

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

2   **March 24, 2022**

3                   **NO. 22-8500-018**

4                   **IN THE MATTER OF THE AMENDMENT**  
5                   **OF NEW MEXICO JUDICIARY PUBLIC**  
6                   **HEALTH EMERGENCY PROTOCOL NO. 1**  
7                   **TO REMOVE TRAVEL RESTRICTIONS;**  
8                   **PROTOCOLS NO. 1 AND NO. 2 TO INCORPORATE**  
9                   **BY REFERENCE THE REQUIREMENTS OUTLINED**  
10                   **IN THE NEW MEXICO JUDICIAL BRANCH**  
11                   **WORKPLACE SAFETY COVID-19 FAQs;**  
12                   **PROTOCOL NO. 2 TO REMOVE TRAFFIC CASES**  
13                   **FROM THE PRESUMPTION THAT CRIMINAL**  
14                   **CASES SHOULD BE HELD IN PERSON; AND PROTOCOLS**  
15                   **NO. 2 AND NO. 3 TO ESTABLISH A PRESUMPTION**  
16                   **THAT REMOTELY HELD COURT PROCEEDINGS**  
17                   **SHOULD BE CONDUCTED THROUGH AN AUDIO-VIDEO**  
18                   **CONNECTION, ABSENT COMPELLING CIRCUMSTANCES**

19  
20  
21   **ORDER**

22                   WHEREAS, this matter having come before the Court upon recommendation  
23                   to amend the New Mexico Judiciary’s Emergency Court Protocol No. 1 to remove  
24                   travel restrictions for judicial officers and employees; to amend the New Mexico  
25                   Judiciary’s Emergency Court Protocols No. 1 and No. 2 to incorporate by reference  
26                   the requirements and procedures outlined in the New Mexico Judicial Branch  
27                   Workplace Safety COVID-19 FAQs, formerly known as the New Mexico Judicial  
28                   Branch Coronavirus (COVID-19): Frequently Asked Questions and Resources for  
29                   Judges, CEOs, and Employees; to amend the New Mexico Judiciary’s Emergency  
30                   Court Protocol No. 2 to remove traffic cases from the presumption that criminal

1 cases should be held in person; and to amend the New Mexico Judiciary's  
2 Emergency Court Protocols No. 2 and No. 3 to establish a presumption that remotely  
3 held court proceedings should be conducted through an audio-video connection and  
4 should not be conducted using solely telephonic means, absent compelling  
5 circumstances; Chief Justice Michael E. Vigil, Justice C. Shannon Bacon, Justice  
6 David K. Thomson, Justice Julie J. Vargas, and Justice Briana H. Zamora  
7 concurring;

8 NOW, THEREFORE, IT IS ORDERED that the recommendation is  
9 ADOPTED and the amendment of Emergency Court Protocol No. 1, Emergency  
10 Court Protocol No. 2, and Emergency Court Protocol No. 3 is APPROVED,  
11 **effective March 24, 2022.**

12 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 24th day of March, 2022.

Sally A. Paez, Acting Clerk of Court  
Supreme Court of New Mexico

A handwritten signature in black ink that reads "Sally A. Paez".

Sally A. Paez, Acting Chief Clerk of the Supreme Court  
of the State of New Mexico

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