

# Rules Governing Judicial Education

## 25-101. Scope and title.

A. **Scope.** These rules establish the requirements for judicial education for the magistrate, municipal and probate court judges and for domestic violence special commissioners and domestic relations hearing officers appointed pursuant to Rules 1-053.1 or 1-053.2 NMRA.

B. **Title.** These rules may be cited as the Rules Governing Judicial Education.

[Adopted, effective July 1, 1987; as amended, effective March 23, 1998.]

## ANNOTATIONS

**Cross references.** — For Rules for Minimum Continuing Legal Education, see Rule 18-101 NMRA.

For regulations implementing continuing education requirements for state district and appellate court judges, see Appendix A to rule set 18 NMRA.

**The 1998 amendment,** effective March 23, 1998, substituted "court judges and for domestic violence special commissioners and domestic relations hearing officers appointed pursuant to Rules 1-053.1 or 1-053.2 NMRA" for "courts" at the end of Paragraph A.

## 25-102. Qualification for office; required training.

A. **Qualification for office.** Each magistrate court judge, municipal court judge and probate court judge shall qualify for office by attending a judicial qualification training course approved by the administrative office of the courts.

B. **Application for magistrate judge qualification.** Prior to assuming the duties of judge after initial election or appointment, each magistrate court judge shall file with the administrative office of the courts:

- (1) a certificate of election or appointment of the judge; and
- (2) a copy of the oath of office prescribed by the constitution of New Mexico for public officers subscribed to by the applicant.

C. **Application for municipal or probate judge qualification.** After initial election or appointment, a municipal court judge or probate court judge shall notify the administrative office of the courts of his election or appointment. Upon notification of the appointment or election of a municipal court judge or probate court judge, the

administrative office of the courts shall approve a judicial qualification training plan for the judge. The approved plan shall include a time period for completion of initial qualification training.

**D. Certificate of qualification.** The administrative office of the courts shall issue to each magistrate court, municipal court and probate court judge a certificate of qualification upon completion of the application requirements.

[Adopted, effective July 1, 1987; as amended, effective July 1, 1988.]

## **25-103. Continuing judicial education; requirements.**

**A. Annual educational requirements.** Every magistrate court judge, magistrate judge *pro tempore*, municipal court judge, probate court judge, domestic violence special commissioner and domestic relations hearing officer shall annually attend approved judicial education programs for not less than the minimum number of continuing judicial education hours required by the administrative office of the courts. The administrative office of the courts shall include in the annual judicial education requirements an appropriate number of hours of training in understanding domestic violence.

**B. Approved programs.** The annual continuing judicial education requirements of this rule may be satisfied for any calendar year by:

- (1) attending an annual training program conducted by the administrative office of the courts or by the judicial education center;
- (2) attending a minimum number of hours of continuing judicial education programs approved by the administrative office of the courts; or
- (3) attending the initial judicial education program required by Rule 25-102.

**C. Reporting requirements.** On or before December 31 of each calendar year, each magistrate court judge, municipal court judge, probate court judge, magistrate court judge *pro tempore*, domestic violence special commissioner and domestic relations hearing officer, shall certify to the administrative office of the courts compliance with the minimum number of continuing education hours required annually by the administrative office of the courts. A certificate is not required if a judge has received during the calendar year a certificate of compliance from the administrative office of the courts. No acknowledgement is necessary for a certificate filed pursuant to this paragraph.

[Adopted, effective July 1, 1987; as amended, effective July 1, 1988; March 23, 1998.]

## **ANNOTATIONS**

**The 1998 amendment**, effective March 23, 1998, substituted "requirements" for "magistrate judges; municipal court judges; probate judges" in the heading, rewrote Paragraphs A and C, and inserted "or by the judicial education center" at the end of Subparagraph B(1).

## **25-104. Required training; failure to attend.**

The Supreme Court may suspend or remove any magistrate court judge, municipal court judge, probate court judge, domestic violence special commissioner or domestic relations hearing officer who fails to attend the initial judicial training or the minimum number of annual judicial education hours required by these rules.

No retired judge shall serve as a magistrate judge *pro tempore* unless the retired judge attended during the preceding calendar year the same number of hours of continuing judicial education programs as prescribed by the Administrative Office of the Courts for full-time magistrates.

[Adopted, effective July 1, 1987; as amended, effective March 23, 1998.]

### **ANNOTATIONS**

**The 1998 amendment**, effective March 23, 1998, in the first paragraph, deleted "or" preceding "probate court judge" and inserted "domestic violence special commissioner or domestic relations hearing officer", and added the second paragraph.

## **Court Orders**

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

8000 Misc.

IN THE MATTER OF ADOPTION OF THE  
RULES GOVERNING JUDICIAL EDUCATION

This matter coming on for consideration by the court and the court being sufficiently advised, Chief Justice Scarborough, Senior Justice Sosa, Justice Stowers, Justice Walters and Justice Ransom concurring;

NOW, THEREFORE, IT IS ORDERED that the Rules Governing Judicial Education be and the same are hereby adopted;

IT IS FURTHER ORDERED that the Rules Governing Judicial Education shall govern mandatory judicial education for the Magistrate, Municipal and Probate Courts;

IT IS FURTHER ORDERED that the adoption of the Rules

Governing Judicial Education shall be effective on and after July 1, 1987, provided that the Administrative Office of the Courts may allow credit for judicial continuing education hours attended after January 1, 1987, but prior to July 1, 1987;

IT IS FURTHER ORDERED that the clerk of the court is hereby authorized and directed to give notice of the adoption of the Rules Governing Judicial Education by mailing a copy to every Magistrate Court Judge, Municipal Court Judge and Probate Judge and by publishing the same in the NMSA 1978.

DONE at Santa Fe, New Mexico this 4th day of March, 1987.

/s/ TONY SCARBOROUGH  
Chief Justice  
/s/ DAN SOSA, JR.  
Senior Justice  
/s/ HARRY E. STOWERS, JR.  
Justice  
/s/ MARY C. WALTERS  
Justice  
/s/ RICHARD E. RANSOM  
Justice

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IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

8000 Misc.

IN THE MATTER OF AMENDMENT OF RULES  
25-102 AND 15-103 OF THE RULES  
GOVERNING JUDICIAL EDUCATION

This matter coming on for consideration by the court and the court being sufficiently advised, Chief Justice Scarborough, Senior Justice Sosa, Justice Stowers, Justice Walters and Justice Ransom concurring:

NOW, THEREFORE, IT IS ORDERED that the Rules 25-102 AND 25-103 of the Rules Governing Judicial Education be and the same are hereby amended;

IT IS FURTHER ORDERED that the amendment of Rules 25-102 and 25-103 of the Rules Governing Judicial Education shall be effective on and after July 1, 1988;

IT IS FURTHER ORDERED that the clerk of the court is hereby

authorized and directed to give notice of the amendment of the Rules Governing Judicial Education by publishing the same in the NMSA 1978.

DONE at Santa Fe, New Mexico this 13th day of April, 1988.

/s/ TONY SCARBOROUGH  
Chief Justice  
/s/ DAN SOSA, JR.  
Senior Justice  
/s/ HARRY E. STOWERS, JR.  
Justice  
/s/ MARY C. WALTERS  
Justice  
/s/ RICHARD E. RANSOM  
Justice

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IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

NO. 98-8300

IN THE MATTER OF THE AMENDMENT OF  
MINIMUM CONTINUING LEGAL EDUCATION  
RULE 18-201 NMRA AND RULES 25-101, 25-103,  
AND 25-104 NMRA GOVERNING JUDICIAL EDUCATION

ORDER

WHEREAS, this matter came on for consideration by the Court upon recommendation by the Judicial Education Center to adopt amendments to Rules 18-201, 25-101, 25-103, AND 25-104 NMRA, and the Court being sufficiently advised, Chief Justice Gene E. Franchini, Justice Joseph F. Baca, Justice Pamela B. Minzner, Justice Patricio M. Serna, and Justice Dan A. McKinnon, III, concurring;

NOW, THEREFORE, IT IS ORDERED that the amendments to the above-referenced rules hereby are approved;

IT IS FURTHER ORDERED that the amendments to the above-referenced rules shall be effective immediately;

IT IS FURTHER ORDERED that the Clerk of the Court hereby is authorized and directed to give notice of the above amendments of the Minimum Continuing Legal Education Rules and Judicial

Education Rules by publishing the same in the Bar Bulletin and NMRA.

DONE at Santa Fe, New Mexico, this 23rd day of March, 1998.

/s/ GENE E. FRANCHINI  
Chief Justice

/s/ JOSEPH F. BACA  
Justice

/s/ PAMELA B. MINZNER  
Justice

/s/ PATRICIO M. SERNA  
Justice

/s/ DAN A. MCKINNON, III  
Justice