

**Meeting Minutes of the 18th
Judicial Information Systems Council (“JIFFY”)
Public Access Subcommittee (“PAS”)
Judicial Information Division (“JID”)
Tuesday, April 13, 2010
1:09-2:31 p.m.**

Voting Members present:

Judge Karen Mitchell, Chair
Robert Mead
Dennis Jontz (*via phone*)
Dana Cox (*via video*)
Steve Prisoc
Kathy Gallegos (*via phone*)

JIFFY Members present:

Judge Michael Bustamante (*via phone*)

Voting Members absent:

Judge Stephen Bell
Judge Steve Lee
Judge Mark Basham
Arthur Pepin
Paula Chacon

Minutes taken by: LaurieAnn Trujillo

Judge Karen Mitchell called the meeting to order at 1:09 p.m. She apologized for the late notice of today’s meeting. Judge Mitchell advised that today’s meeting served as an opportunity for the PAS members to review the changes that Robert Mead made to the Executive Summary and to discuss PAS’ strategy for addressing the action items that JIFFY delegated to the PAS.

Judge Mitchell referred to the document entitled *Executive Summary*, which was distributed to the PAS members, and she spoke of the following:

- She explained that JIFFY requested that the Executive Summary include more background information, the premises that the PAS operated under, and how other states are handling public access.
- JIFFY also asked that the PAS make it clear in the Executive Summary that it is recommending that the Judiciary continue public access through the *Case Lookup* application.
- She scheduled a PAS meeting for Tuesday, May 18th at 1:00 p.m. at JID to work on the action items and to discuss the last two remaining items that JIFFY needs to vote on.
- In addition to the Executive Summary, the PAS may want to consider adding language in the PAS document about the PAS’ previous/underlying premises.

There was discussion on the following points:

- Judge Michael Bustamante reminded Judge Mitchell that the PAS was asked by JIFFY to include the voting matrix as part of the PAS document.
- Judge Richard Knowles' inquiry of the basic assumptions.
- Voting matrix. Judge Bustamante clarified JIFFY's request to incorporate the voting matrix into the PAS document by noting that they are interested in the numbers, not in how each PAS member voted.
- PAS possibly re-voting on the PAS recommendations to take into account the public input that was received as well as the change in view that some of the PAS members may have.
- Concerns about not meeting JIFFY's and the Supreme Court's time frame for submitting the PAS document.
- Inquiry about whether the PAS document will become a JIFFY document once they have adopted it and forwarded it to the Supreme Court. Judge Bustamante clarified that once the PAS submitted its document to JIFFY, JIFFY would then vote to adopt the document as its own.
- Inquiry about whether or not the Executive Summary should be from the PAS or from JIFFY. Judge Bustamante clarified that the Executive Summary should be prepared by the PAS.
- Inquiry about the action items—whether they should be addressed by the PAS or by JIFFY. Judge Bustamante clarified that the action items are for the PAS to address.
- The JIFFY Public Forum.
- In February 2009, PAS members were assigned the task of inviting interested public parties to the PAS meetings.
- In April 2009, the public began attending the PAS meetings. (PAS did not meet in March 2009.)
- PAS votes took place before and after public participation.
- New York and Minnesota's recommendations were submitted directly to their supreme courts for consideration.
- PAS will meet on May 18th to work on the Executive Summary and to decide if a re-vote of the PAS recommendations will occur.
- Judge Knowles' action item for the current version of *Case Lookup* to have a disclaimer that the application is not a complete repository of criminal histories.

Action Item: Per Judge Mitchell, LaurieAnn Trujillo to email PAS members the 2008 and 2009 Action Items and Voting Matrices.

Action Item: Per Judge Bustamante, the PAS to continue to work on their final approach to the PAS document and then to provide it to JIFFY for JIFFY to consider at their May meeting.

Action Item: Steve Prisoc to email his draft of the Executive Summary to Dana Cox to review.

Action Item: Mr. Mead, Mr. Prisoc and Ms. Cox to arrange a meeting in Albuquerque to finalize the Executive Summary prior to the May PAS meeting.

Action Item: Judge Mitchell offered to construct a matrix to be inserted into the PAS document that includes the voting numbers and not the PAS member names.

Action Item: Per Judge Mitchell, the PAS May agenda to include the following items: (1) PAS to review the Executive Summary and make any necessary changes to it and then vote on it; (2) PAS to address whether or not to re-vote on the PAS recommendations; (3) JIFFY requested that the PAS make it clear in the Recommendation B language that the cases would be removed from the “public” court Internet record, so it is not assumed that this recommendation affects the inside Judiciary Case Lookup; (4) JIFFY’s request that the document entitled “Online Court Case Lookup Systems by State,” constructed by Mr. Prisoc, be incorporated into the PAS document; (5) Per Judge Bustamante, advise the PAS that once the PAS document and Executive Summary are presented to JIFFY, those documents then become JIFFY’s.

Action Item: Per Ms. Cox, the PAS to consider inserting language pertinent to the Supreme Court’s recent sealing rule into the PAS Executive Summary.

Action Item: Ms. Cox requested that it be mentioned to the PAS at the May PAS meeting that if something is added/changed to the PAS document or to the Executive Summary that the PAS members be advised; for example, the change that was made to the PAS document relative to conditional discharges.

Action Item: Per Judge Mitchell, Ms. Trujillo to email the PAS members noticing them about the PAS meeting on May 18th.

Action Item: Judge Mitchell offered to contact the PAS members to encourage their participation at the May PAS meeting.

Judge Mitchell adjourned today’s meeting at 2:31 p.m.

Final Minutes Approved by Judge Mitchell on May 6, 2010.