

1                   **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2   **June 26, 2023**

3 **NO. 23-8500-DS**

4  
5 **IN THE MATTER OF THE DESIGNATION**  
6 **OF A DISTRICT COURT JUDGE WHEN A**  
7 **FIRST JUDICIAL DISTRICT COURT**  
8 **JUDGE OR EMPLOYEE, OR MINOR CHILD**  
9 **THEREOF, IS A PARTY TO A CASE FILED**  
10 **IN THE FIRST JUDICIAL DISTRICT COURT**

11   **STANDING DESIGNATION ORDER**

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14           WHEREAS, in the best interests of judicial economy and the expeditious  
15 disposition of cases, the Chief Justice has previously determined that standing orders  
16 were necessary to designate out-of-district judges in non-Family Violence Protection  
17 Act cases that are filed in the First Judicial District Court when automatic recusal is  
18 required under Rule 1-088(C) NMRA, Rule 5-105(C) NMRA, or Rule 10-161(C)  
19 NMRA because a judge or employee of said judicial district is a party to the case;

20           WHEREAS, the last standing order designating out-of-district judges for  
21 cases involving judicial employees in non-Family Violence Protection Act cases in  
22 the First Judicial District Court was issued by the Chief Justice on March 11, 2015,  
23 which was to remain in full force and effect until such time as modified or withdrawn  
24 by the Chief Justice; and

1           WHEREAS, the Chief Justice having determined that the need for a standing  
2 designation order continues to exist and that it would be in the best interests of  
3 judicial economy to amend the March 11, 2015, order to include the designation of  
4 out-of-district judges when the minor child of a judge or employee of the First  
5 Judicial District Court is a party to case proceeding in the First Judicial District  
6 Court, and to provide an updated standing order for out-of-district designations for  
7 cases filed in the First Judicial District Court;

8           NOW, THEREFORE, IT IS ORDERED that the March 11, 2015, order  
9 designating out-of-district judges for cases wherein judicial employees of the First  
10 Judicial District Court are parties is superseded by this order;

11           IT IS FURTHER ORDERED that pursuant to the authority of the Chief  
12 Justice under Article VI, Sections 3 and 15, of the Constitution of the State of New  
13 Mexico, the Chief Judge of the Second Judicial District Court shall have the  
14 authority to designate a sitting district judge from the Chief Judge's judicial district,  
15 in any order of priority, to preside over any district court case filed in Santa Fe  
16 County when automatic recusal is required under Rule 1-088(C) NMRA, Rule 5-  
17 105(C) NMRA, or Rule 10-161(C) NMRA because a judge or employee of the First  
18 Judicial District Court is party to the case; or, when the minor child of a judge or  
19 employee is a party to the case;

1           IT IS FURTHER ORDERED that the Chief Judge of the Fourth Judicial  
2 District shall have the authority to designate a sitting district judge from the Chief  
3 Judge's judicial district to preside over any district court case filed in Los Alamos  
4 County when a judge or employee of the First Judicial District Court, or the minor  
5 child thereof, is a party to the case;

6           IT IS FURTHER ORDERED that the Chief Judge of the Eighth Judicial  
7 District Court shall have the authority to designate a sitting district judge from the  
8 Chief Judge's judicial district to preside over any district court case filed in Rio  
9 Arriba County when a judge or employee of the First Judicial District Court, or the  
10 minor child thereof, is a party to the case;

11           IT IS FURTHER ORDERED that the Clerk of the First Judicial District Court  
12 shall notify the Chief Judge of the Second, Fourth, or Eighth Judicial District Court,  
13 as applicable, of the need for the designation of a judge to preside over a case under  
14 the terms of this order if the parties to said case do not stipulate to a replacement  
15 judge within the 10-day stipulation period in Rule 1-088(C), 5-105(C), or 10-161(C)  
16 NMRA, as applicable;

17           IT IS FURTHER ORDERED that any judge designated under the terms of  
18 this order may be reimbursed for mileage and per diem, provided that such costs are  
19 paid directly by the First Judicial District Court;

