

Administrative Office of the Courts

Supreme Court of New Mexico

Arthur W. Pepin, Director



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INTERPRETATIVE MEMORANDUM 2013 -001

DATE: January 4, 2013

FROM: Arthur W. Pepin, AOC Director

RE: **Removal of Disciplinary Actions - NMJBPR 9.07**

A handwritten signature in black ink, appearing to read "Arthur W. Pepin", written over the "FROM:" line.

This memorandum shall serve to interpret the application of the New Mexico Judicial Branch Personnel Rule 9.07, which states:

All disciplinary actions shall remain in an employee's personnel file.

(Amended 08/01/10)

Nongrieveable disciplinary actions, specifically Oral or Written Reprimands imposed prior to the August 1, 2010, Rule revision may be removed upon receipt of a written request from the employee provided the employee meet the following conditions:

- Three years of Meets Requirements or better performance evaluations, and
- No documented discipline since the date of the discipline the employee requests is removed.

Grieveable disciplinary actions, specifically Suspensions or Demotions imposed prior to the August 1, 2010, Rule revision may be removed upon receipt of a written request from the employee provided the employee meet the following conditions:

- Five years of Meets Requirements or better performance evaluations, and
- No documented discipline since the date of the discipline the employee requests is removed.
- The Administrative Authority determines there is no reason to retain the documentation.

The Judicial Branch definition of an employee recognizes individuals who hold a permanent or term position within the Judicial Branch.

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