

NMDPS - REFORM - CRIMINAL COMPLAINTS

Sometimes the road to efficiency is through simplicity. Why, for example, use two forms when one will do? Supreme Court, aware of this, amended several rules and forms in 2013.

Two for one: Criminal Complaints - state statutes and municipal code

Form 9-201 is the criminal complaint form used when charging a person who violates a state statute. Form 9-202 is used to charge a person who violates a city municipal code or ordinance. Form 9-202 has been eliminated and Form 9-201 now covers both.

Two for one: Criminal complaint form and Statement of Probable Cause form

A person is arrested and taken to jail. The ideal situation is to put probable cause in one form – the criminal complaint. Supreme Court approved adding a probable cause determination at the bottom of the complaint form. Some officers include statutory language. Unless a judge or DA wants it, it's not required.

Police officers no longer will do jury trials

In some areas officers are compelled to prosecute jury trials from start to finish. This has caused a lot of controversy and none of it has been positive. Rules of Criminal Procedure 6-108, 7-108, and 8-111 have been amended. Officers will no longer prosecute (1) jury trials, (2) DWI, and (3) nearly all cases of DV. - - - Elliott Guttman, Law Enforcement Academy

- Supreme Court reforms apply to cases filed after December 31, 2013.



I demand to cross-examine this witness!...which I guess is me.