

Metropolitan Court System

Position Statement- Adopted 10/1/2007

The League of Women Voters of Greater Las Cruces believes that a Metropolitan Court system best serves the requirements of due process and fair trials for the residents of Doña Ana County.

Because of the geographic size of the county, the League supports a system that includes satellite courts in outlying areas.

A League study of the lower court systems culminated in a 2007 position supporting consolidation of the Magistrate and Municipal Courts into a Metropolitan Court.

The study was initiated in anticipation of Doña Ana County becoming a Class A county when it reaches a population of 200,000 by the 2010 federal census. Class A counties are required by New Mexico statutes to establish Metropolitan Courts.

A Metropolitan Court (Metro Court) is a state court of limited jurisdiction with authority over the same matters as Magistrate and Municipal Courts except for state educational institutions.

Metro Courts can conduct jury trials and hear civil cases when the amount in controversy is under \$10,000. Metro Courts also hear cases involving minor crimes (misdemeanors), and they conduct preliminary hearings in serious criminal cases (felonies). They may issue search warrants and writs for collection of judgments. Metro Courts also hear violations of city laws, and they are courts of record for domestic violence and DWI cases.

Cases appealed from Metro Court go to District Court. All criminal appeals, except domestic violence and DWI cases, are heard as new trials, trials de novo. Civil appeals are on the record.

Metro Court justices must be attorneys with three years of practice experience. They are elected officials, although the governor appoints attorneys to fill vacancies between elections. Metro court judges run in partisan elections for the first term and thereafter in retention elections.

The Metro Court Study Committee researched laws and background material, observed session of local Magistrate and Municipals Courts, toured and observe the Bernalillo County Metropolitan Court, and interviewed judges, attorneys, and legislators. The results of the study have been presented in a report entitled, *LWV/GLC Metropolitan Court Study, 2006-2007*, in unit meetings, and in a consensus meeting of League membership.

We believe access to justice requires judges who are licensed attorneys and who are trained in due process and the requirements of fair trials. We believe that courts of record create efficiency in the system. We believe because of Doña Ana County's geographic size a final model of a centralized Metropolitan Court system should include satellite courts.

In summary, the League of Women Voters of Greater Las Cruces believes the lower court system in Doña Ana County should be consolidated into a Metropolitan Court system. This better ensures due process, a fair trial for defendants, and a more effective and efficient court system. A people's court is a court in which people receive justice.