



CHAPTER 12: PUBLIC DEFENDER COMMISSION

PART 9: PERFORMANCE APPRAISALS

10.12.9.1 ISSUING AGENCY:

Public Defender Commission

[[10.12.9.1](#) NMAC - N, 7/1/2015]

10.12.9.2 SCOPE:

Applies to all employees.

[[10.12.9.2](#) NMAC - N, 7/1/2015]

10.12.9.3 STATUTORY AUTHORITY:

Section [31-15-2.4](#)(B)(6) NMSA 1978 and, Section [31-15-7](#) NMSA 1978.

[[10.12.9.3](#) NMAC - N, 7/1/2015]

10.12.9.4 DURATION:

Permanent.

[[10.12.9.4](#) NMAC - N, 7/1/2015]

10.12.9.5 EFFECTIVE DATE:

7/1/2015 unless a later date is cited at the end of a section.

[[10.12.9.5](#) NMAC - N, 7/1/2015]

10.12.9.6 OBJECTIVE:

The objective of Part 9 of Chapter 12 is: to provide for the regular appraisal and documentation of employee performance and review of department management compliance in conducting performance appraisals.

[[10.12.9.6](#) NMAC - N, 7/1/2015]



10.12.9.7 DEFINITIONS:

[RESERVED]

[[10.12.9.7](#) NMAC - N, 7/1/2015]

10.12.9.8 FORM:

- A.** The performance and development of managers and employees shall be documented on a chief approved appraisal form that includes:
 - 1)** basic employee information (employee's name, working title, employee identification number, position number, anniversary date, and the name of their immediate supervisor);
 - 2)** job assignments and goals;
 - 3)** performance rating areas; and
 - 4)** signature spaces for the employee, rater and reviewer to record initial, interim and final performance appraisal discussions.
- B.** A performance appraisal form shall be initiated within 30 calendar days of appointment, reassignment, promotion, demotion, reduction, transfer and/or the employee's appraisal date, and shall become a part of each employee's employment history.

[[10.12.9.8](#) NMAC - N, 7/1/2015]

10.12.9.9 PERFORMANCE APPRAISAL:

- A.** Managers and supervisors must successfully complete a human resource director-approved course of study on employee performance appraisal within 90 days of appointment as a supervisor.
- B.** The performance and development of a career employee shall include at least one interim evaluation and a final evaluation appraised by the immediate supervisor prior to the employee's anniversary date.
- C.** The performance and development of a probationary employee shall be reviewed through at least two interim reviews and a final review prior to the completion of the employee's probationary period. The performance and development of promoted employees shall be reviewed through at least two interim reviews and a final review prior to the completion of a one-year period upon promotion.



- D. The appraisal of employee performance and development shall be performed by the immediate supervisor with employee input and participation. Additional input and participation from employee's peers, customers, subordinates, or other appropriate personnel may be applied when appropriate.
- E. Appraisals may be performed whenever an immediate supervisor wishes to make an employee's performance a matter of record, upon change of immediate supervisor, or whenever appropriate.
- F. Managers and immediate supervisors who fail to comply with the provisions this rule may be subject to disciplinary action including dismissal.

[[10.12.9.9](#) NMAC - N, 7/1/2015]

10.12.9.10 REBUTTAL:

Employees may submit a rebuttal to performance appraisals, which shall become a part of the performance appraisal.

[[10.12.9.10](#) NMAC - N, 7/1/2015]

10.12.9.11 REPORT TO THE CHIEF:

During the fourth quarter of each calendar year the human resource director shall report to the chief on the record of each district defender, managing attorney, or other supervisor in conducting performance appraisals of their employees. All managers shall cooperate with the human resource director and provide the human resource director with such information concerning its performance appraisals as the human resource director may require.

[[10.12.9.11](#) NMAC - N, 7/1/2015]