

NEW MEXICO JUDICIAL PERFORMANCE EVALUATION COMMISSION
RELEASES EVALUATIONS ON ONE SUPREME COURT JUSTICE, ONE COURT OF
APPEALS JUDGE AND 74 DISTRICT COURT JUDGES

FOR IMMEDIATE RELEASE—September 18, 2008

ALBUQUERQUE – The New Mexico Judicial Performance Evaluation Commission (JPEC) today released its recommendations to voters on 76 justices and judges standing for retention in the upcoming election. To remain on the bench, these judges must receive at least 57 percent voter approval under the New Mexico State Constitution.

“This was an extensive evaluation process for us – and historic based on the fact that we are releasing evaluations on approximately 90 percent of the state’s district court judges,” said Felix Briones, Jr., chair of JPEC. “We also believe that the trend we noted in 2006 – setting the bar higher and achieving a better overall performance among our judiciary – is continuing.”

Briones noted this year JPEC is recommending that voters retain 74 of the 76 justices and judges standing for retention. The Commission has issued a “No Opinion” recommendation on one district court judge in the 13th Judicial District. Also, JPEC issued an “Insufficient Time in Current Position to Evaluate” recommendation on one district court judge in the 5th Judicial District because this judge has not served in his current position for two years and therefore does not qualify for an evaluation to voters under JPEC rules.

This year, JPEC’s recommendations to voters statewide are:

Retain Honorable Patricio M. Serna, Supreme Court of New Mexico

Retain Honorable Jonathan B. Sutin, New Mexico Court of Appeals

This year, JPEC’s recommendations to voters by Judicial District are:

First Judicial District – Retain all seven district court judges standing for retention:

Timothy L. Garcia; Jim Hall; Raymond Z. Ortiz; Steve D. Pfeffer; Daniel Sanchez; Barbara J. Vigil and Michael Eugene Vigil.

Second Judicial District – Retain all 19 district court judges standing for retention:

Ted C. Baca; Theresa M. Baca; Denise Barela-Shepherd; Carl J. Butkus; Clay Pace Campbell; Neil C. Candelaria; Valerie A. Huling; Angela J. Jewell; William F. Lang; Kenneth H. Martinez; Albert S. “Pat” Murdoch; Nan G. Nash; Geraldine E. Rivera; John J. Romero, Jr.; Ross C. Sanchez; Linda M. Vanzi; Deborah Davis Walker; Stanley Whitaker; and Maria Monica Zamora.

Third Judicial District – Retain all eight district court judges standing for retention:

Stephen Bridgforth; Douglas R. Driggers; Fernando R. Macias; Jim T. Martin; Mike Murphy; Robert E. Robles, Lisa Claire Schultz; and Jerald A. Valentine.

NMJPEC Releases 2008 Evaluations on Judges Standing for Retention—*First add*

Fourth Judicial District – Retain both district court judges standing for retention: Abigail Aragon and Eugenio S. Mathis.

Fifth Judicial District – Retain seven of the eight district court judges standing for retention: Steven L. Bell; Gary L. Clingman; Charles C. Currier III; Jane Shuler Gray; Don Maddox; Freddie J. Romero; and Ralph D. Shamas. JPEC released an “Insufficient Time in Current Position to Evaluate” for Thomas A. Rutledge, since he has only served in his current position on the bench since December 2006. JPEC rules require that a judge must serve in his or her current position for at least two years to qualify for an evaluation to voters.

Sixth Judicial District – Retain all three district court judges standing for retention: Gary M. Jeffreys; Henry R. Quintero; and J.C. Robinson.

Seventh Judicial District – Retain all three district court judges standing for retention: Edmund H. Kase III; Matthew G. Reynolds; and Kevin R. Sweazea.

Eighth Judicial District – Retain both district court judges standing for retention: John M. Paternoster and Sam B. Sanchez.

Ninth Judicial District – Retain all four district court judges standing for retention: Teddy L. Hartley; Robert S. Orlik; Stephen K. Quinn; and David P. Reeb, Jr.

Eleventh Judicial District – Retain all eight district court judges standing for retention: Robert A. Aragon; William C. Birdsall; John A. Dean, Jr.; Louis E. DePauli, Jr.; Grant L. Foutz; Thomas J. Hynes; Sandra A. Price; and Karen L. Townsend.

Twelfth Judicial District – Retain all three district court judges standing for retention: James Waylon Counts; Karen L. Parsons; and Jerry H. Ritter, Jr.

Thirteenth Judicial District: Retain six of the seven district court judges standing for retention: John F. Davis; George P. Eichwald; Louis P. McDonald; Camille E. Olguin; Violet C. Otero; and William Bill Sanchez. A No Opinion recommendation was issued on Judge John W. Pope.

Briones explained, “We have continued to see improvement, in part, because judges and justices know they are being held accountable. Our experience has been that most of these judges continually strive to improve their performance on the bench. They are open to our suggestions – and feedback from those who utilize their courtrooms – on how they can improve.”

He continued, “However, this is not always true. Our experience is that, in the past, anywhere along the way (beginning, middle or end) judges have resigned rather than have a ‘Do Not Retain’ evaluation released or because they do not agree with our process and our findings. In other situations, judges have continued to stand for retention despite a ‘Do Not Retain’ recommendation from JPEC.”

NMJPEC Releases 2008 Evaluations on Judges Standing for Retention—*Second and last add*

JPEC uses an objective standard by which to make overall recommendations to voters, and reports **ALL** of its findings in its narratives. The narratives include both the positive and negative results JPEC receives from the users of the courts, including high ratings, mixed ratings, generally positive ratings or low ratings. The narratives also indicate whether a judge has expressed a desire to improve in any areas in which he or she received low ratings.

Established by the Supreme Court of New Mexico in 1997, JPEC evaluates justices and judges in four main areas:

- 1) legal ability
- 2) fairness
- 3) communication skills, and
- 4) preparation, attentiveness, temperament and control over proceedings.

An independent research firm distributes thousands of surveys to individuals who have had direct contact or interaction with the justice or judge being evaluated, then tabulates the results and reports them to JPEC. JPEC meets one-on-one with each justice or judge being evaluated to review the survey results as well as to review his or her self-assessment of performance. The evaluations released to voters also include information on the justice's or judge's experience and education.

JPEC has posted evaluations on its website at www.nmjpec.org, and will also distribute information to voters through statewide newspaper advertising, radio advertising and a special "Report to Voters" distributed throughout many newspapers statewide in early October.

In addition, this year JPEC is piloting a program to provide evaluations in Spanish for the appellate justices and judges (Supreme Court and Court of Appeals) standing for retention as well as for district court judges in the First and Fifth Judicial Districts. Those evaluations will be made available through JPEC's website and Spanish-language media.

Absentee voting begins Tues., Oct. 7, 2008; early voting begins Sat., Oct. 18; and Election Day is Tues., Nov. 4. "We encourage each and every voter throughout the state of New Mexico to vote in all elections for which they are eligible – including the judicial retention elections," Briones concluded.

For judicial performance evaluation information on each judge or justice, visit www.nmjpec.org or call Louise Baca-Sena at the Administrative Office of the Courts, at **(505) 827-4960**.
