

1 A JOINT MEMORIAL

2 REQUESTING THE ADMINISTRATIVE OFFICE OF THE COURTS, THE
3 ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS AND THE NEW
4 MEXICO ASSOCIATION OF COUNTIES TO STUDY THE STATUTORY
5 REQUIREMENTS THAT COUNTIES PROVIDE FACILITIES FOR DISTRICT
6 COURTS AND DISTRICT ATTORNEYS.

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8 WHEREAS, New Mexico counties are required to provide
9 adequate quarters for the operation of the district courts,
10 including juvenile probation services, and district attorneys
11 and to provide necessary utilities and maintenance service
12 for the operation and upkeep of the district court and
13 district attorney facilities; and

14 WHEREAS, "adequate quarters" and "necessary utilities
15 and maintenance service" are not defined in statute and this
16 lack of clear definition has led to confusion and lawsuits
17 between the courts and the counties in trying to determine
18 the respective financial responsibilities of the counties and
19 the state; and

20 WHEREAS, both the counties and the state would benefit
21 from clear definitions or guidelines that would detail the
22 financial responsibilities of the counties and the state;

23 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
24 STATE OF NEW MEXICO that the administrative office of the
25 courts, the administrative office of the district attorneys

1 and the New Mexico association of counties be requested to
2 study the requirement that counties provide adequate quarters
3 and necessary utilities and maintenance service for district
4 court and district attorney facilities; and

5 BE IT FURTHER RESOLVED that the administrative office of
6 the courts, the administrative office of the district
7 attorneys and the New Mexico association of counties develop
8 a clear definition of "adequate quarters" and "necessary
9 utilities and maintenance service" or develop guidelines
10 detailing the respective responsibilities of the counties and
11 the state; and

12 BE IT FURTHER RESOLVED that the administrative office of
13 the courts, the administrative office of the district
14 attorneys and the New Mexico association of counties report
15 their findings to the corrections oversight, courts and
16 justice committee no later than November 30, 2005; and

17 BE IT FURTHER RESOLVED that copies of this memorial be
18 transmitted to the administrative office of the courts, the
19 administrative office of the district attorneys and the New
20 Mexico association of counties. _____

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