

New Mexico

[2007 Report](#) by Barbara Lah, University of New Mexico School of Law Library; 2009-10 Update by Jennifer L. Laws, U.S. Courts Library

OFFICIAL STATUS



No change since
the 2007 report

AUTHENTICATION



No change since
the 2007 report

New Mexico's online legal resources investigated here are considered official. Two of those sources directly state on their web sites that they are official: The New Mexico Administrative Code and the New Mexico Register.

Under statute, an electronic version of the 1978 compilation of New Mexico statutes certified by the New Mexico Compilation Commission is considered official. Act of July 1, 2006, ch. 70, § 4, 2006 N.M. Adv. Legis. Serv. 480, 483 (codified at N.M. Stat. § 12-1-7). The online New Mexico Administrative Code, which has never had a print official version, is considered official by the Administrative Law Division of the New Mexico Commission of Public Records. The online version of the New Mexico Register is also considered official. Electronic copies of New Mexico Supreme Court and New Mexico Court of Appeals opinions released for publication in the official New Mexico Reports and published online by the New Mexico Compilation Commission and the New Mexico Supreme Court are considered official.

New Mexico is not addressing the authentication of online legal resources.

The state enacted the "Electronic Authentication of Documents Act," which pertains to the authentication of electronic documents in general. Ch. 11, 1996 N.M. Laws 115, as amended (codified at N.M. Stat. §§ 14-15-1 to -15-6). However, there is no indication that New Mexico is addressing the authentication of online legal resources specifically.

Has the state eliminated the print publication of any of these titles in favor of online only since the 2007 report? No.

Has the state enacted legislation guaranteeing the public's permanent access to state online government information since the 2007 report? No.

Have courts in your state adopted a medium neutral citation system since the 2007 report? On August 20, 2008 the New Mexico Supreme Court amended Rule 23-112 NMRA of the Supreme Court General Rules governing citations for pleadings and other papers filed in the courts of New Mexico. For citation to opinions of the New Mexico Supreme Court and New Mexico Court of Appeals, use of the vendor neutral citation with citation to both reporters is required. For citations for opinions issued prior to January 1, 1996, that do not have a vendor neutral citation, citation rules in the current edition of The Bluebook: A Uniform System of Citation should be followed.

Have there been any significant changes to the 2007 state summary? Minor changes have been integrated into the report below.

The New Mexico Compilation Commission hold the power to provide for both the official compilations of the New Mexico statutes and the New Mexico Supreme Court and New Mexico Court of Appeals opinions. N.M. Stat. § 12-1-3.1. The New Mexico Statute provides that "[u]pon the certification of the compilation of 1978 or any supplement by the New Mexico compilation commission, with the advice and approval of the advisory committee of the supreme court, the compilation or supplement shall be in force, and printed and electronic copies thereof shall be received, recognized, referred to and used in all the courts and in all departments and offices of the state as the official compilation of the statutory law of New Mexico and may be cited as the 'NMSA 1978.'" Act effective July 1, 2006, ch. 70, sec. 4, 2006 N.M. Laws 480 (codified at N.M. Stat. § 12-1-7).

It is important to note that if differences exist between the codified version of the law and the session law, the working in the session law is deemed correct: "If the text of an enrolled and engrossed bill differs from a later publication of the text, the enrolled and engrossed bill prevails." N.M. Stat. § 12-2A-11. The electronic version of the statutes is considered official by the New Mexico Compilation Commission despite the disclaimer that appears on the website (<http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&fn=main-h.htm&2.0>)

"Disclaimer. The information obtained on this site is not intended to replace the official version found in New Mexico Statutes Annotated 1978 and is subject to revision. The New Mexico Compilation Commission presents this information without warranties, express or implied, regarding the information's accuracy, timeliness, or completeness. Use of the information is the sole responsibility of the user."

Court opinions from the New Mexico Supreme Court and the New Mexico Court of Appeals are also authorized to be published, online and in print, by the New Mexico Compilation Commission. The official print New Mexico Reports is produced by Thomson West. The official electronic version (at <http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&fn=main-h.htm&2.0>) contains a searchable database of opinions (1999-current) released for publication in the

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New Mexico Reports. A second online source for official New Mexico court opinions can be found on the New Mexico Supreme Court Law Library's website (at <http://www.supremecourtlibrary.com/>). This site contains a browse-able table of cases for 1998-current. The Supreme Court Clerk considers the final opinions published on that page to be official because of the court's relationship with the Compilation Commission.