

216 – Supreme Court File Plan

This file plan was developed to be a guide for Supreme Court employees. This guidance document was created to ensure consistent records classification and to provide agencies with other relevant record information. The final disposition authority resides in the Functional Records Retention and Disposition Schedule (FRRDS), 1.21.2 NMAC.

This file plan only list records series of program's specific to the Supreme Court. For records series of a general administrative nature, refer to the General Administrative Records File Plan. For records of a financial nature, refer to the General Financial Records File Plan. For records of a personnel or medical nature, refer to the General Personnel/Medical Records File Plan.

216-001 SUPREME COURT CASE FILES:

Division/unit: Supreme court

Maintenance system: Numerical by case number

Record series content: Cases heard or reviewed by the supreme court. Cases include decisions of lower courts submitted to the supreme court for review, criminal case appeals in which the trial court imposed a life sentence or death penalty or granted a petition for writ of habeas corpus, appealed cases originating from the public regulation commission, election challenges and attorney and judge disciplinary matters. File may contain docket sheet, appellate pleadings motions, habeas corpus petitions, rule extension petition to extend judiciary deadlines, judge designation orders, transcripts, orders, opinion and decision, mandate, etc.

Classification:

- (A) **Opened cases:** 1.21.2.615 NMAC, Case Files - Court of Record
- (B) **Closed case materials:**
 - (1) **Criminal cases:** 1.21.2.613 NMAC, Case Files - Lower Courts (Criminal)
 - (2) **Civil cases:** 1.21.2.612 NMAC, Case Files - Lower Courts (Civil)
- (C) **Supreme court oral argument recordings:** 1.21.2.615 NMAC, Case Files - Court of Record
- (D) **Lower court records of proceedings:** 1.21.2.615 NMAC, Case Files - Court of Record

File closure:

- (A) **Opened cases:** Date of final disposition
- (B) **Closed case materials:** Date received
- (C) **Supreme court oral argument recordings:** Date issuance of mandate or final disposition from the supreme court
- (D) **Lower court records of proceedings:**
 - (1) **Criminal cases:** Date of final resolution
 - (2) **Civil cases:** Date of issuance of mandate of disposition from the supreme court

Confidentiality: Portions of record may be confidential per Protection of Records, Section 31-21-6 NMSA 1978 (i.e., social records, pre-sentencing reports, etc.), Confidential Communications; Information; Privileged, and Waiver, Sections 31-25-3 and 31-25-4 NMSA 1978 (i.e., safe house, abuse shelter, other shelter facility, etc.), Appeals, Section 32A-1-17 NMSA 1978 (i.e., children's files, records and transcripts, etc.), Confidentiality; Records, Section 32A-2-32 NMSA 1978 (i.e., children's social records, diagnostic evaluations, medical records, supervision histories, etc.), Confidentiality, Record, Penalty, 32A-4-33 NMSA 1978 (i.e., child neglect or abuse records).

[New - 03/31/2021]

216-002 ROLL OF ATTORNEYS:

Division/unit: Supreme court

Maintenance system: chronological by calendar year, then by date of bar admission

Record series content: Records concerning attorneys admitted to the New Mexico bar association.

Record may contain attorney name, address, phone number, fax number, electronic mail address, firm employment, date of bar admittance, last update, suspended date, disbarred date, status, status description, comment, former name, etc.

Classification: 1.21.2.117 NMAC, Reports - Historical

File closure: Close of calendar year after date of last update

[New - 03/31/2021]

216-003 ATTORNEY REGULATION FILES:

Division/unit: Supreme court

Maintenance system: Chronological by calendar year, then by date of issuance

Record series content: Records concerning court issued certificates used to document newly admitted attorneys to the bar. File may contain status in the bar, change of name, change of address, etc.

Classification: 1.21.2.668 NMAC, Professional Licenses - Historical

File closure: Close of calendar year after last action

[New - 03/31/2021]

216-004 DISCIPLINARY FILES:

Division/unit: Supreme court

Maintenance system: Numerical by case number, then alphabetical by surname

Record series content: Record concerning disciplinary actions on attorneys or judges. File may contain pleadings, certificates, sealed pleadings, orders, opinions, decisions, transcripts, etc.

Classification: 1.21.2.657 NMAC, Discipline and Investigations - Historical

File closure: Close of calendar year after final disposition

[New - 03/31/2021]

216-005 REPORT OF COMPENSATION FILES:

Division/unit: Supreme court

Maintenance system: Chronological by calendar year, then alphabetical by judges' surname

Record series content: Report concerning date, place and nature of activity for which a judge receives extra judicial compensation. Report may contain judge's name, type of compensation received, signatures, etc.

Classification: 1.21.2.233 NMAC, Personnel Files - Contributing

File closure: Date of judicial retirement, resignation or removal from the bench

[New - 03/31/2021]

216-006 LOWER COURT LOCAL RULES FILES:

Division/unit: Supreme court

Maintenance system: Chronological by calendar year, then by date of promulgation or amendment

Record series content: Record of supreme court rules promulgated for the lower courts. File may contain new, superseded, amended and rescinded rules.

Classification: 1.21.2.490 NMAC, Administrative Rules

File closure: Date file created

[New - 03/31/2021]

216-007 SUPREME COURT STANDING COMMITTEES AND BOARD FILES:

Division/unit: Supreme court

Maintenance system: Chronological by calendar year, then by date of recommendation or appointment

Record series content: Records concerning the members or recommendations of standing, special or temporary committees or boards that make recommendations to the supreme court. File may include

membership lists, order of appointment, minutes of meetings, new rule recommendations, new rule suggestions, amendments to existing rules, research documentation, reports, correspondence, etc.

Classification: 1.21.2.452 NMAC, Meetings

File closure: Close of calendar year in which recommendation, promulgation or amendment is created
[New - 03/31/2021]