

NEW MEXICO JUDICIAL COUNCIL CHARTER

I. MEMBERSHIP

1. Chief Justice of the Supreme Court, Chair
2. Chief Judge of the Court of Appeals
3. Chief Judges of the District Courts
4. Chief Judge of Metropolitan Court
5. President of the District and Metropolitan Court Judges Association
6. President of the Magistrate Court Judges Association
7. President of the Municipal Court Judges Association
8. Chair of the Probate Court Judges Affiliate

All members are voting members of the New Mexico Judicial Council (NMJC). Proxies by members are allowed if given to another member, excluding the chair, in writing and delivered to the chair prior to the meeting or vote. The President of the District and Metropolitan Court Judges Association, President of the Magistrate Court Judges Association, President of the Municipal Court Judge Association, and the Chair of the Probate Court Judges Affiliate can choose a proxy outside of the NMJC members. Council members shall not hold more than one proxy for any given meeting or vote.

II. EXECUTIVE COMMITTEE

An Executive Committee for the NMJC shall be established. The members shall be chosen from the Chief Judges, and shall include the Chief Justice and four (4) members elected by the NMJC. The members of the Executive Committee for the NMJC shall serve a three (3) year term and may be elected to serve a second term. The terms of the members will be staggered. Initially, two members will be elected for three (3) year terms, and two members will be elected to two (2) year terms. In the event that a chief judge serving on the Executive Committee may be considered unable to serve, the NMJC, meeting in executive session, may remove the member upon a vote of thirteen (13) members of the NMJC. Upon (i) a resignation of a chief judge from the Executive Committee prior to end of a term; (ii) the term of the judge as chief judge expires prior to the end of a term; or, (iii) upon removal of a chief judge by the NMJC, the NMJC will select a new member to complete the term of the departing member at the NMJC's next meeting. The Executive Committee shall be responsible for coordinating meetings of NMJC, receiving, identifying, and communicating recommendations for policies and

procedures to be considered by the NMJC, and communicating with the Supreme Court as necessary.

III. MISSION

The role and primary purpose of the NMJC and its members is to support and promote the advancement and operation of the New Mexico Judiciary. The NMJC is responsible for the development and implementation of policies and procedures for the administration of all courts, uniformity in court operations, and coordination of court services that will improve the administration of justice in the state of New Mexico, all subject to the approval by the New Mexico Supreme Court. The NMJC will work in cooperation with the New Mexico Supreme Court to promote and ensure the efficient and effective operation of the Judiciary with the assistance of the Administrative Office of the Courts.

IV. RELATIONSHIP TO SUPREME COURT

The working relationship between the NMJC and the Supreme Court is one based on communication, cooperation, and combined effort. The NMJC will report and present to the Supreme Court after its meetings. The Supreme Court will regularly communicate with the NMJC through the Chief Justice and the Justices serving as liaisons with the NMJC's standing committees. The NMJC will regularly communicate with the Supreme Court through the Executive Committee during Supreme Court conferences or as otherwise requested by the NMJC.

As NMJC develops and implements policies and priorities, the Supreme Court will provide input and guidance. The Supreme Court will also recommend policies for consideration, legislative initiatives to be pursued, rules changes, and other matters affecting the Judiciary. Proposed policies or initiatives approved by the NMJC shall be presented to the Supreme Court for consideration. If the Supreme Court decides that it will not adopt the policy or initiative as proposed, then it will return it to the NMJC with an explanation of why the policy or initiative is not acceptable. The NMJC will then have an opportunity to modify its proposed policy or initiative to address the Supreme Court's concerns. The Supreme Court shall thereafter make a final determination taking into consideration the recommendations of the NMJC. If the Supreme Court intends to adopt a policy or initiative affecting court operations, except for emergency situations, the policy or initiative will first be presented to the NMJC. The NMJC will provide guidance to the Supreme Court, including recommendations for approval, disapproval or modification, and other appropriate input.

It is the goal of the NMJC and Supreme Court to work cooperatively and jointly to support the Judiciary. While it is anticipated that the process will result in unanimity on issues, the Supreme Court will have the final say.

V. COMMITTEES

The NMJC shall have established standing committees:

1. Court Security
2. Legislation & Rules
3. Policies & Procedures
4. Education
5. Ad Hoc

VI. SCOPE OF ASSIGNMENT

The NMJC will:

- a. Develop and implement the Judicial Branch strategic plan including setting budget priorities.
- b. Determine the membership and terms of members of all standing and *ad hoc* committees and try to ensure geographical and size of court diversity.
- c. Maintain, amend, and establish statewide judicial policies necessary to improve the administration of justice in the state of New Mexico.
- d. Make decisions based on statewide values, needs, priorities, and goals in concert with the fair allocation of resources.
- e. Create and amend standing committees as necessary to align with the policies established by the NMJC.
- f. Create ad hoc committees to align with the policies and projects as deemed necessary by the NMJC.
- g. Oversee NMJC commissions and committees as designated by the New Mexico Supreme Court.
- h. Determine statewide initiatives including legislation, procedures, and timelines.
- i. The NMJC may pursue efforts to provide *ad hoc* training for Judges and staff training. By doing so, the NMJC will support robust judicial education for judges and all courthouse staff to ensure growth in the areas of law, management, technology, customer services, and policies and procedures.

- j. Assess and determine the need for additional legislation and rulemaking to improve the judicial system and administration of justice. The NMJC will vet and make recommendations on any requests for legislation affecting the Judiciary to be presented for Supreme Court approval. The NMJC will make recommendations for legislation to the Supreme Court to adopt and present to the Legislature. The Supreme Court will be the voice for the Judiciary on all Legislative matters.
- k. Develop and recommend to the Supreme Court best practices for court operations and use of resources, as well as determine minimum court services for implementation statewide.
- l. Together with the Supreme Court, and in consideration that the Supreme Court has ultimate administrative authority, determine the structure and scope of duties within the Administrative Office of the Courts to provide necessary support for the NMJC, the standing committees, and operations of the courts.

VII. REQUIRED PROJECTS AND MEETING REQUIREMENTS

The NMJC will meet at a minimum quarterly and/or at the call of the Chair. The NMJC will provide an annual report to the Judiciary every August for the prior fiscal year.

VIII. STAFF SUPPORT

Primary assistance shall come from dedicated staff at the Administrative Office of the Courts (AOC) and support from the Judicial Information Division (JID) as needed.