



Administrative Office of the Courts

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State of the Judiciary: Justice System Failing Because of Inadequate Funding

SANTA FE – Supreme Court Chief Justice Charles W. Daniels told lawmakers on Thursday that a lack of funding has damaged New Mexico’s justice system and potentially could cause the dismissal of criminal cases if courts are unable to provide speedy trials as constitutionally required.

“I wish I could tell you that New Mexico is providing the functioning justice system promised in the constitution that created ground rules of our government, but I can’t,” Daniels said in a State of the Judiciary speech to a joint session of the Legislature. “The failure isn’t caused by a lack of will of the judges and employees of the judicial branch. They’ve gone above and beyond the call of duty to try to keep justice working.”

The Judiciary accounts for about 2.6 cents of every \$1 spent on state government from New Mexico’s main budget account. Daniels said that’s inadequate for the courts to fulfill their constitutional and statutory obligations in serving the public.

The Judiciary has struggled with underfunding for several years. However, recent budget cuts have pushed courts to the breaking point. Some district and magistrate courts have been forced to close their clerk’s offices during part of the work week, reducing the hours that court employees are available to the public. Courts may soon be unable to hold jury trials because money will run out in March to pay for jurors. There’s a budget shortage for payments to court-appointed attorneys required to represent children in abuse and neglect cases, and for magistrate court building leases.

“We are a long way past anything that can honestly be called belt-tightening. Our justice system is now on life support, and its organs are shutting down,” Daniels said in his prepared remarks.

The Judiciary’s budget in the current fiscal year is \$156 million. That’s down from \$162 million in FY2016. The judicial operating budget was nearly \$154 million in the 2009 fiscal year.

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