



1           WHEREAS, the AOC is developing and implementing pretrial diversion  
2 programs and requires any diversion programs to be reviewed and approved by the  
3 AOC or the Supreme Court.

4           WHEREAS, a diversion program is defined as any pre-adjudication program  
5 which is an alternative to traditional post charge criminal justice processing for  
6 certain defendants; and

7           WHEREAS, the Court being desirous of the provision of consistent practice  
8 standards and resources in treatment courts in New Mexico, and being otherwise  
9 sufficiently advised, Chief Justice David K. Thomson, Justice Michael E. Vigil,  
10 Justice C. Shannon Bacon, Justice Julie J. Vargas, and Justice Briana H. Zamora  
11 concurring;

12           NOW, THEREFORE, IT IS ORDERED that all existing treatment courts in  
13 New Mexico shall complete the AOC certification process;

14           IT IS FURTHER ORDERED that AOC and/or the Supreme Court must be  
15 notified and approve of any diversion programs or any other specialty courts;

16           IT IS FURTHER ORDERED that any proposed material change to a  
17 treatment court's program or polices following its implementation or certification  
18 shall be submitted to the AOC for approval prior to the implementation of such  
19 change;

1 IT IS FURTHER ORDERED that, for the purposes of this order, a material  
2 change means a change to the program's team, systems, resources, or processes that  
3 impact the program's ability to meet its obligations under the New Mexico  
4 Treatment Court Standards, and any questions about what qualifies as a material  
5 change shall be submitted to the AOC DTJ;

6 IT IS FURTHER ORDERED that these requirements shall be effective the  
7 date of this order and shall remain in place until further order of the Court; and

8 IT IS FURTHER ORDERED that the Clerk of Court is authorized and  
9 directed to give notice of the above referenced requirements by posting notice on the  
10 New Mexico Judiciary website and by publishing notice in the *Bar Bulletin*.

11 IT IS SO ORDERED.



12 WITNESS, the Honorable David K. Thomson, Chief  
13 Justice of the Supreme Court of the State of New Mexico,  
14 and the seal of said Court this 19th day of July, 2024.

  
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