

**TITLE 1            GENERAL GOVERNMENT ADMINISTRATION**  
**CHAPTER 10    ELECTIONS AND ELECTED OFFICIALS**  
**PART 10        BALLOT POSITION; SUPREME COURT OR COURT OF APPEALS**

**1.10.10.1        ISSUING AGENCY:** Office of the Secretary of State.  
[1.10.10.1 NMAC - N/E, 11/23/2009]

**1.10.10.2        SCOPE:** This rule applies to any statewide primary or general election for the New Mexico supreme court or the New Mexico court of appeals.  
[1.10.10.2 NMAC - N/E, 11/23/2009]

**1.10.10.3        STATUTORY AUTHORITY:** Section 1-2-1 NMSA 1978; Section 1-10-8 NMSA 1978.  
[1.10.10.3 NMAC - N/E, 11/23/2009]

**1.10.10.4        DURATION:** Permanent  
[1.10.10.4 NMAC - N/E, 11/23/2009]

**1.10.10.5        EFFECTIVE DATE:** November 23, 2009.  
[1.10.10.5 NMAC - N/E, 11/23/2009]

**1.10.10.6        OBJECTIVE:** To establish the order of ballot position for supreme court and court of appeals candidates on the voting machines and paper ballots in a primary or general election.  
[1.10.10.6 NMAC - N/E, 11/23/2009]

**1.10.10.7        DEFINITIONS:** “Incumbent judge” means a judge or justice who has been appointed by the governor to the court of appeals or supreme court and who must then stand for election pursuant to the provisions of New Mexico law.  
[1.10.10.7 NMAC - N/E, 11/23/2009]

**1.10.10.8        BALLOT POSITION; SUPREME COURT OR COURT OF APPEALS:** Where there is more than one vacancy on the supreme court or the court of appeals in any given election year:

- A.        for the primary election ballot:
  - (1)      the incumbent judges shall be listed on the ballot in the order of the dates of appointment by the governor for their positions;
  - (2)      each vacant seat will further be designated on the ballot by numerical position (Position 1, Position 2, Position 3, etc.);
- B.        for the general election ballot:
  - (1)      each vacancy will be designated by the same numerical position used on the primary election ballot;
  - (2)      the candidate, after nomination by their party, will be listed on the ballot, pursuant to the specific vacancy on the court the candidate seeks.

[1.10.10.8 NMAC - N/E, 11/23/2009]

**HISTORY OF 1.10.10 NMAC:** [RESERVED]