

1 HOUSE JOINT RESOLUTION 16
2 44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

3 INTRODUCED BY
4 W. Ken Martinez
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8 FOR THE COURTS, CORRECTIONS AND CRIMINAL JUSTICE COMMITTEE
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10 A JOINT RESOLUTION
11 PROPOSING AN AMENDMENT TO ARTICLE 6, SECTION 15 OF THE
12 CONSTITUTION OF NEW MEXICO TO PERMIT THE DESIGNATION OF A
13 MEMBER OF THE BAR AS A DISTRICT JUDGE PRO TEMPORE.
14

15 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 Section 1. It is proposed to amend Article 6, Section 15
17 of the constitution of New Mexico to read:

18 "A. Any district judge may hold district court in
19 any county at the request of the judge of such district.

20 B. Whenever the public business may require, the
21 chief justice of the supreme court shall designate any
22 district judge of the state, or any justice of the supreme
23 court when no district judge may be available within a
24 reasonable time, to hold court in any district, and two or
25 more judges may sit in any district or county separately at

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1 the same time.

2 C. If any district judge is disqualified from
3 hearing any cause or is unable to expeditiously dispose of any
4 cause in the district, the chief justice of the supreme court
5 may designate, [~~any retired New Mexico district judge, court~~
6 ~~of appeals judge or supreme court justice, with said~~
7 ~~designees' consent, to hear and determine the cause and to act~~
8 ~~as district judge pro tempore for such cause]~~ with the
9 designee's consent, one of the following persons to hear and
10 determine the cause and to act as district judge pro tempore
11 for the cause:

12 (1) a retired New Mexico district judge;

13 (2) a court of appeals judge;

14 (3) a supreme court justice; or

15 (4) a member of the bar who volunteers to
16 serve without compensation as a district judge pro tempore and
17 who has practiced law for at least six years prior to his
18 designation as a district judge pro tempore.

19 D. If any judge shall be disqualified from hearing
20 any cause in the district, the parties to such cause, or their
21 attorneys of record, may select some member of the bar to hear
22 and determine said cause, and act as judge pro tempore
23 therein. "

24 Section 2. The amendment proposed by this resolution
25 shall be submitted to the people for their approval or

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1 rejection at the next general election or at any special
2 election prior to that date which may be called for that
3 purpose.

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 8, 1999
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8 Mr. Speaker:
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10 Your JUDICIARY COMMITTEE, to whom has been referred
11

12 HOUSE JOINT RESOLUTION 16
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14 has had it under consideration and reports same with
15 recommendation that it DO PASS, and thence referred to the
16 VOTERS AND ELECTIONS COMMITTEE.

17 Respectfully submitted,
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22 _____
23 R. David Pederson, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Luna, Mallory, T. Taylor, Thompson, Sanchez

Absent: None

J: \99BillsWP\HJR16

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1 FORTY- FOURTH LEGISLATURE
2 FIRST SESSION, 1999

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4 March 11, 1999

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7 Mr. Speaker:

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9 Your VOTERS AND ELECTIONS COMMITTEE, to whom has
10 been referred

11 HOUSE JOINT RESOLUTION 16

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13 has had it under consideration and reports same with
14 recommendation that it DO PASS.

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16 Respectfully submitted,

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20 _____
21 Edward C. Sandoval, Chair man
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

3 HVEC/HJR 16

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4 Adopted _____ Not Adopted _____

6 (Chief Clerk)

(Chief Clerk)

8 Date _____

10 The roll call vote was 8 For 1 Against

11 Yes: 8

12 No: Lutz

13 Excused: Lujan, Macko, Madalena, Sanchez

14 Absent: None

16 J:\99BillsWP\HJR16

underscored material = new
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