



IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

September 30, 2025

NO. S-1-AO-2025-00014

**IN THE MATTER OF THE SUSPENSION
OF RULE 7-507.1 NMRA AND CRIMINAL
COMPETENCY PROCEEDINGS IN THE
METROPOLITAN COURT**

SECOND AMENDED ORDER

WHEREAS, this matter came on for consideration to suspend Rule 7-507.1 NMRA in light of amendments to NMSA 1978, Section 31-9-1 (2025), which provide that the metropolitan court is no longer allowed to determine whether a defendant is competent to stand trial in a criminal case and that require all cases in which a question of a defendant's competency is raised in a court other than the district court to be transferred to the district court;

WHEREAS, the amendments to Section 31-9-1 took effect on June 20, 2025;

WHEREAS, Rule 7-507.1 sets forth the procedure for resolving whether a defendant is competent to stand trial in a criminal case in the metropolitan court;

WHEREAS, the suspension of Rule 7-507.1 and the provisional amendment of Rules 5-602.1, 5-602.2, 5-602.3, 6-507.1, 7-506, and 8-507.1 NMRA and Form 9-514 NMRA has been APPROVED by concurrently issued Supreme Court Order

1 No. S-1-RCR-2025-00143 to effectuate the amendments to Section 31-9-1 and other
2 statutes governing criminal competency proceedings; and

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

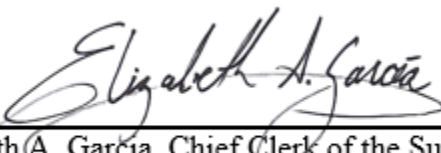
6 NOW, THEREFORE, IT IS ORDERED that all criminal competency
7 proceedings in the metropolitan court shall be governed by the provisional
8 amendments to Rule 6-507.1; and

9 IT IS FURTHER ORDERED that the provisions of this order shall be
10 effective for all cases pending or filed on or after September 30, 2025, and until
11 further order of this Court.

12 IT IS SO ORDERED.



WITNESS, the Honorable David K. Thomson, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 30th day of September, 2025.


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