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FISCAL IMPACT REPORT

SPONSOR Komadina DATE TYPED 3/16/05 HB _____

SHORT TITLE Five Supreme Court Districts, CA SB SJR 2

ANALYST Ford

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			Minimal		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Administrative Office of the District Attorneys (AODA)

SUMMARY

Synopsis of Bill

Senate Joint Resolution 2 proposes to amend the New Mexico constitution to provide for district-elections of Supreme Court justices. The resolution proposes to create 5 districts, with the electors of each district electing one Supreme Court justice. Current justices would be randomly assigned to districts and would be eligible for retention or rejection at the next general election. The proposed amendment is subject to voter approval.

Significant Issues

Currently, Supreme Court justices are elected on a statewide basis. Both the PDD and AOC argue that this is appropriate since the Supreme Court rules on cases of statewide interest that arise from lower courts throughout the state.

The resolution does not require that the justice representing each district be a resident of that district, nor does it specify if justices will be required to have district offices. AOC notes that if justices had district offices, the work of coordinating court efforts would be more difficult and expensive.

FISCAL IMPLICATIONS

The resolution would result in minimal costs to the secretary of state to put the proposed amendment on a statewide ballot. If the amendment were approved, there may be resulting minimal administrative costs to the courts.

POSSIBLE QUESTIONS

Would the district election of justices cause justices to take a parochial view of statewide issues?

EF/lg