

## 230 – Administrative Office of the Courts File Plan

This file plan was developed to be a guide for New Mexico District Courts 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 New Mexico District Courts. 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.

### **230-001 COURT CALENDAR:**

**Division/unit:** Administration

**Maintenance system:** Chronological by setting date

**Record series content:** Record by day of settings in the court. Record may show case names, docket numbers, judges, courtroom, date and time, etc.

**Classification:** 1.21.2.611 NMAC, Calendars

**File closure:** Court scheduled date

[New - 03/31/2021]

### **230-002 OATHS OF OFFICE:**

**Division/unit:** Administration

**Maintenance system:** Chronological by date

**Record series content:** Oaths of office administered by district court judges to state and local officials. Oaths may show name of judge, name of clerk, court, date, oath or affirmation, signatures, seal, etc.

**Classification:** 1.21.2.453 NMAC, Oaths of Office

**File closure:** Date file created

[New - 03/31/2021]

### **230-003 ANNUAL COURT REPORT:**

**Division/unit:** Administration

**Maintenance system:** Chronological by fiscal year

**Record series content:** Annual statistical and narrative report of the district court. Statistical court activity may show date, status of pending court cases, number of cases closed by category, number of cases filed by category, etc. Narrative portion of report details program accountability and status.

**Classification:** 1.21.2.117 NMAC, Reports - Historical

**File closure:** Date file created

[New - 03/31/2021]

### **230-004 TRUST ACCOUNT DATABASE:**

**Division/unit:** Administration

**Maintenance system:** Numerical by account

**Record series content:** Database tracks and monitors monies deposited, monies disbursed, balances, corresponding docket number, etc.

**Classification:** 1.21.2.309 NMAC, Ledgers

**File closure:** Close of fiscal year in which account closed

[New - 03/31/2021]

### **230-005 JUROR DOCUMENT FILE:**

**Division/unit:** Administration

**Maintenance system:** Chronological by date juror pool created

**Record series content:** Record concerning jury composition. File may contain court orders, statistical reports, juror questionnaire, excusals, list of jurors in pool, correspondence, etc.

**Classification:** 1.21.2.618 NMAC, Jury Management

**File closure:** Date of last possible appeal

**Confidentiality:** Portions of this file may be confidential (e.g., juror address, juror telephone number, juror questionnaire).

[New - 03/31/2021]

### **230-006 JUROR SUMMONS FILE:**

**Division/unit:** Administration

**Maintenance system:** Chronological by date of summons

**Record series content:** Record concerning the call for jurors. File contains list of summoned potential jurors. File may also contain returns from summons (returned undelivered summons). [This is a mail-out item. Retention is on court copy.]

**Classification:** 1.21.2.618 NMAC, Jury Management

**File closure:** Date file created

[New - 03/31/2021]

### **230-007 to 230-020**

### **230-021 CRIMINAL CASE FILE:**

**Division/unit:** Criminal matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record of criminal proceedings before the court. File may contain *criminal docket sheets*, *criminal complaints* (information), *grand jury indictments*, bail orders, bonding documents, pre-trial correspondence, pre-trial motions, pre-trial orders, transportation orders, *entries of appearance*, *return of service*, *bench warrants*, tape control sheets (tape logs), indigence determinations, judgments and sentencing, post-trial motions and orders, *notice of appeal*, *orders for record proper*, disposition on appeal, orders of release from probation, *certificates as to the state of the record*, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

**Confidentiality:** *Pre-trial release intake sheet*, probation case folders or files, pre-sentence reports, pre-parole reports and supervision histories are confidential documents (Section 31-21-6 NMSA 1978).

Treatment psychological evaluations are confidential (Section 14-6-1 NMSA 1978). All these confidential documents shall be returned to their entity of origin 60 days after sentencing unless sentencing period is extended by NMRA Rule 5-01 filing. If found in file at the time of microfilming, destroy

[New - 03/31/2021]

### **230-022 CRIMINAL PROCEEDINGS RECORDING:**

**Division/unit:** Criminal matters

**Maintenance system:** Numerical by docket number [tapes may be maintained chronological by court date]

**Record series content:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

[New - 03/31/2021]

**230-023 CRIMINAL EXHIBITS:**

**Division/unit:** Criminal matters

**Maintenance system:** Numerical by docket number

**Record series content:** Materials introduced as evidence in court case. Materials include documents (e.g., depositions, interrogatives, requests for admission, reports, etc.), personal possessions, weapons, human remains, etc.

**Classification:** 1.21.2.617 NMAC, Exhibits

**File closure:** Date of final judgement

**Confidentiality:** Individual exhibits may be confidential by protective court order.

[New - 03/31/2021]

**230-024 CRIMINAL DOCKET SHEET:**

**Division/unit:** Criminal matters

**Maintenance system:** Chronological by date of filing

**Record series content:** Record of documents and events in a criminal case. Record may show clerk, judge, court type, date filed, time filed, number of pages, violation date, arrest number, bond amount, bond type, bond posted by, case number, defendant name, date of birth, social security number, arresting officer, arresting agency, attorney, waiver, trial type, citation, statute/ordinance, charge, plea, judgment, sentence, fine, court cost, lab fee, correctional fee, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

**Confidentiality:** Social security numbers shall not be released to the public (supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7).

[New - 03/31/2021]

**230-025 INDEX OF CRIMINAL DEFENDANTS:**

**Division/unit:** Criminal matters

**Maintenance system:** Alphabetical by defendant name

**Record series content:** Yearly alphabetical listing by defendant name cross-referencing to docket number. Listing may show defendant name, docket number, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

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**230-026 GRAND JURY TRANSCRIPTS AND TAPES:**

**Division/unit:** Criminal matters

**Maintenance system:** Chronological by grand jury date

**Record series content:** Narrative record of proceeding in front of the grand jury.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

**Confidentiality:** Section 31-6-4 NMSA 1978

[New - 03/31/2021]

**230-027 GRAND JURY REPORTS:**

**Division/unit:** Criminal matters

**Maintenance system:** Chronological by date of report

**Record series content:** Summary report of grand jury resolution. Record may show defendant name, crime charged, offense date, date of report, grand jury findings, etc.

**Classification:**

(A) **Indictment returned:** 1.21.2.615 NMAC, Case Files - Court of Record

(B) **No indictment returned (no bill):** 1.21.2.616 NMAC, Case Files - Dismissed

**File closure:**

(A) **Indictment returned:** Date of final judgement

(B) **No indictment returned (no bill):** Date dismissed

**Confidentiality:** “no bills shall be sealed,” Section 31-6-5 NMSA 1978

[New - 03/31/2021]

**230-028 GRAND JURY CASE FILE:**

**Division/unit:** Criminal matters

**Maintenance system:** Numerical by case number

**Record series content:** File of documents created during a grand jury investigation. File may contain subpoenas, tape control logs, affidavits, witness lists, etc.

**Classification:**

(A) **Indictment returned:** 1.21.2.615 NMAC, Case Files - Court of Record

(B) **No indictment returned (no bill):** 1.21.2.616 NMAC, Case Files - Dismissed

**File closure:**

(A) **Indictment returned:** Date of final judgement

(B) **No indictment returned (no bill):** Date dismissed

**Confidentiality:** “no bills shall be sealed,” Section 31-6-5 NMSA 1978.

[New - 03/31/2021]

**230-029 SENTENCE MODIFICATION REQUESTS (NMRA RULE 5-801):**

**Division/unit:** Criminal matters

**Maintenance system:** Chronological by date received

**Record series content:** Request for modification of sentence. Request may show defendant name, docket number, date received, reason for modification of sentence, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

[New - 03/31/2021]

**230-030 HABEAS CORPUS REQUESTS (NMRA RULE 5-802):**

**Division/unit:** Criminal matters

**Maintenance system:** Chronological by date received

**Record series content:** Request for the demonstration of the authority by which the prisoner is held. Request may show defendant name, docket number, date received, reason for release, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

[New - 03/31/2021]

**230-031 PETIT JURY LISTS (CRIMINAL):**

**Division/unit:** Criminal matters

**Maintenance system:** Chronological by date produced

**Record series content:** List of names of certified jurors for a particular case.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

**Confidentiality:** Portions of this file may be confidential (e.g., juror address, juror telephone number, juror questionnaire) per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section a note Section 7.

[New - 03/31/2021]

**230-032 JUDGES MEMORANDUM OF SELECTION OF PETIT JURY FORM:**

**Division/unit:** Criminal matters

**Maintenance system:** Chronological by date generated

**Record series content:** Record concerning the selection of individual jurors. Record may show names of enrolled jurors, names of non-selected jurors, names of exempted jurors, judge, date of selection, court, reasons for exclusions, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

**Confidentiality:** Portions of this file may be confidential (e.g., juror address, juror telephone number, juror questionnaire) per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7.

[New - 03/31/2021]

### **230-033 PRETRIAL SERVICES FILES:**

**Division/unit:** Criminal matters

**Maintenance system:** Chronological by calendar year, then alphabetical by defendant surname

**Record series content:** Record of criminal pretrial services and recommendations to the court for sentencing and conditions of release. File may contain background investigation records, pretrial services supervision records, judicial supervision program records, mental health court records, drug court records, homeless court records, competency court records, jail diversion records, photograph, national criminal information check report, treatment records, psychological evaluations, etc.

**Classification:**

(A) **Dismissed cases:** 1.21.2.616 NMAC, Case Files - Dismissed

(B) **All other cases:** 1.21.2.636 NMAC, Legal Case Files

**File closure:**

(A) **Dismissed cases:** Date case dismissed

(B) **All other cases:** Close of calendar year from date of sentencing

**Confidentiality:** Portions of record may be confidential per Section 31-21-6 NMSA 1978 (i.e., social records, pre-sentencing reports, pre-parole reports and supervision histories, etc.), Sections 31-25-3 and 31-25-4 NMSA 1978 (i.e., safe house, abuse shelter, other shelter facility, etc.), Section 14-6-1 (i.e., all health information), 45 CFR Subpart E of Part 164, (i.e., protected health identifiers), 32A-1-17 NMSA 1978 (i.e., children's files, records and transcripts, etc.), Section 32A-2-32 NMSA 1978 (i.e., children's social records, diagnostic evaluations, medical records, supervision histories, etc.), 32A-4-33 NMSA 1978 (i.e., child neglect or abuse records), 42 CFR 2 (i.e., patient records, diagnosis, treatment, referral, etc.), etc.

[New - 03/31/2021]

### **230-034 to 230-050 [RESERVED]**

### **230-051 JUVENILE DRUG COURT FILE:**

**Division/unit:** Juvenile drug court

**Maintenance system:** Numerical by case number

**Record series content:** Record documents the chronological treatment history and progress of individual juveniles enrolled in the judicial district drug court program. File may contain; referral; intake information; chronological history if involved with CYFD; drug screening results; current probation agreement, mental health evaluations, physiological screening; medication form; photo id of individual enrolled in program; treatment progress, etc.

**Classification:** 1.21.2.614 NMAC, Case Files - Juvenile

**File closure:** Date juvenile reaches the age of majority

**Confidentiality:** This record is confidential pursuant, but not limited to Section 32A-2-32 NMSA 1978, (i.e., diagnostic evaluations, psychiatric reports, medical reports), Section 5 USC, Section 552a (i.e., social security number) and Section 59A-46-27 NMSA 1978, confidentiality of medical information.

[New - 03/31/2021]

**230-052 PROBLEM SOLVING COURT FILES:**

**Division/unit:** Civil and criminal matters

**Maintenance system:** Numerical by case number

**Record series content:** Record of civil and criminal problem solving court proceedings and recommendations to the court for sentencing and conditions of release. File may include referral; intake information; chronological history if involved with CYFD; background investigation records; judicial supervision program records; current probation agreement, jail diversion records, national criminal information check report, drug screening results, mental health evaluations, psychological screening; medication form; photo id of individual enrolled in program; treatment progress, etc.

**Classification:**

- (A) **Dismissed cases:** 1.21.2.616 NMAC, Case Files - Dismissed
- (B) **Mental health court records:**
  - (1) **Adult cases:** 1.21.2.636 NMAC, Legal Case Files
  - (2) **Juvenile cases:** 1.21.2.614 NMAC, Case Files - Juvenile
- (C) **All other cases:**
  - (1) **Adult cases:** 1.21.2.636 NMAC, Legal Case Files
  - (2) **Juvenile cases:** 1.21.2.614 NMAC, Case Files - Juvenile

**File closure:**

- (A) **Dismissed cases:** Date case dismissed
- (B) **Mental health court records:**
  - (1) **Adult cases:** Close of the calendar year in which case closed
  - (2) **Juvenile cases:** Date juvenile reaches the age of majority
- (C) **All other cases:**
  - (1) **Adult cases:** Close of federal fiscal year from date of discharge, termination or graduation from program
  - (2) **Juvenile cases:** Date juvenile reaches the age of majority

**Confidentiality:** Portions of this record may be confidential pursuant, but not limited to 5 USC, Section 552a (i.e., social security number) and Section 59A-46-27 NMSA 1978, confidentiality of medical information.

[New - 03/31/2021]

**230-053 DRUG COURT DATABASE:**

**Division/unit:** Civil and criminal matters

**Maintenance system:** Numerical by primary key

**Record series content:** Database maintains chronological treatment history and progress of individuals enrolled in the judicial district drug court program. Data may include criminal history, substance abuse history, counseling history, drug testing results, community service reports, assessment results, etc.

- (A) **Dismissed cases:** 1.21.2.616 NMAC, Case Files - Dismissed
- (B) **Mental health court records:**
  - (1) **Adult cases:** 1.21.2.636 NMAC, Legal Case Files
  - (2) **Juvenile cases:** 1.21.2.614 NMAC, Case Files - Juvenile
- (C) **All other cases:**
  - (1) **Adult cases:** 1.21.2.636 NMAC, Legal Case Files
  - (2) **Juvenile cases:** 1.21.2.614 NMAC, Case Files - Juvenile

**File closure:**

- (A) **Dismissed cases:** Date case dismissed
- (B) **Mental health court records:**
  - (1) **Adult cases:** Close of the calendar year in which case closed
  - (2) **Juvenile cases:** Date juvenile reaches the age of majority
- (C) **All other cases:**

(1) **Adult cases:** Close of federal fiscal year from date of discharge, termination or graduation from program

(2) **Juvenile cases:** Date juvenile reaches the age of majority

**Confidentiality:** Portions of this record may be confidential pursuant, but not limited to 5 USC, Section 552a (i.e., social security number).

[New - 03/31/2021]

## **230-054 to 230-070**

### **230-071 CIVIL CASE FILE:**

**Division/unit:** Civil matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record of civil proceedings before the court. File may contain *complaint, petition, answer, cross-claims, counter-claims, motions, pre-trial orders, notices, entry of appearance, settings, tape control sheets, orders, judgments, notice of appeal, order for record proper, dispositions on appeal, satisfaction judgments, correspondence, etc.*

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of final judgement

**Confidentiality:** May contain materials covered by protective order or sealed materials

[New - 03/31/2021]

### **230-072 CIVIL PROCEEDINGS RECORDING:**

**Division/unit:** Civil matters

**Maintenance system:** Numerical by docket number [tapes may be maintained chronological by court date]

**Record series content:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of last entry in civil case file

[New - 03/31/2021]

### **230-073 CIVIL EXHIBITS:**

**Division/unit:** Civil matters

**Maintenance system:** Numerical by docket number

**Record series content:** Materials introduced as evidence in court case. Materials include documents (e.g., depositions, interrogatives, requests for admission, reports, etc.), personal possessions, etc.

**Classification:** 1.21.2.617 NMAC, Exhibits

**File closure:** Date of last entry in civil case file

[New - 03/31/2021]

### **230-074 CIVIL DOCKET SHEET:**

**Division/unit:** Civil matters

**Maintenance system:** Chronological by date of filing

**Record series content:** Record of documents and events in a civil case. Record may show clerk, judge, court type, date filed, time filed, number of pages, plaintiff name, case number, defendant name, attorney, waiver, trial type, judgment, sentence, court cost, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of last entry in civil case file

**Confidentiality:** Social security numbers shall not be released to the public (supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7).

[New - 03/31/2021]

**230-075 INDEX OF CIVIL PARTIES:**

**Division/unit:** Civil matters

**Maintenance system:** Alphabetical by party name

**Record series content:** Yearly alphabetical listing by party name cross-referencing to docket number. Listing may show party names, docket number, etc.

**Classification:** 1.21.2.109 NMAC, Indexes and Finding Aids

**File closure:** Date file created

[New - 03/31/2021]

**230-076 JUDGES MEMORANDUM OF SELECTION OF TRIAL JURY:**

**Division/unit:** Civil matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record concerning the selection of individual jurors. Record may show names of enrolled jurors, names of non-selected jurors, names of exempted jurors, judge, date of selection, court, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date of last entry in civil case file

**Confidentiality:** Portions of this file may be confidential (e.g., juror address, juror telephone number, juror questionnaire) per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7.

[New - 03/31/2021]]

**230-077 to 230-090**

**230-091 CHILDREN'S COURT CASE FILE:**

**Division/unit:** Children's court matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record of children's court proceedings before the court. File may contain complaints, petitions, orders, motions, notices, *entry of appearance*, social services reports, *subpoenas*, settings, tape control sheets, judgments, *notice of appeal*, *order for record proper*, disposition on appeal, correspondence, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Confidential per Section 32A-2-32 NMSA 1978. Traffic code and motor vehicle code violations are exempted from confidentiality requirements per Subsection C of Section 32-1-48 NMSA 1978.

[New - 03/31/2021]

**230-092 CHILDREN'S COURT PROCEEDINGS RECORDING:**

**Division/unit:** Children's court matters

**Maintenance system:** Numerical by docket number [tapes may be maintained chronological by court date]

**Record series content:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Classification:** 1.21.2.614 NMAC, Case Files - Juvenile

**File closure:** Date case closed

**Confidentiality:** Confidential per Section 32A-2-32 NMSA 1978. Traffic code and motor vehicle code violations are exempted from confidentiality requirements per Subsection C of Section 32-1-48 NMSA 1978.

[New - 03/31/2021]



**230-093 CHILDREN'S COURT EXHIBITS:**

**Division/unit:** Children's court matters

**Maintenance system:** Numerical by docket number

**Record series content:** Materials introduced as evidence in court case. Materials include documents (e.g., depositions, interrogatives, requests for admission, reports, etc.), personal possessions, weapons, etc.

**Classification:** 1.21.2.617 NMAC, Exhibits

**File closure:** Date case closed

**Confidentiality:** Confidential per Section 32A-2-32 NMSA 1978. Traffic code and motor vehicle code violations are exempted from confidentiality requirements per Subsection C of Section 32-1-48 NMSA 1978.

[New - 03/31/2021]

**230-094 CHILDREN'S COURT DOCKET SHEET:**

**Division/unit:** Children's court matters

**Maintenance system:** Court preference

**Record series content:** Record of documents and events in a children's court case. Record may show clerk, judge, court type, date filed, time filed, number of pages, violation date, arrest number, bond amount, bond type, bond posted by, case number, defendant name, date of birth, social security number, arresting officer, arresting agency, attorney waiver, trial type, citation, statute/ordinance, charge, plea, judgment, sentence, fine, court cost, lab fee, correctional fee, etc.).

**Classification:** 1.21.2.614 NMAC, Case Files - Juvenile

**File closure:** Date case closed

**Confidentiality:** Section 32A-2-32 NMSA 1978. Traffic code and motor vehicle code violations are exempted from confidentiality requirements per Subsection C of Section 32-1-48 NMSA 1978. Social Security numbers shall not be released per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7.

[New - 03/31/2021]

**230-095 INDEX OF CHILDREN'S COURT DEFENDANTS:**

**Division/unit:** Children's court matters

**Maintenance system:** Alphabetical by name of minor

**Record series content:** Yearly alphabetical listing by name of minor cross-referencing to docket number. Listing may show name of minor, docket number, etc.).

**Classification:** 1.21.2.109 NMAC, Indexes and Finding Aids

**File closure:** Date case closed

**Confidentiality:** Confidential per Section 32A-2-32 NMSA 1978. Traffic code and motor vehicle code violations are exempted from confidentiality requirements per Subsection C of Section 32-1-48 NMSA 1978.

[New - 03/31/2021]

**230-096 to 230-110**

**230-111 DOMESTIC RELATIONS CASE FILE:**

**Division/unit:** Domestic relations matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record of domestic relations proceedings before the court. File may contain *petition, answer, cross-claims, counter-claims, motions, pre-trial orders, notices, entry of appearance, settings, tape control sheets, orders, judgments, notice of appeal, order for record proper, dispositions on appeal, satisfaction judgments, correspondence, etc.*

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Those documents that fall under Sections 14-6-1 and 32A-2-32 NMSA 1978 are confidential. May contain materials covered by protective order or may contain sealed materials  
[New - 03/31/2021]

**230-112 DOMESTIC RELATIONS PROCEEDINGS RECORDING:**

**Division/unit:** Domestic relations matters

**Maintenance system:** Numerical by docket number [tapes may be maintained chronological by court date]

**Record series content:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Those documents that fall under Sections 14-6-1 and 32A-2-32 NMSA 1978 are confidential.  
[New - 03/31/2021]

**230-113 DOMESTIC RELATIONS EXHIBITS:**

**Division/unit:** Domestic relations matters

**Maintenance system:** Numerical by docket number

**Record series content:** Materials introduced as evidence in court case. Materials include documents (e.g., depositions, interrogatives, requests for admission, reports, etc.), personal possessions, weapons, etc.

**Classification:** 1.21.2.617 NMAC, Exhibits

**File closure:** Date case closed

**Confidentiality:** Those documents that fall under Sections 14-6-1 and 32A-2-32 NMSA 1978 are confidential.  
[New - 03/31/2021]

**230-114 DOMESTIC RELATIONS DOCKET SHEET:**

**Division/unit:** Domestic relations matters

**Maintenance system:** Chronological by date of filing

**Record series content:** Record of documents and events in a domestic relations case. Record may show clerk, judge, court type, date filed, time filed, number of pages, attorney waiver, judgment, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Social security numbers shall not be released to the public per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7.  
[New - 03/31/2021]

**230-115 INDEX OF DOMESTIC RELATIONS PARTIES:**

**Division/unit:** Domestic relations matters

**Maintenance system:** Alphabetical by party name

**Record series content:** Yearly alphabetical listing by party name cross-referencing to docket number. Listing may show petitioner, respondent, docket number, etc.

**Classification:** 1.21.2.109 NMAC, Indexes and Finding Aids

**File closure:** Date case closed

[New - 03/31/2021]

**230-116 to 230-130**

**230-131 INCOMPETENCY, MENTAL HEALTH AND COMPETENCY CASE FILE:**

**Division/unit:** Incompetency, mental health, and competency matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record of incompetency, mental health, and competency proceedings before the court. File may contain *petition, answer, cross-claims, counter-claims, motions, pre-trial orders*, notices, *entry of appearance*, settings, tape control sheets, *orders*, judgments, *notice of appeal, order for record proper*, dispositions on appeal, psychological and social documentation, correspondence, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Those documents covered by Sections 14-6-1, 31-21-6, 43-1-16G and 45-5-303I NMSA 1978 are confidential.

[New - 03/31/2021]

**230-132 INCOMPETENCY, MENTAL HEALTH, AND COMPETENCY PROCEEDINGS RECORDING:**

**Division/unit:** Incompetency, mental health, and competency matters

**Maintenance system:** Numerical by docket number [tapes may be maintained chronological by court date]

**Record series content:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Only those documents covered by Sections 14-6-1, 31-21-6, 43-1-16G and 43-1-15 NMSA 1978 are confidential.

[New - 03/31/2021]

**230-133 INCOMPETENCY/MENTAL HEALTH AND COMPETENCY EXHIBITS:**

**Division/unit:** Incompetency, mental health and competency matters

**Maintenance system:** Court preference

**Record series content:** Materials introduced as evidence in court case. Materials include documents (e.g., depositions, interrogatives, requests for admission, reports, etc.), personal possessions, etc.

**Classification:** 1.21.2.617 NMAC, Exhibits

**File closure:** Date case closed

**Confidentiality:** Those documents covered by Sections 14-6-1, 31-21-6, 43-1-16G and 43-1-15 NMSA 1978 are confidential.

[New - 03/31/2021]

**230-134 INCOMPETENCY, MENTAL HEALTH AND COMPETENCY DOCKET SHEET:**

**Division/unit:** Incompetency, mental health, and competency matters

**Maintenance system:** Chronological by date of filing

**Record series content:** Record of documents and events in an incompetency, mental health and competency case. Record may show clerk, judge, court type, date filed, time filed, number of pages, case number, respondent name, attorney, waiver, judgment, etc.).

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Social security numbers shall not be released to the public per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7.

[New - 03/31/2021]

**230-135 INDEX OF INCOMPETENCY, MENTAL HEALTH AND COMPETENCY**

**PARTIES:**

**Division/unit:** Incompetency, mental health, and competency matters

**Maintenance system:** Alphabetical by party name

**Record series content:** Yearly alphabetical listing by defendant name cross-referencing to docket number. Listing may show name of petitioner, name of alleged incapacitated person, name of guardian, docket number, etc.

**Classification:** 1.21.2.109 NMAC, Indexes and Finding Aids

**File closure:** Date case closed

[New - 03/31/2021]

**230-136 to 230-150**

**230-151 ADOPTION CASE FILE:**

**Division/unit:** Adoption matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record of adoption proceedings before the court. File may contain *petition, answer, cross-claims, counter-claims, motions, pre-trial orders, notices, entry of appearance, settings, tape control sheets, orders, judgments, notice of appeal, order for record proper, dispositions on appeal, correspondence, etc.*

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Confidential per Sections 40-7-53, 32A-2-32 and 32-1-3 NMSA 1978

[New - 03/31/2021]

**230-152 ADOPTION PROCEEDINGS RECORDING:**

**Division/unit:** Adoption matters

**Maintenance system:** Numerical by docket number [tapes may be maintained chronological by court date]

**Record series content:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Confidential per Sections 40-7-53, 32A-2-32 and 32-1-3 NMSA 1978

[New - 03/31/2021]

**230-153 ADOPTION EXHIBITS:**

**Division/unit:** Adoption matters

**Maintenance system:** Numerical by docket number

**Record series content:** Materials introduced as evidence in court case. Materials include documents (e.g., depositions, interrogatives, requests for admission, reports, etc.), personal possessions, etc.

**Classification:** 1.21.2.617 NMAC, Exhibits

**File closure:** Date case closed

**Confidentiality:** Confidential per Sections 40-7-53, 32A-2-32 and 32-1-3 NMSA 1978

[New - 03/31/2021]

**230-154 ADOPTION DOCKET SHEET:**

**Division/unit:** Adoption matters

**Maintenance system:** Chronological by date of filing

**Record series content:** Record of documents and events in an adoption case. File may show clerk, judge, court type, date filed, time filed, number of pages, case number, parties names, date of birth, social security number, attorney, waiver, judgment, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Confidential per Section 40-7-53 NMSA 1978. Social security numbers shall not be released to the public per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7.

[New - 03/31/2021]

### **230-155 INDEX OF ADOPTION PARTIES:**

**Division/unit:** Adoption matters

**Maintenance system:** Alphabetical

**Record series content:** Yearly alphabetical listing by defendant name cross-referencing to docket number. Listing may show names of adopters, name of adoptee, docket number, etc.

**Classification:** 1.21.2.109 NMAC, Indexes and Finding Aids

**File closure:** Date case closed

**Confidentiality:** Confidential per Sections 40-7-53, 32A-2-32 and 32-1-3 NMSA 1978

[New - 03/31/2021]

### **230-156 to 230-170**

### **230-171 PROBATE CASE FILE:**

**Division/unit:** Probate matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record of probate proceedings before the court. File may contain *petition*, *will*, *death certificate*, *notice to creditors*, bonding documents, *letters of administration*, claims, proposed distributions, settlements, orders of appointments, orders of distribution, correspondence, etc. File includes probate court case files forwarded from county clerk's office or probate judge.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** May contain materials covered by protective order or sealed materials

[New - 03/31/2021]

### **230-172 PROBATE PROCEEDINGS RECORDING:**

**Division/unit:** Probate matters

**Maintenance system:** Numerical by docket number [tapes may be maintained chronological by court date]

**Record series content:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** May contain materials sealed materials or materials covered by protective order.

[New - 03/31/2021]

### **230-173 PROBATE EXHIBITS:**

**Division/unit:** Probate matters

**Maintenance system:** Numerical by date of filing

**Record series content:** Materials introduced as evidence in probate case. Materials include documents (e.g., depositions, interrogatives, requests for admission, reports, etc.), personal possessions, etc.

**Classification:** 1.21.2.617 NMAC, Exhibits

**File closure:** Date case closed

**Confidentiality:** May contain materials sealed materials or materials covered by protective order.

[New - 03/31/2021]

**230-174 PROBATE DOCKET SHEET:**

**Division/unit:** Probate matters

**Maintenance system:** Chronological by date of filing

**Record series content:** Record of documents and events in a probate case. Record may show clerk, judge, court type, date filed, time filed, number of pages, case number, decedent's name, social security number, date of death, attorney, waiver, judgment, court cost, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Social security numbers shall not be released to the public per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7.

[New - 03/31/2021]

**230-175 INDEX OF PROBATE DECEDENTS:**

**Division/unit:** Probate matters

**Maintenance system:** Alphabetical by decedent's name

**Record series content:** Yearly alphabetical listing by decedent's name cross-referencing to docket number. Listing may show name of decedent, docket number, etc.

**Classification:** 1.21.2.109 NMAC, Indexes and Finding Aids

**File closure:** Date case closed

[New - 03/31/2021]

**230-176 to 230-190**

**230-191 GUARDIANSHIP AND CONSERVATORSHIP CASE FILE:**

**Division/unit:** Guardianship and conservatorship matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record of guardianship and conservatorship matters before the court. File may contain *petition, motions, pre-trial orders, notices, entry of appearance*, settings, tape control sheets, *orders*, judgments, *notice of appeal, order for record proper*, dispositions on appeal, psychological and social documentation, memoranda, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Only those documents covered by Sections 14-6-1, 31-21-6 and 45-5-303I NMSA 1978 are confidential.

[New - 03/31/2021]

**230-192 GUARDIANSHIP AND CONSERVATORSHIP PROCEEDINGS RECORDING:**

**Division/unit:** Guardianship and conservatorship matters

**Maintenance system:** Numerical by docket number [tapes may be maintained chronological by court date]

**Record series content:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Section 14-6-1 NMSA 1978

[New - 03/31/2021]

**230-193 GUARDIANSHIP AND CONSERVATORSHIP EXHIBITS:**

**Division/unit:** Guardianship and conservatorship matters

**Maintenance system:** Numerical by docket number

**Record series content:** Materials introduced as evidence in court case. Materials include documents (e.g., depositions, interrogatives, requests for admission, reports, etc.), personal possessions, etc.

**Classification:** 1.21.2.617 NMAC, Exhibits

**File closure:** Date case closed

**Confidentiality:** Section 14-6-1 NMSA 1978

[New - 03/31/2021]

**230-194 GUARDIANSHIP AND CONSERVATORSHIP DOCKET SHEET:**

**Division/unit:** Guardianship and conservatorship matters

**Maintenance system:** Chronological by date of filing

**Record series content:** Record of documents and events in a guardianship and conservatorship case. Record may show clerk, judge, court type, date filed, time filed, number of pages, case number, name of ward, date of birth, social security number, name of conservator or guardian, attorney, waivers, judgment, notice of appeal.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

**Confidentiality:** Social security numbers shall not be released to the public per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7.

[New - 03/31/2021]

**230-195 INDEX OF GUARDIANSHIP AND CONSERVATORSHIP CASES:**

**Division/unit:** Guardianship and conservatorship matters

**Maintenance system:** Alphabetical by name of ward, guardian, and conservator

**Record series content:** Yearly alphabetical listing by ward name cross-referencing to docket number. Listing may show name of ward and index of name of conservator or guardian, etc.

**Classification:** 1.21.2.109 NMAC, Indexes and Finding Aids

**File closure:** Date case closed

[New - 03/31/2021]

**230-196 to 230-210**

**230-211 ADMINISTRATIVE APPEAL CASE FILE:**

**Division/unit:** Administrative appeals matters

**Maintenance system:** Numerical by docket number

**Record series content:** Record of administrative appeal proceedings before the court. File may contain appellate pleadings, motions, orders, opinion or decision, mandate, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

[New - 03/31/2021]

**230-212 ADMINISTRATIVE APPEAL PROCEEDINGS RECORDING:**

**Division/unit:** Administrative appeals matters

**Maintenance system:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Record series content:** Verbatim record of court proceedings (e.g., tapes, court reporter notes, transcripts, etc.)

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

[New - 03/31/2021]

**230-213 ADMINISTRATIVE APPEALS EXHIBITS:**

**Division/unit:** Administrative appeals matters

**Maintenance system:** Numerical by docket number

**Record series content:** Materials introduced as evidence in court case. Materials include documents (e.g., depositions, interrogatives, requests for admission, reports, etc.), personal possessions, etc.

**Classification:** 1.21.2.617 NMAC, Exhibits

**File closure:** Date case closed

[New - 03/31/2021]

**230-214 ADMINISTRATIVE APPEALS DOCKET SHEET:**

**Division/unit:** Administrative appeals matters

**Maintenance system:** Chronological by date of filing

**Record series content:** Record of documents and events in an administrative appeals case. Record may show clerk, judge, court type, date filed, time filed, number of pages, plaintiff name, case number, defendant name attorney, waiver, trial type, judgment, sentence, court cost, etc.

**Classification:** 1.21.2.615 NMAC, Case Files - Court of Record

**File closure:** Date case closed

[New - 03/31/2021]

**230-215 INDEX OF ADMINISTRATIVE APPEALS CASES:**

**Division/unit:** Administrative appeals matters

**Maintenance system:** Alphabetical by party name

**Record series content:** Yearly alphabetical listing by party name cross-referencing to docket number. Listing may show party name, docket number, etc.

**Classification:** 1.21.2.109 NMAC, Indexes and Finding Aids

**File closure:** Date case closed

[New - 03/31/2021]

**230-216 to 230-230**

**230-231 COURT CLINIC FILE:**

**Division/unit:** Court clinic

**Maintenance system:** Numerical by docket number

**Record series content:** Record concerning the investigation and recommendation of parties before the court that have been ordered to court clinic. File may contains court order, court clinic questionnaires, case notes, psychological tests, answer sheets and results, collateral data and reports, parenting plans, evaluations, recommendations, release of information documentation, information and summary sheet, correspondence, etc. Records may show social security number and other confidential information

**Classification:**

(A) **Files involving minors (not including competency to stand trial):** 1.21.2.614 NMAC, Case Files - Juvenile

(B) **Files of competency to stand trial:** 1.21.2.636 NMAC, Legal Case Files

**File closure:**

(A) **Files involving minors (not including competency to stand trial):** Date when all minors involved reach the age of majority

(B) **Files of competency to stand trial:** Date of evaluation

**Confidentiality:** Files involving minors are confidential (Section 32A-2-32 NMSA 1978). Traffic code and motor vehicle code violations are exempted from confidentiality requirements (Section 32-1-48C NMSA 1978). Adult files of competency to stand trial are confidential (Sections 14-6-1, 31-21-6, 43-1-



16G, and 43-1-15 NMSA 1978). Social security number shall not be released per supreme court order 8000, dated April 5, 2001, and federal Privacy Act of 1974, 5 USC Section 552a note Section 7.  
[New - 03/31/2021]