

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

2 **October 6, 2025**

3 **NO. S-1-AO-2025-00020**

4 **IN THE MATTER OF CRIMINAL**
5 **COMPETENCY PROCEEDINGS IN THE**
6 **BERNALILLO COUNTY**
7 **METROPOLITAN COURT**

8 **ORDER**

9 WHEREAS, this matter came on for consideration to reinstate and
10 provisionally amend Rule 7-507.1 NMRA in light of recent amendments to NMSA
11 1978, Section 31-9-1 (2025), which allow the Bernalillo County Metropolitan Court
12 (metropolitan court) to determine whether a defendant is competent to stand trial in
13 a criminal case;

14 WHEREAS, the amendments to Section 31-9-1 took effect on October 3,
15 2025;

16 WHEREAS, Rule 7-507.1, which sets forth the procedure for resolving
17 whether a defendant is competent to stand trial in a criminal case in the metropolitan
18 court, was suspended by Supreme Court Order Nos. S-1-AO-2025-00014 and S-1-
19 RCR-2025-00143;

20 WHEREAS, Supreme Court Order No. S-1-AO-2025-00014 was later
21 amended on August 19, 2025, and September 30, 2025, respectively;

1 WHEREAS, Second Amended Supreme Court Order No. S-1-AO-2025-
2 00014 required that all criminal competency proceedings in the metropolitan court
3 be governed by the provisional amendments to Rule 6-507.1 NMRA that were
4 approved by Supreme Court Order No. S-1-RCR-2025-00143;

5 WHEREAS, the reinstatement and provisional amendment of Rule 7-507.1
6 and the provisional amendment of Form 9-514 NMRA have been APPROVED
7 today by concurrently issued Supreme Court Order No. S-1-RCR-2025-00163, to
8 effectuate the amendments to Section 31-9-1; and

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

12 NOW, THEREFORE, IT IS ORDERED that Second Amended Supreme
13 Court Order No. S-1-AO-2025-00014 is hereby WITHDRAWN;

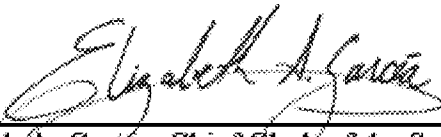
14 IT IS FURTHER ORDERED that all misdemeanor cases that were transferred
15 to the district court for a competency determination between June 20, 2025, and
16 October 2, 2025, shall remain in district court; and
17

1 IT IS FURTHER ORDERED that the provisions of this order shall be
2 effective immediately.

3 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 6th day of October, 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