

POLICY DIRECTIVE NO. 5 (Reissued June 1993)

POLICY ESTABLISHING PRESIDING JUDGE RESPONSIBILITIES

This policy is issued in accordance with NMSA 1978, Section 35-7-1 to provide guidelines and directions regarding the daily duties and responsibilities of the presiding judge in each magistrate district.

A presiding judge or the judge in a single-judge court shall comply with the following responsibilities and shall ensure compliance with the Magistrate Court Administrative Procedures Manual published July 1985, as amended and approved by the Supreme Court effective July 1, 1992.

1. Provide leadership for the court, supervise and coordinate its administration, and be the intermediary between the court over which he presides and the Administrative Office of the Courts;
2. Set an example in the performance of judicial and administrative functions;
3. Implement and monitor compliance with all policies, rules, and regulations established by the Supreme Court;
4. Counsel and assist associate judges in the performance of their responsibilities in the administration of the court;
5. Assist associate judges in their initial orientation to the bench and encourage participation in all continuing education and training programs provided for members of the court;
6. Call and preside over meetings of the court; designate an associate judge to act as presiding judge during his/her absence or inability to act;
7. With the assistance of associate judges, propose local rules for the conduct of the court's business and supervise the enforcement of these rules; ensure that all judges and staff of the court follow the same procedures in conducting court business, hearings and trials;
8. Appoint committees of the court and administer regulations concerning attendance at meetings and conferences;
9. Act in conformity with policies adopted by the court as a whole and freely solicit the advice and suggestions of fellow judges;

10. Recruit, hire, train, supervise, evaluate, and monitor personnel of the court according to the New Mexico Judicial Branch Personnel Rules;
11. Supervise court finances, including financial planning, and prepare a monthly report concerning the court's financial and administrative activities in compliance with the regulations in the Magistrate Court Administrative Procedures Manual; approve, sign and submit all vouchers to the Administrative Office of the Courts;
12. Disseminate information concerning the court; supervise the collection of statistical data and the management of information systems pursuant to procedures established by the Judicial Information Division of the AOC;
13. Supervise the record keeping functions of the court; periodically review the caseload, time standards, and calendaring; supervise and insure the timely disposition of matters before the court; oversee an equitable method for the distribution and centralized setting of cases and resolve conflicts in settings between judges; require that a judge to whom a case is assigned accept that case unless he/she is disqualified or the interests of justice require a reassignment; require associate judges to notify the presiding judge or his designee when daily matters before the associate judges are finished or continued;
14. Establish hours of court, office hours for associate judges, and the hours during which associate judges must be on-call to conduct court business after regularly scheduled hours of court; submit for approval by the Supreme Court all proposed hours which shall not become effective until approved by the Supreme Court;
15. Approve annual leave requests from clerical staff and leave requests for judges and submit written notification to the Administrative Office of the Courts for clerical staff prior to the commencement of the leave; provide written notification to the Administrative Office of the Courts of leave taken immediately upon clerical staff's return to work; report as soon as possible any prolonged absence of court employees due to illness; prepare an orderly plan for judicial vacations, attendance at educational programs, and similar matters;
16. Represent the court in its relations with other agencies of the government, the bar, the general public, the news media, and in ceremonial functions in compliance with Supreme Court

Rules and the regulations found in the Magistrate Court Administrative Procedures Manual;

17. Oversee juror management;
18. Coordinate the use of space, equipment, and facilities of the court;
19. Procure supplies and services for the court in compliance with the regulations found in the Magistrate Court Administrative Procedures Manual;
20. Delegate authority to associate judges and to court staff to facilitate effective administration of the court; delegate to the chief clerk and court administrator the responsibility for administrative functions and require administrative decisions to be in concurrence with the decisions of the presiding judge; the administrative authority of an associate judge shall be only that delegated by the presiding judge; the administrative responsibility of an associate judge shall include, but not be limited to, providing input to the presiding judge in the development of policies, rules, and regulations for the court and in the performance of judicial and administrative functions of the court; periodic mandatory meetings should be held by the presiding and associate judges to allow an exchange of ideas and suggestions pertaining to the operation of the court;
21. Submit to the Chief Justice of the Supreme Court for his/her review and resolution all reports regarding unresolved instances of noncompliance with court rules, procedures, and regulations by associate judges;
22. Certify to the Chief Justice of the Supreme Court for immediate resolution any scheduling, procedural, or administrative difficulties arising among the judges. Imposition of sanctions for noncompliance shall be at the discretion of the Supreme Court; and
23. Any grievances pertaining to or arising from these regulations should be submitted to the Chief Justice of the Supreme Court.