

AN ACT

RELATING TO COURTS; CREATING ADDITIONAL JUDGESHIPS IN THE SECOND, SIXTH AND ELEVENTH JUDICIAL DISTRICT COURTS; CREATING ADDITIONAL JUDGESHIPS IN THE BERNALILLO COUNTY METROPOLITAN COURT; CREATING ADDITIONAL JUDGESHIPS IN THE DONA ANA, SAN JUAN AND SANTA FE MAGISTRATE COURTS; PROVIDING FOR ADDITIONAL ASSISTANT DISTRICT ATTORNEYS AND PUBLIC DEFENDERS; AMENDING SECTIONS OF THE NMSA 1978; MAKING APPROPRIATIONS.

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

Section 1. Section 34-6-5 NMSA 1978 (being Laws 1968, Chapter 69, Section 8, as amended) is amended to read:

"34-6-5. JUDGES--SECOND JUDICIAL DISTRICT.--There shall be twenty-five district judges in the second judicial district."

Section 2. Section 34-6-9 NMSA 1978 (being Laws 1968, Chapter 69, Section 12, as amended) is amended to read:

"34-6-9. JUDGES--SIXTH JUDICIAL DISTRICT.--There shall be three district judges in the sixth judicial district. The judge of division 1 shall reside and maintain his principal office in Grant county."

Section 3. Section 34-6-14 NMSA 1978 (being Laws 1968, Chapter 69, Section 17, as amended by Laws 1995, Chapter 178, Section 3 and also by Laws 1995, Chapter 179, Section 1) is amended to read:

"34-6-14. JUDGES--ELEVENTH JUDICIAL DISTRICT.--There shall be seven district judges in the eleventh judicial district. The judges of divisions one, three, four, six and seven shall reside and maintain their principal offices in San Juan county. The judges of divisions two and five shall reside and maintain their principal offices in McKinley county."

Section 4. Section 34-8A-4.1 NMSA 1978 (being Laws 1981, Chapter 318, Section 2, as amended) is amended to read:

"34-8A-4.1. METROPOLITAN COURT JUDGES--TERMS OF OFFICE--ELECTION.--

A. The elected term of office for each judge of the metropolitan court is four years.

B. Any person appointed to fill a vacancy on the metropolitan court after January 1, 1989 shall serve until the next general election. That person's successor shall be chosen at that general election and shall hold the office until the general election four years later.

C. Judges of the Bernalillo county metropolitan court for divisions thirteen, fourteen and fifteen shall be appointed and shall serve until the 1992 general election. Their successors shall be chosen at that general election and shall hold office until the general election four years later. Additional judges shall be appointed and elected pursuant to Article 6 of the constitution of New Mexico.

D. A judge of the Bernalillo county metropolitan court for division sixteen shall be appointed and shall serve until the 2000 general election. His successor shall be chosen at that general election and shall hold office until the general election four years later.

E. A judge of the Bernalillo county metropolitan court for division seventeen shall be appointed and shall serve until the 2000 general election. His successor shall be chosen at that general election and shall hold office until the general election four years later.

F. A judge of the Bernalillo county metropolitan court for division eighteen shall be appointed and shall serve until the 2000 general election. His successor shall be chosen at that general election and shall hold office until the general election four years later.

G. A judge of the Bernalillo county metropolitan court for division nineteen shall be appointed and shall serve until the 2000 general election. His successor shall be chosen at that general election and shall hold office until the general election four years later."

Section 5. Section 35-1-10 NMSA 1978 (being Laws 1968, Chapter 62, Section 12, as amended) is amended to read:

"35-1-10. MAGISTRATE COURT--DONA ANA DISTRICT.--There shall be five magistrates in Dona Ana magistrate district, divisions 1, 2, 3 and 4 shall operate as a single court in

Las Cruces, and shall rotate riding circuit to Hatch on a regularly scheduled basis. Division 5 shall operate as a single court in Anthony."

Section 6. Section 35-1-27 NMSA 1978 (being Laws 1968, Chapter 62, Section 29, as amended) is amended to read:

"35-1-27. MAGISTRATE COURT--SAN JUAN DISTRICT.--There shall be five magistrates in San Juan magistrate district, divisions 1 and 5 operating as a single court in Aztec and divisions 2, 3 and 4 operating as a single court in Farmington."

Section 7. Section 35-1-29 NMSA 1978 (being Laws 1968, Chapter 62, Section 31, as amended) is amended to read:

"35-1-29. MAGISTRATE COURT--SANTA FE DISTRICT.--There shall be four magistrates in Santa Fe magistrate district, divisions 1, 2, 3 and 4 operating as a single court in Santa Fe; however, one magistrate shall ride circuit to Pojoaque on a regularly scheduled basis."

Section 8. TEMPORARY PROVISION--DISTRICT COURTS--APPOINTMENT.--The additional district judgeships provided for in this act shall be filled by appointment by the governor pursuant to the provisions of Article 6 of the constitution of New Mexico for terms beginning on July 1, 1999.

Section 9. TEMPORARY PROVISION--BERNALILLO COUNTY METROPOLITAN COURT--NIGHT COURT.--One of the additional judgeships provided for the Bernalillo county metropolitan

court shall preside over the operation of a night court.

Section 10. TEMPORARY PROVISION--BERNALILLO COUNTY METROPOLITAN COURT--DRUG COURT.--One of the additional judgeships provided for the Bernalillo county metropolitan court shall preside over the operation of a drug court.

Section 11. TEMPORARY PROVISION--MAGISTRATE COURTS--APPOINTMENT--ELECTION.--The additional magistrate judgeships provided for in this act shall be filled by appointment by the governor. The appointed magistrates shall begin serving on July 1, 1999 and shall serve until succeeded by a magistrate elected at the general election in 2000. The elected magistrate's term of office shall begin on January 1, 2001.

Section 12. APPROPRIATIONS.--

A. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) five hundred twenty-seven thousand dollars (\$527,000) to the second judicial district to provide salaries and benefits and furniture, supplies and office equipment for two additional judgeships and support staff;

(2) seventy-two thousand dollars (\$72,000) to the office of the district attorney for the second judicial district to provide salaries and benefits for an assistant district attorney and support staff; and

(3) one hundred ninety-eight thousand dollars (\$198,000) to the public defender department to provide salaries and benefits and furniture, supplies and office equipment for additional public defenders and support staff.

B. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) two hundred sixty-four thousand dollars (\$264,000) to the sixth judicial district to provide salaries and benefits and furniture, supplies and office equipment for one additional judgeship and support staff;

(2) sixty-nine thousand dollars (\$69,000) to the office of the district attorney for the sixth judicial district to provide salaries and benefits for an assistant district attorney and support staff; and

(3) fifty thousand dollars (\$50,000) to the public defender department to contract for legal services.

C. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) two hundred sixty-four thousand dollars (\$264,000) to the eleventh judicial district to provide salaries and benefits and furniture, supplies and office equipment for one additional judgeship and support staff;

(2) sixty-nine thousand dollars (\$69,000) to the office of the district attorney for the eleventh judicial district, division one, to provide salaries and benefits for an assistant district attorney and support staff; and

(3) eighty-seven thousand dollars (\$87,000) to the public defender department to provide salaries and benefits and furniture, supplies and office equipment for an additional public defender and support staff.

D. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) two hundred thirty-five thousand dollars (\$235,000) to the Bernalillo county metropolitan court to provide salaries and benefits and furniture, supplies and office equipment for an additional judge in division sixteen and support staff;

(2) two hundred thirty-five thousand dollars (\$235,000) to the Bernalillo county metropolitan court to provide salaries and benefits and furniture, supplies and office equipment for an additional judge in division seventeen and support staff;

(3) two hundred thirty-five thousand dollars (\$235,000) to the Bernalillo county metropolitan court to provide salaries and benefits and furniture, supplies and office equipment for an additional judge in division eighteen

and support staff;

(4) two hundred thirty-five thousand dollars (\$235,000) to the Bernalillo county metropolitan court to provide salaries and benefits and furniture, supplies and office equipment for an additional judge in division nineteen and support staff;

(5) one hundred thirty-four thousand dollars (\$134,000) to the metro unit of the office of the district attorney for the second judicial district to provide salaries and benefits for assistant district attorneys and support staff; and

(6) two hundred fifty-eight thousand dollars (\$258,000) to the public defender department to provide salaries and benefits and furniture, supplies and office equipment for additional public defenders and support staff.

E. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) one hundred sixty-three thousand dollars (\$163,000) to the administrative office of the courts to provide salaries and benefits and furniture, supplies and office equipment for two additional judgeships and support staff in the Dona Ana magistrate district;

(2) fifteen thousand dollars (\$15,000) to the office of the district attorney for the third judicial

district to contract for legal services; and

(3) one hundred sixty thousand dollars (\$160,000) to the public defender department to provide salaries and benefits and furniture, supplies and office equipment for additional public defenders and support staff.

F. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) one hundred sixty-three thousand dollars (\$163,000) to the administrative office of the courts to provide salaries and benefits and furniture, supplies and office equipment for two additional judgeships and support staff in the San Juan magistrate district;

(2) sixty-nine thousand dollars (\$69,000) to the office of the district attorney for the eleventh judicial district, district attorney division 1, to provide a salary and benefits for an assistant district attorney; and

(3) one hundred sixty thousand dollars (\$160,000) to the public defender department to provide salaries and benefits and furniture, supplies and office equipment for additional public defenders and support staff.

G. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) eighty-two thousand dollars (\$82,000) to

