About This Report
The Administrative Office of the Courts (AOC) is required by law to submit an annual report to the New Mexico Supreme Court and the Legislature.

This report is an overview of the Judiciary’s accomplishments during the 2017 fiscal year (July 1, 2016 – June 30, 2017).

The report as well as the FY2017 Statistical Addendum can be found at www.nmcourts.gov.

Acknowledgements
This report was prepared with special assistance from AOC staff, court personnel and judges across the state.

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Judicial Information Division

On the cover: “In Light of Justice II,” a glass and steel sculpture in the fourth floor atrium of the Bernalillo County Courthouse.
Artist: Ken Leap
Photo: Tim Korte
As Chief Justice, it is my pleasure to present to you the Judiciary’s 2017 annual report. In these pages, you will find highlights of a number of our accomplishments designed to improve the public and legal communities’ access to and experience with the courts, including:

- Implementation of a statewide jury management system which not only makes it easier for citizens to serve as jurors but also ensures that they are paid in a timely manner;
- Increasing the number of certified language access specialists working in the courts. These certified bilingual court employees are unique to the New Mexico Judiciary and assure meaningful access to court services outside the courtroom;
- Development of an interpreter training and certification program for Navajo and pueblo languages;
- Piloting of a text message system in the Bernalillo County Metropolitan Court to remind defendants of upcoming hearings;
- Upgrading the publicly accessible “Case Lookup” system for viewing case history and other summary information;
- E-filing of cases and records at the Supreme Court and Court of Appeals; and
- Online access to court records in the Odyssey electronic case management system to registered attorneys, law enforcement agencies, and the press.

The report also, however, reveals the challenges of managing the consequences of the ongoing fiscal strain of the last eight years. The Judiciary’s FY17 budget was 2.8% below its FY16 general fund appropriation and, after adjusting for inflation, our funding has eroded since the recession. Courts have held employee vacancies open in order to meet their operating expenses placing additional burdens on remaining staff and, in some cases, necessitating reduced hours to the public so that staff can keep up with the volume of work.

The Judiciary has and will continue to evaluate every aspect of how we do business to ensure we are operating efficiently and effectively with the resources available to us. Our dedicated and professional judges and employees are committed to fulfilling the Judiciary’s obligation to provide equal access to justice under the law. It is my privilege to share this report with you on their behalf.
The 2017 Annual Report is full of vibrant photographs showing the dynamic work of the courts as well as statistical evidence that long-term high vacancies and lack of compensation improvements are stressing the courts. Challenges to efficiency can be seen in lower clearance rates and reduced program activities. At the same time, many accomplishments are also documented. Pretrial reform is one activity that must be mentioned. After the Supreme Court issued new rules for pretrial release and detention to implement the constitutional amendment passed by voters, trial courts throughout the state worked diligently to implement significant changes in pretrial practices that have been in place for a generation. With no funding dedicated to this transformation, the courts eliminated jailhouse bail schedules and undertook risk-based pretrial release. While more work needs to be done, especially to provide courts with timely criminal history and risk data, it is difficult to fully appreciate the magnitude of this accomplishment and the amount of difficult challenges it required courts statewide to overcome.

This year also saw the Judicial Information Division complete implementation of the Odyssey electronic case management system. With the cooperation and dedication of all the judges and court employees, New Mexico is unique in having all state courts on a single, integrated system statewide. All trial courts also implemented a new jury management system. For the first time jury service runs on a single, efficient system that sees jurors paid within two weeks of service. Court personnel underwent hours of training to implement this system on an expedited schedule and can look forward to efficiencies that will improve the experience of jurors in our courts.

Readers are invited to review the accomplishments of their local courts along with those of other courts across New Mexico. It is my great honor to work with all of them as they accomplish all that is documented in the 2017 Annual Report.
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The Judiciary received a general fund appropriation of $156.1 million in the 2017 fiscal year after reductions were imposed across state government during a special session of the Legislature because revenues fell short of projections.

With the budget adjustment, the Judiciary’s appropriation represented a decline of 3% or $4.8 million from what had been initially been approved for the fiscal year. The adjusted FY17 operating budget for the Judiciary was 2.8% below the Judiciary’s total appropriation in the 2016 fiscal year.

General fund appropriations totaled $6.1 billion in FY17 for all of state government, including public education, after reductions made during the special session in the fall of 2016.
The Supreme Court is the highest court for the State of New Mexico. It is the final authority on questions of law and can review decisions of the Court of Appeals as well as district courts. Appeals in capital criminal cases, Public Regulation Commission decisions and election challenges go directly to the Court.

The Supreme Court determines the rules of practice and procedure for the state bar and all state courts. It exercises supervisory control over state courts in New Mexico, including municipal and probate courts. Local governments fund municipal and probate courts, which are not part of the Judiciary’s unified budget process and are not overseen by the Administrative Office of the Courts. The Constitution authorizes the Supreme Court to order certain remedies through issuing extraordinary writs. The Court also acts on recommendations by investigatory boards and commissions for disciplining judges and attorneys, and oversees the admission and regulation of attorneys in New Mexico.
The Supreme Court issued new rules of criminal procedure governing pretrial detention and release. The rules implement and enforce provisions of a constitutional amendment approved by 87% of voters in the November 2016 general election. The rules require that all release and detention decisions by courts be based on evidence of individual risk posed by defendants, rather than by fixed-money bond schedules that do not take into account individual dangerousness or flight risk.

The Supreme Court approved a policy to provide secure online case access to court records for attorneys and their staff, justice partners such as law enforcement agencies, and the press. The policy will allow members of the public to gain online access to court case records in the future when the Judiciary is able to electronically redact records to remove protected personal identifier information.

The Adult Guardianship Study Commission was established by the Supreme Court to recommend changes in court rules, state statutes, funding, administrative practices or other proposals to improve the guardianship system.

Justice Judith Nakamura was sworn in as Chief Justice on June 7. She was elected Chief Justice by her colleagues on the court, and succeeded Justice Charles Daniels. The Chief Justice presides over Supreme Court hearings and conferences, and serves as the administrative authority over personnel, budgetary matters and general operations of all state courts. The Chief Justice also acts as an advocate for the Judiciary on legislation, funding for the courts and other issues.
The Court of Appeals is the first and often final appellate court for most types of cases. The court has mandatory jurisdiction in all civil, non-capital and juvenile cases appealed from trial courts and discretionary jurisdiction over most appeals from administrative agencies. The court acts in three-judge panels and at least two judges must agree to decide a case.

Attorneys in the Prehearing Division screen appeals for assignment to the court’s summary and general calendars. Staff attorneys provide the court with proposed opinions and recommendations on applications for interlocutory appeals, petitions for writs of certiorari and petitions for writs of error. Mediation is available for any matter pending before the court.
Judges visited Eldorado High School in Albuquerque, Pojoaque High School and Goddard High School in Roswell for a program to bring the judicial branch to life for students by hearing oral argument in cases at the schools. After completion of the oral arguments, the judges held discussion sessions with the students on legal issues and the judicial branch of government.

The court actively participated in its collaborative relationship with the University of New Mexico School of Law. The judges and legal staff spoke to classes, served as professors and adjunct professors, judged moot court sessions, and provided externships for the students. Judges also taught an appellate law class with the curriculum specifically focused on the appellate process.

168 cases were referred to the Appellate Mediation Office, and 49 cases were settled through mediation.

The Expedited Bench Decision program successfully expedited appeals of children’s court and other time sensitive decisions.

The Court of Appeals persevered through continuing budget cutbacks in fiscal year 2017. The court resolved 747 cases for a disposition rate of 90%.

Judge Henry Bohnhoff (below right) takes the oath of office from Supreme Court Justice Charles Daniels.
District courts are general jurisdiction trial courts. They hear and determine adult and juvenile criminal cases as well as civil matters, including domestic relations, contract disputes and personal injury litigation.

There were 94 district judges in the 2017 fiscal year. Courts are serving more self-represented litigants in civil cases, which adds to demands on judges and staff as they ensure access to justice for those unfamiliar with legal procedures.

2017 Fiscal Year Caseload

- Adult Criminal: 23%
- Juvenile Criminal: 3%
- Civil: 74%

New and reopened cases: 124,972

Disposition Rate

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New Civil Cases with Self-Represented Litigants

- FY11: 35%, 27,396
- FY12: 35%, 25,304
- FY13: 41%, 27,750
- FY14: 46%, 28,155
- FY15: 46%, 28,360
- FY16: 50%, 29,689
- FY17: 51%, 32,718

Civil Cases with Self-Represented Litigants

- FY11: 27,396
- FY12: 25,304
- FY13: 27,750
- FY14: 28,155
- FY15: 28,360
- FY16: 29,689
- FY17: 32,718
33 criminal jury trials and 5 non-jury trials.

74 civil jury and bench trials.

29 graduates of adult and juvenile drug courts and mental health treatment court. There have been 2,267 total participants since the first program was founded in 1997.

277 defendants referred to pre-trial services. Of the 263 accepted into the program, 53% successfully completed it by the end of the fiscal year. A total of 1,328 defendants have been referred to the program since its establishment in 2009.

Self-Help Center staff served 8,544 people, an average of 712 each month. The center’s staff provides forms and procedural information, with about 6% of its services involving Spanish speakers.

173 cases referred to alternative dispute resolution, with a 78% resolution rate.

131 people were assisted at two Legal Fairs by 78 volunteer attorneys, and six free civil clinics were held in which 32 volunteers helped 91 people.

166 children in abuse and neglect cases served by CASA volunteers.

Upgraded public Wi-Fi system to improve performance. A digital sound processor and new microphones were installed at the courthouse in Tierra Amarilla to improve recordings of hearings.

Celebrated the 20th anniversary of the adult Drug Court. Retired Judge Michael Vigil (above left), who oversaw the program from 1998 until his retirement in 2012, spoke at the event. Among those attending the anniversary was Carlos Gonzales of Santa Fe (pictured to the right of Judge Vigil), who graduated from Drug Court in 2001.
2017 Fiscal Year Caseload

New and reopened cases: 40,647

Disposition Rate

ACCOMPLISHMENTS

- 140 criminal jury trials and 31 non-jury trials.
- 51 civil jury and bench trials.
- Implemented a data-driven risk assessment tool, the Public Safety Assessment, to provide objective information for judges in determining conditions of pretrial release for defendants.
- Judges disposed of a criminal case backlog. Now, 60% of criminal cases are resolved within seven months, 30% within nine months and 10% within a year. Few cases are resolved outside of a year.
- Pretrial services supervised 2,247 defendants, conducted 1,620 new intakes, completed 3,849 arraignment investigations and court reports. Defendants made 10,727 office visits.
- 91 graduates from adult and juvenile drug courts, mental health treatment and DWI Court. A three-year federal grant will enhance services and support a newly created Healing to Wellness track.

- 15,869 self-represented litigants served by the Center for Self-Help. The center’s staff is pictured below.

- Children’s Court is participating in a pilot project to develop a uniform order that maximizes a child’s opportunity to complete probation successfully, while holding the child accountable for violations that threaten the health and safety of the child and public.
- Elder and Disability Initiative conducted statutorily required 10-year reviews in 130 matters, led training of 70 guardians and conservators and developed interactive online forms.
- Clerk’s office and other staff docketed 678,024 entries into court cases. Docketing clerks averaged 57,831 entries.
- 19,891 people served by the clerk’s information desk, which received over 34,000 calls. Clerk’s office received 11,173 requests for copies of records, with 141,071 pages copied and provided.
593 people attended legal advice clinics.

Drug Court staff performed a clean-up at the home of a juvenile drug court program client who was one of a family’s seven children. The staff gathered donated supplies, repaired the interior of the house, and removed trash and weeds.

Created a separate Drug Court track to better serve veterans with substance abuse problems.

ACCOMPLISHMENTS

- 48 criminal jury trials and 12 non-jury trials.
- 20 civil jury and bench trials.
- 32 graduates of adult, juvenile and family drug courts.
- Implemented an Assisted Outpatient Treatment Program for adults with serious mental conditions, offering needed treatment services rather than possible incarceration. Doña Ana County received a federal grant providing $700,000 annually for four years to help fund the program. District Judge Mary W. Rosner presides over cases for adults who agree to participate in the program.
- Restructured the court clerk’s office to provide for a “team” approach by combining the domestic, civil and criminal divisions to share the workload and allow staff in each of the groups to assist one another in serving the public.
- 3,432 jurors requested for trials.
- 119 days of jury trials conducted by judges.
- 10,598 people served by the Self-Help Division.
- Designated as a pilot court for a kiosk to assist self-represented litigants in obtaining a temporary domestic violence order of protection.

Adult Drug Court participants and team members contributed to a scholarship fund for students enrolled in criminal justice or law enforcement at Doña Ana Community College. The college matched the scholarship award, which covered book costs. Photo above: (L-R) Drug Court Judges Mary Rosner, Manuel Arrieta and Marci Beyer, and Court Executive Officer David Borunda (seated).
11 criminal jury trials and 3 non-jury trials.

10 civil bench trials.

12 graduates from adult drug court.

244 supervised visits and safe exchanges for children in cases involving parental disputes, including divorce, custody and domestic violence.

57 children in abuse and neglect cases served by CASA volunteers.

1,149 people assisted by Self-Help Center, which provides forms and guidance to self-represented litigants.

114 people served at 21 family law clinics.

98 people assisted by 18 attorneys at pro bono legal fair.

Chief Judge Matthew Sandoval (above right) received a Child Welfare and Juvenile Justice Excellence Award from the Supreme Court’s Children’s Court Improvement Commission. The awards are for Children’s Court community members who demonstrate outstanding dedication, leadership, knowledge and integrity. Supreme Court Justice Charles Daniels (above left.)
137 criminal jury trials and 94 non-jury trials.

23 civil jury and bench trials.

19 graduates from juvenile and family drug courts.

1,454 supervised visits and safe exchanges for children in cases involving parental disputes, including divorce, custody and domestic violence.

616 children in abuse and neglect cases served by CASA volunteers.

Architectural rendering of the new Lea County Judicial Complex in Lovington, which is financed by the county and scheduled for completion in November 2018.

Groundbreaking ceremony in December 2016 for the Lea County Judicial Complex, which will house the Fifth Judicial District Court.
32 criminal jury trials and 5 non-jury trials.
4 civil jury and bench trials.
15 graduates from adult and juvenile drug courts.
90 children in abuse and neglect cases served by CASA volunteers.
1,270 supervised visits and safe exchanges for children in cases involving parental disputes, including divorce, custody and domestic violence.

Two district court judges retired during the fiscal year. Judge Henry R. Quintero (below right with former court worker Sonia Marrujo) served 14 years on the bench, and Judge Daniel Viramontes served nine years.
2017 Fiscal Year Caseload

- 12 criminal jury trials and 2 non-jury trials.
- 3 civil jury and bench trials.
- District Court Judge Kevin R. Sweazea retired and began serving as a federal magistrate judge in May 2017. He served on the bench in the Seventh Judicial District for 16 years, including 10 years as chief judge.

ACCOMPLISHMENTS

- 19 graduates from adult drug court programs.
- 112 children in abuse and neglect cases served by CASA volunteers.

Disposition Rate

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New and reopened cases: 2,347

Judge Shannon Murdock (above left) takes the oath of office from Judge Mercedes Murphy. She was appointed to Division 3 in June 2017.

(Back row L-R) Retired Judge Edmund Kase III with Judges Matthew Reynolds, Kevin Sweazea and Mercedes Murphy (in front) at Judge Sweazea’s retirement party.
19 criminal jury trials and 4 non-jury trials.
17 civil jury and bench trials.
33 graduates of adult and juvenile drug courts.
193 supervised visits and safe exchanges for children in cases involving parental disputes, including divorce, custody and domestic violence.

Taos Adult Drug Court selected to pilot a peer review process funded by the Bureau of Justice Assistance, and guided by the Administrative Office of the Courts and NPC Research.

Restructured the Taos clerk’s office to create divisions based on case types, and reorganized the management and administrative team to improve court operations without additional employees. Increased professional development for staff, providing annual training and numerous content-specific training opportunities across the district.

Updated audio-visual and video systems in courtrooms in Taos, Union, and Colfax counties, and modified clerical spaces in the three locations.

Connected courtrooms in Taos to the building's generator to allow trials or hearings to continue during a power outage in the community.
2017 Fiscal Year Caseload

New and reopened cases: 4,284

- 57 criminal jury trials and 9 non-jury trials.
- 4 civil jury and bench trials.

The Ninth Judicial District Pro Bono Committee, chaired by Judge Donna J. Mowrer (above right), received the Legal Services Corporation Pro Bono Service Award. Since 2012, the Pro Bono Committee’s Ask-A-Lawyer event has helped nearly 400 low-income people receive free legal consultations. Court Attorney Benjamin Cross (above left) has hosted more than 125 pro se law clinics, assisting more than 800 people.

Disposition Rate

- FY17: 94.7%
- FY16: 100.8%
- FY15: 105.8%
- FY14: 98.4%
- FY13: 103.4%

- 19 graduates of adult drug courts in Clovis and Portales.
- 248 supervised visits and safe exchanges for children in cases involving parental disputes, including divorce, custody and domestic violence.
- 140 people assisted at more than two dozen free clinics for self-represented litigants.
- About 100 mediations by the court mediation program, with self-represented litigants accounting for a majority of the participants. The program offers the public a much needed, low-cost, high quality mediation option.
- 12 adoptions finalized at a National Adoption Day event hosted by the court. More than 75 people attended.
- Hosted an appreciation event to recognize pro bono legal assistance by local attorneys. About 40 people attended the event, which built support for future pro bono activities.
DeBaca, Harding and Quay Counties

1 Judge
9 Full-Time Employees
District Population: 10,823

2017 Fiscal Year Caseload

New and reopened cases: 814

Disposition Rate

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ACCOMPLISHMENTS

- 4 criminal jury trials.
- 2 civil bench trials.

Chief Judge Albert Mitchell (above left) speaking at a meeting of the Judiciary’s Budget Committee.

- Finished remodeling the clerk’s office at the Quay County Courthouse (at right) and added security cameras. The project provided a new public counter and improved office space for clerks to serve the community.
A New Mexico state flag, known as the “505” flag, is displayed at the Eleventh Judicial District Courthouse in honor of the late Master Sgt. David Montoya. The sergeant died in April 2017, four months after attending a dedication ceremony for the flag at the courthouse. The flag was given to Master Sgt. Montoya in 2003 by a cousin who worked at the district court, and it accompanied him throughout his deployments around the world as a member of the Army National Guard.

The Juvenile Grade Court served 160 clients. Ten graduated from the program, five completed high school or earned a GED, and nine enrolled at the San Juan Community College.

237 people assisted at legal fairs in San Juan and McKinley counties, with services in Spanish, Navajo and English.

352 people served at monthly legal clinics for self-represented litigants, with 27% of the clients earning less than $15,000 a year.
Lincoln and Otero Counties
4 Judges
41 Full-Time Employees
District Population: 84,839

2017 Fiscal Year Caseload

- New and reopened cases: 4,929

Disposition Rate

FY17: 103.0%
FY16: 106.5%
FY15: 93.8%
FY14: 89.0%
FY13: 89.5%

ACCOMPLISHMENTS

- 82 criminal jury trials and 8 non-jury trials.
- 19 civil jury and bench trials.
- 14% increase in case filings and 12% increase in the number of hearings held over the 2016 fiscal year.
- 186 criminal defendants supervised by the Pre-Trial Services Division.
- 116 cases referred to the court-affiliated mediation program.
- 26 graduates of adult and juvenile drug courts.
- 175 children in abuse and neglect cases served by CASA volunteers.
- Self-Help Center used 6,149 times by the public.

Judges and district court staff outside the Otero County Courthouse.
32 criminal jury trials and 37 non-jury trials.
75 civil jury and bench trials.
Case filings increased 11.4% over the 2016 fiscal year.
Pre-Trial Services supervised 370 criminal defendants.
69 graduates of adult and juvenile drug courts, family dependency treatment court, and mental health court.
1,166 supervised visits and safe exchanges for children in cases involving parental disputes, including divorce, custody and domestic violence.
Settlement in nearly 87% of mediation cases through the foreclosure settlement project. About 46% of participating homeowners agreed with their lender to remain in their home and resume mortgage payments.
59 parents in abuse and neglect proceedings received social work and case management services from the Family Support Services Program, which has helped reduce the time to either reunite families or to implement a permanent alternative placement for children from an average of 25 months in 2013 to nine months currently.
1,085 people assisted at nearly three dozen clinics throughout the district for self-represented litigants.
The district court coped with budget cuts by maintaining an average of six staff vacancies out of authorized full-time positions. The vacancy rate averaged 7.2% but went as high as 13% during the fiscal year.

Cibola County District Court clerk’s staff (Front L-R) Toinette Garcia, Florence Abad, (Back L-R) Pablita Cohoe, Alexandra Barela and Marlene Villasana.

Pretrial Services staff of the Valencia County District Court: (L-R) Briana Orozco, Dominica Montano, Michael Spurlock and Tonya Aguilar.
Bernalillo County Metropolitan Court was created in 1980, consolidating responsibilities of the county’s Magistrate Court, the Albuquerque Municipal Court and Small Claims Court. Judges, who serve four-year terms, must be members of the State Bar and have practiced law for at least three years. It is a limited jurisdiction court, which handles misdemeanors, traffic violations, DWI cases, civil actions up to $10,000 and conducts first appearances for felony defendants.

**2017 Fiscal Year Caseload**

- 2,975 criminal jury trials.
- 12,912 civil jury and bench trials.
- 189 graduates of DWI drug court and mental health treatment court.
- The DWI Recovery Court program celebrated its 20th anniversary in May 2017. The program helps defendants convicted of a second or subsequent DWI offense overcome drug and alcohol addiction through intense treatment and supervision. More than 4,800 defendants have participated in the program, with 3,196 graduating, since its implementation.

**Disposition Rate**

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**ACCOMPLISHMENTS**

- Metro Court’s Renee Valdez was named Pro Bono Volunteer of the Year at a reception honoring volunteers and supporters of pro bono legal services in Bernalillo County. Renee is the lead paralegal in Metro Court’s Self-Help Center.
- Began hosting monthly free legal clinics for the public in March 2017. Nearly two dozen attorneys volunteer to provide advice in areas of the law ranging from landlord-tenant matters to consumer rights and wage debts-bankruptcy.
- Initiated a Court Date Reminder Service for defendants with a pending criminal case. The goal is to reduce the number of bench warrants issued for failing to appear in court. Those who participate are sent two text messages before an upcoming court date.

Judge Christine E. Rodriguez taking the oath of office from Judge Henry Alaniz.

Judge Kenny Montoya and Outreach Court graduate.
Magistrate courts have limited jurisdiction and handle DWI cases, misdemeanors, traffic violations, civil actions up to $10,000 and hold preliminary hearings to determine probable cause on felony charges. Magistrate judges are not required to be lawyers except in Doña Ana County. Judges serve four-year terms and must run for election in partisan elections. By law, there must be at least one magistrate court in each county but some counties have more than one court.

**ACCOMPLISHMENTS**

- 341 criminal jury trials and 8,980 non-jury trials.
- 1,098 civil bench and jury trials.
- 74 graduated from drug court programs in Doña Ana, Eddy, San Miguel, San Juan, Santa Fe, Torrance and Valencia counties.
- Collected $12.3 million in fees and fines, of which $3.1 million were warrant fees that helped finance court clerks, supplies, equipment and court furniture, and to partially reimburse law enforcement for expenses of serving warrants.
- Established individual compliance plans with courts to more efficiently operate the warrant enforcement program.
- Implemented an electronic process for transmitting bench warrants to the Department of Public Safety, which reduces costs and provides more accountability for the entry and removal of bench warrants in the National Crime Information Center.
- Provided data and support to the New Mexico State Police for the DWI offender compliance program.

**FACILITIES**

**Court Closures and Reductions:** The Estancia Magistrate Court was reduced to a smaller footprint and an agreement was reached with the district court in Torrance County to share courtrooms, providing an annual savings of nearly $49,000 a year. Circuit courts in Questa and Quemado were closed in May of 2017 to save about $26,400 in annual lease costs. The public continues to be served by magistrate courts in Taos and Reserve.

(L-R) Harding County Magistrate Court Judge Karen Mitchell, Torrance County Magistrate Court Manager Sherry Weingarten and Los Alamos County Magistrate Court Judge Pat Casados.

**Leases:** Court building leases have been reviewed to reduce costs and determine future facility considerations.

**Mora County:** The Administrative Office of the Courts secured approval for an agreement to lease 5,663 square feet of space within the second floor of the Mora County Complex, which is scheduled for
**Statewide ADR Commission**

The Statewide Alternative Dispute Resolution (ADR) Commission was established in 2011 to develop, organize and monitor court-connected alternatives to formal litigation. In fiscal year 2017 the commission:

- Advocated successfully for long-term fee-based funding of district court civil dispute resolution.
- Issued guidelines for Court-Connected Mediation Services.
- Recognized the 30th Anniversary of the Metropolitan Court’s Mediation Division program.
- Celebrated the contributions of Louise Baca Sena, retired AOC Court Services Director, to effective and meaningful dispute resolution in the courts.
- Collaborated with the Judicial Education Center and the Executive Branch’s ADR Bureau to expand training opportunities in conflict resolution to the Judicial Branch.
- Continued statewide efforts to improve court ADR data collection and reporting.

**Children’s Court Mediation Program**

The program facilitates communication between family members and child welfare professionals involved in child abuse and neglect cases. Services were provided in 508 child welfare cases to assist in clarifying issues and reaching agreements regarding open adoption, placement, visitation, and treatment services for families in order to improve permanency outcomes for children.

**Magistrate Court Mediation Program**

The program provides mediation services for general civil cases in six Magistrate Courts in Bernalillo, Curry, Las Cruces, Taos, and Valencia counties. The courts referred over 550 cases to mediation in fiscal year 2017, of which 357 cases were mediated and 228 (64%) resulted in an agreement. Ninety-two percent (92%) of mediated cases with an agreement did not return for enforcement. The program currently relies on fee-based funding and operates at a deficit. Absent additional funding, mediation services will no longer be available in the magistrate courts by fiscal year 2019. During FY17, the program:

- Contracted with three regional coordinators to assist with program administration.
- Engaged the skills of 35-40 certified volunteer mediators to provide over 1,000 hours of service in the fiscal year.
- Partnered with other mediation organizations to provide continuing education for volunteer mediators and increase mediator pools.
- Proposed a five-year plan to expand services statewide with an operating budget of approximately $300,000.
- Began work to expand services to Santa Fe and Roosevelt counties in fiscal year 2018.

**Cases Reopened for Enforcements**

- Mediated Cases: 59%
- Non-Mediated Cases: 38%
The Commission on Access to Justice was established by the Supreme Court in 2004 to expand resources for civil legal assistance to New Mexicans living in poverty, increase public awareness through communication and message development, encourage more pro bono work by attorneys, and improve training and technology-based solutions to provide more access to the justice system.

The commission worked with New Mexico Legal Aid and the State Bar to organize events providing free or reduced cost legal assistance. Pro-bono assistance was provided by 622 attorneys to 1,972 clients. Below: Law-La-Palooza in Bernalillo County.

In pursuit of national justice resolutions for 100% access to essential civil legal services, the commission is working to reform the civil legal system to provide affordable, efficient and fair justice for all, regardless of ability to afford a lawyer. Current goals include:

♦ Legal service provider co-location and unified fund-raising to share expenses, consolidate, streamline and focus services as defined in the 2014 State Plan for the Provision of Civil Legal Services to Low Income New Mexicans, as updated through the commission’s work.

♦ Implement a professionally developed communications plan to raise awareness about the need for legal services, related funding and the commission itself.

♦ Widen the categories of stakeholders and their role in commission planning and activities.

♦ Support development and implementation of a single online statewide legal triage system and effective self-help services in the courts.

The New Mexico Supreme Court appoints a broad-based commission to oversee the Children’s Court Improvement Project (CIP) federal grants. The commission includes judges, legislators, representatives from the protective services and juvenile justice programs of the Children, Youth and Families Department, attorneys, child and family advocates, educators, service providers, foster parents, and other interested parties. The Administrative Office of the Courts (AOC) enters into memoranda of understanding with the Corinne Wolfe Center for Child & Family Justice (CWC) and the University of New Mexico Institute of Public Law to conduct training under the grants.

The mission of the New Mexico Children’s Court Improvement Commission is:

“To improve the safety, permanency, and well-being of children and families in New Mexico Children’s Courts by developing innovative initiatives through court, stakeholder and agency collaboration.”

During fiscal year 2017 the commission:

♦ Held a daylong strategic planning process to re-engage, re-invigorate, and to focus the goals of the commission.

♦ Created subcommittees to develop initiatives that align within the following priority areas: commission operations, system transitions, Indian Child Welfare Act implementation, educational outcomes, expeditious permanency, racial equity, and crossover youth.

♦ Developed individualized in-person training for new children’s court judges as well as educational videos for key moments in child welfare cases. The videos can be viewed at: http://childlaw.unm.edu/resources/e-learning.html.

♦ Provided monthly updates and training for all court appointed attorneys and judges in abuse and neglect cases.

♦ Held the 24th annual Children’s Law Institute, which drew over 1,000 registrants.
Court Appointed Special Advocates (CASA) for Children is a network of community-based programs that recruit, train and support citizen-volunteers to advocate for the best interests of abused and neglected children in courtrooms and communities. These programs house volunteers who provide foster children with individualized advocacy as the children move through the child welfare system. The volunteer advocates provide reports and recommendations to judges to help make the best possible decision for each child. One year of CASA advocacy costs less than one month of keeping a child in foster care and for many foster care children a CASA volunteer is the only constant adult presence in their lives.

CASA at a glance:

- 15 CASA programs in 29 counties.
- 833 trained and supervised volunteers.
- 2,057 children and youth received support from CASA volunteers.
- Serviceheart CASA in Lincoln and Otero Counties as well as Rio Grande Valley CASA served 100% of children in abuse and neglect cases in their respective jurisdictions.
- Mesilla Valley CASA in the Third Judicial District, Chaves County CASA, CASA of Lea County, Eddy County CASA, San Juan County CASA Program, CASA First Judicial District, and CASA Partners 4NMKIDS of Sandoval County have all consistently served over 75% of the children in open cases in their jurisdictions, some serving close to 100%.

The New Mexico Judiciary is committed to providing quality legal representation for indigent parties in civil proceedings when the law requires that an attorney be appointed by a court. Among the clients served are children and parents in abuse and neglect cases. The Administrative Office of the Courts (AOC) provides fiscal oversight and ensures compliance with contractual obligations by attorneys. The AOC works collaboratively with the Court Improvement Project and the Corrine Wolfe Children’s Law Center to offer attorneys free or reduced cost continuing education and trial skills training.

The AOC continues its efforts to equitably allocate funds while maintaining focus on quality representation, and during FY17:

- 120 contract attorneys provided representation on 1,479 cases.
- The Court Appointed Attorney Fund (CAAF) supported approximately 80 attorneys in their attendance at the Children’s Law Institute, which provides continuing education and training on child welfare cases.
- Successfully secured supplemental funding needed to compensate attorneys in abuse and neglect cases, child welfare appellate cases, and mental health proceedings involving children and adults.
- 55% of abuse and neglect cases closed with successful reunification of families and 34% closed with an adoption outcome.
- Supported the Family Support Services Program (FSSP), which is designed as a multidisciplinary and holistic approach to abuse and neglect cases. Preliminary data indicates the cases that utilized the FSSP saw a significant decrease in the time it took children to exit foster care.
A part-time staff attorney with the Administrative Office of the Courts (AOC) worked on improving reporting of domestic violence orders of protection and misdemeanor domestic violence convictions to the FBI for entry into the National Instant Criminal Background Check System (NICS) to comply with the federal Gun Control Act. In addition, NMSA 1978, § 34-9-19(A) requires reporting to the FBI “information from court proceedings relating to a person’s eligibility to receive or possess a firearm or ammunition pursuant to state or federal law.” Improving the data reporting includes clearly identifying the relationship between the parties to determine whether they are prohibited under federal law from possessing or purchasing a firearm or ammunition. This project will continue in fiscal year 2018.

A part-time staff attorney worked with the Administrative Office of the Courts (AOC) to help improve the courts’ tracking of adult guardianship and conservatorship cases. Because an incapacitated person can lose significant rights and self-determination, appointed guardians or conservators are required by law to be monitored and held accountable by the court. Improving the case management system helps judges identify active cases that require on-going monitoring.

The AOC’s staff attorney served as vice chair of the New Mexico Adult Guardianship Study Commission, which was convened by the Supreme Court in 2017. The Commission held 10 public information-gathering hearings and considered proposed improvements to the current system. The Commission submitted a status report to the Supreme Court in October 2017 with proposed changes in court rules, statutes, administrative practices and legislative changes to improve the guardianship system.

The Human Resources Division of the Administrative Office of the Courts (AOC) serves about 2,000 judicial employees statewide in a variety of areas, including payroll and benefits administration, classification and compensation, central recruiting and training.

Knowing that employee compensation is a critical component to attracting and retaining qualified employees, the Human Resources Division researched, compiled and analyzed pay data to assist in the Supreme Court’s implementation of the Workforce Investment Plan, a long-term statewide plan to compensate employees fairly and equitably.

During the 2017 fiscal year, the division:

♦ Revised New Mexico Judicial Branch Personnel Rules to support the operational effectiveness of the Judiciary.
♦ Implemented a Fair Labor Standards Act audit of all judicial positions.
♦ Conducted new employee orientation training for 113 employees from a variety of judicial entities and the AOC.
♦ Provided training and development to increase managers’ and employees’ professional proficiency in supervisory techniques and knowledge of critical employment laws. Three weeklong Supervisory Mentorship Program trainings were offered.
♦ Represented the judicial branch of government in assisting with a human capital management update to state government’s SHARE computer system (Statewide Human Resources, Accounting and Management Reporting System).
The Judicial Detention Alternatives Initiative (JDAI) is a collaborative effort of the Children, Youth and Families Department, the New Mexico Association of Counties, and the courts. The primary goals are to reduce unnecessary detention of youth, reduce racial and ethnic disparities, and promote youth success without sacrificing public safety.

During fiscal year 2017, JDAI’s statewide leadership team:

- Held a daylong retreat with partners from the Burns Institute to assess, evaluate, and re-invigorate the JDAI statewide efforts.
- Finalized a statewide probation agreement with the purpose of ensuring that adjudicated youth in New Mexico are treated fairly and consistently with an emphasis on the safety of the community and youth.
- Reviewed data from local detention centers and CYFD to identify disparities in detention rates.
- Continued engagement with Indian tribes and pueblos in New Mexico to identify detention alternatives for Native American youth.

The Supreme Court’s Committee for the Improvement of Jury Service and the Administrative Office of the Courts (AOC) assist courts in better addressing the needs of jurors, including exploring new procedures and technology to improve jury service.

During fiscal year 2017, the AOC contracted with Jury Systems Inc. (JSI) for a web-based statewide jury management system. Training for courts started in January 2017, and the new system began operation in May 2017. Rollout had been expected to take two years, but the AOC launched the system in five months because of the need for state-of-the-art technology.

The new system offers a range of convenient online services for people summoned for jury duty, including allowing the submission of juror forms and requests for excusals and postponements. Jurors can receive notifications by email, text, mail and phone. The automated system will provide detailed reporting and statistics to help courts operate more efficiently in managing jurors.

During the fiscal year:

- More than 183,000 New Mexicans were sent a jury summons by district, metropolitan, and magistrate courts. About 35 percent of those became available and qualified to serve on juries. Many prospective jurors requested excusals or failed to respond to a summons. With the new jury management system, the Judiciary expects to reduce the number of people who are summoned to jury duty, lower jury costs and lessen the time jurors wait for a trial to begin.
- The AOC contracted with Cathedral Corporation to provide a web-based system for the printing and mailing of jury summonses. The new system should lower costs of sorting and stamping documents and correcting addresses.
Language Access Services (LAS) coordinates and funds court interpreting services, and recruits, trains and qualifies interpreters to ensure equal access to the state courts for Limited English Proficient and deaf and hard of hearing individuals under Title VI of the Civil Rights Act of 1964, Title II of ADA and Executive Order 13166.

LAS also supports court staff, judges and court users by providing training, language access planning, document and website translation, signage, on-demand remote interpreting services and assistive listening equipment.

In fiscal year 2017, Language Access Services:

♦ Provided in-person training for judges, including presentations at the Municipal Court Staff Conference and Judicial Conclave.

♦ Increased the number of Language Access Specialists working in the courts to 114. These certified bilingual court employees are unique to the New Mexico Judiciary and ensure the delivery of meaningful access to court services outside the courtroom.

♦ Hosted two 1-day intensive workshops for sign and spoken language interpreters and two symposia, one for Language Access Specialists and one for court interpreters.

♦ Made substantial progress with the downloadable court interpreter orientation suite, which is a project in collaboration with the Kentucky, Minnesota, Idaho, Alaska, Michigan and Nevada state courts. The goal is to develop an easy-to-use, self-paced orientation for prospective court interpreters.

♦ Implemented the first remote interpreting station. The station will allow for video remote interpreting from the Second Judicial District Court to other courts in the state.

♦ Completed the development of an interpreter training and certification program for Navajo and pueblo languages of New Mexico. The project includes a downloadable and self-paced court interpreter orientation suite, a certificate program, certification examinations, training for judges and a 30-minute documentary. Language Access Services worked with subject matter experts of the Navajo Nation and members of Jemez, Acoma, Isleta, Cochiti and Zia Pueblos in developing the program. Funding was obtained through the State Justice Institute. Additional funding was provided by the New Mexico Center for Language Access, the University of New Mexico and the Judicial Education Center.

♦ Continued to improve the judges’ portal, which includes videos, rules, standards of practice, FAQs and other useful resources related to language access. The portal includes sections on Limited English Proficient jurors, the deaf and hard of hearing and Native Americans.
New Mexico’s 53 problem solving courts offer an alternative to the costly revolving door of incarceration. The yearlong programs treat the offender’s addiction or mental illness – what can drive repeat criminal behavior – while holding the offender accountable through frequent drug tests, probation visits and judicial hearings. Offenders with alcohol and drug dependency problems are overseen by a judge and a team of professionals, including law enforcement, prosecutors, public defenders and treatment providers.

Studies have found that drug courts are:

- Two times more effective than prison in preventing re-arrest.
- Four times less expensive than prison.

The Safe Exchange & Supervised Visitation program (SESV) provides for the preservation of relationships between children and their parents while offering protection from harm during times of high family conflict.

District courts refer divorce, separation, custody, parentage, and domestic violence cases to local service providers who monitor visits and exchanges in safe, child-friendly environments, protecting children and removing them from the middle of parental disputes.

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Graduates</th>
<th>Graduation Rate</th>
<th>Recidivism (Re-arrest)</th>
<th>Daily Cost-Per-</th>
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<tr>
<td>Adult Drug Court</td>
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<td>51.3%</td>
<td>22.2%</td>
<td>$21.17</td>
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<tr>
<td>Juvenile Drug Court</td>
<td>77</td>
<td>51.0%</td>
<td>28.4%</td>
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<tr>
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<td>76.8%</td>
<td>5.7%</td>
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<tr>
<td>Family Dependency</td>
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<td>50.0%</td>
<td>13.9%</td>
<td>$19.31</td>
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<tr>
<td>Mental Health Court</td>
<td>126</td>
<td>66.7%</td>
<td>25.9%</td>
<td>$14.66</td>
</tr>
</tbody>
</table>

Positive Impact on Families   1,233 Children Served  1,748 Adults Served

Supervised Visits & Exchanges 7,808 Supervised Visits  5,419 Safe Exchanges

Hours of Service Invested in the Safety of Families 16,529

The Safe Exchange & Supervised Visitation program was funded in fiscal year 2017 by an $839,900 general fund appropriation and $213,875 in fees from parents, which covered 20% of costs.
**Supreme Court Building Commission**

The Supreme Court Building, which opened in 1937, is the only Works Progress Administration project in New Mexico still in use for its original purpose. The Supreme Court Building Commission meticulously maintains the building, which is on the National Register of Historic Places and the New Mexico Register of Cultural Properties. Located alongside the Santa Fe River, the building is immediately recognizable by its historic brass doors at the front entrance to the building. The Supreme Court Courtroom retains all of the original hand carved woodwork, chandeliers, and artwork and looks today as it did when it was built.

During fiscal year fiscal year 2017:

- A new metal detector was installed at the building’s front entrance and security screening procedures were implemented.
- A renovation project was mostly completed, including new stucco on the building’s exterior and replacement of Englemann spruce trees and other landscaping. Additional funding is being sought to re-stucco the building’s interior courtyards.

**Tribal-State Judicial Consortium**

The Tribal-State Judicial Consortium is a Supreme Court advisory body that consists of seven state and seven tribal judges. The consortium’s mission is to encourage and facilitate communication and collaboration between state and tribal court judges on common issues such as child welfare, domestic relations, juvenile justice and drug/wellness courts. Members of the consortium meet quarterly to address questions of jurisdiction and sovereignty as they relate to each particular issue. The consortium (pictured below) also works to organize training and education for judges within both judiciaries on federal and state rules and procedures.

Fiscal year 2017 highlights:

- The consortium welcomed its first member from the Jicarilla Apache Tribal Court in March 2017.
- Continued development of model tribal orders that can be recognized and enforced by state courts and agencies. Model orders on tribal mental health and commitment orders were submitted to the New Mexico Supreme Court for approval.
- Updated bench cards for judges about the Indian Child Welfare Act.
- Continued support for Isleta Pueblo’s pilot program for detention alternatives for juveniles within the tribal court system. Support is planned for a similar program within the Navajo Nation.
- The Taos Pueblo Court and Taos Magistrate Court reached an agreement allowing state defendants to undergo treatment and supervision by the Tribal Wellness Court. The Pueblo of Laguna Tribal Healing to Wellness Court won a prestigious award from the National Drug Court Institute, and will act as a “mentor court” for the next three years.
Water rights adjudications are judicial proceedings to determine the extent and priority of all water rights in a particular watershed. The law requires the State Engineer to perform hydrographic surveys to assess the legal bases and characteristics of each water right. Once claims to water rights are identified by the State, claims may be settled, mediated, or litigated.

There are six active stream adjudications in New Mexico’s state courts: the San Juan Basin, covering a large watershed in northwestern New Mexico; the Santa Fe, within Santa Fe County; the Lower Rio Grande below Elephant Butte reservoir; the Pecos River from Las Vegas south to Carlsbad; the Rio San Jose in midwestern New Mexico; and the Animas Underground Basin in Hidalgo County. To facilitate effective case management, the New Mexico Supreme Court has designated Judge Pro Tempore James Wechsler to preside over all adjudications except the Animas Underground Basin adjudication, which District Court Judge J. C. Robinson presides over.

Map courtesy New Mexico Environment Department.
Photos courtesy of Karl Moffatt, www.outdoorsnewmexico.com
San Juan River below Navajo Dam, and the Pecos River below Sumner Dam.

Highlights of progress on basin-wide issues, including federal claims:

**Lower Rio Grande Adjudication**

Stream System Issue 104, determining the priority date of the federal government’s interest in the Elephant Butte project: The court issued findings of fact and conclusions of law that the United States has a priority of March 1, 1903, regarding its rights to the Rio Grande Project.

Stream System Issue 107, determining the rights of water users that pre-date the Elephant Butte project: Further proceedings are stayed until March 2018 to allow negotiations by the parties.

**San Juan River Basin Adjudication**

The Office of the State Engineer is developing plans to complete the San Juan adjudication.

**Pecos River Adjudication**

Adjudication of the Cow Creek section began in 2015, but this adjudication is not currently active.
The New Mexico Compilation Commission is the official legal publisher of the state of New Mexico. It performs customized law publishing services for each branch of government, the Secretary of State, and the public. It maintains the integrated database of the official current and historical session laws, annotated statutes, appellate court opinions, annotated court rules and forms, administrative code, attorney general opinions and federal court opinions and federal court rules. This extensive database includes copyrighted, exclusive editorial material and comprises the content published on NMOneSource.com.

Legal Publishing by the Numbers:

- **25,061,410** Printed pages in various publications.
- **650** New and amended sections in *New Mexico Statutes Annotated 1978*.
- **939** New, amended and recompiled rules in *New Mexico Rules Annotated*.
- **135** NM Supreme Court and Court of Appeals official opinions in *New Mexico Appellate Reports*.
- **412** Unreported NM Supreme Court and Court of Appeals decisions.
- **89 GB** Size of databases.
- **21.5 M** Public Access search and retrieval hits.*
- **9.2 M** NMOneSource.com search and retrieval hits.*

*The “hits” metric comprises all technical “queries” or “commands” to the database, including searching, linking, browsing, results list, printing, navigation and related functions.*
The Judicial Information Division (JID) is the technology arm of the New Mexico Judiciary and is directed by the chief information officer, who reports to the director of the Administrative Office of the Courts. JID provides technology support to all state courts as well as technical oversight of the Municipal Court Automation Fund.

During the 2017 fiscal year, JID completed the following projects:

- Implemented a new statewide jury management computer system, which replaced three separate older systems. Web-based features allow jurors to complete questionnaires and qualifications forms online, request to be excused from jury service or postpone service, and be notified of any changes. Courts will receive better data to more effectively determine how many people are needed for jury service.

- E-filing of cases and records at the Supreme Court and Court of Appeals.

- First statewide application of a unified case management system in the nation. With the Odyssey case management system implemented at the appellate courts, all state courts are operating on a unified electronic system for docketing and managing cases.

- Electronic processing of appeals from district courts, which eliminated a highly manual process of compiling binders of case records that had to be sent to the Court of Appeals and Supreme Court.

- Implemented a new system for online access to court case records for attorneys and their staff, justice partners such as law enforcement agencies, and the press. Registration is required for users. JID processed more than 8,000 applications for the Secured Odyssey Public Access (SOPA) system. Upgraded a publicly accessible web-based system, Case Lookup, for viewing case history and other summary information. The enhancements included the addition of Court of Appeals and Supreme Court cases to the database.

- Continued a project for electronic scanning of paper records in magistrate courts. The final phase will be completed by the end of fiscal year 2018.

- Designed a custom software application for recording the work of court-appointed attorneys to assist in reimbursement by the AOC. The application has been beta tested.

- Converted nearly half of water cases to the Odyssey case management system from a two-decades-old computer system. E-filing of records has begun in converted water cases.

- Continued collaboration with the Human Services Department’s Child Support Enforcement Division on the e-filing of pleadings in cases in which the state is enforcing the collection of child support payments. The Second Judicial District has accepted CSED e-filings for two years, and the Twelfth Judicial District began in the fall of 2017. The remaining district courts are to go live in fiscal year 2018.
Clockwise from top: Judges and staff outside the Taos County Courthouse after a meeting of the Chief Judges Council; Sixth District Court Judge Jarod Hofacket and his sons at his investiture; Metropolitan Court Judge Renee Torres' investiture at the courthouse in Albuquerque; Third Judicial District Court Judge Conrad Perea taking the oath of office; and (center) Second Judicial District Court Judge Cindy Leos with Bernadette Torres-Carian, TCAA, and Austin Dropinski, Division IX bailiff.