS

There may be some savings in travel time for staff and contract public defenders to some of the Magistrate Courts. There would be additional travel costs and complications for clients. *See Significant Issues* below.

SIGNIFICANT ISSUES

LOPD is concerned closing or moving magistrate courts that serve remote indigent clients will result in further hardships for them. These clients already face the expense and difficulty of getting to court; moving them further away may result in more bench warrants and additional hardship on clients.

Some of the locations in which courts reside or to which magistrates currently ride circuit are a notable distance from each other and are in counties with a large geographic size:

Espanola to Chama: 81 miles (Rio Arriba county size: 5,896 square miles)
Espanola to Tierra Amarilla: 66 miles (Rio Arriba county size: 5,896 square miles)
Las Cruces to Hatch: 44 miles (Dona Ana county size: 3,814 square miles)
Gallup to Thoreau: 33 miles (McKinley county size: 5,455 square miles)
Eunice to Jal: 24 miles (Lea county size: 4,394 square miles)

Other locations are not as far apart, but for clients with unreliable transportation or working much-needed jobs or family care-taking near their homes may still face significant challenges to

travel to courts further away:

Pojoaque to Santa Fe: 19 miles (Santa Fe county size: 1,911 square miles)
Farmington to Aztec: 16 miles (San Juan county size: 5,538 square miles)
Estancia to Moriarty: 16 miles (Torrance county size: 3,346 square miles)
Silver City to Bayard: 11 miles (Grant county size: 3,968 square miles)

Additionally, although some magistrate courts have extremely low case counts year-over-year, more centralized magistrate courts may lose community-focused nuance.

PERFORMANCE IMPLICATIONS

LOPD's clients may face more bench warrants which will affect attorney caseloads to some degree, unless adjustments are made to allow clients to appear remotely or to address travel problems. There could be some savings for public defenders in travel time to the circuit courts.

ADMINISTRATIVE IMPLICATIONS

LOPD will need to restructure staffing patterns if some magistrate courts close or are moved.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None noted.

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

None noted.

ALTERNATIVES

None noted.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None noted.

AMENDMENTS

None noted.