

**STATE OF NEW MEXICO  
COUNTY OF VALENCIA  
IN THE MAGISTRATE COURT**

**IN RE ADMINISTRATIVE ORDER APPOINTING  
PRETRIAL RELEASE DESIGNEES  
PURSUANT TO RULES 6-401(M) AND 6-408**

**ORDER APPOINTING PRETRIAL RELEASE DESIGNEES**

**WHEREAS**, Rule 6-401(M) NMRA of the Rules of Criminal Procedure for the Magistrate Courts authorizes the Presiding Judge of the Magistrate Court to designate responsible persons to implement the early pretrial release procedures set forth in Rule 6-408 NMRA: and

**WHEREAS**, the New Mexico Administrative Office of the Courts, operating under the superintending control authority and approval of the New Mexico Supreme Court, has been awarded funding, through the National Center for State Courts Pretrial Justice and State Courts Initiative, for a pilot project operating from a centrally located New Mexico court facility to provide selected courts and detention centers with qualified designees and services to (1) acquire information about recent arrestees from detention centers, arrestee videoconference interviews, arrest and booking records, the New Mexico courts Odyssey case management system, NM Courts online, the National Crime Information Center (NCIC), the New Mexico Department of Probation and Parole, and other applicable resources to make fact-based Rule 6-408 early ROR decisions, (2) retain electronically arrestee information for future use of the court, (3) exercise the duties of Rule 6-401 designees to execute and issue to detention centers valid nondiscretionary court orders for early release of low-risk arrestees, without imposing designee duties or decision-making responsibilities on detention center personnel, and to advise releasees of their required court appearances and other conditions and (4) more accurately distinguish between arrestees who are eligible for early release and those who pose risks of flight or danger

to the community that should be considered by a judge before release or detention decisions are made; and

**WHEREAS**, the persons identified on Exhibit A, including staff from the Bernalillo County Metropolitan Court and trained contractors with the Administrative Office of the Courts, have been determined to be responsible persons to serve as Rule 6-401(M) designees of the court;

**IT IS THEREFORE ORDERED** that, until this order is modified or rescinded, the personnel identified on Exhibit A are hereby authorized as Rule 6-401(M) designees to administer the provisions of Rule 6-408 and determine whether arrestees subject to the jurisdiction of this court should be ordered released from the Valencia County Detention Center prior to their initial court appearance or held for judicial determination of initial release conditions or pretrial detention, reviewing and creating such records and ensuring the proper execution of release orders and other documents as are appropriate.

**IT IS SO ORDERED.**

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**Presiding Magistrate Judge**