

# New Mexico Judiciary



UNIFIED BUDGET AND LEGISLATIVE AGENDA

FISCAL YEAR 2025









Dear Governor Lujan Grisham and Members of the New Mexico Legislature:

I am pleased to present the Judiciary's FY25 Unified Budget and Legislative Agenda and look forward to working with you during the 2024 Legislative Session.

Despite the continued decline of the overall number of applicants for open judgeships because of non-competitive compensation, the request to tie New Mexico justices' salaries to federal magistrate judge salaries has been vetoed two years in a row. Respecting that response, I created the Judicial Selection and Retention Commission, which includes members from the Executive, Legislative, and Judicial branches. The Commission's recommendation is to increase New Mexico justices' salaries to \$232,600 for fiscal year 2025 with annual percentage increases added at the rate of the Consumer Price Index for all Urban Consumers (CPI-U) as of June 30 of the preceding fiscal year, followed by the statutory salary progression of judicial officers. The Commission, which studied complex factors related to judicial recruitment and retention, determined this increase will improve the Judiciary's ability to recruit and retain high quality judges with diverse practice backgrounds.

Changes in the Judicial branch's retirement program is also critical in ensuring judicial retention of judges. We propose to increase the service credit for retirement in the Judicial Retirement Fund (JRA) and Magistrate Fund (MRA). In addition to the change to service credit for JRA, the Judiciary proposes to change contribution rates for judges and the employer and a reduction in the current vesting period from 8 to 5 years. Currently, the maximum retirement rate is 85%, which would increase to 100% under this proposal.

Equity in compensation for judicial staff to the pay of executive staff is an additional priority request. It is not only essential for employee retention, but reflects integrity and fairness in New Mexico's government. The Judiciary is requesting a 10% increase in employee compensation as we slowly close this gap.

Additionally, the Judiciary is working to expand self-help services across the state. Robust self-help programs exist in the Second Judicial District Court and in the Bernalillo County Metropolitan Court, and this expansion would provide court navigation services, including a scribing program, to all corners of our great state.

In summary, the Judiciary's top budget requests for FY25 are:

- \$6.05 million - Judicial Salary Increase (excludes magistrate judges)
- \$11.5 million - Employee Salary Increase (excludes judges)
- \$575,000 - Statewide Self-Help Program

This budget also asks the Legislature to fund our rural justice initiatives. The lack of lawyers in rural New Mexico underscores the need to ensure people are aware and knowledgeable about available legal services. New Mexico has large "legal deserts," where there are few to no options for legal representation in civil matters. For instance, four New Mexico counties do not have a single practicing lawyer, and more than one-third of the state's counties have eleven or fewer attorneys.

With funding from the last legislative session, we are implementing a pilot judicial clerkship







program in the 9th and the 11th, with the 9th offering services to the 10th judicial district. The idea is to encourage law students to participate in clerkships in rural communities, to engage in their communities, with the hope they will return to a rural community to practice law.

The Rural Justice Initiative expands this idea into a three-tiered approach to recruiting and retaining attorneys in rural areas of New Mexico. The first is a Rural Justice Externship - a ten week program open to those who have completed their first year of law school - where the students will have the opportunity to observe court hearings, review pleadings, as well as attend community meetings with their mentor judge and local attorneys and be introduced to members of the community who can help sell their town as a place where the student can envision being part of the fabric of the community. The second tier is a Rural Practice Externship - where students who have completed their second year of law school will work with local District Attorney Offices, Law Offices of the Public Defender, contracted Public Defenders, Legal Aid Offices or a private practitioner or rural law firm. Those working under the DA, LOPD, or Legal Aid, will be able to appear in court under the supervision of a local attorney and handle small cases, or assist with larger cases, as these participants could meet the requirements of Rule 5-110 NMRA; and, finally, a post law degree Rural Practice Incubator, which would require participants to be willing to serve the community and commit to a rural practice for a minimum of five years.

Finally, the Judiciary supports replacing the fees eliminated during the 2023 Legislative Session, with the passage of HB 139, with general fund appropriations. A total general fund request of \$7,833,900 will support proven programs that support public health, safety, and serve constitutional obligations, including the Warrant Enforcement Fund, court automation fees, judicial education, and jury and witness expenses.


As always, we value our work with Governor Lujan Grisham and the Legislature and look forward to working together in support of our shared mission to provide impartial justice for all New Mexicans. I am happy to answer any questions regarding the Judiciary's priorities. Thank you for considering our requests.

Sincerely yours,

A handwritten signature in white ink, appearing to read "C. Shannon Bacon", is positioned above the printed name.

C. Shannon Bacon

Chief Justice

A dark, silhouetted tree branch extends diagonally across the lower half of the page, partially obscuring the text and the background.









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*Photos, graphics, and edits by Ann Keith and Stephanie Woods*









# THE NEW MEXICO SUPREME COURT

*Pictured above is the 2023 New Mexico Supreme Court. Left to right, Justice Julie J. Vargas, Justice Michael E. Vigil, Chief Justice C. Shannon Bacon, Justice David K. Thomson, and Justice Briana H. Zamora.*

### Budget Committee Members

*Judge John Chavez, Chair; Judge Megan Duffy; Judge Francis Mathew; Audrey Hukari; Judge James Martin; Chief Judge Emilio Chavez, Chief Judge Curtis Gurley; Kevin Spears, and Judge Nancy Franchini.*

### New Mexico Judicial Council Members

New Mexico Supreme Court	Sixth Judicial District	Thirteenth Judicial District
Chief Justice C. Shannon Bacon	Chief Judge Jarod Hofacket	Chief Judge James Noel
Elizabeth Garcia, Chief Clerk of Court	Angelic Munoz, CEO	Phillip Romero, CEO
New Mexico Court of Appeals	Seventh Judicial District	Bernalillo Metropolitan Court
Chief Judge Jennifer Attrep	Chief Judge Mercedes Murphy	Chief Judge Joshua Sanchez
Mark Reynolds, Clerk of Court	Jason Jones, CEO	Lissa Lowe, CEO
First Judicial District	Eighth Judicial District	President of the Magistrate Court Judges Association
Chief Judge Biedscheid	Chief Judge Emilio Chavez	Judge Jimmy Foster
Kathleen Vigil, CEO	Pam Nay, CEO	Municipal Judges Association
Second Judicial District	Ninth Judicial District	Judge Elizabeth Allen
Chief Judge Marie Ward	Chief Judge Donna Mowrer	District & Metropolitan Judges Association (DMJA)
Katina Watson, CEO	Kevin Spears, CEO	Judge Nancy Franchini
Third Judicial District	Tenth Judicial District	Probate Judge Affiliates
Chief Judge Conrad Perea	Chief Judge Albert Mitchell	Judge Tom Pestak
Bernice Ramos, CEO	Amanda Hammer, CEO	
Fourth Judicial District	Eleventh Judicial District	
Chief Judge Flora Gallegos	Chief Judge Curtis Gurley	
Vidal Martinez, CEO	Jodie Schwebel, CEO	
Fifth Judicial District	Twelfth Judicial District	
Chief Judge Mark Sánchez	Chief Judge Angie Schneider	
Kennon Crowhurst, CEO	Audrey Hukari, CEO	







**21.2%**

increase from the  
FY24 General Fund  
appropriation.

# FY25 JUDICIARY BUDGET

## \$276,445,100.00

### THE JUDICIARY'S TOP BUDGET REQUESTS INCLUDE:

- **\$6,048,684.38 - Judicial Salary Increase**  
(excludes Magistrate Judges)
- **\$11,500,00.00 - Employee Salary Increase**  
(excludes judges)
- **\$575,000.00 – One-time funding for**  
**statewide self help program**

The Judiciary historically makes up only 2.7% of the General Fund. The State of New Mexico's recurring General Fund Operating Budget for FY24 totaled \$9.57 billion, an increase of \$1.17 billion, or 13.9%, over the FY23 operating budget. Despite this growth, the Judiciary's share of the FY24 budget shrank to a 2.6% of general fund appropriations.

The August 2023 Consensus General Fund Forecast indicates recurring revenues for FY25 are estimated at \$13.051 billion; the General Fund totaled \$12.6017 billion in FY24. The General Fund is expected to grow 3.5% in FY25.

The Judiciary's unified budget overwhelmingly consists of personnel costs.

More than 90% of the general fund budget goes to the salaries of judges and non-judicial staff, along with health, pension, and other fringe benefit costs.

*"Over the past year we hoped to return to 'normal' and instead we got a 'new normal.' Everyone in the Judiciary has demonstrated extraordinary resilience and courage in the face of unpredictable challenges that you have overcome to improve how we serve people. You manifest the spirit in words spoken by Theodore Roosevelt, 'Do what you can, with what you have, where you are.' I sincerely thank all of you in the Judiciary for all you do." - Artie Pepin, AOC Director*



**ACCOUNTABILITY**Unified Budget Performance  
Review**BUDGET PROCESS  
TIMELINE***The Judiciary's Unified Budget is rigorously reviewed throughout the budget process.*

The Judiciary's Budget Committee adopts instructions for budget submissions, and judicial entities submit funding requests to the Budget Committee. Several hearings are held in which the Committee vets the individual entities' submissions. The Supreme Court reviews the Budget Committee Recommendations, and the final Unified Budget is prepared to incorporate the needs of the entire judicial branch of government.

The Judicial entities included in the Unified Budget are the Supreme Court, Court of Appeals, Judicial Districts (District and Magistrate Courts), Bernalillo County Metropolitan Court, the New Mexico Compilation Commission, the Administrative Office of the Courts, and statewide initiatives.

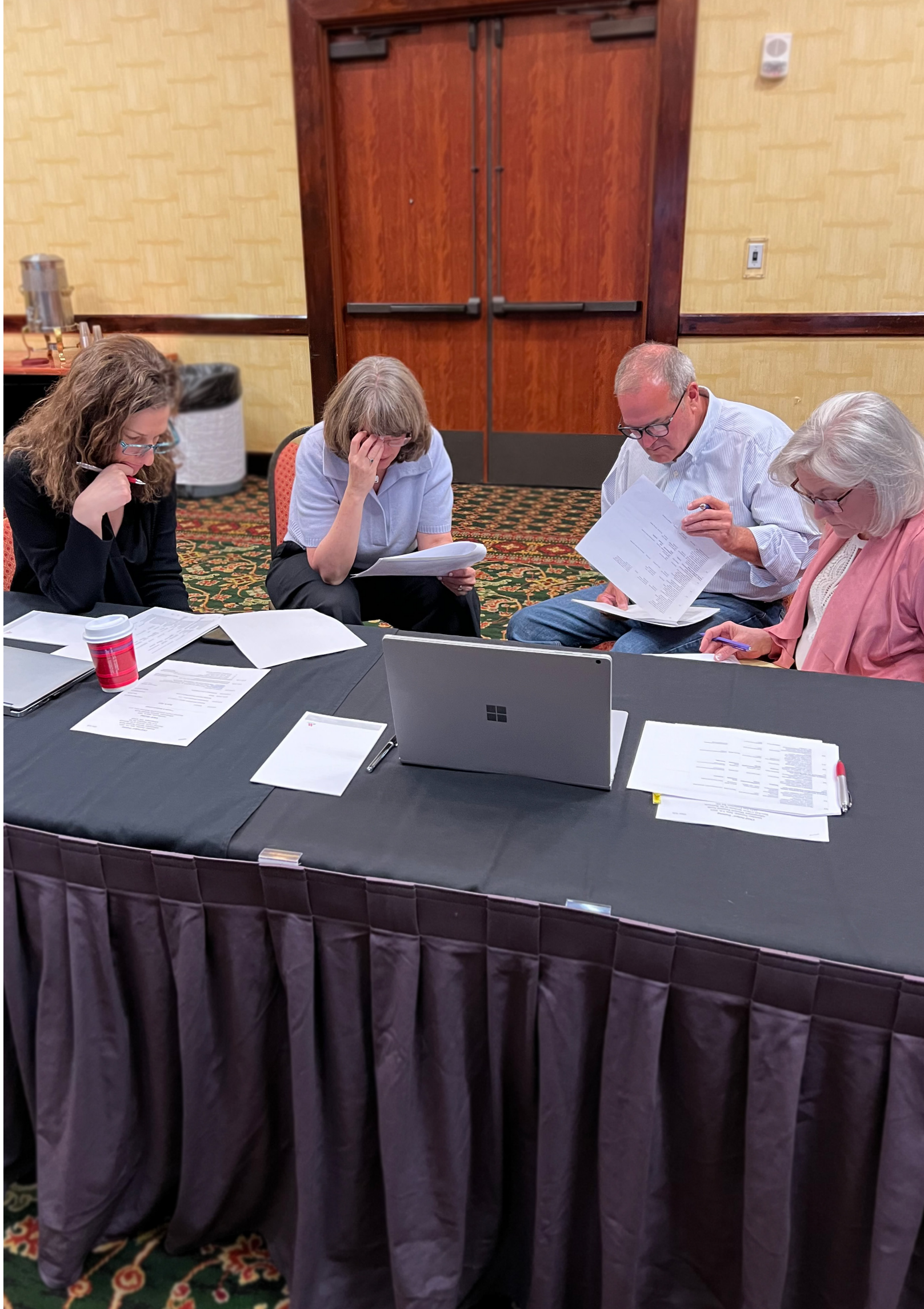
Once the budget is approved by the Judiciary, it is provided to the Department of Finance and Administration for consideration in developing the governor's funding proposals presented to the Legislature.

After the legislative session, the Judiciary's Budget Committee reviews self-reports and evaluations from the individual entities to improve the budget process.

- **March** - Adopt instructions for Budget Request
- **April** - Capital Requests Due
- **April/June** - Court Entities Prepare Budget Requests
- **July** - Budget Committee Hearings on Operating Budgets
- **August** - Supreme Court Review of Budget Committee Recommendations. Special and Supplemental Requests Due
- **September** - Department of Finance and Administration (DFA) and Legislative Finance Committee (LFC) consideration

*"Taxpayer money deserves the utmost respect. The New Mexico Supreme Court is dedicated to appropriate and careful stewardship of taxpayer funds essential to run state courts that protect the rights and liberties of the people of New Mexico." Elizabeth Garcia, New Mexico Supreme Court Chief Clerk of Court*











The background of the slide is a photograph of a New Mexico landscape, showing a dry, grassy field under a clear sky. A dark teal rectangular box is overlaid on the left side of the image, containing the text. A thin, light blue rectangular border is also visible, partially enclosing the teal box and extending towards the right edge of the slide.

# New Mexico Court of Appeals



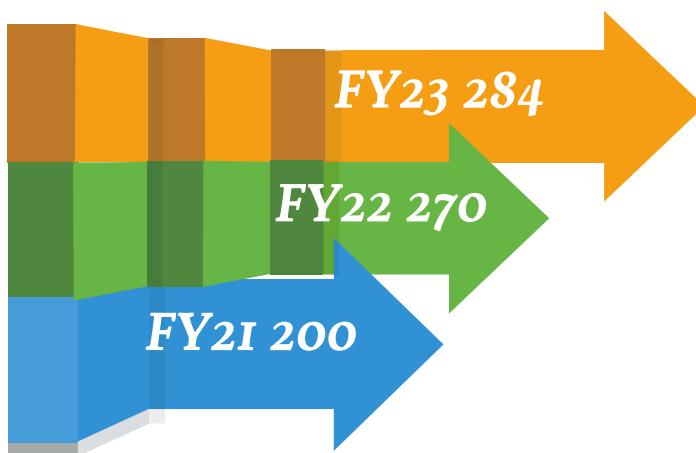
**25%**  
of backlog  
has been  
reduced

# NEW MEXICO COURT OF APPEALS

## The Court of Appeals Backlog has been reduced by 25%.

Since FY19, the Court of Appeals has assigned, on average, 280 cases to the general calendar each year (roughly 28 appeals per judge). While the overall number of appeals filed in the Court of Appeals fluctuates from year to year, and decreased during the pandemic, the number of cases assigned to the general calendar has not been impacted by the pandemic downturn in filings. In other words, even though the COA's overall filings are down, the general calendar caseload for judges has remained steady/increased. Nonetheless, the Court of Appeals backlog has been reduced by a quarter since FY19.

In addition, the Court of Appeals' number of General Calendar Opinions issued have continued to increase since FY21.



In June 2023, the Court of Appeals partnered with the State Bar to launch a new project that provides the bench and the bar with access to Court of Appeals decisions on the day they are issued. Members of the bar receive daily emails with concise previews of the newly-issued decisions, with easy access to the full opinions by link to the Court's website.

*"The project has received a very positive response from the legal community. We are grateful to the State Bar for their collaboration on this project to provide timely access to the Court's decisions."*

*-Court of Appeals Chief Judge Jennifer L. Attrep*

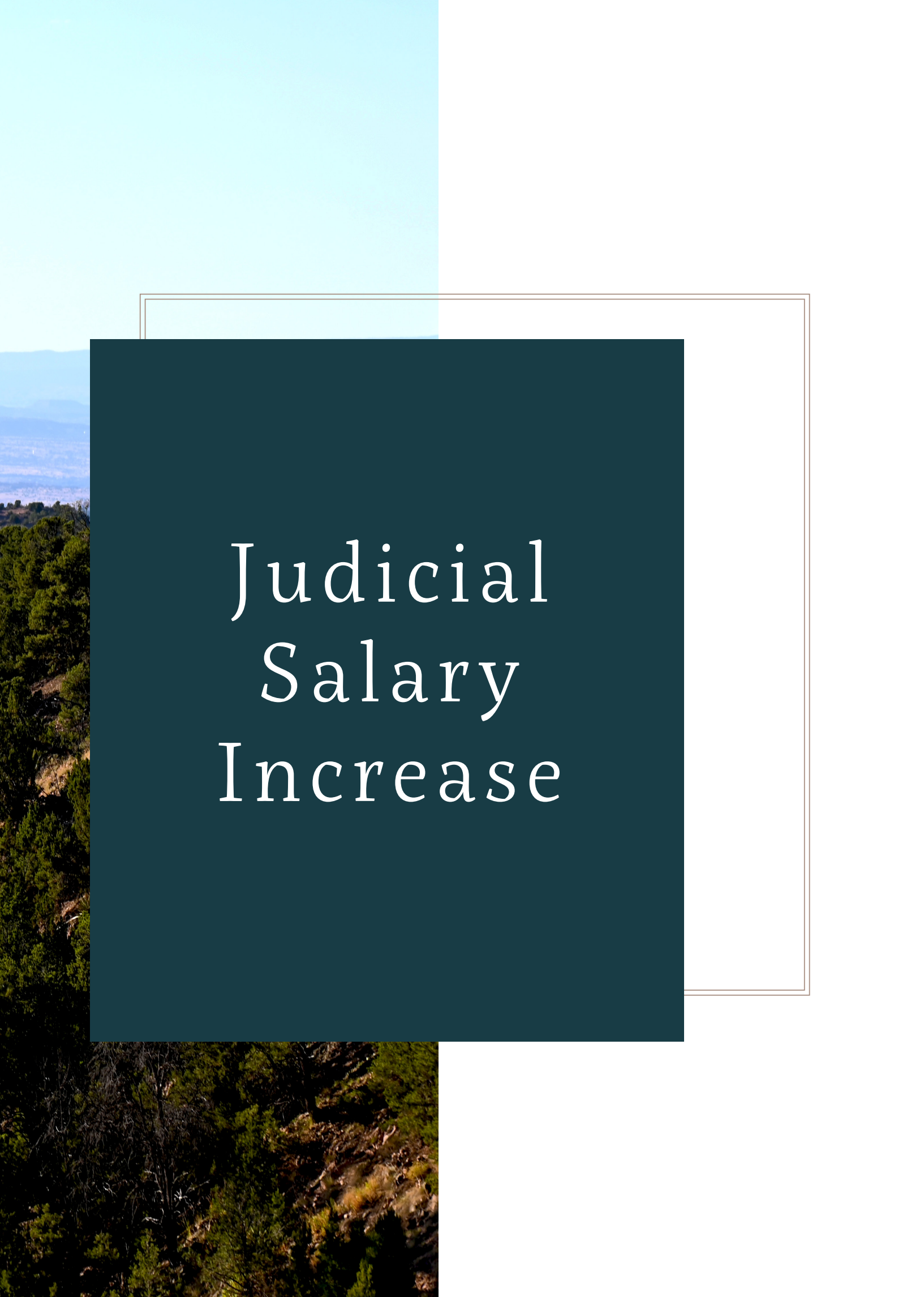












# Judicial Salary Increase







# JUDICIAL SALARY INCREASE

## \$232,600

FY25 recommended Supreme Court Justice salary

## \$6.05 MILLION

The total cost for all non-magistrate judges

### Current NM Salaries:

Supreme Court Justice - \$191,692.80  
 Chief Justice of the Supreme Court - \$193,689.60  
 NM Court of Appeals Judge - \$182,108.00  
 NM District Court Judge - \$173,002.75

### Recommended NM Salaries:

Supreme Court Justice - **\$232,600.00**  
 Chief Justice of the Supreme Court - \$234,600.00  
 NM Court of Appeals Judge - \$220,970.00  
 NM District Court Judge - \$209,921.50

### According to a 2017 New Mexico State Bar Association Study:

\$210,502.00 – Average salary of law firm partner/shareholder  
 \$184,457.00 – Average salary of sole practitioners

The report states attorneys charged the highest per-hour billing rate (a median of \$250.00) for civil litigation, business, contract law, and estate planning, explaining why few civil practice attorneys apply for judgeships.

### 2023 Federal Salaries:

Chief Justice - \$298,500.00  
 Associate Justices - \$286,700.00  
 Circuit Judges - \$246,600.00  
 District Judges - \$232,600.00

Set the salary of New Mexico Supreme Court Justices at **\$232,600.00** for fiscal year 2025 with annual percentage increases added at the rate of the Consumer Price Index for all Urban Consumers (CPI-U) as of June 30th of the preceding fiscal year. The total cost for all non-magistrate judges under section 34-1-9 is approximately \$6.05 million.

During the 2022 and 2023 Legislative Sessions, the legislature passed SB2 linking the salary of Supreme Court justices to the pay of a federal magistrate court judge, who has a limited jurisdiction (U.S. magistrates receive 92% of the salary of federal district court judges). The bill was pocket vetoed in 2022 and vetoed in 2023.

The New Mexico Supreme Court convened a bipartisan Judicial Compensation and Retention Commission in May 2023. The Commission includes representatives from all three branches of Government. The Commission recommends the Legislature pass legislation setting the salary for the New Mexico Supreme Court Justices at \$232,600.00, followed by the statutory required percentage for salaries of judges of the Court of Appeals, District Courts, and Metropolitan Court Judges.

Although the Judiciary received the same salary increase as all state employees during the 2023 Legislative Session, our branch approaches the same tipping point after many years of wage stagnation for judges and an increase in retirements. Judicial vacancies are extremely difficult to fill with qualified candidates. The Judiciary requires candidates with a diversity of background and experience. Many experienced attorneys cite salary as a significant reason they do not apply for judicial vacancies. Judges are paid less than many lawyers and local and state employees.

According to the National Center for State Court's 2023 Survey of Judicial Salaries:

- NM Supreme Court Justices rank 29th out of 54 states and territories. The national range of salaries for Supreme Court Justices is \$120,000 to \$282,177;
- NM Court of Appeals Judges rank 26th out of 40 states and territories with a court of appeals;
- NM District Court Judges rank 30th out of 54 states and territories.



**\$232,600**

FY25 recommended Supreme Court Justice salary

**\$6.05 MILLION**

The total cost for all non-magistrate judges

## LEGISLATIVE CHANGES

**Decouple magistrate court judges' pay from justice pay, section 34-1-9.** Vacancies for non-lawyer magistrate positions attract numerous qualified candidates. The salary of magistrate judges is currently \$123,265. Without removing magistrates from the salary statute, achieving the \$232,600 target for Supreme Court Justice pay would elevate magistrate compensation to \$149,569 at a recurring cost of \$2,112,863 for salaries and benefits. Magistrate judges be removed from the salary statute and remain at the current compensation of \$123,265.

**New Mexico Magistrate Pay Compares Favorably with Pay in Comparable States.** No two states have the same provisions for limited-jurisdiction judges. A survey of states with non-lawyer, limited-jurisdiction courts identifies a few states that provide reasonable comparisons:

- *New Mexico* — Non-lawyer magistrate judges have jurisdiction over misdemeanors and civil cases up to \$10,000. As with most of the other limited-jurisdiction judges listed here, magistrate judges also make probable cause findings in felony cases. Salary is \$123,265.
- *Pennsylvania* – Non-lawyer judges have jurisdiction over misdemeanors and civil cases up to \$12,000. Salary is \$93,338.
- *Utah* – Non-lawyer judges except in the most populous counties have jurisdiction over misdemeanors and civil cases up to \$11,000. Salary is \$87,500.
- *Nevada* – Non-lawyer judges in counties with a population of less than 100,000 have jurisdiction over misdemeanors and civil cases up to \$15,000. Salary is \$40,000 to \$75,000 (some are not full-time).
- *Delaware* – Non-lawyer Justice of the Peace judges have jurisdiction over misdemeanors and civil cases up to \$25,000. Salaries are \$78,783 to \$83,952.

- *Arizona* – Non-lawyer Justice of the Peace judges have jurisdiction over misdemeanors and civil cases up to \$10,000. Salaries are \$37,318 to \$104,568 (not all are full-time; salary is set by municipality).

Outside of Las Cruces, the qualifications for a Magistrate judge are a high school diploma or its equivalent and residence in the district in which the magistrate would serve. Metropolitan Court judges must be lawyers who have practiced law for at least three years. District Court judges must be lawyers who are at least age 35 with at least 6 years' experience in the practice of law. At a minimum, appellate judges and justices must be lawyers who are at least 35 and have practiced law for at least 10 years.

**On the record** – Currently, appeals from magistrate courts must go to district court under Article VI, Section 13 of the New Mexico Constitution. These appeals are, by statute, required to be tried *de novo*, or without reference to the legal conclusions or assumptions made by the previous court (Section 35-13-2 NMSA 1978). There is no written or taped record of or impact from what occurred in the case in the magistrate court proceedings. The exception is for preliminary hearings to determine probable cause, which are recorded.

With the expansion of automated, speech-to-text technology through an FY24 appropriation, the Judiciary recommends legislation designating Magistrate Courts as courts of record. As courts of record, all proceedings will be recorded and an appellate record will be created for direct review of magistrate court rulings. A delay until July 1, 2025 is needed to fully prepare all magistrate courts and ensure sufficient Court of Appeals resources for magistrate court appeals.







**10%**Gap between Executive  
Branch Employee salaries**\$11.5 MILLION**

Cost to close the gap

## EMPLOYEE SALARY

Inflation has grown 9.1% over the past year - a steep increase that has not been seen in decades. That means an additional \$4,500 in spending for a household income of \$50,000 over the course of the past year. According to the latest inflation report by the U.S. Bureau of Labor Statistics, costs have increased for energy, food, gas, and rent.

Our goal is to provide an enhanced increase in pay to Judicial staff beyond that provided to all state employees to improve the Judiciary's competitive balance with the Executive staff pay for similar work. **The gap is 10% or more, and the cost to close the gap would be approximately 11.5 million.**

### Judicial Branch Employee Spotlight

On the right, the Supreme Court congratulates Carlos Campos on becoming an American citizen! Carlos has worked hard for more than a year to achieve this, and we all are very happy for him. Carlos has been a member of the Supreme Court's fantastic Building Commission since 2018.

Of course, Carlos's family is very excited and proud of him. His supportive family includes his wife, Magdalena Medina, and many other family

members both in New Mexico and in Mexico.

Carlos describes his citizenship test as the biggest, most stressful test of his life. But, with much practice and "many small steps," Carlos's preparation paid off. At his citizenship exam on March 28, he was a "little nervous" and took many "deep breaths," but after the first question he was able to relax and do his best. Afterward, he describes, "I was so excited when the officer said, 'Carlos, you passed!' My wife was right outside, and we had so much emotion!" Right away, Carlos called his teacher at Somos Un Pueblo Unido, a statewide non-profit organization that supports the immigrant community.

Carlos describes life in his adopted country as offering him a "better life with the most opportunity." He appreciates his job at the Court, including his coworkers and his boss, Building Superintendent Carlos Gutierrez.

On May 12, Carlos received his certificate of citizenship. This is a proud and happy time of celebration for Carlos and his family. Congratulations, Carlos!













# Judges' Retirement Plans



MRAJRA

# JUDGES RETIREMENT ACT (JRA) FUND

## Judges Retirement Act (JRA) Fund:

(Assumes a 15% increase in pay for justices and non-magistrate judges)

1. For judges who currently have 10 years of service or less, increase service credit for service earned on or after July 1, 2024 moving from 3.25% to 4% per year for the first 10 years of service and 3.5% for any year accumulated beyond 10 years;
2. Reduce the vesting period from 8 years to 5 years;
3. Increase the maximum pension a member would be permitted to earn from 85% to 100%;
4. One time 15% increase to compensation for all non-magistrate judges;
5. Increase member contribution rates from 10.50% to 12.50% of pay; and,
6. Increase employer contribution rates from 15.00% to 21.50% of pay.

These proposals would improve JRA solvency, reducing the time to 100% funding from 107 years currently to 31 years.

## Magistrate Retirement Act (MRA) Fund:

1. Reduce the vesting period from 8 years to 5 years;
2. Increase the maximum pension a member would be permitted to earn from 85% to 100%;
3. Increase member contribution rates from 10.50% to 12.50% of pay;
4. Increase employer contribution rates from 15.00% to 21.50% of pay.

The impact to MRA solvency will reduce the projection for the MRA to be 100% funded from "infinite" (never) (currently) to 27 years.

*"The Judicial FY2025 Unified Budget reflects the bright economic outlook for New Mexico. It builds on current and ongoing transformational change that is intended to maximize available resources with a strategic eye toward future needs." Judge John Chavez, Budget Committee Chair*







**MRA****LEGISLATIVE  
CHANGES****JRA***Proposal to Increase Service Credit for Retirement in the  
Judicial Retirement Fund (JRA) and Magistrate Retirement  
Fund (MRA)*

During the 2022 legislative session, SB2 included changes to the JRA and MRA for service credit and other changes, including one-time investment of funds. These proposals were consistent with proposed changes analyzed by PERA actuaries in a letter dated October 22, 2021. Proposals for the 2024 legislative session are similar but without the one-time investment of funds.

- In JRA, increase service credit as follows: 4.0% per year for the first 10 years, with any judges now on the bench who have less than 10 years of service credit earning the 4.0% until they have 10 years of service credit at 4%. After any judge has accumulated 10 years at 4%, the service credit would be 3.5% per year. MRA service credit would not change from the current 3.0%. The current service credit in JRA is 3.25%.
  - \* For example, a JRA judge on the bench for 5 years has accumulated service credit of 16.25% (3.25% x 5 years) under the 2014 statute. That judge would earn 4.0% per year for the next 10 years, or 40%, added to the existing 16.25% would total 56.25% service credit after 15 years. Thereafter the judge would earn 3.5% service credit per year.
  - \* A JRA judge who started service on or after July 1, 2024, the effective date of statutory changes to service credit, would earn 40% for the first 10 years and 35% for the next ten years, accumulating a total of 75% service credit after 20 years.
  - \* A JRA judge who began service on or after July 1, 2024, and served 10 years would accumulate service credit of 40%.
- In addition to the change to service credit for JRA, the Judiciary proposes to change contribution rates for judges and the employer. Contributions by judges in both JRA and MRA would increase from the present

10.5% to 12.5%. Contributions in both JRA and MRA from the employer would increase from 15.0% to 21.50%. In addition, docket fees would no longer be credited to JRA or MRA. At the preference of the Legislature, the fees would either be entirely eliminated, or could be directed to be deposited into the general fund.

- There is also currently a statutory direction of \$100,000 per month to both the JRA and MRA. That investment continues under the current law unless and until either the retirement funds (JRA or MRA) are 100% funded or the legislative retirement fund is less than 100% funded. A review by PERA and AOC is required by the statute in December 2024 regarding the relative solvency of the funds. At the end of FY22 the legislative retirement fund was 120.3%.
- The current vesting period is 8 years. That would be reduced to 5 years.
- The current maximum retirement is 85%. That would increase to 100%.
- Retirement is based on the 5-year final average salary. There is no proposal to change the 5-year FAS. The current restriction on retiree COLAs in the judicial and magistrate retirement funds would also continue until the funds reach 100% funding. Under current law, until that goal is achieved, a COLA may only be provided every third year. The minimum COLA in the third year is 2%.
- JRA currently is funded at 61.2%. PERA projects that it will take 107 years to achieve 100% funding. The above proposals would achieve 100% funding in 31 years. MRA is currently funded at 52.9% and is projected to never achieve 100% funding. These proposals would achieve 100% funding in 27 years.














# Replacement of Fee-Funding







# REPLACEMENT OF FEE FUNDING

During the 2023 Legislative Session, HB139 was passed, eliminating court fees in criminal and traffic cases. The Judiciary supports replacing the fees funding court programs with general fund appropriations. Once supported by general funds, programs will benefit from enhanced oversight. These are proven programs that support public health, safety and serve constitutional obligations, and merit general fund recurring appropriations. Court fees will sunset July 1, 2024, allowing the Legislature to consider funding the affected court programs with general fund appropriations.

PROGRAMS	GENERAL FUND REQUEST
<b>Judicial Education Fee</b> \$504,700 to fund five new positions: one additional attorney, two curriculum developers, one instructional designer and one program manager position; \$50,000 to contract with expert faculty for in-person and online education, including national experts for both judge and staff training; \$425,000 for the purchase of a robust LMS and registration management system in FY24; In FY25, we anticipate recurring licensing fees of \$200,000 for the system in order to host content provided for 2,000 anticipated users, and to provide technical support from the vendor. CEI's planned staff in FY25 will reach nine positions; 10,000 sq. ft. of space for offices, common areas and a small training space; \$125,000 in anticipated rent increase as well as some room for tenant improvements such as wall and utility outlet relocation; \$100,000 to offer scholarships for judges and staff to attend national programs.	\$979,700
<b>Warrant Enforcement Fund (WEP)</b> \$3,184,000 to fund existing positions; \$100,000 for contractual services; security services, Municipal Services Bureau (MSB) for online payment processing, janitorial services for warrant offices and tax revenue for agreement for the Tax Revenue Intercept Program; \$241,000 to cover the costs for subscriptions to LexisNexis, Verizon, Pitney Bowes, Century Link, FedEx, WEX, Xerox, Qwest and TCN. It will also cover travel, supplies, fleet maintenance, IT costs and training.	\$3,184,000
<b>Municipal Court Automation Fee</b> (Includes \$142,000 for the salary of one IT Project Manager; \$41,000 for contractual services to cover ongoing software maintenance for municipal courts; \$41,000 for the replacement of municipal court hardware (purchase new computers)	\$683,000
<b>Supreme Court Automation Fee</b> Includes but is not limited to judiciary-wide internet, telecom costs and associated hardware, cyber security software subscriptions, penetration tests for security vulnerabilities and firewall detection software. It also includes a yearly software subscription for enterprise-wide case management system modules, dataXchange platform, service desk software subscription and an emergency alert system. There are other non-critical but just as important items such as, staff training and travel, office supplies, lease office equipment and mobile devices.	\$1,992,000
<b>Jury and Witness Expenses</b>	\$995,200
<b>TOTAL GENERAL FUND REQUEST</b>	<b>\$7,833,900</b>

*“Our budget priorities demonstrate the Judicial Branch’s continued commitment to act as responsible stewards of public funds, as well as the imperative to abandon fee-funding justice and adequately provide for New Mexico’s courts.” – Karl Reifsteck, AOC Deputy Director*





# Judicial Education Services

**\$979,700**

Education and training for judicial officers, staff and tribal courts is statutorily required.







The newly formed Court Education Institute (CEI) centralized and modernized judicial education, ensuring all members of the judicial branch receive the training and education necessary to serve the public. Moving judicial education from the University of New Mexico School of Law and restructuring the CEI includes:

- Reorganization of educational services and expansion of staff
- Updating, expanding and modernizing curriculum and training materials for all judicial branch employees
- A comprehensive change to education requirements and delivery mechanisms
- Expansion of educational offerings to include:
  - \* staff education
  - \* leadership development programs for judicial staff and judicial officers
  - \* on-line modules accessible as needed
- Opportunities for employee growth to improve recruitment and retention
- Development of future judicial leadership
- Development of mentorship programs
- Support the judiciary to be at the forefront of providing access to justice and ensuring public trust and confidence in the courts.









# Statewide Self Help Program



1  
State1  
MissionSTATEWIDE  
SELF HELP

\$575,000 ADDITIONAL FUNDING

In the heart of our state's justice system lies a dedicated team of eight individuals working diligently within the Self-Help office. This dynamic group serves as a beacon of hope for countless individuals navigating the complexities of our legal system. While their primary mission revolves around providing invaluable assistance to pro se litigants, their reach extends far beyond, encompassing arbitration and mediation programs. In a recent development, the Self-Help office has taken on the full responsibility of the scribing program, marking a significant shift from their previous collaboration with ReadWest.

### *A Helping Hand*

The Self-Help office is more than just a team; it is a lifeline for those who find themselves entangled in legal matters without the guidance of legal representation. In the fiscal year 2023, this dedicated division reached out and touched the lives of 8,533 individuals through in-person consultations. They extended their support to an additional 5,974 people over the phone and provided guidance to 1,312 individuals through email correspondence. These impressive figures translate to an average of about 2,000 individuals assisted per staff member. These statistics underscore the profound impact the Self-Help office has on our communities, empowering individuals to navigate the legal system with confidence.

### *A Growing Need*

As the demand for their services continues to surge, the Self-Help office recognizes the imperative of bolstering its resources. To meet the increasing demands for support, the division is making a vital request for two additional Legal Office Specialists in the upcoming fiscal year 2025. This expansion is not merely a numerical consideration but a commitment to ensuring equitable access to justice for all residents of our state.

### *Beyond the Numbers*

While the statistics for the Self-Help division are impressive, they do not encompass the full extent of their impact. A significant portion of individuals seeking assistance with legal matters head directly to the clerk's office, making it challenging to discern the precise breakdown between those filing documents and those seeking general guidance. Nevertheless, the numbers from the clerk's office reveal a staggering volume of inquiries. Approximately 47,000 calls were recorded, with a substantial portion likely originating from pro se litigants seeking answers to their legal questions.

In essence, the statewide Self-Help program is more than just a division within our justice system. It is a symbol of compassion, empowerment, and accessibility. It serves as a testament to the commitment of our state to ensure that justice is not just a concept but a tangible reality for all, regardless of their legal knowledge or financial means. As the program seeks to expand its capacity, it sends a clear message: the pursuit of justice is a collective endeavor, and together, we can provide the support needed to uphold the principles of fairness and equity that our legal system stands for.

This deserved access to justice is also the focus of a Supreme Court-convened task force examining and addressing the lawyer shortage in rural New Mexico, as well as assessing the effects of the pandemic and the economic downturn. New Mexico has large "legal deserts," where there are few to no options for legal representation in civil matters. For instance, Harding and DeBaca counties do not have a single practicing lawyer and Guadalupe County has a single lawyer for more than 3000 square miles. 21 percent of our counties have 5 or fewer lawyers and 33 percent have ten or fewer lawyers. This scarcity is a critical backdrop for the development of innovative programs and of partnerships with service providers to ensure access to justice. The lack of lawyers in rural New Mexico bolsters the need to make sure people are aware and knowledgeable about available legal services.

One such innovation is the Modest Means Helpline, which began operations in October 2022, through collaboration between the Representative Pamela Herndon, the State Bar, and the Supreme Court's Access to Justice Commission. With only two staff attorneys and one intake person this statewide, legal helpline and volunteer attorney referral service provides legal help to modest-means New Mexicans who are ineligible for New Mexico Legal Aid. People of modest-means, below 500% of the Federal Poverty guidelines, make up roughly 75% of New Mexicans and have very limited options for accessing legal services, particularly in Family Law, which deals with issues such as child custody, divorce, and domestic violence. The Modest Means Helpline often completely resolves the caller's questions or provides referrals to volunteer attorneys for representation in appropriate cases. Since its recent inception, the Modest Means Helpline has already served 245 callers (ultimately helping 680 people) in 24 of the 33 counties in New Mexico. Unfortunately, due to high call volume and limited funding, the Modest Means Helpline must restrict case intake to 20 hours a week. To fully address the need, the Modest Means Helpline is requesting funding for two additional staff attorneys and another intake person.













# Rural Justice Initiative



2  
9th Judicial  
District Clerks

2  
11th Judicial  
District Clerks

# RURAL JUSTICE INITIATIVE

## RURAL CLERKSHIP INITIATIVE

With the generous support secured during the last legislative session, we are thrilled to announce the launch of an innovative pilot judicial clerkship program in the 10th and 11th judicial districts. This visionary initiative aims to not only inspire law students to engage in clerkships within rural communities but also foster a deep connection with these locales, with the ultimate aspiration that they will return to these rural areas to practice law.

The Rural Justice Initiative is a comprehensive three-tiered approach aimed at the recruitment and long-term retention of legal professionals in the rural landscapes of New Mexico. The primary tier, the Rural Justice Externship, is an immersive ten-week program accessible to law students who have successfully completed their first year of studies. Participants will have the unique opportunity to observe court proceedings, review legal documents, and actively participate in community meetings alongside their mentor judge and local attorneys. They will also be introduced to key community figures who can effectively promote their rural hometowns as vibrant places where these students can envision becoming integral members of the community.

The second tier is the Rural Practice Externship, designed for students who have completed their second year of law school. This phase involves hands-on experience working with local entities such as District Attorney Offices, the Law Offices of the Public Defender, contracted Public Defenders, Legal Aid Offices, or private practitioners and rural law firms. Those working under the DA, LOPD, or Legal Aid will have the opportunity to appear in court under the supervision of a local attorney, handling small cases or assisting with more complex matters. It's important to note that participants may even meet the requirements of Rule 5-110 NMRA during this stage.

Finally, the post-law degree Rural Practice Incubator represents the pinnacle of commitment, necessitating participants to pledge five years of dedicated service to their chosen rural communities. This forward-thinking program emphasizes community engagement and the establishment of long-lasting rural legal practices.

The Rural Justice Initiative, also known as the Rural Clerkship Initiative, has been thoughtfully crafted by rural judges to address the challenge of persuading lawyers to leave metropolitan areas and embrace rural practice opportunities. It is imperative that this intervention occurs early in the legal careers of these aspiring attorneys.

Chief Judge Donna Mowrer, in collaboration with Representative Lane, who has provided initial funding to establish a post-graduation clerkship program, has designed a flagship program. Four clerkships are available, commencing in September 2024, in Clovis, Portales, Tucumcari, Gallup, Farmington, and Aztec. During their first year of law school, participants will receive a stipend to support their work and housing arrangements. We have also partnered with universities to provide housing at no cost.

In the second year, participants will work under the supervision of District Attorneys, Public Defenders, or other legal professionals, receiving a stipend for their efforts. Upon graduation, these individuals are contractually bound to practice law in the same rural community for a minimum of five years, and they will continue to receive annual stipends to aid in their journey.

We look forward to engaging in conversations about the Rural Justice Initiative's potential to narrow the justice gap, particularly in civil cases and certain criminal matters. This year, we have made crucial adjustments to ensure funding is directed through the college process, not solely post-graduation, and we will actively seek additional funding to further expand our program. Moreover, we are exploring potential partnerships with esteemed institutions such as Texas Tech and the University of New Mexico (UNM) to maximize the reach and effectiveness of this initiative. Additionally, we suggest amending Representative Lane's statement to include the law school clerkship program and investigate opportunities for obtaining extra funding to guarantee the program's long-term viability. Together, we aim to create lasting change and bolster rural legal communities in New Mexico.







		A	B	C	D	E	F	
		FY24						
		Total Judiciary GF Appropriation	FY25 GF Budget Increase Request	Total FY25 GF Budget Request A+B	% Change from FY24 GF Approp to FY25 B/A	New Perm FTEs	Term to Perm FTEs	
Statewide Units								
1	Supreme Court	8,086.8	1,340.2	9,427.0	16.6%	10	0	
2	Court of Appeals	8,683.9	2,178.9	10,862.8	25.1%	10.5	0	
3	Total Statewide Units	16,770.7	3,519.1	20,289.80	21.0%	20.5	0	
District Courts								
4	First District	12,926.2	503.2	13,429.4	3.9%	1	3	
5	Second District	32,465.8	5,239.3	37,705.1	16.1%	8	33	
6	Third District	13,130.4	464.5	13,594.9	3.5%	1	0	
7	Fourth District	5,291.3	522.5	5,813.8	9.9%	3	0	
8	Fifth District	13,161.8	245.0	13,406.8	1.9%	3.5	0	
9	Sixth District	7,148.4	1,283.0	8,431.4	17.9%	9	0	
10	Seventh District	4,861.6	80.8	4,942.4	1.7%	0	0	
11	Eighth District	6,110.2	643.1	6,753.3	10.5%	8	0	
12	Ninth District	6,398.2	225.0	6,623.2	3.5%	2	0	
13	Tenth District	2,263.2	310.4	2,573.6	13.7%	0	0	
14	Eleventh District	13,831.4	966.7	14,798.1	7.0%	8.5	2.5	
15	Twelfth District	6,612.8	277.1	6,889.9	4.2%	2	0	
16	Thirteenth District	14,289.1	693.7	14,982.8	4.9%	5	0	
	Total District Courts	138,490.4	11,454.3	149,944.7	8.3%	51.0	38.5	
17	Metropolitan Court	29,925.0	1,709.2	31,634.2	5.7%	0	12	
AOC								
18	Admin Supp. Prg.	12,043.5	5,051.4	17,094.9	41.9%	7	0	
19	St.Wide Auto Prg.	7,053.6	7,086.6	14,140.2	100.5%	5	6	
20	Court Operations	11,742.1	4,893.9	16,636.0	41.7%	6	0	
21	Court Services	11,611.4	3,628.9	15,240.3	31.3%	8	0	
	AOC Total	42,450.6	20,660.8	63,111.4	48.7%	26.0	6.0	
22	Compilation Comm	462.5	0	462.5	0.0%	0	0	
23	Judiciary Subtotal	228,099.2	37,343.4	265,442.6	16.4%	97.5	56.5	
24	Judiciary Wide Requests		17,497.5	17,497.5				
	Judicial Compensation of Judges		6,048.7	6,048.7				
	Judicial Compensation of Staff		11,448.8	11,448.8				
25	Judiciary Grand Total	228,099.2	54,840.9	282,940.1	24.0%	97.5	56.5	
26	Non-Reverting Judicial Building Maintenance Funds / Legislation Needed							
	AOC Emergency Repair Fund		450.0	450.0				



d Judicial GF Requests SUMMARY SHEET

	G	H	I	J	K	L	M	N	O	P	Q	R	S
FY25 Judicial Budget Request													
Form	FY25 GF Budget Increase Request BC Recommend	New Perm FTEs BC Recommend	Total GF Budget Request BC Recomm A+G	% Change from FY24 GF Approp to FY25 BC Recommend	FY25 GF Budget Increase Request SC Approved	FY25 FTE Request SC Approved	Total GF Budget Request SC Approved A+K	% Change from FY24 GF Approp to FY25 SC Approved	Rates and Health Insurance	Workforce Investment Plan (WIP)	FY24 10% Ins Increase Amt	Total GF Request M+O+P+Q	Total GF Request % change from FY24
	1,020.7	8	9,107.5	12.6%	1,684.6	10	9,771.4	20.8%	57.9	0.0	0.0	9,829.3	21.5%
	1,935.0	7.5	10,618.9	22.3%	1,053.2	2.5	9,737.1	12.1%	50.6	0.0	0.0	9,787.7	12.7%
	2,955.7	15.5	19,726.4	17.6%	2,737.8	12.5	19,508.5	16.3%	108.5	0.0	0.0	19,617.0	17.0%
	294.0	0	13,220.2	2.3%	186.7	0	13,112.9	1.4%	109.8	8.3	59.8	13,290.8	2.8%
	1,456.7	3	33,922.5	4.5%	1,657.0	1	34,122.8	5.1%	244.1	28.0	73.7	34,468.6	6.2%
	266.8	1	13,397.2	2.0%	266.8	1	13,397.2	2.0%	112.7	13.6	13.0	13,536.5	3.1%
	263.2	2	5,554.5	5.0%	293.2	2	5,584.5	5.5%	48.0	3.7	11.1	5,647.3	6.7%
	215.0	3.5	13,376.8	1.6%	215.0	3.5	13,376.8	1.6%	89.4	0.0	10.9	13,477.1	2.4%
	362.9	4	7,511.3	5.1%	362.9	4	7,511.3	5.1%	33.4	1.4	10.9	7,557.0	5.7%
	0.0	0	4,861.6	0.0%	0.0	0	4,861.6	0.0%	22.2	1.4	9.5	4,894.7	0.7%
	512.7	6	6,622.9	8.4%	438.0	5	6,548.2	7.2%	68.1	1.2	18.4	6,635.9	8.6%
	225.0	2	6,623.2	3.5%	225.0	2	6,623.2	3.5%	65.1	18.1	23.1	6,729.5	5.2%
	52.0	0	2,315.2	2.3%	102.0	0	2,365.2	4.5%	14.8	1.4	5.0	2,386.4	5.4%
	592.5	6	14,423.9	4.3%	592.5	5	14,423.9	4.3%	124.4	0.0	41.1	14,589.4	5.5%
	277.1	2	6,889.9	4.2%	277.1	2	6,889.9	4.2%	55.2	27.0	4.6	6,976.7	5.5%
	126.6	1	14,415.7	0.9%	126.6	1	14,415.7	0.9%	98.6	8.1	24.3	14,546.7	1.8%
	4,644.5	30.5	143,134.9	3.4%	4,742.8	26.50	143,233.2	3.4%	1,085.8	112.2	305.4	144,736.6	4.5%
	898.1	0	30,823.1	3.0%	898.1	0	30,823.1	3.0%	239.5	23.3	32.5	31,118.4	4.0%
	4,934.4	5	16,977.9	41.0%	4,934.4	5	16,977.9	41.0%	36.0	10.0	24.6	17,048.5	41.6%
	7,086.6	5	14,140.2	100.5%	7,086.6	5	14,140.2	100.5%	32.3	0.0	0.0	14,172.5	100.9%
	4,778.9	5	16,521.0	40.7%	4,778.9	5	16,521.0	40.7%	10.5	0.0	0.0	16,531.5	40.8%
	3,628.9	3	15,240.3	31.3%	3,628.9	3	15,240.3	31.3%	14.0	0.0	0.0	15,254.3	31.4%
	20,428.8	18.0	62,879.4	48.1%	20,428.8	18.0	62,879.4	48.1%	92.8	10.0	24.6	63,006.8	48.4%
	0	0	462.5	0.0%	0.0	0	462.5	0.0%	5.3	0.0	1.0	468.8	1.4%
5.5	28,927.1	64.0	257,026.3	12.7%	28,807.5	57.00	256,906.7	12.6%	1,531.9	145.5	363.5	258,947.6	13.5%
	17,497.5		17,497.5	100.0%	17,497.5		17,497.5	100.0%				17,497.5	100.0%
	6,048.7				6,048.7								
	11,448.8				11,448.8								
5.5	46,424.6	64.0	274,523.8	20.4%	46,305.0	57.00	274,404.2	20.3%	1,531.9	145.5	363.5	276,445.1	21.2%
	450.0		450.0		450.0		450.0					450.0	





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