Administrative Office of the Courts

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Here is an op-ed column by New Mexico Supreme Court Justice Barbara Vigil. Please consider it for publication on your editorial page.

By Chief Justice Barbara J. Vigil of the New Mexico Supreme Court

Our courts require additional resources to meet the justice needs of New Mexico's citizens. Each day, courts address the aftermath of strained social and economic conditions, including crime, child and domestic abuse, and broken family and business relationships. Our independent court system also supports economic growth and investment by enforcing contracts and resolving business and property disputes. And it does all of this with less than 3% of the state's overall budget.

Inadequately funding the Judiciary undermines our ability to serve the public and fulfill our constitutional responsibility to provide fair, timely and impartial justice to all New Mexicans.

The Judiciary must have a sound budget for its important role in protecting children in the child welfare system. This includes the appointment of attorneys in child abuse and neglect cases. As a Children's Court judge for more than a decade, I presided over hundreds of abuse and neglect cases and had to decide whether to

reunite children with their parents or terminate parental rights. Courts are required by law to appoint and pay for attorneys who advocate on behalf of children and parents, and these attorneys provide invaluable assistance to the children, their families and to the judges in these cases. Without enough money, courts are unable to handle the increasing number of abuse and neglect cases and ensure each family is properly represented.

More funding _ not less _ is needed for the state's successful and cost-effective drug courts that serve adults and juveniles with alcohol and drug abuse problems. These programs use treatment, sanctions, and incentives to help offenders rebuild their lives, and save taxpayer money by providing an alternative to prison. Additionally, they are effective at reducing substance abuse and crime. Forcing the Judiciary to eliminate or reduce the number of drug courts in order to sustain its core operations is detrimental to individuals, families, and communities, and will result in higher prison costs to the state.

Under its current budget, the Judiciary is unable to provide adequate juror pay and interpreters for those court participants with limited English proficiency. Every juror in New Mexico should receive at least the minimum wage for jury service, and every New Mexican has a constitutional right to participate in our justice system regardless of their ability to speak, read, or write English or Spanish.

We also are asking the Legislature and the Governor to create two new district court judgeship positions, one each in Albuquerque and Las Cruces. The judge in Albuquerque will handle criminal cases under a new case management system, which will help relieve jail overcrowding and save Bernalillo County millions of dollars. The new judge in Las Cruces will hear an ever-increasing number of child abuse and neglect cases.

We recognize that resources are limited and we will continue to employ programs that conserve and maximize the use of taxpayer dollars. However, as an independent branch of government, it is critical that the Judiciary has the funding necessary to fulfill its constitutional obligations to every New Mexican.

All New Mexicans benefit from a strong Judiciary.

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