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SENATE BILL 434

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY  
Mimi Stewart

AN ACT

RELATING TO PROBATE JUDGES; ESTABLISHING MINIMUM QUALIFICATIONS  
TO SERVE AS PROBATE JUDGE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 34-7-1 NMSA 1978 (being Laws 1865,  
Chapter 21, Section 1, as amended) is amended to read:

"34-7-1. PROBATE JUDGE--AUTHORIZED--QUALIFICATIONS.--

A. There shall be a probate judge in each county of  
this state. The position of probate judge shall be deemed a  
part-time position.

B. In counties with a population greater than six  
hundred thousand persons in the most recent federal decennial  
census, no person is eligible for election to the office of  
probate judge unless the person:

(1) is a member in good standing of the bar

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1 association of this state, is licensed to practice law in this  
2 state and has at least two years' experience as a licensed  
3 attorney; or

4 (2) holds the office of probate judge in that  
5 county when the federal decennial census is published, provided  
6 that there is no break in service.

7 C. In counties with a population greater than six  
8 hundred thousand persons in the last federal decennial census,  
9 no person is eligible for appointment to the office of probate  
10 judge unless the person:

11 (1) is a member in good standing of the bar  
12 association of this state, is licensed to practice law in this  
13 state and has at least two years' experience as a licensed  
14 attorney; or

15 (2) held the office of probate judge in that  
16 district when the federal decennial census is published,  
17 provided that there is no break in service."