

The Legislature
of the
State of New Mexico

50th Legislature, 2nd Session

LAWS 2012

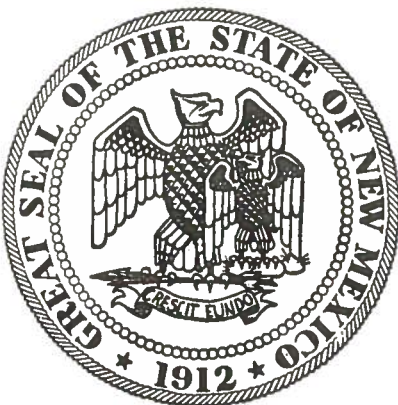
CHAPTER _____

HOUSE MEMORIAL 54

Introduced by

REPRESENTATIVE WILLIAM "BILL" R. REHM

REPRESENTATIVE ANTONIO "MOE" MAESTAS



1 A MEMORIAL

2 REQUESTING AN ESTIMATE OF WORKLOAD AND COST IMPLICATIONS OF
3 IMPLEMENTING FELONY CASEFLOW MANAGEMENT IMPROVEMENTS IN THE
4 SECOND JUDICIAL DISTRICT COURT.

5
6 WHEREAS, in 2007, the national center for state courts
7 completed a weighted workload study for New Mexico,
8 calculating the court, district attorney and public defender
9 demand, based on the caseload and operational methods at the
10 time of the study; and

11 WHEREAS, the conclusion of the workload study was that
12 New Mexico trial courts needed thirty-one more judges,
13 district attorneys' offices needed thirty-one more prosecuting
14 attorneys and the public defender's office needed forty-one
15 more defense attorneys; and

16 WHEREAS, New Mexico has undergone significant budget
17 cutbacks recently that have greatly reduced resources for
18 courts, district attorneys and the public defender; and

19 WHEREAS, these criminal justice agencies have had to
20 employ furloughs and reduction in services to meet budgets,
21 and funding for the number of judges and district and public
22 defender attorneys continues to be limited; and

23 WHEREAS, in 2009, and in light of reduced funding, the
24 national center for state courts completed a study of felony
25 caseflow management in the second judicial district court as

1 part of an effort to determine how to use available judges and
2 district and public defender attorneys more efficiently and in
3 such a way as to improve the caseflow process; and

4 WHEREAS, among other things, the study recommended that
5 steps be taken to improve the early transmission of police
6 information from law enforcement to the district attorney; to
7 provide an early pre-indictment proceeding for the court, the
8 district attorney and the public defender to triage cases; to
9 use settlement conferences and other means to promote plea
10 dispositions before trial; and to limit unnecessary trial-date
11 continuances; and

12 WHEREAS, a foreseeable consequence of implementing such
13 recommendations is not only that justice will be accomplished
14 sooner in felony cases, but also that there will be fewer
15 scheduled court events; fewer required court appearances per
16 case for attorneys and law enforcement witnesses; less wasted
17 time for judges, attorneys, law enforcement and their support
18 staffs; shorter defendant jail time pending adjudication; and
19 reduced prisoner transport costs between the metropolitan
20 detention center and the court; and

21 WHEREAS, since the second judicial district court is the
22 busiest in New Mexico, the implementation of the national
23 center for state courts' recommendations would likely improve
24 the use of current resources in the state's largest trial
25 jurisdiction; and

1 WHEREAS, although implementation of the recommendations
2 will presumably create efficiencies that will reduce costs for
3 various criminal justice stakeholders within Bernalillo
4 county, an estimate of precisely how much each of the criminal
5 justice stakeholders can expect to save by collaborating in
6 the implementation of one or more of the 2009 recommendations
7 is still needed to maximize limited resources; and

8 WHEREAS, the national center for state courts has tested
9 and refined a methodology to provide cost-savings estimates to
10 the court and other participating criminal justice
11 stakeholders seeking to maximize their limited resources while
12 improving the level of justice provided to citizens; and

13 WHEREAS, Bernalillo county and the state justice
14 institute have together contributed sufficient funding for the
15 center to provide the cost-savings estimates for each of the
16 2009 recommendations; and

17 WHEREAS, the court and its partners could use the cost-
18 savings estimates tied to each 2009 recommendation to
19 determine which initiatives, if undertaken, would provide the
20 greatest measure of justice within the limited budgets
21 available to the court and each of the criminal justice
22 agencies; and

23 WHEREAS, the cost study could also be used to illustrate
24 the effect of delay on the public treasuries and the citizens
25 of Bernalillo county and to heighten the urgency in effecting

1 systemic improvements; and

2 WHEREAS, the study would serve as a model for the state,
3 the administrative office of the courts and the administrative
4 office of the district attorneys to apply in assessing the
5 impact of potential improvements in other judicial districts;

6 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
7 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the second
8 judicial district court, the second judicial district
9 attorney, the public defender, the Albuquerque police
10 department, the Bernalillo county metropolitan detention
11 center, the Bernalillo county sheriff's department and the
12 parole board be strongly encouraged to participate in the
13 national center for state courts study, commissioned and
14 directed by the second judicial district court, to estimate
15 the workload and cost implications of implementing felony
16 caseflow management improvements in Bernalillo county; and

17 BE IT FURTHER RESOLVED that copies of this memorial be
18 transmitted to the New Mexico supreme court; the governor; the
19 administrative office of the courts and the administrative
20 office of the district attorneys for appropriate distribution
21 to the criminal justice stakeholders in Bernalillo county; and
22 the interim legislative courts, corrections and justice
23 committee.

Ben Lujan

BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES

Stephen R. Arias

STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

31 JUL 2003 10:00 AM

2003 JUL 20 10:00 AM

10:00 AM