

FY28 Appropriation Request Checklist

Agency Name: Fifth Judicial District Attorney

Business Unit: 25500

Reports to Include in PDF Submission

Form #	Title	
☒ X	Cvr Ltr	Cover Letter <i>Agency Level</i>
☒ X	S-1	Certification <i>Agency Level</i>
☒ X	S-2	Organizational Chart <i>Agency/Program Level</i>
☒ X	S-8	Financial Summary (BFM) <i>Agency/Program Level</i>
☒ X	GF	General Fund Budget Change Log <i>Agency/Program Level</i>
☒ X	S-9	Account Code Revenue / Expenditure Report <i>Agency/Program Level</i>
☐ N/A	S-10	Fund Balance Projection <i>Fund Level</i>
☒ X	S-13	Detail of Rate Line Items (see instructions) <i>Agency Level</i>
☒ X	P-1	Program Narrative <i>Program Level</i>
☐ N/A	R-2	Transfer Report <i>Agency Level</i>
☒ X	REV/EXP	Revenue-Expenditure Comparison Report <i>Agency/Program Level</i>
☒ X	FFRW	Detail of Federal Funds Revenue Worksheet <i>Agency/Program Level</i>
☒ X	EB-1	Expansion Justifications <i>Program Level</i>
☒ X	EB-2	Expansion Fiscal Summary <i>Program Level</i>
☒ X	EB-3	Expansion Line Item Detail <i>Program Level</i>
☒ X	LFR	Legislating for Results Expansion Tool <i>Program Level</i>
☒ X	E4	Pcode Detail <i>Program Level</i>
☒ X	E5	Contract by Pcode <i>Program Level</i>
☐ N/A	SAR	Special Appropriation Request Report <i>Agency Level</i>
☒ X	APR	Annual Performance Report <i>Program Level</i>
☒ X	Table 2	Table 2 Performance Measure Summary <i>Program Level</i>
☒ X	SP	Strategic Plan <i>Agency Level</i>
☐ N/A	ITP	Information Technology Plan <i>Agency Level</i>
☐ N/A	C-1	Base Operating Budget <i>Agency Level</i>
☐ N/A	C-2	IT Request Plan <i>Agency Level</i>
☐ N/A	Perf Audit	Update to LFC Performance Audits (within last 2 years) <i>Agency Level</i>

Documents to Attach in BFM (PDF Optional)

Where to Attach

☐ N/A	Board Cert	Board or Commission Budget Certification <i>Form 9900</i>
☐ N/A	E-6B	Leased Passenger-Related Vehicles <i>Form 3300/4300</i>



Dianna Luce
District Attorney
Fifth Judicial District
Lea, Eddy & Chaves Counties

August 27, 2026

Greetings from the Fifth Judicial District:

The Fifth Judicial District provides a large portion of the annual revenue for the State of New Mexico because of the oil and gas industry. However the caveat of this revenue stream is the transient workforce and associated increase in crime. A healthy state budget means the offices in Lea, Chaves, and Eddy counties are tasked with providing timely justice in an environment where the rising crime rate does not proportionately align with the current number of budgeted staff. Our offices do not currently have the necessary resources to provide timely justice. This lack of resources will be further compounded when the Case Management Rule, CMO, is applied to our District. Bottom line, cases will be dismissed due to the time constraints stipulated in the Case Management Rule and the shortage of staff in our offices. This will not be justice. Our communities will not be safer.

The following was compiled from other Districts as a result of CMO:

Impacts to office workflow:

- Significant new workload without corresponding resources
 - CMO front-loads the prosecution process
 - Prosecutors must review, screen, organize, and verify discovery much earlier in the process
 - Victim participation must be determined as early as possible
- Existing staff already at workload capacity
- Technology and Infrastructure was insufficient and needs remain ongoing
- Multi-agency coordination is required (number of law enforcement agencies impacted)

I would like to highlight some critical numbers for our district that frames the difficulties and challenges we face. The Law Enforcement Agencies in the Fifth Judicial District are strong advocates of justice and referred 6,683 cases to our offices in FY26. With only 13 attorneys on staff, each attorney had an average case load of 472 cases. Compared to FY25, each attorney was assigned an additional 120 cases. This was a substantial and alarming increase. To alleviate the case load pressure experience by my staff in FY26, I personally was the primary prosecutor in 318 cases to include 11 homicide trials. My role as District Attorney in the communities of the Fifth Judicial District has been affected by the amount of time I have spent in court. This cannot

LEA COUNTY
100 N. Love St. Suite 2
Lovington, NM 88260
Phone: 575-397-2471
Fax: 575-397-6484

EDDY COUNTY
102 N. Canal Street, Suite 200
Carlsbad, NM 88220-5750
Phone: 575-885-8822
Fax: 575-887-3516

CHAVES COUNTY
400 N. Virginia Avenue, Suite G-2
Roswell, NM 88201-6222
Phone: 575-622-4121
Fax: 575-622-4126

continue. This dynamic of increasing crime rates and continual challenges with staffing is adversely impacting our ability to meet our main objectives of providing timely justice and safer communities.

Employee recruitment and retention is still an obstacle inherent with rural communities in Southern New Mexico. This is a challenge each of my offices continue to navigate. As District Attorney, the obligation to my staff and to the communities is to employ different strategies such as utilizing remote attorneys, contract attorneys and streamlining work processes into specialized roles such as Pre-Trial Coordinators and Evidence Liaisons to maximize the staffing resources we have. My offices will strive to remain agile and adapt to staffing issues until permanent solutions are implemented.

Personnel Services and Employee Benefits: Our district is at a critical junction with limited staff and increasing crime rates and are seeking funding for the following additional staffing for each office: Two full-time attorney positions and one paralegal. Amount requested in Personal Services and Employee benefits is \$1,127,679 for a full fiscal year. Please note, the amount needed to fill all current vacant positions is \$12,081,877, which would leave our agency with a deficit of (\$3,686,377).

Contractual Services:

The increase in our Contractual Services in our appropriation request is so that we might contract with experienced attorneys to assist our district in the prosecution of high level felony cases. Due to the retention and recruitment difficulties we experience in our district and the number of experienced attorneys in our district, we have contracted outside attorneys to assist our district to uphold the administration of justice within our jurisdiction. In addition our request will include Financial Audit Services, Certified Languages (Interpretation of languages during interviews), and Tactical Legal Services that provides operational support and training for attorneys who are relatively inexperienced in trial work. Amount requested in Contractual Services is \$175,100.

Partially Funded Grant Positions: Our Agency's General Fund will pay for HIDTA expenses based on current salaries that are not covered by the Federal HIDTA Grant for 3 Senior Trial Attorneys as they are requesting those funds in our appropriation request. Amount requested in General Fund for HIDTA expenses is \$197,303.

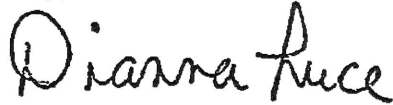
Other (Operational) Services:

The implementation of the NICE Digital Evidence System in our District has definitely been a critical step in our pursuit of streamlining work processes and maximizing time management of digital evidence. We are currently in the final phases of programming and have begun the process of working directly with external agencies to establish bi-directional communication channels for retrieving and sharing digital evidence. We are seeking approval for the continual annual funding of the NICE Digital Evidence System in FY28. Amount requested in Other (Operational) Services for recurring funding for NICE Digital Evidence System is \$195,000.

Simply stated, we need immediate support and assistance from the decision makers in New Mexico. Investing in the Fifth Judicial District Attorney's office is an investment in the safety

and well-being of our communities in Southern New Mexico. The additional resources requested will allow us to address the current challenges and improve overall efficiency and performance. By investing in our office's staffing, technology and operations, the community will benefit from a more efficient and effective justice system. We respectfully request that this appropriation be granted to meet the growing demands of our office.

Sincerely,

A handwritten signature in black ink that reads "Dianna Luce". The signature is written in a cursive style with a large, looped capital "D" and a stylized "L" for "Luce".

Dianna Luce
Fifth Judicial District Attorney

APPROPRIATION REQUEST
CERTIFICATION
FORM S-1

Agency Name: Fifth Judicial District Attorney

Business Unit: 25500

I hereby certify that the accompanying summary and detailed statements are true and correct to the best of my knowledge and belief and that the arithmetic accuracy of all numeric information has been verified.

Dianna Luce

Dianna Luce, Fifth Judicial District Attorney

Sara Phillips

Sara Phillips, CFO

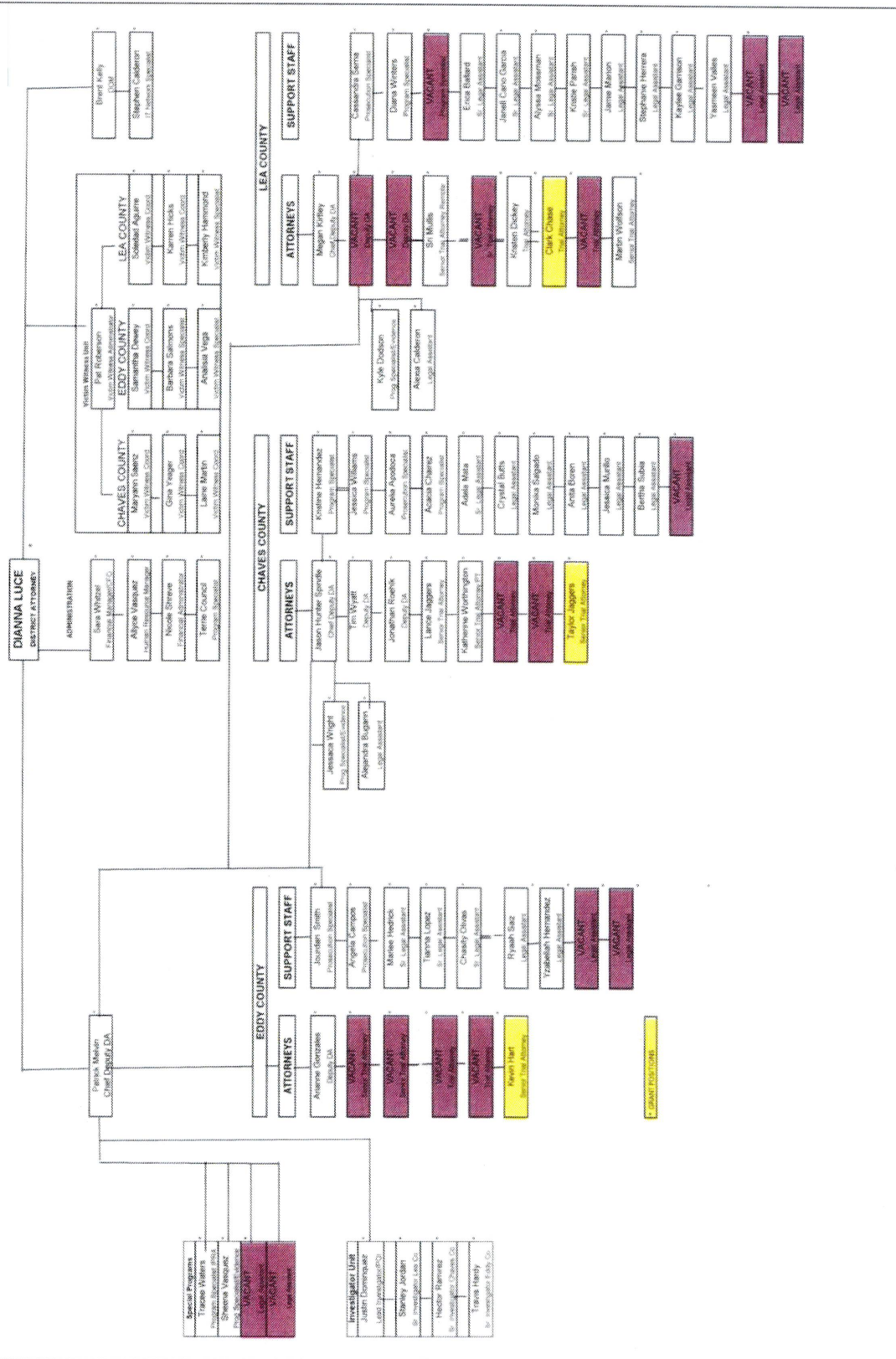
102 N Canal St Suite 200
Carlsbad, NM 88220

575-885-8822

sphillips@da.state.nm.us

Note: Appropriation Requests for agencies headed by a board or commission must be approved by the board or commission by official action and signed by the chairperson. Operating Budgets of other agencies must be signed by the director or secretary. Appropriation Requests not properly signed will be returned.

FY26 BUDGET APPROPRIATION REQUEST
ORGANIZATION CHART
FORM S-2



S-8 Financial Summary

(Dollars in Thousands)

 BU PCode Department
 25500 P255 000000

	2025-26 Opbud	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	Base	FY 2028 Agency Request Expansion	Total
REVENUE							
111 General Fund Transfers	8,685.9	8,431.4	9,110.5	0.0	12,296.5	1,123.4	13,419.9
112 Other Transfers	0.0	474.9	0.0	0.0	0.0	0.0	0.0
120 Federal Revenues	287.7	296.8	290.3	0.0	290.3	0.0	290.3
130 Other Revenues	0.0	5.4	0.0	0.0	0.0	0.0	0.0
REVENUE, TRANSFERS	8,973.6	9,208.5	9,400.8	0.0	12,586.8	1,123.4	13,710.2
REVENUE	8,973.6	9,208.5	9,400.8	0.0	12,586.8	1,123.4	13,710.2
EXPENSE							
200 Personal services and employee benefits	8,288.5	8,392.3	8,685.8	9,949.1	11,844.2	1,123.4	12,967.6
300 Contractual services	147.5	166.2	147.5	0.0	175.1	0.0	175.1
400 Other	537.6	591.8	567.5	0.0	567.5	0.0	567.5
EXPENDITURES	8,973.6	9,150.3	9,400.8	9,949.12	12,586.8	1,123.4	13,710.2
EXPENSE	8,973.6	9,150.3	9,400.8	9,949.12	12,586.8	1,123.4	13,710.2
FTE POSITIONS							
810 Permanent	84.00	72.00	84.00	87.00	84.00	9.00	93.00
820 Term	3.00	0.00	3.00	0.00	3.00	0.00	3.00
FTEs	87.00	72.00	87.00	87.00	87.00	9.00	96.00
FTE POSITIONS	87.00	72.00	87.00	87.00	87.00	9.00	96.00

S-9 Account Code Revenue/Expenditure Summary
(Dollars in Thousands)

	2025-26 Opbud	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	----- Base	----- Expansion	----- Total
499105 General Fd. Appropriation	8,685.9	8,431.4	9,110.5	0.0	12,296.5	1,123.4	13,419.9
111 General Fund Transfers	8,685.9	8,431.4	9,110.5	0.0	12,296.5	1,123.4	13,419.9
499905 Other Financing Sources	0.0	474.9	0.0	0.0	0.0	0.0	0.0
112 Other Transfers	0.0	474.9	0.0	0.0	0.0	0.0	0.0
451903 Federal Direct - Operating	287.7	296.8	290.3	0.0	290.3	0.0	290.3
120 Federal Revenues	287.7	296.8	290.3	0.0	290.3	0.0	290.3
496901 Miscellaneous Revenue	0.0	5.4	0.0	0.0	0.0	0.0	0.0
130 Other Revenues	0.0	5.4	0.0	0.0	0.0	0.0	0.0
TOTAL REVENUE	8,973.6	9,208.5	9,400.8	0	12,586.8	1,123.4	13,710.2
520100 Exempt Perm Positions P/T&F/T	4,756.4	5,238.8	5,089.9	6,895.5	7,778.4	1,123.4	8,901.8
520200 Term Positions	328.8	344.9	274.6	1.7	546.8	0.0	546.8
520600 Paid Unused Sick Leave	0.0	2.8	0.0	0.0	0.0	0.0	0.0
520700 Overtime & Other Premium Pay	0.0	85.9	0.0	0.0	0.0	0.0	0.0
520800 Annl & Comp Paid At Separation	0.0	63.4	0.0	0.0	0.0	0.0	0.0
521100 Group Insurance Premium	1,325.6	964.0	1,101.7	1,196.9	941.3	0.0	941.3
521200 Retirement Contributions	1,234.6	1,044.1	1,396.1	1,288.2	1,396.1	0.0	1,396.1
521300 FICA	397.3	423.8	554.8	425.9	663.0	0.0	663.0
521400 Workers' Comp Assessment Fee	0.8	0.7	0.8	0.0	0.8	0.0	0.8
521410 GSD Work Comp Insur Premium	9.3	9.2	7.2	0.0	6.5	0.0	6.5
521500 Unemployment Comp Premium	0.0	0.0	10.6	0.0	8.7	0.0	8.7
521600 Employee Liability Ins Premium	102.8	106.1	104.9	0.0	329.2	0.0	329.2
521700 RHC Act Contributions	132.9	108.5	145.2	141.0	173.4	0.0	173.4
200 Personal services and employee benef	8,288.5	8,392.3	8,685.8	9,949.1	11,844.2	1,123.4	12,967.6
535300 Other Services	123.9	63.4	57.5	0.0	57.5	0.0	57.5
535400 Audit Services	23.6	25.3	30.0	0.0	26.8	0.0	26.8
535500 Attorney Services	0.0	77.5	60.0	0.0	90.8	0.0	90.8
300 Contractual services	147.5	166.2	147.5	0.0	175.1	0.0	175.1
542100 Employee I/S Mileage & Fares	1.0	0.6	1.0	0.0	1.0	0.0	1.0
542200 Employee I/S Meals & Lodging	27.0	29.7	35.0	0.0	35.0	0.0	35.0
542500 Transp - Fuel & Oil	25.0	20.3	25.0	0.0	25.0	0.0	25.0
542600 Transp - Parts & Supplies	10.0	12.6	10.0	0.0	10.0	0.0	10.0
542700 Transp - Transp Insurance	7.8	7.8	8.3	0.0	9.4	0.0	9.4
543200 Maint - Furn, Fixt, Equipment	20.0	15.3	24.0	0.0	24.0	0.0	24.0

S-9 Account Code Revenue/Expenditure Summary
(Dollars in Thousands)

BU PCode Department
25500 0000 00000000000

	2025-26 Opbud	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	FY 2028 Agency Request	
					Base	Expansion
						Total
543830 IT HW/SW Agreements	195.0	154.6	195.0	0.0	195.0	0.0
544000 Supply Inventory IT	30.0	119.8	35.0	0.0	35.0	0.0
544100 Supplies-Office Supplies	15.0	10.3	15.0	0.0	15.0	0.0
544400 Supplies-Field Supplies	1.5	6.3	5.0	0.0	5.0	0.0
544900 Supplies-Inventory Exempt	3.0	7.9	10.0	0.0	10.0	0.0
545600 Reporting & Recording	50.0	35.4	50.0	0.0	50.0	0.0
545710 DOIT HCM Assessment Fees	29.4	30.5	32.7	0.0	31.8	0.0
545900 Printing & Photo Services	1.5	3.1	4.0	0.0	4.0	0.0
546100 Postage & Mail Services	12.0	9.0	8.0	0.0	7.8	0.0
546400 Rent Of Land & Buildings	0.0	0.7	0.0	0.0	0.0	0.0
546500 Rent Of Equipment	0.0	0.1	1.0	0.0	1.0	0.0
546600 Communications	23.9	34.7	28.0	0.0	28.0	0.0
546700 Subscriptions/Dues/License Fee	30.0	21.4	30.0	0.0	30.0	0.0
546800 Employee Training & Education	20.0	2.3	10.0	0.0	10.0	0.0
546900 Advertising	10.0	10.3	12.0	0.0	12.0	0.0
547000 Legal Settlements	0.0	1.6	3.0	0.0	3.0	0.0
547900 Miscellaneous Expense	5.5	4.0	5.5	0.0	5.5	0.0
548800 Automotive & Aircraft	0.0	42.1	0.0	0.0	0.0	0.0
549600 Employee O/S Mileage & Fares	8.0	4.0	8.0	0.0	8.0	0.0
549700 Employee O/S Meals & Lodging	12.0	7.3	12.0	0.0	12.0	0.0
400 Other	537.6	591.8	567.5	0.0	567.5	0.0
TOTAL EXPENSE	8,973.6	9,150.3	9,400.8	9,949.12	12,586.8	1,123.4
810 Permanent	84.00	72.00	84.00	87.00	84.00	9.00
810 Permanent	84.00	72.00	84.00	87.00	84.00	9.00
820 Term	3.00	0.00	3.00	0.00	3.00	0.00
820 Term	3.00	0.00	3.00	0.00	3.00	0.00
TOTAL FTE POSITIONS	87.00	72.00	87.00	87.00	87.00	9.00

S-13 Line Items by Business Unit Expenditures

(Dollars in Thousands)

BusUnit	Line Item	2025-26 Actuals	2026-27 Opbud	Request		Recommendation	
				Base	Expansion	Base	Expansion
25500	P255-R						
	Fifth Judicial District Attorney						
	520100	Exempt Perm Positions P/T&F/T	5,238.82	7,778.4	1,123.4	0	0
	520200	Term Positions	344.86	546.8	0	0	0
	520600	Paid Unused Sick Leave	279	0	0	0	0
	520700	Overtime & Other Premium Pay	85.92	0	0	0	0
	520800	Annl & Comp Paid At Separation	63.37	0	0	0	0
	521100	Group Insurance Premium	964.01	941.3	0	0	0
	521200	Retirement Contributions	1,044.07	1,396.1	0	0	0
	521300	F I C A	423.81	663	0	0	0
	521400	Workers' Comp Assessment Fee	0.74	0.8	0	0	0
	521410	GSD Work Comp Insur Premium	9.21	6.5	0	0	0
	521500	Unemployment Comp Premium	0	8.7	0	0	0
	521600	Employee Liability Ins Premium	106.12	329.2	0	0	0
	521700	RHC Act Contributions	108.53	173.4	0	0	0
	535300	Other Services	63.42	57.5	0	0	0
	535400	Audit Services	25.27	26.8	0	0	0
	535500	Attorney Services	77.55	90.8	0	0	0
	542100	Employee I/S Mileage & Fares	0.63	1	0	0	0
	542200	Employee I/S Meals & Lodging	29.71	35	0	0	0
	542500	Transp - Fuel & Oil	20.34	25	0	0	0
	542600	Transp - Parts & Supplies	12.62	10	0	0	0
	542700	Transp - Transp Insurance	7.76	9.4	0	0	0
	543200	Maint - Furn, Fixt, Equipment	15.27	24	0	0	0
	543830	IT HW/SW Agreements	154.56	195	0	0	0
	544000	Supply Inventory IT	119.82	35	0	0	0
	544100	Supplies-Office Supplies	10.34	15	0	0	0
	544400	Supplies-Field Supplies	6.3	5	0	0	0
	544900	Supplies-Inventory Exempt	7.93	10	0	0	0
	545600	Reporting & Recording	35.38	50	0	0	0
	545710	DOIT HCM Assessment Fees	30.45	31.8	0	0	0
	545900	Printing & Photo Services	3.07	4	0	0	0
	546100	Postage & Mail Services	9.03	7.8	0	0	0
	546400	Rent Of Land & Buildings	0.66	0	0	0	0

S-13 Line Items by Business Unit Expenditures

(Dollars in Thousands)

Subtotal for:	25500	P255-R	Fifth Judicial District Attorney	9,150.29	9,400.8	12,586.8	1,123.4	0	0	0.0
546500	Rent Of Equipment	0.13	1	1	0	0	0	0	0	0.0
546600	Communications	34.74	28	28	0	0	0	0	0	0.0
546700	Subscriptions/Dues/License Fee	21.44	30	30	0	0	0	0	0	0.0
546800	Employee Training & Education	2.33	10	10	0	0	0	0	0	0.0
546900	Advertising	10.29	12	12	0	0	0	0	0	0.0
547000	Legal Settlements	1.6	3	3	0	0	0	0	0	0.0
547900	Miscellaneous Expense	4.03	5.5	5.5	0	0	0	0	0	0.0
548800	Automotive & Aircraft	42.06	0	0	0	0	0	0	0	0.0
549600	Employee O/S Mileage & Fares	4.04	8	8	0	0	0	0	0	0.0
549700	Employee O/S Meals & Lodging	7.27	12	12	0	0	0	0	0	0.0
Subtotal for:				9,150.29	9,400.8	12,586.8	1,123.4	0	0	0.0
25500				9,150.29	9,400.8	12,586.8	1,123.4	0	0	0.0

Totals by Line Item

BusUnit	Line Item	2025-26 Actuals	2026-27 Opbud	Request Base	Expansion	Recommendation Base	Expansion	Opbud
25500	Exempt Perm Positions P/T&F/T	5,238.82	5,089.9	7,778.4	1,123.4	0	0	0.0
520200	Term Positions	344.86	274.6	546.8	0	0	0	0.0
520600	Paid Unused Sick Leave	2.79	0	0	0	0	0	0.0
520700	Overtime & Other Premium Pay	85.92	0	0	0	0	0	0.0
520800	Annul & Comp Paid At Separation	63.37	0	0	0	0	0	0.0
521100	Group Insurance Premium	964.01	1,101.7	941.3	0	0	0	0.0
521200	Retirement Contributions	1,044.07	1,396.1	1,396.1	0	0	0	0.0
521300	FICA	423.81	554.8	663	0	0	0	0.0
521400	Workers' Comp Assessment Fee	0.74	0.8	0.8	0	0	0	0.0
521410	GSD Work Comp Insur Premium	9.21	7.2	6.5	0	0	0	0.0
521500	Unemployment Comp Premium	0	10.6	8.7	0	0	0	0.0
521600	Employee Liability Ins Premium	106.12	104.9	329.2	0	0	0	0.0
521700	RHC Act Contributions	108.53	145.2	173.4	0	0	0	0.0
535300	Other Services	63.42	57.5	57.5	0	0	0	0.0

S-13 Line Items by Business Unit Expenditures

(Dollars in Thousands)

535400	Audit Services	25.27	30	26.8	0	0	0	0.0
535500	Attorney Services	77.55	60	90.8	0	0	0	0.0
542100	Employee I/S Mileage & Fares	0.63	1	1	0	0	0	0.0
542200	Employee I/S Meals & Lodging	29.71	35	35	0	0	0	0.0
542500	Transp - Fuel & Oil	20.34	25	25	0	0	0	0.0
542600	Transp - Parts & Supplies	12.62	10	10	0	0	0	0.0
542700	Transp - Transp Insurance	7.76	8.3	9.4	0	0	0	0.0
543200	Maint - Furn, Fixt, Equipment	15.27	24	24	0	0	0	0.0
543830	IT HW/SW Agreements	154.56	195	195	0	0	0	0.0
544000	Supply Inventory IT	119.82	35	35	0	0	0	0.0
544100	Supplies-Office Supplies	10.34	15	15	0	0	0	0.0
544400	Supplies-Field Supplies	6.3	5	5	0	0	0	0.0
544900	Supplies-Inventory Exempt	7.93	10	10	0	0	0	0.0
545600	Reporting & Recording	35.38	50	50	0	0	0	0.0
545710	DOIT HCM Assessment Fees	30.45	32.7	31.8	0	0	0	0.0
545900	Printing & Photo Services	3.07	4	4	0	0	0	0.0
546100	Postage & Mail Services	9.03	8	7.8	0	0	0	0.0
546400	Rent Of Land & Buildings	0.66	0	0	0	0	0	0.0
546500	Rent Of Equipment	0.13	1	1	0	0	0	0.0
546600	Communications	34.74	28	28	0	0	0	0.0
546700	Subscriptions/Dues/License Fee	21.44	30	30	0	0	0	0.0
546800	Employee Training & Education	2.33	10	10	0	0	0	0.0
546900	Advertising	10.29	12	12	0	0	0	0.0
547000	Legal Settlements	1.6	3	3	0	0	0	0.0
547900	Miscellaneous Expense	4.03	5.5	5.5	0	0	0	0.0
548800	Automotive & Aircraft	42.06	0	0	0	0	0	0.0
549600	Employee O/S Mileage & Fares	4.04	8	8	0	0	0	0.0
549700	Employee O/S Meals & Lodging	7.27	12	12	0	0	0	0.0
Grand Total		9,150.29	9,400.8	12,586.8	1,123.4	0	0	0.0

State of New Mexico
S-13 Line Items by Business Unit Expenditures
(Dollars in Thousands)

P-1 Program Overview**Program Description:**

Our goal is to protect the citizens of Chavez, Eddy and Lea Counties, through aggressive prosecution of individuals who would perpetrate crimes. It is also our goal to redirect otherwise good and productive citizens who make bad decisions because of their youth or ignorance through pre-prosecution and early intervention programs. Prosecution is our primary service. We also provide programs to first time offenders and victims of crime. We have instituted a program with local area merchants to prosecute shoplifting crimes in our district.

Major Issues and Accomplishments:

Our district in Southeast New Mexico continues to be greatly affected by the following adverse inherent with rural communities: employee recruitment and technological challenges. We have found it increasingly difficult to not only keep the attorneys and staff we currently employ, but it is also becoming increasingly difficult to attract competent employees to keep our offices at a sufficient level that provides the public with a fair and proper representation of the law. We are obligated to maintain and be proactive in the recruitment of the best possible candidates to maintain our offices. We have actively recruited for variable candidates for openings but find it increasingly difficult to recruit prospective employees to our rural area. Our district continues to have experienced attorneys leaving for positions at other state agencies, other states, federal agencies, and private firm opportunities for higher salaries and lower caseloads. In addition, the technology challenges we face in our offices on a daily basis is impeding timely completion of critical work processes. We are dedicated to using available resources to upgrade our network infrastructure and software platforms required for streamlining internal work flows and interfacing with external agencies. This request is to ensure that our office has the necessary resources to maintain and improve public safety, prosecute crimes effectively, and uphold the administration of justice within our jurisdiction. To meet these goals, we seek additional funding to support increased case volume, staff retention and necessary technology upgrades. We have expanded our Non-Organized Shoplifting Diversion Program with increased cooperation with law enforcement, merchants and defense attorneys to reduce the retail theft in our district.

Overview of Request:

Budget Projection Template provided yearly by State Budget Division was used to complete data for existing positions as well as forecasting the vacant positions into our budget. We are not applying any vacancy savings as we need to hire staff in order to fully protect the citizens of our district. Current salaries were calculated as well as insurance benefits and vacant positions at the midpoint level and single insurance coverage to arrive at FY28 budget request. In addition to funding vacant positions, we are requesting \$1,123,358 in order to add three (3) additional attorneys and one para legal (1) in each of our offices for a total of nine (9) new positions as well as to aid in recruitment and retention. We are also requesting the remaining \$197,303 for personnel services and benefits for 3 Senior Trial Attorneys that are not covered by our Federal HIDTA Grant Award. We are also requesting that our Contractual Services budget be increased to \$175,100 in order to be able to contract with experienced attorneys during our staff shortage and still able to still prosecute crimes. We are also requesting \$195,000 to be included in our recurring Other category for our NICE Digital System to aid our district. These are all critical requests for our struggling agency due to high caseloads, vacant positions that we do not have the funding to fill and the ever increasing crime rates.

BU PCode
25500 P255

Programmatic Changes:

Our agency has elected not to apply the Vacancy Rate to our appropriation request due to the fact that by doing so, we do not have the funds to hire vacant positions. We were advised during last year's budget appropriation workshop that we do not have to apply the vacancy rate and ask for the funding so we can hire attorneys for our district with the increase in personnel costs. The New Mexico District Attorney Association requested an HR Classification and Compensation analysis Jeff Varela that determined that there is a 7% overall and 13% for the Senior Trial Attorney midpoint range in comparison with SPONMDOJ. We are requesting \$1,123,358 in order to add nine (9) new positions as well as to increase new and mid-level prosecutors pay to recruit and retain attorneys. We have found it necessary to increase Contractual Services to contract experienced attorneys to assist our district in prosecution of high-level felony cases due to the retention difficulties we experience in our district. We are also requesting additional funding in our General Fund to expend the \$197,303 out of the 200 category to cover funding for 3 Senior Trial Attorneys that are not covered by the Federal HIDTA Grant which is a set amount each year and does not increase salaries and benefits for these 3 attorneys. We are also asking for the continual recurring funding of \$195,000 for our continued funding of the NICE Digital System that was implemented in FY25 from a grant from the NM Sentencing Commission for the initial implementation.

Base Budget Justification:

Our agency's most significant base budget increase is for funding for our vacant positions for recruitment and retention, increase in funding for nine (9) additional positions, increase in Personnel Services to cover the expenses not paid by our Federal HIDTA Grant, increase in Contractual Services in order to contract with experienced attorneys and recurring funding for NICE Digital Technologies. All of these requests are crucial to fight crime in the Fifth Judicial District for our citizens.

REV EXP COMPARISON

(Dollars in Thousands)

25500 - Fifth Judicial District Attorney

P255 - Fifth Judicial District Attorney					
	General Fund	Other Funds	Other Transfers	Federal Funds	Total
SOURCES Totals	13,419.9	0.0	0.0	290.3	13,710.2
Personal services and employee benefits	12,677.3	0.0	0.0	290.3	12,967.6
Contractual services	175.1	0.0	0.0	0.0	175.1
Other	567.5	0.0	0.0	0.0	567.5
USES Total:	13,419.9	0.0	0.0	290.3	13,710.2
Net:	0.0	0.0	0.0	0.0	0.0

Agency: Fifth Judicial District Attorney
BU: 25500
Program: P255
Program Code: P255

[illegible]

EB-1 Expansion Justifications
(Dollars in Thousands)

Trial Attorneys

Rank: 1

New Initiative	2027-28 GF Sources	2027-28 OSF Sources	2027-28 ISF/ IAT Sources	2027-28 FF Sources	2027-28 Total Request	2027-28 Exec Recommendation
General Fund Transfers	944.7	0.0	0.0	0.0	944.7	0.0
REVENUE, TRANSFERS	944.7	0.0	0.0	0.0	944.7	0.0
Personal services and employee t	944.7	0.0	0.0	0.0	944.7	0.0
EXPENDITURES	944.7	0.0	0.0	0.0	944.7	0.0
Permanent	0	0	0	0	6	
FTEs	0	0	0	0	6	0

Brief Description:

Request for 6 senior trial attorneys at midpoint plus single benefits.

Legislative Change: _____

Session Law Citation: _____

Legal Settlement: _____

Case Number or Citation: _____

255-Legal Assistants

Rank: 2

New Initiative	2027-28 GF Sources	2027-28 OSF Sources	2027-28 ISF/ IAT Sources	2027-28 FF Sources	2027-28 Total Request	2027-28 Exec Recommendation
General Fund Transfers	178.7	0.0	0.0	0.0	178.7	0.0
REVENUE, TRANSFERS	178.7	0.0	0.0	0.0	178.7	0.0
Personal services and employee t	178.7	0.0	0.0	0.0	178.7	0.0
EXPENDITURES	178.7	0.0	0.0	0.0	178.7	0.0
Permanent	0	0	0	0	3	
FTEs	0	0	0	0	3	0

Brief Description:

For 3 Legal Assistants in each office at midpoint with single benefits

Legislative Change: _____

Session Law Citation: _____

Legal Settlement: _____

Case Number or Citation: _____

Fifth Judicial District Attorney

BU	PCode	Department
25500	P255	000000

State of New Mexico

EB-1 Expansion Justifications
(Dollars in Thousands)

EB-2 Expansion Fiscal Summary
(Dollars in Thousands)

Trial Attorneys

Rank: 1

		2027-28 GF Sources	2027-28 OSF Sources	2027-28 ISF/ IAT Sources	2027-28 FF Sources	2027-28 Total Request	2027-28 Exec Recommendation
111	General Fund Transfers	944.7	0.0	0.0	0.0	944.7	0.0
REVENUE, TRANSFERS		944.7	0.0	0.0	0.0	944.7	0.0
200	Personal services and employee benefits	944.7	0.0	0.0	0.0	944.7	0.0
EXPENDITURES		944.7	0.0	0.0	0.0	944.7	0.0
810	Permanent	0	0	0	0	6	0.0
FTEs		0	0	0	0	6	0

255-Legal Assistants

Rank: 2

		2027-28 GF Sources	2027-28 OSF Sources	2027-28 ISF/ IAT Sources	2027-28 FF Sources	2027-28 Total Request	2027-28 Exec Recommendation
111	General Fund Transfers	178.7	0.0	0.0	0.0	178.7	0.0
REVENUE, TRANSFERS		178.7	0.0	0.0	0.0	178.7	0.0
200	Personal services and employee benefits	178.7	0.0	0.0	0.0	178.7	0.0
EXPENDITURES		178.7	0.0	0.0	0.0	178.7	0.0
810	Permanent	0	0	0	0	3	0.0
FTEs		0	0	0	0	3	0

BU PCode Department
25500 P255 000000

EB-3 Expansion Line Item Detail
(Dollars in Thousands)

Trial Attorneys

Rank: 1

		2027-28 GF Sources	2027-28 OSF Sources	2027-28 ISF/IAT Sources	2027-28 FF Sources	2027-28 Total Request	2027-28 Exec Recommendation
520100	Exempt Perm Positions P/T&F/T	944.7	0.0	0.0	0.0	944.7	0.0
521100	Group Insurance Premium	0.0	0.0	0.0	0.0	0.0	0.0
521200	Retirement Contributions	0.0	0.0	0.0	0.0	0.0	0.0
521300	F I C A	0.0	0.0	0.0	0.0	0.0	0.0
521700	RHC Act Contributions	0.0	0.0	0.0	0.0	0.0	0.0
200	Personal services and employee benefits	944.7	0.0	0.0	0.0	944.7	0.0
Total for Trial Attorneys		944.7	0.0	0.0	0.0	944.7	0.0

255-Legal Assistants

Rank: 2

		2027-28 GF Sources	2027-28 OSF Sources	2027-28 ISF/IAT Sources	2027-28 FF Sources	2027-28 Total Request	2027-28 Exec Recommendation
520100	Exempt Perm Positions P/T&F/T	178.7	0.0	0.0	0.0	178.7	0.0
521100	Group Insurance Premium	0.0	0.0	0.0	0.0	0.0	0.0
521200	Retirement Contributions	0.0	0.0	0.0	0.0	0.0	0.0
521300	F I C A	0.0	0.0	0.0	0.0	0.0	0.0
521700	RHC Act Contributions	0.0	0.0	0.0	0.0	0.0	0.0
200	Personal services and employee benefits	178.7	0.0	0.0	0.0	178.7	0.0
Total for 255-Legal Assistants		178.7	0.0	0.0	0.0	178.7	0.0

Agency Expansion Request Justification

New Mexico agencies making significant requests to expand agency budgets, other than workload changes, or for large special appropriations that appear to expand an agency's recurring budget are being asked to assess the proposals and report on their purpose, potential for success, and plans for implementation and accountability in accordance with the [Budget Guidelines of the New Mexico Legislative Finance Committee \(LFC\)](#) and LFC's [Legislating for Results Framework](#).

1 Program Premise

What public problem does this program seek to address? How will this program address the problem? Does the proposed program link to a goal in the agency's strategic plan?

What is the extent of the problem stated in numerical, geographic, and equity terms? What portion of the total need identified does this program seek to address?

2 Needs Assessment

3 Program Description

What specific activities in the program will achieve these expected program outcomes? What are costs per person or activity? Once the program is fully operational, what are the estimated ongoing annual costs?

Is the program based on evidence or research or a promising practice? Will it need formal evaluation?

4 Research and Evidence

5 Implementation Plan

What activities are needed to implement the program? How much will it cost? What is the timeline for each startup activity?

Will the program be implemented with equity and fidelity? Do you have a checklist of the program components need to achieve the impacts?

6 Fidelity Plan

7 Measurement and Evaluation

What specific outcomes are expected? What are key performance measures? How often will the program be measured and evaluated?

Agency and Expansion Request Information

Agency: Click or tap here to enter text.

Short Title of Request: Click or tap here to enter text.

Point of contact for follow-up information:

Name: Sara Phillips

Title: CFO

Phone: 575-988-7286

E-Mail: sphillips@da.state.nm.us

Is the requested expansion solely the result of a workload change? Yes

If yes, no further information is needed. If no, please provide narrative responses addressing item below.

1. Program Premise

In this section, provide information describing the problem this funding is proposed to address.

- a. Why is this expansion needed and what problem or need it is attempting to address?

Our District is not fulfilling our obligation to the communities of Lea, Chaves, and Eddy counties to provide timely justice necessary for safer communities. Having additional legal staff (2 attorneys and one paralegal at each office location) would reduce the workload each attorney is currently burdened with. For FY 26, the average caseload for attorneys in the Fifth Judicial District was 472.

- b. How does this request differ from existing programming?

Current staffing levels, specifically trained and experienced legal staff, are not at an adequate level proportionate to meet the increasing crime levels in our District. Additional staffing would allow the administrative and management teams in the District to shift work strategies from “survive the day” to a more proactive and long-term work dynamic focused on protecting the just and prosecuting the unjust.

- c. How does the requested program fit into the agency’s strategic plan?

Our strategic plan is focused on specific goals and objectives for providing timely justice and creating safer communities. In order to meet our goals and objectives, it is critical that we have the necessary resources to meet the growing demands of our office. The oil and gas industry in the 5th Judicial District is a definite financial strength for our communities and the State of New Mexico. However, a transient workforce and increase in crime is inherent with the oil and gas industry and is a definite weakness for our organization. Crime rates have increased but our allocated staffing level has remained stagnate.

- d. Has the agency developed a logic model describing the agency’s theory of change?

No

- e. If yes, please provide a copy of the logic model as a picture below or as an additional attachment with the form as part of the agency’s submission in BFM. If no, please contact your LFC or DFA analyst for assistance in developing a logic model.

2. Needs Assessment

In this section, provide specifics on the extent of the problem this proposal proposes to solve.

- a. What is the extent of the problem to be addressed?

The problem being addressed is the lack of professional legal staff necessary to adequately provide the legal knowledge and expertise required to provide timely justice in the communities we serve.

- b. What is the total statewide need in numerical or geographic terms? If applicable, this may include a description and analysis of historically unserved or underserved populations.

The requested additional staff would serve the counties of Lea, Eddy, and Chaves counties in Southern New Mexico.

- c. What percentage of the previously identified total statewide need does this request seek to address?

The requested staff positions would serve 100% of the people in the communities of the Fifth Judicial District by providing timely justice to those affected by crime and by creating safer communities.

3. Program Description

In this section, provide information detailing activities, costs, and benefits of the proposal.

- a. How much is the agency's request for FY26 and from what source is the agency requesting additional funding?

The total request for the 9 additional staff of 6 attorneys and 3 paralegals is \$1,123,358 and is being requested to our General Fund in Personnel Costs.

- b. Provide a list of specific activities that will be carried out if this request is granted.

All job functions defined by the job descriptions of an attorney and paralegal. More important, additional staff would have an immediate impact on the current workload having to be managed by legal staff at our offices. More staff would minimize caseload pressure and increase the efficiency and effectiveness of staff working individual cases.

- c. Provide a cost per unit for the funding (such as the cost per individual or cost per activity).

The cost per attorney at midpoint with single benefits is \$158,049/Yr and the cost per paralegal at midpoint with single benefits is \$59,795/Yr.

- d. If available and applicable, provide a benefit-to-cost ratio for this program (the total monetized benefits divided by total costs).

NA. This cannot be fairly quantified as the financial value is an estimate of several factors such as outside counsel savings, risk mitigation and efficiency gains in time saved for other departments.

- e. Does the agency anticipate additional increases above the FY26 request will be needed in future years to continue to operate the program? If so, please describe these additional expenses and projections of future financial needs.

NA

NA

4. Research and Evidence Categorization

In this section, provide information regarding the evidence and research supporting your request.

- a. As defined in [New Mexico's Accountability in Government Act](#), specify whether your program is evidence-based, research-based, a promising program or practice, or none of the above.

None

- b. Please provide any references or links to relevant research supporting your categorization. For example, sources may include published research or categorization provided by [clearinghouse databases](#).

NA

- c. How will you evaluate the program to confirm your categorization?

NA

5. Implementation Plan

In this section, describe all activities related to implementation of your proposal (What, when, where, who, and how) by addressing the following items:

- a. What are the training and startup requirements for the proposed program?

No additional training or startup requirements.

- b. Provide an estimated timeline for implementation of activities. Include planned benchmarks, milestones, and a target date for full implementation. If the request includes new FTE, provide your current vacancy rate and plan for recruitment.
 - **Our agency's current vacancy rate is 20.69%.**
 - **Fifth Judicial District Attorney's Office**
 - **Recruitment Plan – Recruitment Efforts Recap**
 - **Attorneys**
 - **“Prosecute With Purpose. Serve With Purpose.”**

Our attorney recruitment efforts will utilize multiple recruitment channels, including bar association bulletins, LinkedIn, Indeed, and professional networking opportunities. We will also encourage current attorneys to serve as recruitment ambassadors by:

- **Connecting with former classmates and professional contacts who may be interested in joining the Fifth Judicial District Attorney's Office.**
- **Sharing recruitment postings through LinkedIn and other professional social media platforms.**
- **Referring qualified candidates directly to HR for consideration.**

Recruitment messaging will emphasize the overall value of employment with the Fifth, including competitive wages, benefits, retirement opportunities, Public Service Loan Forgiveness (PSLF), and the New Mexico limited license opportunity, where applicable.

Our recruitment efforts will focus on candidates in surrounding communities and areas within a reasonable commuting distance, with an emphasis on long-term retention. Candidates who have existing ties to the area or are interested in establishing roots in the community may be more likely to develop long-term careers with our office.

We will also highlight the benefits of a reasonable commute and work-life balance. Less time commuting means more time at home with family, while still providing attorneys with meaningful and challenging professional opportunities.

Our messaging will continue to emphasize the opportunity to prosecute cases ranging from misdemeanors through felony-level offenses. This provides attorneys with valuable courtroom experience, opportunities for professional development, mentorship, collaboration and teamwork, and the ability to develop their skills in a fast-paced criminal justice environment.

Secretaries / Legal Assistants / Paralegals

“Behind Every Strong Case Is a Strong Team.”

Recruitment efforts for legal support positions will focus on the message that “your work matters.” Legal assistants, secretaries and paralegals play an essential role in the prosecution process and contribute directly to cases that impact victims, defendants, families and the communities we serve.

We will emphasize that these positions are an integral part of the legal team, providing employees with the opportunity to see how their work contributes to the preparation and progression of cases through the criminal justice system.

The Fifth Judicial District Attorney’s Office will promote a supportive and collaborative workplace culture that encourages career development, mentorship, professional growth and internal advancement. Employees will be encouraged to develop their skills and pursue opportunities for increased responsibility and promotion within the organization.

Where appropriate, recruitment messaging will also highlight opportunities for courtroom exposure, allowing legal support staff to see firsthand the impact and importance of the work they perform behind the scenes.

Recruitment messaging will also emphasize the overall value of employment with the Fifth, including:

- Excellent benefits & retirement + reasonable vacation & sick leave policy
- Public Service Loan Forgiveness (PSLF), where applicable
- Employment stability
- Opportunities for professional growth
- Internal advancement opportunities
- A supportive team environment
- The opportunity to contribute meaningfully to the community

Overall Recruitment Objective

Our recruitment strategy will focus not only on filling current vacancies, but on attracting individuals who are a strong fit for the Fifth Judicial District Attorney’s Office and who are interested in building a long-term career with the organization.

Our goal is to communicate that employees are not simply filling a position—they are becoming part of a team that serves the community, supports one another, develops professionally and makes a meaningful difference in the criminal justice system.

6. Fidelity Plan

In this section, provide information regarding how you will ensure your proposal is delivered as intended.

- a. Describe key components critical to the success of your program.

NA

- b. Provide a checklist or specific process metrics you will use to ensure component parts are implemented, including equity if applicable.

NA

7. Measurement and Evaluation Plan

In this section, provide information about measuring outcomes and the impact of your proposal.

- a. What measurable outcome is the agency trying to achieve with the requested expansion?

Our agency is seeking to reduce the overall attorney caseload per attorney as we are extremely short staffed.

- b. Will the requested program affect any existing performance measures?

Yes

- i. If yes, which performance measures will be affected?

The performance measures that will be affected include number of referred cases, number of prosecuted cases, time from filing to disposition - children's court, time from filing to disposition - adults, number of PPD and PTD cases.

- c. What program outputs will the agency measure?

The performance measures that will be measured include number of referred cases, number of prosecuted cases, time from filing to disposition - children's court, time from filing to disposition - adults, number of PPD and PTD cases.

- d. What efficiency metrics will the agency monitor?

Average time measured in both days and months per case.

- e. Does the agency have baseline data for the proposed measures?

Yes

- i. If yes, please provide baseline data.
ii. If yes, please provide baseline data.

Baseline data is provided in our Annual Performance Report.

- iii. If no, when and how does the agency anticipate collecting baseline data?

Click or tap here to enter text.

- f. How often will the agency collect and report on these performance metrics?

Our agency is continually collecting the data, and it is reported quarterly and yearly.

g. How do you plan to share the results of your program with the public and the Legislature?

The results of our plan will be shared with the Legislature via the annual performance report.

Fund	Account	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	FY 2028 Agency Request				Total	Justification
					GF	OSF	ISF/IAT	FF		
00000	520100	0.0	0.0	44.58	0.0	0.0	0.0	0.0	0.0	
	Exempt Perm Positions P/T&F/T									
00000	521100	0.0	0.0	7.37	0.0	0.0	0.0	0.0	0.0	
	Group Insurance Premium									
00000	521200	0.0	0.0	8.54	0.0	0.0	0.0	0.0	0.0	
	Retirement Contributions									
00000	521300	0.0	0.0	2.75	0.0	0.0	0.0	0.0	0.0	
	FICA									
00000	521700	0.0	0.0	1.11	0.0	0.0	0.0	0.0	0.0	
	RHC Act Contributions									
15900	520100	5,232.5	5,089.9	6,420.11	7,778.4	0.0	0.0	0.0	7,778.4	Need an additional \$1,123,358 to staff 2 additional attorneys and 1 legal assistant in each office location. Need an additional \$27,600 in contracts in order to contract with attorneys since we are short staffed. Asking for the recurring funding of our NICE digital system for \$195K.
	Exempt Perm Positions P/T&F/T									
15900	520200	138.1	63.2	0	335.4	0.0	0.0	0.0	335.4	
	Term Positions									
15900	520600	2.8	0.0	0	0.0	0.0	0.0	0.0	0.0	
	Paid Unused Sick Leave									
15900	520700	85.6	0.0	0	0.0	0.0	0.0	0.0	0.0	
	Overtime & Other Premium Pay									
15900	520800	56.3	0.0	0	0.0	0.0	0.0	0.0	0.0	
	Ann'l & Comp Paid At Separation									
15900	521100	952.5	1,082.7	1,164.68	922.3	0.0	0.0	0.0	922.3	
	Group Insurance Premium									
15900	521200	1,004.3	1,356.0	1,196.89	1,356.0	0.0	0.0	0.0	1,356.0	
	Retirement Contributions									
15900	521300	407.2	539.2	396.52	647.4	0.0	0.0	0.0	647.4	
	FICA									
15900	521400	0.7	0.8	0	0.8	0.0	0.0	0.0	0.8	
	Workers' Comp Assessment Fee									
15900	521410	9.2	7.2	0	6.5	0.0	0.0	0.0	6.5	
	GSD Work Comp Insur Premium									
15900	521500	0.0	10.6	0	8.7	0.0	0.0	0.0	8.7	
	Unemployment Comp Premium									
15900	521600	106.1	104.9	0	329.2	0.0	0.0	0.0	329.2	
	Employee Liability Ins Premium									
15900	521700	104.4	141.0	130.19	169.2	0.0	0.0	0.0	169.2	
	RHC Act Contributions									
39900	520100	6.3	0.0	430.76	0.0	0.0	0.0	0.0	0.0	
	Exempt Perm Positions P/T&F/T									
39900	520200	206.8	211.4	1.67	0.0	0.0	0.0	211.4	211.4	Need an additional \$197,303 in order to fully fund the HIDTA positions for a full fiscal year.
	Term Positions									
39900	520700	0.4	0.0	0	0.0	0.0	0.0	0.0	0.0	
	Overtime & Other Premium Pay									
39900	520800	7.0	0.0	0	0.0	0.0	0.0	0.0	0.0	
	Ann'l & Comp Paid At Separation									
39900	521100	11.5	19.0	24.9	0.0	0.0	0.0	19.0	19.0	
	Group Insurance Premium									
39900	521200	39.8	40.1	82.72	0.0	0.0	0.0	40.1	40.1	
	Retirement Contributions									
39900	521300	16.7	15.6	26.66	0.0	0.0	0.0	15.6	15.6	
	FICA									
39900	521400	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	
	Workers' Comp Assessment Fee									
39900	521700	4.1	4.2	9.66	0.0	0.0	0.0	4.2	4.2	
	RHC Act Contributions									
200	Personal services and employee benefit	8,392.3	8,685.8	9,949.12	11,553.9	0.0	0.0	290.3	11,844.2	

Fund	Account	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	GF	OSF	ISF/AT	FF	Total	Justification
15900	542100 Employee I/S Mileage & Fares	0.6	1.0	0	0	1.0	0.0	0.0	1.0	
15900	542200 Employee I/S Meals & Lodging	29.7	35.0	0	0	35.0	0.0	0.0	35.0	
15900	542500 Transp - Fuel & Oil	20.3	25.0	0	0	25.0	0.0	0.0	25.0	
15900	542600 Transp - Parts & Supplies	12.6	10.0	0	0	10.0	0.0	0.0	10.0	
15900	542700 Transp - Transp Insurance	7.8	8.3	0	0	9.4	0.0	0.0	9.4	
15900	543200 Maint - Furn, Fixt, Equipment	15.3	24.0	0	0	24.0	0.0	0.0	24.0	
15900	543830 IT HW/SW Agreements	154.6	195.0	0	0	195.0	0.0	0.0	195.0	
15900	544000 Supply Inventory IT	119.8	35.0	0	0	35.0	0.0	0.0	35.0	
15900	544100 Supplies-Office Supplies	10.3	15.0	0	0	15.0	0.0	0.0	15.0	
15900	544400 Supplies-Field Supplies	6.3	5.0	0	0	5.0	0.0	0.0	5.0	
15900	544900 Supplies-Inventory Exempt	7.9	10.0	0	0	10.0	0.0	0.0	10.0	
15900	545600 Reporting & Recording	35.4	50.0	0	0	50.0	0.0	0.0	50.0	
15900	545710 DOIT HCM Assessment Fees	30.5	32.7	0	0	31.8	0.0	0.0	31.8	
15900	545900 Printing & Photo Services	3.1	4.0	0	0	4.0	0.0	0.0	4.0	
15900	546100 Postage & Mail Services	9.0	8.0	0	0	7.8	0.0	0.0	7.8	
15900	546400 Rent Of Land & Buildings	0.7	0.0	0	0	0.0	0.0	0.0	0.0	
15900	546500 Rent Of Equipment	0.1	1.0	0	0	1.0	0.0	0.0	1.0	
15900	546600 Communications	34.7	28.0	0	0	28.0	0.0	0.0	28.0	
15900	546700 Subscriptions/Dues/License Fee	21.4	30.0	0	0	30.0	0.0	0.0	30.0	
15900	546800 Employee Training & Education	2.3	10.0	0	0	10.0	0.0	0.0	10.0	
15900	546900 Advertising	10.3	12.0	0	0	12.0	0.0	0.0	12.0	
15900	547000 Legal Settlements	1.6	3.0	0	0	3.0	0.0	0.0	3.0	
15900	547900 Miscellaneous Expense	4.0	5.5	0	0	5.5	0.0	0.0	5.5	
15900	548800 Automotive & Aircraft	42.1	0.0	0	0	0.0	0.0	0.0	0.0	
15900	549600 Employee O/S Mileage & Fares	4.0	8.0	0	0	8.0	0.0	0.0	8.0	
15900	549700 Employee O/S Meals & Lodging	7.3	12.0	0	0	12.0	0.0	0.0	12.0	
400	Other	591.8	567.5	0	0	567.5	0.0	0.0	567.5	
TOTAL EXPENSE		8,984.1	9,253.3			12,121.4	0.0	0.0	290.3	12,411.7

Contract by PCode Detail
 (Dollars in Thousands)

Fund	Account	#	Contract Purpose	Actuals	FY 2028 Agency Request					Total	Justification
					GF	OSF	ISF/IAT	FF			
15900	535300 Other Services	1000		63.4	57.5	0.0	0.0	0.0	57.5		
15900	535400 Audit Services	1000 25067		25.3	26.8	0.0	0.0	0.0	26.8		
15900	535500 Attorney Services	1000		77.5	90.8	0.0	0.0	0.0	90.8	Need additional funding in order to contract with attorneys due to attorney shortage.	
TOTAL EXPENSE				166.2	175.1	0.0	0.0	0.0	175.1		

DFA Performance Based Budgeting Data System

Annual Performance Report

Agency: 25500 Fifth Judicial District Attorney

Program: P255 Fifth Judicial District Attorney

The purpose of the fifth judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Eddy, Lea and Chaves counties.

Performance Measures:		2025-26 Target	2025-26 Result	Met Target	Year End Result Narrative
Explanatory	Average time from filing of charges to final disposition for adults, in months	N/A	7	N/A	Added an additional judge to Eddy County, working with courts to ensure timely processing of cases.
Explanatory	Average time from filing petition to final disposition for juveniles, in months	N/A	4	N/A	Under target
Explanatory	Number of pretrial detention motions made	N/A	76	N/A	This is a hard target to measure as it depends on many factors out of our control.
Explanatory	Percent of pretrial detention motions granted	N/A	43%	N/A	This is a hard target to measure as it depends on many factors out of our control.
Outcome	Average number of cases added to attorney caseloads	20	120	No	Number is high because of attorney staff shortage.
Outcome	Number of cases prosecuted	5,500	6,007	Yes	Over our target but continue to strive for justice in a timely manner.
Output	Average attorney caseload	300	472	No	Continually working on lowering caseloads for attorneys but continues to rise due to attorney staff shortages in our district.
Output	Number of cases in which defendant was referred into a pre-prosecution diversion program	50	112	Yes	Successfully referred more than double our target.
Output	Number of cases referred for screening	6,500	6,683	Yes	Increase in crime in our district due to transient workers.

Table 2

Fifth Judicial District Attorney
Performance Measures Summary

25500

P255 Fifth Judicial District Attorney

Purpose: The purpose of the fifth judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Eddy, Lea and Chaves counties.

Performance Measures:		2024-25 Actual	2025-26 Actual	2026-27 Budget	2027-28 Request	2027-28 Recomm
Output	Number of cases referred for screening	6,927	6,683	6,575	6,575	
Output	Number of cases in which defendant was referred into a pre-prosecution diversion program	145	112	150	150	
Output	Average attorney caseload	352	472	300	300	
Outcome	Number of cases prosecuted	6,137	6,007	6,000	6,000	
Outcome	Average number of cases added to attorney caseloads	22	120	20	20	
Explanatory	Average time from filing of charges to final disposition for adults, in months	7	7	N/A	N/A	
Explanatory	Percent of pretrial detention motions granted	55%	43%	N/A	N/A	
Explanatory	Average time from filing petition to final disposition for juveniles, in months	4	4	N/A	N/A	
Explanatory	Number of pretrial detention motions made	96	76	N/A	N/A	

FIFTH JUDICIAL DISTRICT ATTORNEY STRATEGIC PLAN

A long-term strategic plan for the Fifth Judicial District Attorney's Office was developed by soliciting senior staff, which included the District Attorney, the two Chief Deputies and Deputy District Attorney (in charge of Chaves, Eddy and Lea Counties), the District Office Manager, and the Chief Financial Officer, for their input as to the overall office in general and their individual programs or divisions. Specific comments were sought concerning both short and long-term goals and possible pilot projects.

INTERNAL AND EXTERNAL ASSESSMENTS

SWOT (Strengths, Weaknesses, Opportunities and Threat) Analysis

The Fifth Judicial District Attorney's Office is responsible for the prosecution of all felony, juvenile, and many misdemeanor crimes committed in Chaves, Eddy and Lea Counties, New Mexico. A prosecutor is sworn to pursue justice, and this is the office's objective, an objective that is difficult to quantitatively measure. One approach that has been used, although not an accurate one, is to measure only through numbers. The measurement would be a calculation by the number of cases presented to the office for prosecution by law enforcement agencies, the number of cases investigated by our office, the number of cases filed, the number of cases diverted into the Pre-Prosecution diversion program, the number of trials (both jury and bench), and the number of cases sentenced. An essential requirement of this process is the screening of cases, protection of the rights of victims of crime, protection of the civil rights of suspects, and the safeguarding of our communities. These responsibilities must never be sacrificed in the pursuit of higher numbers. Often these responsibilities consume a great deal of time, research, and effort beyond the case. Problems facing our organization are: high caseload of each attorney and attorneys turnover and long-term vacancy of attorney positions. These problems make it difficult for criminal cases to be prosecuted effectively. Senior staff completed a high-level SWOT (Strengths Weaknesses Opportunities Threats) analysis to identify the following:

Internal Strengths –

- Experienced Senior Staff with 10+ years within the organization include the District Attorney, Chief Deputy Attorney, District Office Manager, Chief Financial Officer, and supervising secretaries.
- NICE Digital Evidence System
- Internship program to educate and train potential attorneys and support staff
- Community outreach programs in all counties

Internal Weaknesses –

- High caseload of each attorney
- Geographic location of the three office sites
- Employee retention and recruitment

External Opportunities -

- Utilization of technology to promote a hybrid telecommunication work environment for staff
- New Case Management System (E-Prosecutor)
- Bi-directional communication with external agencies

External Threats –

- Diversity of political climate within each geographical area
- Increase in recreational drug use to include Methamphetamine, Fentanyl, and legalized Cannabis
- Transient population segment proportional to the fluctuating oil and gas industry
- Communication and coordination with outside agencies to include the court system and law enforcement agencies
- Limitation of technology resources in rural communities

ENVIRONMENTAL SCAN

The Fifth Judicial District has historically had a slow-growth population. It now faces changes with the oil and gas booms and downturns. The fluctuations in the oil market causes an increase in crime, i.e., domestic abuse, murder, and burglary which continues to bring greater pressure on an already strained Office of the District Attorney. The low availability of affordable housing increases transiency which can lead to an increase in crime. Further, this lack of affordable housing creates a challenge for recruitment and retention of employees.

ANTICIPATION OR FORESIGHT

The only current explicit systematic approach to analyze long-term trends is through the case management program developed by AODA. A subjective approach is used involving input from law enforcement, citizens, staff, courts, and a review of the news media. The trend in the Fifth is, and has been for many years now, methamphetamine and fentanyl related crimes. The resulting crimes include a large number of domestic abuse cases as well as most of the crimes we prosecute. Through statistical analysis of the increasing caseload, it is clear that the first major long-term problems also encompass domestic violence and aggravated assaults, aggravated

batteries, and homicides. A second major problem that is continuing to rise is the proliferation of drugs and drug-related property crimes. The Office of the Fifth Judicial District Attorney has obtained three (3) HIDTA funded drug prosecutors to work directly with the drug task forces in the three counties. The workload, when considered with working in three counties, is clearly more than the support staff we have can handle.

BENCHMARKING

With crime ever increasing and the difficulty in staffing offices in the hinterlands, the Office has been required to increase the numbers of cases handled. Each attorney in each of our three offices, have maintained a caseload of approximately 352 cases which has increased from previous year's average of 346. This average continually is above our target of Performance Measures for our agency. This has resulted in longer hours and greater stress that would not have occurred had the attorneys not been so overloaded. The comparison should be made between the ratio of the Offices' staff numbers and jurisdictional population and geographical size, number of cases, number of cases per attorney, jury trials, habitual offender enhancements and conviction rates. It should also be noted that rural District Attorney's Offices have a difficult time retaining experienced staff due to the draw of higher salaries and quality of life issues. Further, it is a constant challenge scheduling and coordinating the coverage of 12 District Court and 9 Magistrate Court judges, that all hear criminal cases.

MISSION

Our mission is to protect the citizens of Chaves, Eddy, and Lea Counties through aggressive prosecution of individuals who would perpetrate crimes against them. It is also our goal to redirect otherwise good and productive citizens who make bad decisions, because of their youth or ignorance, through pre-prosecution diversion, violence prevention program and early intervention programs.

PHILOSOPHY

In order to accomplish the Mission of the Office of the Fifth Judicial District Attorney, it is necessary to work closely with community organizations, law enforcement agencies, and the general public to provide a comprehensive approach to combating crime. The public must be educated as to their rights and responsibilities as citizens as well as the various methods of assisting law enforcement in preventing crimes, investigating crimes and supporting a successful prosecution of said crimes. New programs must be developed to change behaviors and attitudes of perpetrators to create a safe and productive community.

GOALS

1. Devote all necessary resources and personnel to seek appropriate penalties for those individuals who prey upon citizens of this district, to keep citizens safe from those individuals, and deter others from engaging in criminal conduct.
2. Work closely with law enforcement agencies to educate them as to changes in the law, provide legal guidance during the investigative process of crimes, and prepare them to be competent witnesses in the prosecution of criminal cases.
3. Establish effective communication with the victims of crime to keep them informed of the progress of their case, the nature of the legal activities that are occurring, to include victims in decisions concerning their cases, including any plea agreements and sentencing hearings, and to refer victims to other agencies for support and assistance in dealing with physical, emotional or other issues that are a result of having been a victim of a crime. Give notification of parole and probation hearings to victims and assist in the return of property and obtaining of restitution.
4. Increase participation in diversion programs for appropriate first offenders in an effort to change behavior early on and obtain restitution for their victims. Increase focus on intervention and counseling for victims and perpetrators of domestic violence in order to change their behavior.
5. Establish efficient and productive work processes that provide for timely justice in our communities, continue to research best practices for providing the public with efficient communication channels so the public can have their concerns or questions answered, and provide for ongoing professional training for all staff to increase their skills and expertise and maintain high office morale.

OBJECTIVES

- OBJECTIVE:** Provide for and retain experienced staff, both attorney and support, to handle existing caseload and increase participation in intervention programs.
- STRATEGY:** Submit budget request and justification for needed resources and create a supportive work environment.
- ACTION PLAN:**
1. Pay staff appropriately based upon experience, training, and work product.
 2. Maintain computerized legal research service and updated equipment.
 3. Bring current staff up to a high level of efficiency through training and by hiring additional support staff.
 4. Request for adequate Expert Witness Fund.
- OBJECTIVE:** Utilize all computer resources and case management programs.
- STRATEGY:** Request funding and justification for equipment with enhanced capabilities and functions.
- ACTION PLAN:**
1. Provide specialized computer training for all staff.
 2. Train additional staff in their respective fields.
 3. Upgrade network infrastructure to increase bandwidth
 4. Establish electronic communication channels with all Law Enforcement agencies
- OBJECTIVE:** Provide optimum victim assistance and domestic violence counseling through special programs.

STRATEGY:

Further expand programs with proposed budget increases to accommodate all the victim rights laws and domestic violence diversion program.

ACTION PLAN:

1. Prompt notification of all victims as required by law.
2. Assist in referring victims to appropriate agencies for support, assistance, and counseling.
3. Aid in establishing support groups.
4. Continue developing forms and procedures for victims' program.
5. Continue training for victim coordinators.
6. Continued program for perpetrator of domestic violence incorporating counseling, community service, and restitution.

AGENCY PROGRAM LISTING

PRE-PROSECUTION DIVERSION PROGRAM

The Pre-Prosecution Diversion Program is a first offender's program mandated by Chapter 31-16 A, NMSA 1978. The Mission/Purpose of the Pre-Prosecution Diversion Program is to provide/produce supervision to selected persons facing their first felony offense so that they may avoid the stigma of being a convicted felon and losing their rights as a citizen.

GOALS AND OBJECTIVES

To provide a program to remove those persons from the criminal justice system who are most amenable to rehabilitation and least likely to commit future offenses, to provide those persons with services designated to assist them in avoiding future criminal activity, and to conserve community and criminal justice resources.

PROGRAM ACTIVITIES

The Pre-Prosecution Diversion Program is comprised of several activities:

- Supervision of clients
- Payment of restitution
- Payment of supervision costs
- Community service

LIST OF PERFORMANCE MEASURES AND PERFORMANCE STANDARDS

- A. Supervision of clients - to monitor clients in the program for a period of time not less than Six (6) months or more than Twenty-four (24) months and to ensure compliance with local, state and federal laws.
- B. Payment of restitution - to keep records of payments of restitution made by clients to ensure compliance with their rehabilitation progress.

C. Payment of probation fees - optional fees pursuant to statutory change, to keep records of payments of probation fees to ensure compliance with statutory demand.

D. Community service - to monitor the completion of community service hours to ensure the client gets involved in the community in an attempt to repay the community for their mistakes.

VICTIM ASSISTANCE PROGRAM

The Victim Assistance Program is a coordination and involvement of the victim of violent crime as mandated by Chapter 31-26- 1, NMSA 1978. The Mission/Purpose of the Victim Assistance Program is to provide/produce services to victims of violent crime so that they may have their rights protected through the criminal justice system.

GOALS AND OBJECTIVES

Recognizing the state's concern for victims of violent crime, it is the purpose of this program to assure that the full impact of a crime is brought to the attention of the court; that victims of violent crimes are treated with respect, dignity and sensitivity at all stages of the criminal justice process; and, that victims' rights are protected by law enforcement agencies, prosecutors and judges as vigorously as are the rights of criminal defendants.

PROGRAM ACTIVITIES

The Victim Assistance Program is comprised of the following activities:

- Notification of court hearings
- Advisement of rights to the victims of violent crimes
- Direction to service provider
- Court Attendance

LIST OF PERFORMANCE MEASURES AND PERFORMANCE STANDARDS

A. Notification of court hearings -- if possible, notification of court hearings shall be made in writing for all stages of the criminal justice process in which the victim has a right to appear and/or be heard. Victims have the right to appear in court with a DA advocate available for question / procedures of the court system.

B. Advisement of rights to the victim of violent crimes - a packet will be sent to each victim of a violent crime outlining the court system, their rights as a victim and contact numbers in case of questions as well as a copy of the redacted charging document.

C. Direction to service providers - Coordinators will be available to refer victims to mental health providers, day care centers, physicians, etc., to aid in their best interest and well-being.

VIOLENCE PREVENTION PROGRAM

The Violence Prevention Program (VPP) is a diversion program to intervene early in the vicious cycle of violence, offenders charged with a crime enumerated in the Crimes Against Household Members Act, may be able to participate in the Violence Prevention Program. Under this Program persons accused of certain crimes are channeled into rehabilitative activities while criminal prosecution is withheld. Diversion Programs are sanctioned by Standard 11 of the National Prosecution Standards and Section 3.8 of the ABA Standards Relating to the Prosecution Functions and are authorized by Sections 31-16A-1-8 N.M.S.A.

GOALS AND OBJECTIVES

To rehabilitate and avoid the stigma of a conviction, and to free-up the criminal justice system for more serious violent offenders, provide a program to remove selected persons from the criminal justice system who have committed a crime under the Crimes Against Household Members Act. The accused would not lose his/her rights to bear arms under the 2nd Amendment.

PROGRAM ACTIVITIES

The VPP program is comprised of the following activities:

- Domestic violence offender treatment or intervention program approved by CYFD
- Opportunity for reconciliation with the victim
- Restitution for medical or property damages
- Supervising participants

LIST OF PERFORMANCE MEASURES AND PERFORMANCE STANDARDS

- A. Completion of Domestic violence offender treatment or intervention program approved by CYFD.
- B. Payment of restitution.

- C. Compliance with local, state, and federal laws.
- D. Drug screening.
- E. Supervision fees.

COMMUNITY OUTREACH PROGRAM

The Community Outreach Program is a non-mandated program in which the Fifth Judicial District Attorney provides an educational program aimed at deterring crime. The Mission/Purpose of the Community Outreach Program is to provide the citizens of Chaves, Eddy and Lea Counties with an educational program so that they may help children be aware of the dangers and effects of drugs, violence, human trafficking, active shooters, identity theft, and natural and man-made disasters.

GOALS AND OBJECTIVES

To provide a comprehensive educational program to aid in the fight against drug abuse, violence, human trafficking, active shooters, identity theft, and natural and man-made disasters. This is to be accomplished through books, posters, presentations, and training.

PROGRAM ACTIVITIES

The Community Outreach Program is comprised of the following activities:

- Delivery of materials to educators and businesses
- Presentations in the schools and community forums

LIST OF PERFORMANCE MEASURES AND PERFORMANCE STANDARD

- A. Delivery of books to educators - L.A.W. books will be delivered to each teacher and library in the public and private school system in the Fifth Judicial District.
- B. Delivery of books to businesses - L.A.W. books will be provided to sponsors of this publication to provide assistance to the employees of this business to help in the education of their children.

C. Presentations in the schools and public forums in each county will be made to students, educators and parents informing them of dangers of drugs, violence, human trafficking, active shooters, identity theft, and natural and man-made disasters.