

## MAGISTRATE & METRO COURT FEE DISTRIBUTION

### Criminal Court Docket Fee \$20.00:

A \$20.00 court cost fee is assessed on each case except for a penalty assessment misdemeanor that is not contested 35-6-4. If a private individual files the case, the fee is collected at the time of filing, except in domestic violence cases 35-6-3. No costs are collected from campus security officers, municipal police officer, Indian tribal officers, pueblo law enforcement officers or a full-time salaried county or state law enforcement officer. If defendant is convicted, the defendant is ordered to pay the \$20.00 fee. A \$1.00 docket fee is charged in criminal actions under 29-5-1 for violations of campus traffic regulations. If the defendant is convicted, the defendant is ordered to pay the \$1.00 fee.

- Distributed to the New Mexico Finance Authority on a monthly basis.
- To construct a new Metropolitan Court Building.

### Civil Docket Fee \$47.00:

To be collected prior to docketing any civil action, filed by a private citizen, except as provided in Subsection A of Section 35-6-3 New Mexico Statutes Annotated, 1978 Compilation.

- \$10.00 Distributed to New Mexico Finance Authority on a monthly basis. 35-6-1
  - To Fund the Statewide Court Automation.
- \$25.00 Distributed to Public Employees Retirement Assn. on a monthly basis. 10-12C-11
  - To fund the Magistrate Judges Retirement.
- \$12.00 Distributed to New Mexico Finance Authority on a monthly basis. 35-6-1
  - To construct a new Metropolitan Court Building.

### Metropolitan Court Collects \$5.00 for mediation fee to be used for mediation purposes in Metropolitan Court only 35-6-1.

### Jury Fee \$25.00:

To be collected from the party demanding trial by jury in a civil action at the time the demand is filed or made.

- \$10.00 Distributed to Public Employees Retirement Assn. on a monthly basis. 10-12C-11
  - To fund the Magistrate Judges Retirement.
- \$15.00 Distributed to New Mexico Finance Authority on a monthly basis. 35-7-4
  - To construct a new Metropolitan Court Building.

### Jury Deposit \$50.00:

To be used as a deposit towards payment of the actual costs of empaneling a jury in a civil case. NMRA 2-602

### Copying Fee \$.50

For making and certifying copies of any records in the court, for each page copied by photographic process. 35-6-1

- Distributed to New Mexico Finance Authority on a monthly basis.
- To fund a new Metropolitan Court Building.

### Copying Fee \$1.00:

For computer-generated or electronically transferred copies, per page. 35-6-1

- Distributed to New Mexico Finance Authority on a monthly basis.
- To fund the Statewide Court Automation.

**SURCHARGES - Funds collected in a case are allotted in the following order of priority:**

**Court Automation Fee \$10.00:**

To be collected upon conviction from persons convicted of violating any provision of the Motor Vehicle Code involving the operation of a motor vehicle, convicted of a crime constituting a misdemeanor or a petty misdemeanor or convicted of violating any ordinance that may be enforced by the imposition of a term of imprisonment. 35-7-4

- Distributed to New Mexico Finance Authority.
- To fund the Statewide Court Automation.

**Facilities Fee \$10.00:**

**\*\$14.00 In a county with Metro Court**

To be collected upon conviction from persons convicted of operating a motor vehicle in violation of the Motor Vehicle Code, convicted of a crime constituting a misdemeanor or a petty misdemeanor or convicted of violating an ordinance punishable by a term of imprisonment. 35-7-4

- Distributed to New Mexico Finance Authority on a monthly basis.
- To construct a new Metropolitan Court Building.

**DWI Lab Fee \$65.00:**

To be collected upon conviction from persons convicted of a violation of Section 66-8-102, 31-12-7.

- Distributed to the Department of Health (Scientific Lab) on a monthly basis.
  - To defray the costs of chemical and other tests utilized to determine the influence of liquor or drugs.
- Distributed to Albuquerque Police Department (Lab fees received of Metro Court which are cited by Albuquerque Police Department) on a monthly basis.
  - To defray the costs of chemical and other tests utilized to determine the influence of liquor or drugs.

**Substance Abuse Lab Fee \$75.00:**

To be collected from persons convicted of a misdemeanor or a petty misdemeanor or a violation of the provisions of the Controlled Substance Act 31-12-8.

- Distributed to the Department of Public Safety on a monthly basis.
- To defray the costs of chemical and other analyses of controlled substances.

**Corrections Fee \$10.00:**

To be collected upon conviction from persons convicted of violating any provision of the Motor Vehicle Code involving the operation of a motor vehicle, convicted of a crime constituting a misdemeanor or a petty misdemeanor or convicted of violating any ordinance which may be enforced by the imposition of a term of imprisonment. 35-7-4

- Distributed to Counties on a quarterly basis.
  - To be used solely for county or municipal jailer or juvenile detention training, for the construction of housing county or municipal prisoners or juveniles in any detention facility in the state or complying with match or for contribution requirements for the receipt of federal funds relating to jails.

**Traffic Safety Fee \$3.00:**

To be collected upon conviction from persons convicted of violating any provisions of the Motor Vehicle Code involving the operation of a motor vehicle. 35-7-4

- Distributed to the Highway and Transportation Department.

-To fund comprehensive community programs for the prevention of driving while under the influence of intoxicating liquor or drugs and for other traffic safety purposes.

**DWI Prevention Fee \$75.00:**

To be collected upon conviction from persons convicted of a violation of Section 66-8-102 , 31-12-7.

-Distributed to the Highway and Transportation Dept. on a monthly basis.

-To fund comprehensive community programs for the prevention of driving while under the influence of intoxicating liquor or drugs and for other traffic safety purposes.

**Judicial Education Fee \$1.00:**

To be collected upon conviction from persons convicted of operating a motor vehicle in violation of the Motor Vehicle Code, convicted of a crime constituting a misdemeanor or a petty misdemeanor or convicted of violating an ordinance punishable by a term of imprisonment. 35-7-4

-Distributed to the Judicial Education Center on a monthly basis.

-To be used for Judicial Training.

**Brain Injury Fee \$5.00:**

To be collected upon conviction from persons convicted of violating any provision of the Motor Vehicle Code involving the operation of a motor vehicle 24-1-24.

-Distributed to the Department of Health on a monthly basis.

-To institute and maintain programs statewide for persons with traumatic Brain injuries.

**Bench Warrant Fee \$100.00:**

Upon issuance of a bench warrant, a magistrate court shall assess a fee of one hundred dollars 35-6-5 & 34-8A-12.

-Distributed to Warrant Enforcement Fund on a monthly basis

-To fund Warrant Enforcement Collection plan.

Total surcharges applied to a Motor Vehicle code violation in magistrate courts \$39.00 (\$43.00 in Bernalillo County). Total surcharges applied to misdemeanors that are not MVD violations \$31.00 (\$35.00 in Bernalillo County). These amounts do not include any lab or prevention fees.