

264 – Administrative Office of the District Attorneys and District Offices File Plan

This file plan was developed to be a guide for Administrative Office of the District Attorneys and District Offices 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 Administrative Office of the District Attorneys and District Offices. 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.

264-001 PAROLE DOCKET FILES:

Division/unit: Administrative office of the district attorneys

Maintenance system: Alpha-chronological by institution name and then hearing date

Record series content: Record of parole hearing dates for all New Mexico inmates, including those contracted to out-of-state facilities. File may contain correctional facility name, parole board hearing date, inmate name, penitentiary number, date of birth, cause number, county of conviction, crime, case worker name, release date, etc.

Classification: 1.21.2.102 NMAC, Calendars and Schedules

File closure: Close of calendar year in which created

Confidentiality: Portions of record may contain confidential information, e.g., juvenile information.
[New - 03/31/2021]

264-002 VICTIM NOTIFICATION OF RELEASE FORM FILES:

Division/unit: Administrative office of the district attorneys

Maintenance system: Alpha-chronological by institution and then parole discharge dates

Record series content: Record of all parole discharge dates for New Mexico inmates, including those contracted to out-of-state facilities. Form shows correctional facility, inmate name, penitentiary number, date of birth, cause number, county of conviction, crime, release date, parole term, comments, etc.

Classification: 1.21.2.937 NMAC, Victim Notification

File closure: Close of calendar year in which created

Confidentiality: Portions of record may contain confidential information, e.g., juvenile information.
[New - 03/31/2021]

264-003 VICTIM NOTIFICATION MEMO:

Division/unit: Administrative office of the district attorneys

Maintenance system: Chronological by date of memo

Record series content: Memo used to notify victim advocates of parole hearing dates, parole dates, discharge dates, and school or work release eligibility dates. Memo may contain inmate name, penitentiary number, date of birth, cause number, county of conviction, crime, parole hearing date, projected release date, date memo generated, etc.

Classification: 1.21.2.937 NMAC, Victim Notification

File closure: Close of calendar year in which created

Confidentiality: Portions of record may contain confidential information, e.g., juvenile information.
[New - 03/31/2021]

[Retention is for the administrative office of the district attorneys as well as the district offices.]

264-004 WORK OR SCHOOL RELEASE NOTIFICATION FILES:

Division/unit: Administrative office of the district attorneys

Maintenance system: Alpha-chronological by institution and then release date

Record series content: Record of all inmates scheduled to be released for work or school activities. File may contain inmate name, penitentiary number, date of birth, cause number, county of conviction, crime, release date, etc.

Classification: 1.21.2.902 NMAC, Inmate Files - Jail

File closure: Close of calendar year in which created

[New - 03/31/2021]

264-005 ABSCONDER NOTIFICATION FORMS:

Division/unit: Administrative office of the district attorneys

Maintenance system: Alphabetical by inmate name

Record series content: Record of all inmates who have absconded from parole. Form shows inmate name, penitentiary number, date absconded, social security number, date of birth, last known location, city, address, crime, parole term, possible location, possible person with, name, relationship, victim name, victim address, parole officer name, telephone number, region and district arrested, warrant issued, date issued, parole officer signature, supervisor signature, etc.

Classification: 1.21.2.636 NMAC, Legal Case Files

File closure: Date file closed

Confidentiality: Portions of the record may contain confidential information, e.g., victim information.

[New - 03/31/2021]

264-006 VICTIM NOTIFICATION UNIT LOG:

Division/unit: Administrative office of the district attorneys

Maintenance system: Alphabetical by institution name

Record series content: Log of all juveniles being transferred to reintegration centers. Log may show juveniles name, institution number, date of birth, children's court number, county of commitment, crime, facility, move date, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Close of calendar year in which created

Confidentiality: Portions of the record may contain confidential information, e.g., victim information.

[New - 03/31/2021]

264-007 to 264-020

264-021 INVESTIGATION CASE FILES:

Division/unit: District attorney offices

Maintenance system: Numerical by case number

Record series content: Documents gathered during a criminal investigation for the purpose of preparing criminal prosecution. File may contain supplemental investigative reports, search warrants, photographs, crime scene diagrams, witness statements, etc.

Classification: 1.21.2.634 NMAC, Investigations - Legal Matter Management

File closure: Close of calendar year in which created

Confidentiality: Confidential, 14-2-1D NMSA 1978.

[New - 03/31/2021]

264-022 LEGAL CASE FILES:

Division/unit: District attorney offices

Maintenance system: Numerical by case number

Record series content: Records concerning criminal prosecution or civil litigation. File may contain police reports, expert reports, investigative material, attorney notes, uniform jury instructions, judgement and sentence, briefs, petitions, correspondence, legal opinions, amicus briefs, juvenile probation officer report, adjudication preparation materials, adjudication orders, etc.

Classification:

(A) **Criminal cases:**

(1) **Capital offenses:** 1.21.2.640 NMAC, Public Defender and District Attorney
Case Files - Capital Offenses

(2) **Non-capital offenses:** 1.21.2.639 NMAC, Public Defender and District Attorney
Case Files - Adult

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

(C) **Juvenile cases:** 1.21.2.641 NMAC, Public Defender and District Attorney Case Files -
Juvenile

File closure:

(A) **Criminal cases:** Date case closed

(B) **Civil cases:** Date case closed

(C) **Juvenile cases:** Date defendant reaches the age of majority

Confidentiality: Portions of record may contain confidential information, e.g., attorney work product, juvenile information, etc.

[New - 03/31/2021]

264-023 PRE-PROSECUTION DIVERSION PROGRAM CLIENT FILES:

Division/unit: District attorney offices

Maintenance system: Chrono-alphabetical by year and then client name

Record series content: Records concerning contracts between the district attorneys office and defendants wanting to settle cases out of court. File may contain program contract, counseling notes, letter of successful termination, rejection letter, copy of restitution, receipts, admission statement, therapeutic notes, psychological assessments, etc.

Classification: 1.21.2.636 NMAC, Legal Case Files

File closure: Close of calendar year in which case closed

Confidentiality: Portions of records may contain confidential information, e.g., medical information.

[New - 03/31/2021]

264-024 DEFENDANT CASE CARD INDEX:

Division/unit: District attorney offices

Maintenance system: Alphabetical by defendant name

Record series content: Reference cards concerning information about a particular case. Cards may show defendant name, case number, type of offense, offense date, victim name, etc.

Classification: 1.21.2.109 NMAC, Indexes and Finding Aids

File closure:

(A) **Criminal cases:** Date case closed

(B) **Civil cases:** Date case closed

(C) **Juvenile cases:** Date defendant reaches the age of majority

Confidentiality: Portions of record may contain confidential information, e.g., victim information.

[New - 03/31/2021]

264-025 VICTIM CASE CARD INDEX:

Division/unit: District attorney offices

Maintenance system: Alphabetical by victim name

Record series content: Reference cards concerning victim information. Cards may show victim name, case number, type of offense, date of offense, defendant name, etc.

Classification: 1.21.2.109 NMAC, Indexes and Finding Aids

File closure:

- (A) **Criminal cases:** Date case closed
- (B) **Civil cases:** Date case closed
- (C) **Juvenile cases:** Date defendant reaches the age of majority

Confidentiality: Portions of record may contain confidential information, e.g., victim information.

[New - 03/31/2021]

264-026 CASE LOG:

Division/unit: District attorney offices

Maintenance system: Chronological by year

Record series content: Log of all case files opened by the district attorneys office. Log may contain case number, case title, assigned district attorney, assigned judge, case status, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure:

- (A) **Criminal cases:** Date case closed
- (B) **Civil cases:** Date case closed
- (C) **Juvenile cases:** Date defendant reaches the age of majority

[New - 03/31/2021]

264-027 CASE LOAD STATISTICS REPORT, MONTHLY:

Division/unit: District attorney offices

Maintenance system: Chronological by month

Record series content: Report of attorney case load activity and monthly district statistics. Report may include attorney name, number of adult cases opened, number of domestic cases opened, number of DWI cases opened, number of juvenile cases opened, number of grand jury indictments filed, number of felony complaints filed, number of petitions filed, number of closed cases, number of guilty at trial, etc.

Classification: 1.21.2.118 NMAC, Reports - Statistical

File closure: Close of calendar year in which created

[New - 03/31/2021]

264-028 VICTIM OR WITNESS FILES:

Division/unit: District attorney offices

Maintenance system: Alphabetical by victim name

Record series content: Records concerning the rights of crime victims and witnesses. File may contain notification rights request, action sheet, police report copies, copy of crime victims reparation application, victim intake log, petition, criminal complaint, notification of all court proceedings, etc.

Classification: 1.21.2.636 NMAC, Legal Case Files

File closure: Date case close or until sentence is served, whichever is greater

Confidentiality: Confidential, 31-22-18 NMSA 1978.

[New - 03/31/2021]

264-029 CASE MANAGEMENT SYSTEM:

Division/unit: District attorney offices

Maintenance system: Numerical by primary key

Record series content: System maintains and tracks information on individual district attorney cases. Database may contain defendant and victim names, addresses, dates of birth, magistrate court number, district attorney number, offense date, date case opened, charges, arresting officer, arresting agency, prosecutor name, defense attorney name, judgement and sentence, date case closed, etc.

Classification:

- (A) **Criminal cases:**

(1) Capital offenses: 1.21.2.640 NMAC, Public Defender and District Attorney
Case Files - Capital Offenses

(2) Non-capital offenses: 1.21.2.639 NMAC, Public Defender and District Attorney
Case Files - Adult

(B) Civil cases: 1.21.2.636 NMAC, Legal Case Files

(C) Juvenile cases: 1.21.2.641 NMAC, Public Defender and District Attorney Case Files -
Juvenile

File closure:

(A) Criminal cases: Date case closed

(B) Civil cases: Date case closed

(C) Juvenile cases: Date defendant reaches the age of majority

Confidentiality: Portions of record may contain confidential information, e.g., attorney work product, juvenile information, etc.

[New - 03/31/2021]

264-030 CASE LIST DATABASE:

Division/unit: District attorney offices

Maintenance system: Numerical by primary key

Record series content: System maintains and tracks all open district attorney cases. Database may contain defendant name, case number, charges, attorney assigned, investigator assigned, brief status report, victim name, arresting officer, arresting agency, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date superseded by new information

Confidentiality: Portions of record may contain confidential information, e.g., victim information.

[New - 03/31/2021]