



1           WHEREAS, public records may be maintained electronically and such  
2 records “shall be deemed to be an original record for all purposes,” *see* §§ 14-1-5  
3 and 14-1-6;

4           WHEREAS, the Court having issued Supreme Court Order No. 13-8500, *In*  
5 *the Matter of Policies Regarding the Creation, Access, Use, Maintenance, and*  
6 *Retention of Electronic Court Records in the Judiciary*, which contained a provision  
7 requiring the judiciary to seek approval from New Mexico Records Center and  
8 Archives (NMRCA) relating to certain provisions of the judiciary’s record retention  
9 policies;

10           WHEREAS, the Court having issued Supreme Court Order No. 17-8500-025,  
11 *In the Matter of the New Mexico Judiciary Statewide Policy for the Electronic*  
12 *Scanning and Destruction of Paper Court Case Records*, on October 18, 2017;

13           WHEREAS, the Court having subsequently adopted the New Mexico Judicial  
14 Branch’s Electronic Scanning and Destruction of Paper Records Policy and the New  
15 Mexico Judicial Branch’s Electronic Court Records Quality Control Procedure on  
16 October 18, 2023, setting forth the judiciary’s procedures for the maintenance and  
17 destruction of court records; and

1           WHEREAS, the Court having considered the foregoing and being sufficiently  
2 advised, Chief Justice C. Shannon Bacon, Justice Michael E. Vigil, Justice David K.  
3 Thomson, Justice Julie J. Vargas, and Justice Briana H. Zamora concurring;

4           NOW, THEREFORE, IT IS ORDERED that the recommendation is  
5 APPROVED and electronic records of the New Mexico Judiciary, as entered and  
6 maintained pursuant to the aforementioned policies established and approved by this  
7 Court, are hereby the official record and have the same force and effect as a  
8 traditional paper record pursuant to Sections 14-1-5 and 14-1-6;

9           IT IS FURTHER ORDERED that pursuant to Article VI, Section 3 of the New  
10 Mexico Constitution and the policies and procedures established by this Court, the  
11 New Mexico Judicial Branch has control over its own records and judicial entities  
12 do not need approval for the destruction of court records outside of the guidelines  
13 established by this Court;

14           IT IS FURTHER ORDERED that Supreme Court Order No. 13-8500 is  
15 WITHDRAWN IN PART to the extent it requires approval from the NMRCA  
16 relating to the judiciary's records or record retention policies;

17           IT IS FURTHER ORDERED that the New Mexico Judicial Branch's  
18 Electronic Scanning and Destruction of Paper Records Policy and the New Mexico

1 Judicial Branch’s Electronic Court Records Quality Control Procedure are hereby  
2 adopted effective October 18, 2023;

3 IT IS FURTHER ORDERED that this order shall supersede any of this  
4 Court’s rules of practice and procedure that prevent the destruction of paper records  
5 that have been microfilmed and marked complete and accurate in the Court-  
6 approved case management system, in accordance with the Court’s approved  
7 scanning and destruction of records policy and quality control procedure; and

8 IT IS FURTHER ORDERED that the provisions of this order shall apply to  
9 all courts in the State of New Mexico effective immediately.

10 IT IS SO ORDERED.



11 WITNESS, the Honorable C. Shannon Bacon, Chief  
12 Justice of the Supreme Court of the State of New Mexico,  
13 and the seal of said Court this 4th day of April, 2024.

A handwritten signature in cursive script that reads "Elizabeth A. Garcia".

Elizabeth A. Garcia, Chief Clerk of the Supreme Court  
of the State of New Mexico

I CERTIFY AND ATTEST:  
A true copy was served on all parties  
or their counsel of record on date filed.  
Elizabeth A. Garcia  
Chief Clerk of the Supreme Court  
of the State of New Mexico