

Judicial Information Systems Council Meeting (JIFFY)
Meeting Minutes
Judicial Information Division
Thursday, June 19, 2014
9:37 - 11:40 a.m.

JIFFY Voting Members Present:

Judge Michael Bustamante, Chair
Judge Karen Mitchell, Vice Chair
Tobie Fouratt
Robert Mead
Judge Stan Whitaker
Judge Richard Knowles
Judge Camille Martinez–Olguin (video)
Judge Alan Kirk
Judge Duane Castleberry

Non-Voting Members Present:

Steve Prisoc
Justice Petra Jimenez-Maes
Artie Pepin

Guests Present:

Oscar Arevalo
Orlando Ulibarri (video)
Lydia Romero
Rosa Lopez-Gaston (video)
Judge Henry Alaniz (video)
Judge Gerald Baca (video)
Peggy Caldwell (phone)

JID Staff Present:

Grace Catanach
Tom Feilmeier
Annie Hall
Trixi Bubemyre
Pat Mente
Jane Davenport
Helen Miller
Carlos Cordova

I. Approval of Agenda. Judge Bustamante called the meeting to order at 9:37 am. The order of the agenda was changed to accommodate presenters who had to leave early.

II. Review and Approval.

Online Access Committee. Judge Bustamante referred to the handout entitled *JIFFY Online Access Committee* and reported that a working timeline had been established which included the following: the first draft of plan and recommendations (June 19), a public comment session scheduled for July 10 at

JID, the semi-final draft to JIFFY July 19, a final draft to JIFFY August 21 and recommendations to the Supreme Court after the August 21 JIFFY meeting. The aim is to implement the project the first quarter of 2015.

- A draft of the chart listing the user groups, their level of access to various documents and which groups would be charged for documents was handed out.
- Judge Bustamante explained that Tyler does not have its own redaction program. Instead, they contract with a company called CSI who charges \$750,000 a year for redaction services, the cost of which may be divided among a number of states utilizing this service.
- Steve Prisoc suggested that Tyler IT has not determined what dollar amounts will be charged for various documents; however, the members of the Online Access Committee agreed that they would attempt to charge just enough to cover the costs of implementing and running the system.
- File & Serve attorneys will only get to download documents free of charge on cases where they are the attorney of record.
- The portal is currently not designed to do bulk data and when it may be available for that process is unknown.
- The committee will compile a list of excluded cases that will not be available on the Odyssey Public Access website to anyone other than justice partners and the courts.

Re-formation of the Forms Committee. Judge Mitchell reported that the Forms Committee was focused on configuring the Metropolitan Court forms for the rollout, and that part of the project is mostly completed. The magistrate courts and Metropolitan Court have other forms that were on hold during that time and now need to be reviewed. Judge Mitchell requested that the Forms Committee be re-formed, the membership be extended and JIFFY to decide what should be included in the scope of the committee. Any changes to forms (statute and rule changes) should be processed through the committee and brought to JIFFY as JID is responsible for maintaining and managing those forms. This issue was brought to JIFFY as it directly affects workload and resources of JID staff.

- The idea is to eliminate having to maintain two separate forms for the magistrate courts and Metropolitan Court wherever feasible. The Forms Committee present the Supreme Court their list of modifications and then whatever forms were entered into Odyssey would become the standard approved forms. Forms that had a rule issue would be sent directly to the Rules Committee.
- Justice Maes explained that any substantial change to a form must go through one of the Rules committees and to the Supreme Court for review. The stylistic and technical changes do not need to go through the Supreme Court; however the decision needs to be made as to who will approve those changes.
- Names of possible members have been suggested that include a number of Metropolitan Court staff, magistrate court personnel and members of the Rules Committees. Judge Bustamante suggested that the re-formed Forms Committee and the Rules Committees decide how to proceed.
- The Rules Committees will decide which forms need to go to the Supreme Court.
- The members of JIFFY were in agreement that the Forms Committee should be reinstated and work closely with the both magistrate and Metropolitan Court Rules Committees on the changes needed on limited jurisdiction Forms that will be integrated into Odyssey.

Staff Interpreters: Adding and Removing Flags. Rosa Lopez-Gaston requested that the approximately ten staff interpreters and interpreter coordinators in New Mexico be given rights to remove interpreter flags once they are entered. Rights to enter interpreter flags are given to various court personnel and court interpreters. Since the inception of Odyssey, the court interpreters have not had the right to remove interpreter flags which previously they were granted under the FACTS system.

- Flags need to be removed for a variety of reasons such as being entered in error or the person does not need an interpreter or the language is wrong. The flag would only be removed after the interpreter has spoken to the party involved and the party has declined the services of an interpreter.

- A discussion ensued concerning how to deal with a defendant that has cases pending in multiple jurisdictions and how to determine whether the flag should be removed by the interpreters.
- Artie Pepin explained that the idea is to give all of the professionals who are coordinating the assignments statewide for the interpreters the ability to keep the courts from wasting time and energy with interpreters who are not needed in court. Mr. Pepin noted that the interpreters who were asking for the right to remove flags are now state employees who in the past worked on a contractual basis.
- Jane Davenport reported on behalf of Renee Cascio, who is of the opinion that the language interpreters are capable of removing flags. JID asks that the interpreters review the defendant's file to see if there are any active pending cases anywhere and contact the other court(s) to inform them that they are removing the flag. Training by JID for the interpreters is necessary to insure that proper procedures are being followed so that all of the courts involved with the defendant are made aware that the flag is being removed.

Judge Knowles moved that JIFFY authorize the staff interpreters and the statewide interpreter coordinators to have the authority to remove flags regarding need for interpreters after there has been a judicial documentation on the record and that notice is provided to all other courts (court administrators and judges) that have an active case with that party. Judge Whitaker seconded. A vote was taken and six voted yes, two voted no and one abstained. Motion carried.

III. Budget and Revenue.

JID Revenue Pipeline. Oscar Arevalo presented the "*JID Revenue Pipeline*" and is projecting that collections will exceed last years by approximately \$50,000, which appears to be from penalty assessments.

- The year will end with a fund balance over \$400,000 (page 3) due in part to the \$52,000 in E-filing fees added to the budget and the appropriations by the Legislature for Metropolitan Court and the Appellate Courts.

- Mr. Arevalo stated that on page 6, the estimated expenditures are \$927,800 leaving a deficit of \$170,625.55 which will come out of the Red Light Camera fund. As a result of only being able to rely on the Red Light Camera monies coming in from Rio Rancho, there is estimated to be a substantial drop in Red Light collections in the coming year.
- The Governor vetoed the extension of the Magistrate Operations Fee and that fund will dissolve as of July 1, 2014. Receivables will be set up for June and the hope is that when MVD transfers their June collections in July, that they will send the Magistrate Operations Fee to AOC rather than sending it to the general fund.
- The realignment of budget on page 12, shows how \$70,000 from Red Light Camera was moved to SCAF Admin due to the increase in Telecom costs.

IV. JIFFY Subcommittee Activities.

Judges User Group. Judge Mitchell stated that Odyssey Judges User Group did not meet this month.

Odyssey Steering Committee. Judge Mitchell informed JIFFY that the Odyssey Steering Committee (OSC) did not meet this month and the July 16, OSC meeting is canceled. Future meetings will be held at the call of the chair.

V. CIO Report. Steve Prisoc presented the handout entitled *Project Closeout Report, New Mexico Statewide Odyssey Project*. This report was generated when the last of the trial courts were successfully converted to the Odyssey system. Mr. Prisoc explained that many Odyssey projects are still pending such as: E-Filed Proposed Orders, E-Payments, Appellate Odyssey, Online Public Access, improved data reporting, performance measures, magistrate E-Documents and E-Charging (criminal E-Filing).

Computer Enhancement Fund. For the coming Fiscal Year, Mr. Prisoc is requesting \$295,000 for enhanced security in order to have quarterly security scans and scans of additional courts throughout the state. Presently, a scan of Metropolitan Court is being conducted as they are now part of the statewide

Odyssey system. The request for Jury of \$780,000 is for an entirely new system, as the present system is outdated, inadequate and has not been upgraded for the past ten years. A rewrite of the obsolete RCS system utilized by AOC Fiscal is needed and the amount requested for that project is \$220,000 for contractual services to supplement the JID staff.

2013 DWI Report. Steve Prisoc presented the handout entitled *DWI Cases Disposed for Calendar Years 1997 Through 2013*. This is the first DWI statistical report in which there is actual Metropolitan Court data in Odyssey. This report is consistent with previous reports, in that there are fewer DWI prosecutions and this trend has been going on since the start of the recession which may be due to the lower number of law enforcement officers.

IV. Future Meetings. The next meeting will be held on Thursday, July 17, 2014, 9:30 a.m., at the Judicial Information Division in Santa Fe.

IIV. Adjourn. Judge Bustamante adjourned the meeting at 11:40 a.m.