

Standard Operating Procedure (SOPS) Name or Title: Disposal of non-capital assets valued \$5,000 or less		
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SOP Originator: Fiscal Services Supervisor	Approval Authority: Chief Financial Officer	Effective Date: 1/1/2021
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Signature:	Signature:	Other:

PURPOSE:

Provides the procedure for the disposal of non-capital assets, valued \$5,000 or less, of the Law Offices of the Public Defender.

SCOPE:

This procedure does not apply to any information technology (IT) items (including keyboards, mice, monitors, webcams, laptops, etc.). Contact the IT department to dispose of these items.

All items must remain secured and stored on LOPD premises until one of the following actions of disposition is finalized. An employee may not take any items for personal use, even if they are determined to be trash.

RESPONSIBILITY and ACCOUNTABILITY:

This procedure applies to all employees, divisions, and offices of the Law Office of the Public Defender.

MATERIALS/DOCUMENTS:

Asset Disposition Form

State Auditor Notification Memo Template

PROCEDURE:

Step:	Action:
1	Offer safe and usable items that are no longer needed, to all other divisions and offices within LOPD by email. Allow at least seven (7) business days for other offices to reply.
2	Your office (the disposing office) is responsible for transferring the items to the other office(s) after the offering period.
<i>If some or all of the items were not claimed by other offices, or if the items are unusable/obsolete, use the below steps to dispose of assets.</i>	
3	List the items for disposal on the disposition form and have the form notarized. The form must be signed by three staff members, one of which must be an upper level manager.
4	Submit the form to the Fiscal Services Supervisor for review and approval.
5	Notify the Surplus Property Bureau of the General Services Department (GSD) of the items that will be disposed of by emailing: dino.apodaca@gsd.nm.gov and

	<p>Paul.gallegos1@gsd.nm.gov. Pictures of the items being disposed will need to be included along with a screenshot of the disposition form listing all the items. Example below:</p> <p>Hello,</p> <p>We'd like to dispose of the items in the attached photos, does GSD want these items? If not, could I get a memo issued refusing the items. Items are also listed below.</p> <p>GSD has the right of first refusal when disposing of obsolete, worn-out or unusable items. If GSD refuses the items offered, a refusal memo will be sent. Forward the memo to Fiscal. Fiscal will review form and a memo will be issued signed by the Fiscal Services Supervisor which will then need to be submitted to OSA.</p>
6	<p>Notify the Office of the State Auditor thirty (30) days prior to disposition by emailing the memo, GSD refusal form and the notarized disposal form to: propertydisposition@osa.nm.gov, anne.kelbley@osa.state.nm.us, thinlay.dolkar@osa.state.nm.us, lucia.santini@osa.state.nm.us. Please note the waiting period is 30 days after notifying the OSA before items can be disposed/donated whichever one is applicable.</p> <p>Hello,</p> <p>See attached memo, asset disposition form, and refusal letter from GSD. Pursuant to Section 13-6-1(B)(2) NMSA 1978, this letter is to convey to the Office of the State Auditor the official findings of LOPD staff for the proposed disposition of assets valued under \$5,000. Would you please send me a property disposition receipt as soon as possible?</p> <p>Once the receipt letter is received, forward to Fiscal. This is a good time to obtain three quotes from disposal vendors.</p>
7	<p>If GSD does not accept the items, you may dispose of the items by donation to statewide agencies, local public bodies, school districts, or state educational institutions, municipalities, or 501(c)3 organizations <i>[be sure to obtain proof of 501(c)3 status if donating to such an organization (request a certificate of non-profit status from the entity.)]</i> OR by contacting the below electronics recycling agencies for quotes:</p> <p>Send the quotes to fiscal – Fiscal will create a PO for services.</p>
8	<p>All documentation related to this process is public record and must be retained by the disposing office for four (4) years. This includes the final copies of the disposal list, memo, letter to the Office of the State Auditor, and communication with GSD.</p>
9	<p>Email a packet consisting of the copy of the final disposition form, letter submitted to the Office of the State Auditor and refusal letter from GSD to the Fiscal Services Supervisor and Accountant/Auditor at the LOPD Fiscal Division for audit records.</p>