



Administrative Office of the Courts

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Supreme Court streamlines procedures to expedite criminal cases in state courts

SANTA FE – The state Supreme Court has approved streamlined procedures in criminal and traffic cases to ease hardships in the justice system from the COVID-19 pandemic.

"These changes in the judicial process will help efficiently use the resources of police, prosecutors, defense counsel and courts to move cases forward toward a resolution while honoring constitutional rights and protections," said Justice Briana Zamora.

Justice David Thomson said, "When possible we want to prevent law enforcement officers, crime victims and witnesses from unnecessarily making multiple appearances in court proceedings. We are working with our justice system partners to update procedures and processes that strained their resources during the pandemic."

The Court developed the initiatives with input from judges and justice partners, including prosecutors and public defenders.

"The Supreme Court approved these procedural measures to help our justice partners and courts make the best use of their time and limited resources," said Chief Justice Michael Vigil. "All New Mexicans benefit from an effective and efficient justice system that resolves criminal cases in a timely manner."

Among the changes:

- The State will no longer be required to schedule pretrial interviews with law enforcement in misdemeanor cases in Santa Fe County Magistrate Court and the Bernalillo County Metropolitan Court under a pilot initiative. Defense lawyers will continue to have information supplied by law enforcement in police reports and recordings such as lapel videos, as well criminal complaints, which bring charges against a person and outline the reasons for an arrest. [Click here](#) to view the Supreme Court order.

- District courts can hold settlement conferences in criminal cases and assign a judge – other than the judge presiding in the case – to facilitate possible plea discussions and ensure that the parties exchange evidence in a timely manner. Prosecutors are not required to make a plea offer and a defendant is not required to accept one. If the state does not intend to offer a plea and notifies the court, a settlement conference will not be held. [An order issued by the Supreme Court](#) allows for settlement conferences by suspending a prohibition on judicial participation in plea discussions. The Second Judicial District Court has been using settlement conferences. The Supreme Court is expanding the initiative statewide to potentially speed up the resolution of cases, and focus resources on more complex criminal proceedings and those in which defendants are jailed pretrial.
- Requiring a status conference for defendants, who are not in jail, early in criminal proceedings. The conferences can help resolve cases and allow witnesses, including law enforcement and crime victims, to avoid appearing at a later hearing. The status conference will be conducted before a defendant's preliminary hearing, which determines whether there is probable cause for the case to proceed to trial in district court. The new procedure will be piloted in the Bernalillo County Metropolitan Court and the Santa Fe County Magistrate Court. At the status conference a defendant can make a plea, enter a pre-prosecution diversion program and waive a preliminary hearing. [Click here](#) to view the Supreme Court order.
- Traffic violation cases in magistrate courts statewide and the Bernalillo County Metropolitan Court generally will be conducted remotely. This allows officers, the defendant and witnesses to avoid traveling to a courthouse for in-person trials before a judge and can free up time for officers for other law enforcement duties. There previously was a presumption that traffic cases would be heard in-person.

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