

1 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2 **August 14, 2020**

3 **NO. 20-8500-035A**

4 **IN THE MATTER OF COMPLIANCE**
5 **WITH SUPREME COURT DIRECTIVES**
6 **FOR THE SAFE OPERATION OF THE**
7 **MCKINLEY COUNTY PROBATE COURT**
8 **DURING THE COVID-19 PUBLIC HEALTH EMERGENCY**

9
10 **ORDER**

11 WHEREAS, this Court has issued directives to the McKinley County Probate
12 Court requiring the presiding judge to submit an individualized plan for the
13 resumption of in-person proceedings in that court. *See, e.g.*, Order No. 20-8500-025
14 and Emergency Court Protocol No. 2(C)(1);

15 WHEREAS, despite repeated requests for the submission of an individualized
16 plan for conducting safe in-person proceedings in the McKinley County Probate
17 Court during the current public health emergency, the presiding judge has failed to
18 submit a plan for the Supreme Court’s review and approval and the time for doing
19 so has expired; and

20 WHEREAS, the Court having considered the foregoing and the Court being
21 sufficiently advised, Chief Justice Michael E. Vigil, Justice Barbara J. Vigil, Justice

1 Judith K. Nakamura, Justice C. Shannon Bacon, and Justice David K. Thomson
2 concurring;

3 NOW, THEREFORE, IT IS ORDERED that the McKinley County Probate
4 Court shall cease all in-person proceedings by 5:00 p.m. on Monday, August 17,
5 2020, and shall remain closed for all in-person proceedings and other in-person
6 activity until an individualized plan for resuming in-person proceedings is approved
7 by this Court;

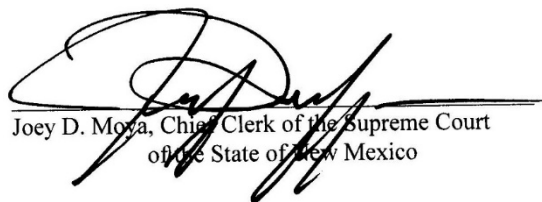
8 IT IS FURTHER ORDERED that, no later than five (5) business days from
9 the date of this order, the presiding judge for the McKinley County Probate Court
10 shall submit to this Court an individualized plan for resuming in-person proceedings
11 in the McKinley County Probate Court; and

12 IT IS FURTHER ORDERED that the failure to comply with the terms of this
13 order may result in a referral to the Judicial Standards Commission.

14 IT IS SO ORDERED.



WITNESS, the Honorable Michael E. Vigil, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 14th day of August, 2020.


Joey D. Moya, Chief Clerk of the Supreme Court
of the State of New Mexico

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