

1 **23-109. Chief judges.**

2 A. **Selection; term; vacancies for unexpired terms.**

3 (1) Each judicial district and each metropolitan court shall have a chief
4 judge. The chief judge of a judicial district or metropolitan court shall be selected in the
5 manner provided by the constitution by a majority of the sitting district judges in that judicial
6 district or sitting metropolitan court judges in that metropolitan court who have been duly
7 appointed or elected and taken the oath of office. A chief judge may be re-elected to serve
8 successive terms. In the event of a tie vote, the senior judge among those who are tied shall
9 be the chief judge.

10 (2) Effective December 31, 2014, upon the expiration of the term of a
11 sitting chief judge in a judicial district or metropolitan court, the next election for the chief
12 judge of that judicial district or metropolitan court shall be for a term of at least two (2) years
13 but no more than three (3) years, with said term to expire on May 15. Thereafter, every three
14 (3) years, the election of a chief judge for that judicial district or metropolitan court shall take
15 place on or before April 15 for a three (3)-year term to begin on May 15.

16 (3) In the event of a vacancy before the expiration of a term for a chief
17 judge, the vacancy shall be filled as follows:

18 (a) If the remainder of the term of the vacancy is less than one (1)
19 year, an election shall be held to elect a new chief judge to serve the remainder of the term
20 plus a new three (3)-year term;

21 (b) If the remainder of the term of the vacancy is more than one

1 (1) year, an election shall be held to elect a new chief judge to serve the remainder of the
2 term and, at the expiration of that term, an election shall be held to elect a chief judge for a
3 new three (3)-year term; and (c) The Chief Justice may appoint an acting chief judge for
4 a judicial district or metropolitan court until a new chief judge is elected to serve the
5 remainder of an unexpired term under this subparagraph.

6 **B. Duties and Responsibilities.** The chief judge of each judicial district and
7 each metropolitan court district shall have the administrative responsibility for that judicial
8 district, including all magistrate courts located within the district, or metropolitan court and
9 shall

10 (1) administer established policy concerning the court's internal
11 operations;

12 (2) call and preside over regular and special meetings of the judges;

13 (3) appoint standing and special committees as may be advisable to assist
14 in the proper performance of the duties and functions of the court;

15 (4) designate one of the judges to act during the chief judge's temporary
16 absence or inability to act;

17 (5) exercise responsibility as the administrative authority in accordance
18 with the provisions of law and the New Mexico Judicial Branch Personnel Rules and ensure
19 the enforcement of those rules;

20 (6) exercise general supervision, coordination, and direction of business
21 of the court;

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- 1 (7) supervise performance of the court's administrative office;
- 2 (8) supervise court finances, including financial planning and preparation,
3 and presentation of court budgets;
- 4 (9) coordinate the use of space, equipment, and facilities of the court;
- 5 (10) assign, reassign, or consolidate cases among the several judges as
6 equitably as possible. Except with respect to specialty courts consisting of a single judge,
7 cases shall be assigned by random selection designed so that each judge will receive
8 substantially the same number and type of cases. If a judge is unable to administer the cases
9 assigned to such judge within a reasonable time, or if there are other justifiable reasons, the
10 chief judge, in consultation with the other judges, may reassign cases to other judges within
11 the district except for cases previously assigned by the Chief Justice as an out-of-district
12 designation;
- 13 (11) have published for general distribution copies of a current calendar
14 setting forth the judicial assignments of the judges, the times and places assigned for hearing
15 court matters, and any special calendaring requirement deemed necessary by the chief judge;
- 16 (12) prepare an orderly plan of vacations for all court personnel, and for
17 attendance at schools, conferences, and workshops for judges and other court personnel;
- 18 (13) provide an orientation program for new judges as soon as possible
19 after their election or appointment;
- 20 (14) provide for liaison between the court and other governmental or civic
21 agencies;

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1 (15) when appropriate, meet with or designate a judge or judges to meet
2 with committees of the bench, bar, news media, or community to review problems and to
3 promote understanding of the administration of justice;

4 (16) oversee juror management;

5 (17) implement and monitor compliance with all policies, rules, and
6 regulations issued by the Supreme Court;

7 (18) perform such other administrative and substantive functions as are
8 necessary for the efficient operations of the court on a day-to-day basis.

9 C. **Reporting.** The chief judge shall advise the Chief Justice of the failure or
10 refusal of any judge of such court to comply with the Code of Judicial Conduct or an
11 established policy, rule, or regulation of such court or the Supreme Court.

12 [Effective, June 1, 1988; as amended, effective, July 1, 1990; as amended by Supreme Court
13 Order 14-8300-003, effective April 23, 2014; as amended by Supreme Court Order
14 14-8300-018, effective December 31, 2014; as amended by Supreme Court Order No. 19-
15 8300-003, effective July 1, 2019.]