SENATE JOINT RESOLUTION 15

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Cisco McSorley

FOR THE COURTS, CORRECTIONS AND CRIMINAL JUSTICE COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 6, SECTION 15 OF THE CONSTITUTION OF NEW MEXICO TO PERMIT THE DESIGNATION OF A MEMBER OF THE BAR AS A DISTRICT JUDGE PRO TEMPORE.

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

- Section 1. It is proposed to amend Article 6, Section 15 of the constitution of New Mexico to read:
- "A. Any district judge may hold district court in any county at the request of the judge of such district.
- B. Whenever the public business may require, the chief justice of the supreme court shall designate any district judge of the state, or any justice of the supreme court when no district judge may be available within a reasonable time, to hold court in any district, and two or more judges may sit in any district or county separately at .125051.1

the same time.

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

- (1) a retired New Mexico district judge;
- (2) a court of appeals judge;
- (3) a supreme court justice; or
- (4) a member of the bar who volunteers to serve without compensation as a district judge pro tempore and who has practiced law for at least six years prior to his designation as a district judge pro tempore.
- D. If any judge shall be disqualified from hearing any cause in the district, the parties to such cause, or their attorneys of record, may select some member of the bar to hear and determine said cause, and act as judge pro tempore therein."

Section 2. The amendment proposed by this resolution shall be submitted to the people for their approval or .125051.1

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

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FORTY-FOURTH LEGISLATURE FIRST SESSION, 1999

February 23, 1999

Mr. President:

Your RULES COMMITTEE, to whom has been referred

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has had it under consideration and reports same with recommendation that it DO PASS, and thence referred to the JUDICIARY COMMITTEE.

 $Respectfully \ \ submitted,$

Gloria Howes, Co-Chair

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1	Adopted_		Not	
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3		(Chief Clerk)		(Chief Clerk)
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6		Date		
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9	The roll	call vote was <u>7</u> For	0 Agai nst	
10	Yes:	7		
11	No:	0		
12	Excused:	Kysar		
13	Absent:	None		
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