

The additional district judgeships shall be filled by appointment by the governor pursuant to the provisions of Article 6 of the Constitution of New Mexico. The additional judgeship in the Dona Ana magistrate district shall be by appointment by the governor. The appointed magistrate shall serve starting July 1, 2014 and shall serve until succeeded by a magistrate judge elected in the 2014 general election.

The bill provides an appropriation of \$1.5 million for salaries and benefits, furniture, supplies and equipment for the additional judges and support staff.

FISCAL IMPLICATIONS

The General Appropriations Act includes \$1.1 million to fund additional judges in all of the requesting districts.

SIGNIFICANT ISSUES

The annual judicial workload study indicates, based on fiscal year 2013 case filings, an additional 22 judges are needed statewide. The unified budget included additional judgeships for the five most under-staffed districts in the state.

The four district court judgeships will handle a purely civil docket and the additional magistrate judge will handle a civil and traffic docket. All of the requesting districts have stated that they will be able to accommodate an additional judge in their current facilities.

The AOC has stated that the need for civil judgeships is severe as criminal, juvenile, and child welfare cases are prioritized over civil cases resulting in significant delays in civil case hearings.

DUPLICATION

The appropriation contained in HB 141 duplicates provisions of the General Appropriations Act.

OTHER SUBSTANTIVE ISSUES

The District Attorneys and the PDD have stated that the creation of additional judgeships may increase their workloads. The AOC has stated that the creation of additional civil judgeships will not have an impact on criminal dockets as there are no split dockets in the 1st, 2nd, or 5th district courts and the additional judgeship in the 13th district will be assigned to backlogged civil cases in that district.

CJ/svb:jl