

LFC Requester:	Felix Chavez
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**AGENCY BILL ANALYSIS
2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date January 29, 2025

Bill No: House Bill 147

Sponsor: <u>Rep. Dayan Hochman-Vigil</u>	Agency Name and Code
Short <u>Additional Second District</u>	Number: <u>218 AOC</u>
Title: <u>Judgeship</u>	Person Writing <u>Jane C. Levy</u>
	Phone: <u>505-222-4566</u> Email <u>albdjcl@nmcourts.gov</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	306,800	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
None	None	None	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 147 creates an additional judicial position at the Second Judicial District Court to be assigned a domestic relations and domestic violence docket.

There are currently 30 district court judges at the Second Judicial District Court. Four judges are assigned to the family court division that hears domestic violence cases, divorce, custody, parentage, child support, extreme risk firearm protection cases, kinship guardianship cases and certain adoption cases. Every other division at the Second Judicial District Court has added judges to their division but family court has had four judges since 1997. In the past 28 years, the family court caseload has grown significantly and new case types have been added to the court’s docket.

In FY24, there were 9,676 cases filed or reopened in the family court division. Those cases are in addition to the 3,529 cases that were still pending from the previous fiscal year. In FY24, there were 3,651 domestic violence cases filed or reopened. Judges are required to review and countersign all DV orders as well as be on-call 24 hours-a-day for emergency restraining orders, which averaged 55 calls per month in FY24.

The family court division has eight hearing officers who help the judges but they have limited dockets and cannot make final binding decisions, which all must be made by the assigned judge. The need for timely decisions is hampered if parties cannot have cases either heard or reviewed by a judge in a timely fashion.

Over 75% of family court cases have at least one self-represented party. Usually both parties are unrepresented, which increases time on the bench as well as time drafting orders for the unrepresented parties.

House Bill 147 does not contain an effective date and would be effective on June 20, 2025, 90 days following adjournment of the Legislature, if signed into law.

FISCAL IMPLICATIONS

House Bill 147 contains an appropriation of \$306,800 to pay for the additional district court judge, court monitor, and trial court assistant for the additional judge.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

The family court will be able to hear cases at a faster rate and issue final decisions much more quickly if there is an additional judge to hear and decide family court cases.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP – none identified.

TECHNICAL ISSUES – none.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

Without the additional judge, the Court will likely need more hearing officers to address the increases in caseloads and case complexity. But that will result in longer waiting periods for final orders as a hearing officer only issues recommendations and they have thirty (30) days to issue recommendations in all non-domestic violence cases, and the parties have fourteen (14) days to object to any recommendation by a hearing officer, which sometimes results in a second hearing in front of the assigned judge and further delay.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL – none.

AMENDMENTS – none.