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IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

June 27, 2019

NO. 19-8500-010

**IN MATTER OF THE APPROVAL OF
A COMPENSATION INITIATIVE FOR
NEW MEXICO JUDICIAL BRANCH EMPLOYEES
FOR FISCAL YEAR 2020**

ORDER

WHEREAS, this matter came on for consideration by the Court upon recommendation of the Chief Judges Council to make salary structure adjustments for all job classifications within the New Mexico Judiciary to coincide with the implementation of the compensation increases in Fiscal Year 2020 authorized for New Mexico Judicial Branch employees under the Judiciary's Workforce Investment Plan and the General Appropriations Act of 2019;

WHEREAS, according to the New Mexico Judicial Branch Classification and Compensation Plan for Fiscal Year 2019, the salary structure for job classifications in the New Mexico Judicial Branch should be reviewed annually and adjusted commensurate with competitive markets and the Consumer Price Index (CPI) to match market activity and the impact of inflation on the

1 purchasing power of salaries, but the New Mexico Judicial Branch salary
2 structure has only been adjusted twice in the last ten years;

3 WHEREAS, the cumulative adjustments to New Mexico Judicial Branch
4 salary structure over the last ten years totaling 6.5% have not kept pace with the
5 cumulative increase in the CPI from 2009 to 2018 of approximately 15.5%;

6 WHEREAS, the salary pay range width for job classifications in the New
7 Mexico Judicial Branch is one of the narrowest among comparison markets in
8 New Mexico state and local governments, with a maximum compa-ratio of
9 125%, which restricts the ability of the New Mexico Judiciary to promote
10 longevity and the retention of historical knowledge and job skills within in its
11 workforce; and

12 WHEREAS, in light of the foregoing, and the Court having considered the
13 recommendation and being sufficiently advised, Chief Justice Judith K.
14 Nakamura, Justice Barbara J. Vigil, Justice Michael E. Vigil, Justice C. Shannon
15 Bacon, and Justice David K. Thomson concurring;

16 NOW, THEREFORE, IT IS ORDERED that the salary structure for the
17 New Mexico Judicial Branch shall be adjusted upward to increase the salary
18 ranges for all job classifications within the New Mexico Judicial Branch by two

1 percent (2%);

2 IT IS FURTHER ORDERED that the salary pay range width for all job
3 classifications within the New Mexico Judicial Branch shall be increased so that
4 the minimum range compa-ratio shall be eighty percent (80%) and the maximum
5 compa-ratio shall be one-hundred thirty percent (130%);

6 IT IS FURTHER ORDERED that all judicial entities subject to the
7 Judiciary's unified budget process shall increase the compensation of all eligible
8 employees in accordance with the following terms of this order:

9 1. All non-probationary classified employees with satisfactory
10 performance documented by their most recent performance
11 evaluation in Fiscal Year 2019 with a rating of "meets
12 requirements," "surpasses," or "exemplary," and all at-will
13 employees are eligible for compensation increases, subject to the
14 limitations in this order;

15 2. Any eligible non-probationary classified employee or at-will
16 employee who does not serve as personal staff to a judge in one of
17 the positions set forth in Section 6 who is below the compa-ratio
18 targets set forth below shall receive a compensation increase
19 sufficient to meet the following compa-ratio targets:

20 A. Any eligible employee who has served in the employee's
21 current job classification for at least three (3) years shall be
22 compensated at a compa-ratio of ninety percent (90%);

23 B. Any eligible employee who has served in the employee's
24 current job classification for at least six (6) years shall be
25 compensated at a compa-ratio of ninety-five percent (95%);

26 C. Any eligible employee who has served in the employee's
27 current job classification for at least ten (10) years shall be

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- compensated at a compa-ratio of one hundred percent (100%);
- D. Any eligible employee who has served in the employee's current job classification for at least fifteen (15) years shall be compensated at a compa-ratio of one hundred five percent (105%); and
- E. Any eligible employee who has served in the employee's current job classification for at least twenty (20) years shall be compensated at a compa-ratio of one hundred ten percent (110%); and
3. After calculating any increase authorized in Section 2 of this order, all eligible non-probationary classified employees shall receive a compensation increase of four percent (4%);
4. Any eligible non-probationary classified employee earning less than twenty-five thousand dollars (\$25,000.00) on a full-time equivalent basis after receiving the compensation increases authorized in Sections 2 and 3 of this order shall receive an additional compensation increase of one percent (1%);
5. All probationary employees who complete their probationary period on or before June 30, 2020, with satisfactory performance documented by their most recent performance evaluation in Fiscal Year 2020 with a rating of "meets requirements," "surpasses," or "exemplary" shall receive the compensation increase authorized under Section 3 and, if applicable, Section 4 of this order, effective for the first pay period following the successful completion of their probationary period;
6. All at-will judicial employees who serve as personal staff to a judge or justice in one of the following job classifications shall receive a four percent (4%) compensation increase up to a compa-ratio of approximately one hundred thirteen and two-tenths percent (113.2%), which would be implemented at the following hourly pay rates:

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- A. Appellate Paralegal (\$27.750 per hour);
- B. Bailiff (U) (\$13.564 per hour);
- C. Bailiff Security (U) (\$14.266 per hour);
- D. Certified Court Monitor (U) (\$18.316 per hour); and
- F. Trial Court Administrative Assistant (\$24.625 per hour) ;

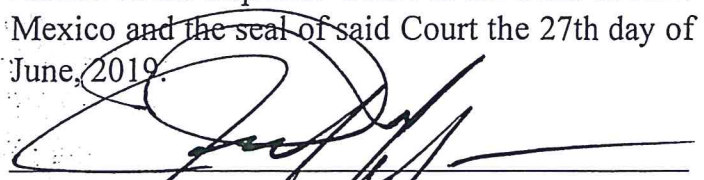
7. Any at-will judicial employee who serves as personal staff to a judge or justice in one of the job classifications set forth in Section 6 of this order who is already compensated at or above the hourly rates set forth in Section 6 of this order shall remain at the employee's current hourly rate of pay; and

8. For any employee who is eligible for a compensation increase under this order that would result in that employee exceeding the one hundred thirty percent (130%) compa-ratio maximum, the employee shall receive an hourly pay rate increase up to the one hundred thirty percent (130%) compa-ratio maximum and shall receive a lump-sum payment equal to that portion of the compensation increase that exceeds the compa-ratio maximum for each pay period that the employee is employed in the New Mexico Judiciary, up to a maximum of twenty-five installments and in an amount that is equal to one twenty-fifth (1/25) of the total lump-sum increase that the employee would be eligible to receive for Fiscal Year 2020; and

IT IS FURTHER ORDERED that the compensation increases authorized by this order shall be effective beginning with the first full pay period in Fiscal Year 2020, which starts on July 13, 2019.

IT IS SO ORDERED.

WITNESS, Honorable Judith K. Nakamura, Chief Justice of the Supreme Court of the State of New Mexico and the seal of said Court the 27th day of June, 2019.


Joey D. Moya, Chief Clerk of the Supreme Court
of the State of New Mexico

(SEAL)