

Candidate Responses

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didate, I firmly believe that I must be a Justice for all citizens, regardless of political or other extraneous considerations. Without justice for all, there is no true justice.

4. I believe in the concept of equal justice under the law, and that personal commitment should never be forgotten. Personal beliefs must not override the rule of law, however. Judges must respect the important roles of the executive and legislative branches in our constitutional system of government, and to the inalienable right of the people to govern themselves.

Patricio M. Serna **Justice of the Supreme Court** **– Retention**

1. J.D. degree from University of Denver School of Law. L.L.M. degree from Harvard Law School. Assistant Attorney General for four years and six years in private practice. District Court Judge from 1985 until 1996, including a four-year term as Chief Judge. Supreme Court Justice since 5 December 1996; Chief Justice in 2001 and 2002; currently Senior Justice.

2. Assist the New Mexico Supreme Court in implement: Supreme Court Long-Range Strategic Plan, Supreme Court Commission on Access to Justice Plan, the New Mexico

Tribal-State Judicial Consortium initiatives, Supreme Court Interpreter Advisory Committee initiatives. I will continue to effectively, fairly, and timely handle the ongoing workload, including petitions, motions, decisions and opinions.

3. The critical components of judicial independence are fairness, impartiality, integrity, wisdom, professionalism and courage. Judicial independence must also encompass judicial accountability. The evaluation of judges by a Judicial Performance Evaluation Commission, using clear performance criteria, is key to judicial accountability. An independence judge rules fairly and impartially, free from extraneous influences and immune to outside pressure.

4. Personal beliefs play no role in my judicial decision-making because my responsibility is to decide cases fairly and impartially, based on the law, free of political or other influences. The rule of law, as set forth by our constitution, statutes and common law, is my guiding star that I will always follow.

Judge of the Court **of Appeals**

The ten judges on the Court of Appeals are elected by all voters in the state and serve eight-year terms. As the intermediate appellate court between the district courts and the Supreme Court, the Court of Appeals current-

ly reviews appeals in all cases, except criminal cases involving sentences of death or life imprisonment, appeals from the Public Regulation Commission, and cases involving habeas corpus. The judges sit in panels of three judges to decide cases. Eligibility for office is the same as that of Supreme Court Justices.

Questions for the Judge of the Court of Appeals

(4 questions – 65 words)

1. **How have your training, professional experience, and interests prepared you to serve on this Court?**
2. **What programs and changes to improve the New Mexico Court of Appeals do you plan to implement?**
3. **What ethical practices are critical to keep the judiciary independent from political influence?**
4. **What role do personal beliefs play in your judicial decision-making?**

Jonathan B. Sutin **Judge of the Court of Appeals** **– Retention**

1. I have been on the Court almost ten years, serving as Chief Judge the last two. I

was a trial and appellate lawyer in private practice in Albuquerque for 33 years, after starting with the Justice Department, Civil Rights Division, in 1963-65. I am wed to the principle of the rule of law and to justice in our society.

2. The Court meets regularly regarding its performance and changes to improve the Court. At my urging, the Court has significantly expanded its extremely well-received program of holding oral arguments in actual cases in public schools throughout the State. This program provides students with an understanding of the judicial process and they gain appreciation of the important role of the judiciary in resolving disputes.

3. Three members of the Court must participate on each appellate opinion. We are duty bound to timely decide cases based solely on the law and the facts, to write principled, rational, and logical opinions, and not to engage in pursuing a result based on political or personal agendas. We are to be held accountable under the strict ethical and professional standards that govern judges.

4. Personal beliefs play no role in my appellate judicial decision-making, nor ought they play any role. My judicial decision-making is based solely on the law and the facts, and I do the best I can to write opinions that are principled, rational, logical, and fair.

Bonds & Amendments

General **Obligation Bonds** **2008 Capital Projects General** **Obligation Bond Issues**

General Obligation Bonds **and Taxes**

A bond represents a debt for money borrowed by a government to finance capital improvement projects. The government promises to repay the amount borrowed, plus interest, over a period of time. The bonds are called “General Obligation” because payment of the debt service (principal plus interest) is a general obligation of the governmental entity issuing the bond, in this case the state and its property owners. Therefore, the bonds are backed by the full faith and credit of the State of New Mexico.

General obligation bonds are payable from property taxes levied on all property in the state that is subject to project taxation. According to the Board of Finance Division of the Department of Finance and Administration, the specific amount of property taxes collected is attributable to a number of factors, including the amount of the bond issue, other general obligation bonds paid off or maturing, the date of issuance, the actual interest rate obtained on the bond sale, and the issuance costs.

2008 Capital Projects General **Obligation Bond Act**

The 2008 New Mexico legislature passed

the 2008 Capital Projects General Obligation Bond Act detailing projects that would be funded by these bonds. No bonds will be issued or sold under the act until the state's registered voters have voted upon and approved the bonds. Each bond is voted upon separately.

Bond Issue 1 asks for voter approval to issue general obligation bonds in an amount not to exceed \$14,725,000 for senior citizen facility improvement, construction, and equipment acquisition. Bond

Issue 2 asks for approval to issue general obligation bonds in an amount not to exceed \$11,019,000 for academic, public, and tribal library acquisitions. Bond Issue 3 asks for approval to issue general obligation bonds in an amount not to exceed \$57,925,000 to make capital expenditures for health-related facilities. Bond Issue 4 asks for approval to issue general obligations bonds in an amount not to exceed \$140,133,000 for higher education and constitutional special school facilities. The total of all four questions, including bond issuance costs, is \$223,802,000. A complete breakdown of the designated projects under each bond issue can be found on the New Mexico Legislature's website: <http://legis.state.nm.us/Sessions/08%20Regular/final/SB0333.pdf>

Bond Issue 1 – Senior Citizen **Facility Improvements**

The 2008 Capital Projects General Obligation Bond Act authorizes the issuance and sale of senior citizen facility improvement, construction, and equipment acquisition

bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed fourteen million seven hundred twenty-five thousand dollars (\$14,725,000) to make capital expenditures for certain senior citizen facility improvements, construction and equipment acquisition projects and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

Summary of Senior Center Projects to be Funded: The sale of Bond Issue 1 will fund 148 senior citizen facility projects in 29 New Mexico counties, including the Navajo Nation and pueblos, as follows: Bernalillo, eight projects totaling \$2,395,300; Catron, one project totaling \$2,165; Chaves, three projects totaling \$575,515; Cibola, five projects totaling \$581,600; Colfax, seven projects totaling \$274,240; Curry, four projects totaling \$45,716; Doña Ana, five projects totaling \$87,700; Eddy, two projects totaling \$101,377; Grant, three projects totaling \$48,447; Guadalupe, two projects totaling \$166,317; Hidalgo, two projects totaling \$728,936; Lea, two projects totaling \$222,600; Lincoln, three projects totaling \$222,500; McKinley, 19 projects totaling \$1,833,130; Mora, two projects totaling \$615,300; Otero, eight projects totaling \$936,336; Quay, three projects totaling \$43,015; Rio Arriba, nine projects totaling \$614,180; Roosevelt, two projects totaling \$28,233; San Juan, ten projects totaling \$376,355; San Miguel, two projects totaling \$81,100; Sandoval, fifteen projects totaling \$1,375,600; Santa Fe, seven projects totaling \$253,480; Sierra, two proj-

ects totaling \$60,950; Socorro, two projects totaling \$72,000; Taos, seven projects totaling \$977,958; Torrance, four projects totaling \$81,500; Union, three projects totaling \$29,250; and Valencia, two projects totaling \$479,200. Also, there are three projects totaling \$390,000 that serve multiple counties through the Navajo Nation, and one state-wide project providing \$1,000,000 to area agencies on aging throughout New Mexico for purchase and installation of equipment.

These 148 projects include the planning, designing, construction, equipping, and furnishing of 17 new senior center facilities in the following areas: Barelás and Highland Senior Centers, Bernalillo County; Hagerman Senior Center, Chaves County; Pueblo of Laguna Senior Center, Cibola County; Lordsburg Senior Center, Hidalgo County; Hobbs Senior Center, Lea County; Hondo Valley Senior Center, Lincoln County; Chichitah Chapter and Standing Rock Chapter Senior Centers on the Navajo Nation, McKinley County; Mora-Wagon Mound Senior Center, Mora County; Tularosa Senior Center, Otero County; Newcomb Chapter Senior Center on the Navajo Nation, San Juan County; Torreon Chapter of the Navajo Nation, Pueblo of Cochiti, and Rio Rancho Senior Centers, Sandoval County; Pueblo of Taos Senior Center, Taos County; and Del Rio Senior Center, Valencia County. In addition to the Legislature's website address listed previously, the New Mexico Aging and Long-Term Services Department's website has a summary of senior citizen projects covered by this bond issue: www.nmaging.state.nm.us/2008_Legislature/2008_GO_Bond_projects_by_county.pdf

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