



## NEW MEXICO JUDICIARY INITIATIVES ON FINANCIAL SENTENCES:

### January 1, 2018: Payment of Fines, Fees, and Costs (NMRA 6-207.1):

- The court shall assess the defendant's ability to pay fines, fees, and costs at the type of sentencing
  - Defendants who can pay, shall be required to pay in accordance with the financial sentence imposed by the court.
  - Defendants who cannot pay, the court shall permit community service.
- Before the issuance of a warrant for failure to pay, the court shall issue a summons to appear or pay.
  - At hearing, the court may modify the payment agreement or convert the payment to community service.
  - The court must afford adequate procedural due process before jail is imposed.

### Ongoing:

- Community engagement and contact through social media, letters, postcards, telephone calls, and text messages.
- Safe Surrender events to assist court customers with compliance before law enforcement contact.

### Moving forward:

- Development of customer call center to assist defendants with routine questions about criminal case processing, and to issue phone calls / text messages to remind court customers about upcoming deadlines including hearings, payments, and other compliance matters.
- Reduction of fee funded positions

## Summary of Fees by Court

<b>Metropolitan Court</b>		
<b>Case Type</b>	<b>Fee</b>	<b>Authority</b>
Traffic Cases (all city and county traffic ordinance violations)	<b>\$77</b> <ul style="list-style-type: none"> <li>• \$24: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$10: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> </ul>
Traffic Cases (excluding penalty assessment misdemeanors)	<b>Misdemeanors - \$135</b> <b>Petty Misdemeanor - \$85</b> <ul style="list-style-type: none"> <li>• \$24: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$10: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> <li>• \$50: Crime Victim Reparation Fee (applies only to misdemeanors)</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> <li>• §31-12-13(A)(2)</li> </ul>
Traffic cases (contested penalty assessment misdemeanors)	<b>\$86</b> <ul style="list-style-type: none"> <li>• \$24: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$10: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> <li>• \$1: Juvenile Adjudication Fee</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> <li>• §66-8-116.3(F)</li> </ul>
Traffic cases (uncontested penalty assessment misdemeanors)	<b>\$65</b> <ul style="list-style-type: none"> <li>• \$24: Facilities Fee</li> <li>• \$10: Automation Fee</li> <li>• \$10: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> </ul>

**Metropolitan Court, continued**

Case Type	Fee	Authority
Traffic Cases (all city and county traffic ordinance violations)	<p><b>\$77</b></p> <ul style="list-style-type: none"> <li>• \$24: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$10: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> </ul>
Traffic Cases (excluding penalty assessment misdemeanors)	<p><b>Misdemeanors - \$135</b> <b>Petty Misdemeanor - \$85</b></p> <ul style="list-style-type: none"> <li>• \$24: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$10: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> <li>• \$50: Crime Victim Reparation Fee (applies only to misdemeanors)</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> <li>• §31-12-13(A)(2)</li> </ul>
Traffic cases (contested penalty assessment misdemeanors)	<p><b>\$86</b></p> <ul style="list-style-type: none"> <li>• \$24: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$10: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> <li>• \$1: Juvenile Adjudication Fee</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> <li>• §66-8-116.3(F)</li> </ul>
Traffic cases (uncontested penalty assessment misdemeanors)	<p><b>\$65</b></p> <ul style="list-style-type: none"> <li>• \$24: Facilities Fee</li> <li>• \$10: Automation Fee</li> <li>• \$10: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> </ul>

**Metropolitan Court, continued**

<p>DWI case</p>	<p><b>Misdemeanors - \$425</b>  <b>Petty Misdemeanor - \$375</b>          (add \$75 for controlled substance conviction)</p> <ul style="list-style-type: none"> <li>• \$24: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$10: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> <li>• \$85: Crime Lab Fee</li> <li>• \$75: Community Comprehensive Program Fee</li> <li>• \$30: In-house Screening Fee</li> <li>• \$50: Traffic Safety Ed. Fee (only if D attending Metro DWI school)</li> <li>• \$50: DWI School Fee</li> <li>• <b>\$75: Controlled Substances Fee (only applies to Controlled Substances Act conviction)</b></li> <li>• <b>\$50: Crime Victim Reparation Fee (applies only to misdemeanors)</b></li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> <li>• §31-12-7(A)</li> <li>• §31-12-7(B)</li> <li>• §66-8-102(T)</li> <li>• §66-8-102(E)</li> <li>• §66-8-102(E)</li> <li>• §31-12-8(A)</li> <li>• §31-12-13(A)(2)</li> </ul>
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<b>Magistrate Court</b>		
<b>Case Type</b>	<b>Fee</b>	<b>Authority</b>
Traffic Cases (all city and county traffic ordinance violations)	<b>Misdemeanor - \$131</b> <b>Petty Misdemeanor - \$81</b> <ul style="list-style-type: none"> <li>• \$10: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$20: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> <li>• \$50: Crime Victim Reparation Fee (applies only to misdemeanors)</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> <li>• §31-12-13(A)(2)</li> </ul>
Traffic cases (contested penalty assessment misdemeanors)	<b>\$ 82</b> <ul style="list-style-type: none"> <li>• \$10: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$20: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> <li>• \$1: Juvenile Adjudication Fee</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> <li>• §66-8-116.3(F)</li> </ul>
Traffic cases (uncontested penalty assessment misdemeanors)	<b>\$ 61</b> <ul style="list-style-type: none"> <li>• \$ 10: Facilities Fee</li> <li>• \$10: Automation Fee</li> <li>• \$20: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> </ul>

**Magistrate Court, continued**

<p>DWI case</p>	<p><b>Misdemeanors - \$291</b>  <b>Petty Misdemeanor - \$241</b>          (add \$75 for controlled substance conviction)</p> <ul style="list-style-type: none"> <li>• \$10: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$20: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• \$3: Traffic Safety Fee</li> <li>• \$5: Brain Injury Fee</li> <li>• \$85: Crime Lab Fee</li> <li>• <b>\$75: Controlled Substances Fee</b>              (only applies to Controlled Substances Act conviction)</li> <li>• <b>\$50: Crime Victim Reparation Fee</b>              (applies only to misdemeanors)</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §35-6-1(D)(3)</li> <li>• §35-6-1(D)(6)</li> <li>• §31-12-7(A)</li> <li>• §31-12-8(A)</li> </ul> <p>§31-12-13(A)(2)</p>
<p><b>Criminal and Domestic Violence Cases</b></p>	<p><b>Misdemeanors \$123</b>  <b>Petty Misdemeanor \$73</b>          (add \$75 for controlled substance conviction)</p> <ul style="list-style-type: none"> <li>• \$10: Facilities Fee</li> <li>• \$20: Docket Fee</li> <li>• \$10: Automation Fee</li> <li>• \$20: Corrections Fee</li> <li>• \$5: Jury and Witness Fee</li> <li>• \$5: Dom Violence Fee</li> <li>• \$3: Judicial Education Fee</li> <li>• <b>\$75: Controlled Substances Fee</b>              (only applies to Controlled Substances Act conviction)</li> <li>• <b>\$50: Crime Victim Reparation Fee</b>              (applies only to misdemeanors)</li> </ul>	<ul style="list-style-type: none"> <li>• §35-6-1(D)(7)</li> <li>• §35-6-1(A)</li> <li>• §35-6-1(D)(2)</li> <li>• §35-6-1(D)(1)</li> <li>• §35-6-1(D)(5)</li> <li>• §31-12-11(A)</li> <li>• §35-6-1(D)(4)</li> <li>• §31-12-8(A)</li> </ul> <p>• §31-12-13(A)(2)</p>

<b>District Court</b>		
Civil Filing Fee Civil or Children's case	<b>\$132</b> <ul style="list-style-type: none"> <li>• \$22: General Fund</li> <li>• \$12: Compilation Comm'n</li> <li>• \$38: Judicial Retirement</li> <li>• \$20: Court Automation</li> <li>• \$25: Civil Legal Services</li> <li>• \$15: ADR Fee</li> </ul>	<ul style="list-style-type: none"> <li>• §34-6-40(D)</li> <li>• §12-1-9</li> <li>• §10-12B-11(B)</li> <li>• §34-6-40(A)</li> <li>• §34-6-40(B)</li> <li>• §34-6-44</li> </ul>
Civil Filing Fee – DR cases Domestic Relations Case	<b>\$137</b> <ul style="list-style-type: none"> <li>• \$22: General Fund</li> <li>• \$12: Compilation Comm'n</li> <li>• \$38: Judicial Retirement</li> <li>• \$10: Court Automation</li> <li>• \$25: Civil Legal Services</li> <li>• \$30: Dom. Rel. Mediation</li> </ul>	<ul style="list-style-type: none"> <li>• §34-6-40(D)</li> <li>• §12-1-9</li> <li>• §10-12B-11(B)</li> <li>• §34-6-40(A)</li> <li>• §34-6-40(B)</li> <li>• §40-12-6</li> </ul>
Criminal Appeal from Magistrate Ct	<b>\$35</b> <ul style="list-style-type: none"> <li>• \$25: General Fund</li> <li>• \$10: Court Automation</li> </ul>	<ul style="list-style-type: none"> <li>• §34-6-40(D)</li> <li>• §35-13-2(B)</li> </ul>
Criminal Appeal from Municipal Ct	<b>\$20</b> <ul style="list-style-type: none"> <li>• \$10: General Fund</li> <li>• \$10: Court Automation</li> </ul>	<ul style="list-style-type: none"> <li>• §34-6-40(D)</li> <li>• §35-15-7(B)</li> </ul>
Civil Jury Demand Fee	<b>\$150/300 per day</b> <ul style="list-style-type: none"> <li>• \$150/day: 6 person jury</li> <li>• \$300/day: 12 person jury</li> </ul>	<ul style="list-style-type: none"> <li>• Rule 1-038(C)</li> <li>• Rule 1-038(C)</li> </ul>
Criminal Conviction	<b>Applicable Fees and Fines:</b> <ul style="list-style-type: none"> <li>• \$75 controlled substances fee</li> <li>• \$100 DNA Fee</li> <li>• \$5 Dom Violence Fee</li> <li>• \$75 Crime Victim Reparation Fee (Felony)</li> <li>• \$50 Crime Victim Reparation Fee (Misdemeanor)</li> <li>• \$85 DWI Chemical Testing Fee</li> <li>• \$75 DWI Comprehensive Community Corrections Fee</li> <li>• DWI Subsequent Offense Mandatory Fine: 2<sup>nd</sup> Offense: \$500 3<sup>rd</sup> Offense \$750</li> </ul>	<ul style="list-style-type: none"> <li>• §31-12-8(A)</li> <li>• §29-16-11</li> <li>• §31-12-11(A)</li> <li>• §31-12-13(A)(1)</li> <li>• §31-12-13(A)(2)</li> <li>• §31-12-7(A)</li> <li>• §31-12-7(B)</li> <li>• §66-8-102(F)(1), (2)</li> </ul>

### Court of Appeals

Docket Fee: all new criminal and civil appeals	<b>\$125</b> <ul style="list-style-type: none"><li>• \$100: Court Facilities Fund</li><li>• \$25: Court Automation</li></ul>	<ul style="list-style-type: none"><li>• §34-5-6(A)</li><li>• §34-5-6(A)</li></ul>
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### Supreme Court

Docket Fee: all new criminal and civil appeals	<b>\$125</b> <ul style="list-style-type: none"><li>• \$96: Court Facilities Fund</li><li>• \$4: Sup Ct Suspense Fund</li><li>• \$25: Court Automation</li></ul>	<ul style="list-style-type: none"><li>• §34-2-5(A)</li><li>• §34-2-6</li><li>• §34-2-5(A)</li></ul>
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