

**Meeting Minutes of the 191<sup>st</sup>  
Judicial Information Systems Council (JIFFY)  
Judicial Information Division (JID)  
Thursday, April 21, 2011  
9:37-11:42 a.m.**

**Voting Members present:**

Judge Michael Bustamante, Chair  
Judge Karen Mitchell, Vice Chair  
Judge Richard Knowles  
Judge Camille Martinez-Olguin  
Judge Clay Campbell (*via video*)  
Judge Duane Castleberry  
Judge Alan Kirk  
Juanita Duran (*via video*)  
Jan Perry  
Brian Gilmore  
Tobie Fouratt

**Voting Members absent:**

Dennis Jontz  
Robert Mead

**JID Staff present:**

Grace Catanach  
Andre O'Brien  
Tom Edwards  
Marlin Mackey  
Renee Cascio  
Trixi Bubemyre

*Minutes taken by: LaurieAnn Trujillo*

Judge Michael Bustamante called the meeting to order at 9:37 a.m. and established a quorum.

**I. Approval of Agenda.** The agenda was accepted as presented.

**II. Budget and Revenue**

**Fiscal Year 2011 Projection Report.**

**JID Revenue Pipeline Report.**

Oscar Arevalo reported the following:

- February revenue came in at \$336,245.60.

**Non-Voting Members present:**

Justice Petra Jimenez Maes  
Arthur Pepin  
Steve Prisoc

**Guests present:**

Mike Mellos (*Burger, Carroll & Assoc.*)  
Oscar Arevalo (*AOC*)  
Karen Janes (*AOC*)  
Orlando Ulibarri (*9<sup>th</sup> DC*)  
Theresa Delgado (*4<sup>th</sup> DC*)  
Frank Dimaggio (*2<sup>nd</sup> DC*)(*via video*)  
Jeanette Rael (*8<sup>th</sup> DC*)(*via phone*)  
Greg Ireland (*13<sup>th</sup> DC*)(*via video*)  
Jason Jones (*7<sup>th</sup> DC*)(*via phone*)  
Deborah Gutierrez-Torres (*2<sup>nd</sup> DC*)(*via video*)

- His staff reviewed the March transfer and is in the process of reconciling. They believe revenue for the SCAF Fund will be \$360,000.00. This indicates an increase from their projection of \$300,000.00, but they are not sure at this point if this is a one-time increase.
- They received reports from JID and the Bernalillo County Metropolitan Court (BCMC) on the civil activity, and it is likely that revenue will increase to \$72,000-73,000 the next time JIFFY reviews the deposits.
- The Judiciary received red light camera money from the City of Santa Fe.
- The Department of Public Safety is placing monthly quotas on officers for citations.
- There were increases in other funds, specifically, the magistrate courts' facility fund.
- It is possible that the SCAF Fund balance for next year could be more than the \$65,000.00 balance that he projected.
- The Budget Adjustment Request (BAR) for the hot site expenses.
- He referred to the document entitled *Case Management SCAF Receipts Breakdown by Court Type-Fund 078, Fiscal Year 2011*, which was included in the *JID Pipeline Report* that was attached to the JIFFY agenda. The report now included information concerning Santa Fe Municipal.
- He then referred to the document entitled *E-File Revenue Sharing Breakdown by Court-Fund 10790, Fiscal Year 2011*, which was included in the *JID Pipeline Report* that was attached to the JIFFY agenda. The Judiciary received a transfer of \$10,915.30 from Tyler Technologies (Tyler) for the first and second quarters of Fiscal Year 2011 for the electronic filing activity in the Thirteenth Judicial District Court (Thirteenth).
- He explained the handout entitled *Statewide Judiciary Automation FY12 OPBUD Appropriation Category Breakout*. JID's General Fund suffered a loss of \$198,600.00 from Fiscal Year 2011 to Fiscal Year 2012.
- Peoplesoft update.
- He provided JIFFY with a summary of yesterday's Budget Committee meeting.
- He is working to stop audit costs to JID and will move some expenditures back to the AOC.

There was discussion on the approved video technician position.

### III. JIFFY Sub-Committee Activities

**Judges User Group.** Judge Karen Mitchell reported the following:

- The Judges User Group (JUG) did not meet.
- She proposed that JIFFY suspend the JUG meetings, indefinitely, due to limited JID Staff to cover the JUG meetings.
- JUG has been tasked with online disposition definitions, drug court issues; and issues from the Odyssey user groups.

- She proposed that the issues that would normally go to JUG be vetted at the Odyssey Steering Committee (OSC) meetings, and then onto JIFFY.

***Action Item: Per Justice Petra Jimenez Maes, after the Odyssey rollout is complete, JIFFY to evaluate what JIFFY subcommittees are needed at that point.***

**Judge Mitchell moved that JIFFY suspend JUG meetings until after the Odyssey rollout. Jan Perry seconded.** There was discussion about providing notice to JUG members and the overlap of the JUG membership and the OSC membership. **No further discussion. No opposition noted. Motion carried.**

***Action Item: Per Judge Mitchell, Marlin Mackey to change future OSC agendas to include procedural issues that JUG would have discussed.***

***Action Item: Judge Richard Knowles asked Judge Mitchell to provide notice to JUG members about this change and to afford them the opportunity to provide input to OSC.***

**Odyssey Steering Committee.** Judge Mitchell reported the following:

- OSC met yesterday.
- It was Mr. Mackey's first time to present to OSC.
- Cake and punch was served to celebrate Tom Edwards' upcoming retirement. Mr. Edwards has done an awesome job managing the Odyssey project. He definitely leaves JID a better place than he found it. There was a round of applause for Mr. Edwards.
- A risk was added to the risk register relative to the impact on the project team resources if electronic filing is rolled out to existing Odyssey courts. OSC will also add a risk for magistrate courts and their ability to accommodate in-court processes.
- Electronic citations: TRACS is slowly moving forward. There is concern that electronic citations may not be ready to implement when the project team implements Odyssey in Las Cruces.
- Electronic filing: The First Judicial District Court (First) and the Second Judicial District Court (Second) have active projects to implement civil electronic filing. There is an opportunity to implement criminal electronic filings, and several district courts have voiced interest in piloting criminal electronic filing.
- Hot site: The SAN server was moved to the BCMC and is fully operational.
- OSC was notified of purchase requests that JIFFY will consider today.
- Project manager update: The First and Tenth Judicial District Court (Tenth) are now live with Odyssey. This was the most difficult implementation thus far, due to hardware failures at the First.
- Tyler hours and travel are on target.
- Project schedule: BCMC's implementation is scheduled on May 2<sup>nd</sup>. They conducted a mock go live that was successful.
- Financial report that projected a shortfall of \$80,000.00 at the end of 2012, so she was

- happy to hear Mr. Arevalo's report today.
- Change requests update.
- Tyler status report.
- June 2<sup>nd</sup> go live date for the Second.
- Judge Mitchell asked Mike Mellos of Burger, Carroll & Associates (BCA) to provide JIFFY with his IV&V report. Mr. Mellos spoke of the following points:
  - The BCA is very satisfied with the way the project is being managed.
  - At this time, they are focused on the BCMC and the Second implementations.
  - This is the last monthly report for the Second. The BCA will submit quarterly reports beginning in June.
  - Improvement in the volume of project documentation.
  - Extensive communications are taking place.
  - The BCMC and the Second are preparing really well for their conversions.
- OSC will meet again on May 18<sup>th</sup> and then resume their every other month meeting schedule.
- OSC discussed the contract negotiations that had taken place with Tyler to lower maintenance fees on the Odyssey core product. OSC's concern was that a thorough legal review be conducted on the contract to ensure compliance with the statutes.
- She spoke of the things that Mr. Edwards bequeathed to staff and others.

To avoid similar problems that the project team faced with the First's implementation, they decided not to reuse servers for remote document storage.

***Action Item: Juanita Duran asked Brian Gilmore to bring to Albuquerque the Odyssey countdown sign that Mr. Edwards bequeathed to the Second.***

**E-Documents Committee.** Greg Ireland reported the following:

- The E-Documents Committee has met three times thus far.
- They will provide JIFFY with a full report and recommendations prior to the June JIFFY meeting.
- He explained the concepts they are considering.
- Their recommendations will pertain solely to paper documents.

***Action Item: Per Judge Bustamante, the E-Documents Committee to provide JIFFY with their report and recommendations by the end of May.***

Mr. Ireland then spoke of the Thirteenth's electronic filing update and their development of a local electronic filing rule. Similar local rules will be adopted for the First and the Second. The "Record Proper" module will be tested soon.

***Action Item: Per Judge Bustamante, Mr. Ireland to schedule a meeting with Gina Maestas and Kathleen Gibson to further discuss the "Record Proper" module.***

**IV. CIO Report.** Steve Prisoc reported the following:

- JID Staff are installing Office 2 at the AOC.
- JID Staff are also installing new file and print servers.
- He referred to an untitled handout that outlined travel costs that the Judiciary saved in January, February and March from Judiciary staff not having to travel to proceedings/meetings by using the video system. The video team does not currently have a manager as Pauline Toevs retired. The Video Team's Administrative Assistant position hours were increased from half-time to three-quarter time to fill some of the gap. He is comfortable leaving the management position open for vacancy savings for a short time.
- JID is holding the JID Systems Team manager position open for vacancy savings. Mr. Mackey is managing the Systems Team and is doing a fine job.
- A JID Developer position is still open after four advertisements. There have not been candidates that satisfy JID's requirements.

Judge Bustamante asked Artie Pepin to report on the recent Tyler meeting. Mr. Pepin reported the following:

- A meeting was held last Thursday with Tyler.
- The Judiciary is moving toward a new contract with Tyler.
- Tyler produces excellent products that many in the Judiciary want, however, there is not funding available to purchase such products.
- The Contract Negotiations Team is working on a way to lower the Judiciary's maintenance costs, so it can afford to purchase additional Tyler products.
- The Contract Negotiations Team made some interesting proposals to Tyler, and they are awaiting a response from Tyler. As soon as a response is received, they will provide JIFFY with the details.

Mr. Prisoc spoke of how Tyler agreed to lower the Judiciary's maintenance structure from 21% to a 13% rate for the core Odyssey product.

***Action Item: Mr. Pepin offered to provide JIFFY with the Tyler draft contract at next month's JIFFY meeting.***

**V. Purchase Requests**

**Request from the Eighth Judicial District Court (new item on agenda).** Judge Bustamante asked Jeanette Rael, who appeared via telephone, to present the Eighth Judicial District Court's (Eighth) purchase request. Ms. Rael apologized for the background noise. She spoke of the following points:

- The Eighth would like to purchase video equipment for their new complex—an integrated system for the large courtroom and a video cart.
- At this time, they are not sure of the costs involved and are working to obtain quotes.
- They are requesting to be connected to the statewide video system.
- The Eighth has never had video capability in their court.

- They would like to fund this request using capitol outlay funds, if there are funds available.

Mr. Prisoc added that the Video Team worked with the Eighth to define this request, so if the Eighth has capitol outlay funds available, he recommended approval of the Eighth's purchase request. Mr. Arevalo asked Ms. Rael questions relative to how the Eighth proposed to pay for this request.

**Mr. Gilmore moved approval of the Eighth's purchase request. Judge Alan Kirk seconded. No further discussion. No opposition noted. Motion carried.**

**Request for Document Management Services for the Fourth Judicial District Court.**

Theresa Delgado presented the following:

- She referred to the handout entitled *Odyssey Document Managing*.
- The Fourth Judicial District Court (Fourth) is requesting batch scanning capability.
- Their initial request of \$19,700.00 involved equipment that did not meet JID's specifications. They asked that their request be increased to \$25,000.00 to accommodate the purchase of the equipment approved by JID.
- The Fourth would pay for this request using funds from their operating budget general fund.

Mr. Prisoc added that the Seventh Judicial District Court (Seventh) and the Ninth Judicial District Court (Ninth) are also requesting similar purchase requests. He recommended approval of the Fourth's, the Seventh's and the Ninth's document management purchase requests of a not to exceed amount of \$50,000.00, per court, to allow for contingencies. Mr. Prisoc noted that these purchases would be funded by each individual court's funds. Mr. Edwards added that there was an advantage of approving these requests this year and next year because the Judiciary had already met their contractual obligations with Tyler for the remote document storage licenses; therefore, there would not be license fees from this point forward until December 31, 2012.

**Mr. Gilmore moved approval of the document imaging equipment requests for the Fourth, the Seventh and the Ninth. Judge Mitchell seconded. No further discussion. No opposition noted. Motion carried.**

Orlando Ulibarri from the Ninth thanked JIFFY for their approval, but he asked for approval of their request to purchase two mobile video arraignment carts, which was outlined on the second page of their handout totaling \$24,000.00. Mr. Prisoc advised Judge Bustamante that the Ninth's video equipment request was included in JIFFY's motion and approval.

**VI. Review and Approval**

**Legislative Report.** Mr. Pepin reported the following:

- He referred to the AOC letterhead handout with the subject line of *Judiciary Budget and Important Legislation*.
- His report focused on legislation that would be of interest to JIFFY.
- House Bill 2
  - Section 4, an appropriation to the AOC of \$250,000.00 “to avoid furloughs and layoffs in judicial agencies statewide” was vetoed by Governor Susana Martinez.
  - An additional JID staff member for the Video Team was authorized.
  - Section 5 (Special Appropriations), an appropriation to the AOC of \$200,000.00 “to avoid statewide furloughs in fiscal years 2011 and 2012 in all courts” was approved.
  - Line item veto of the \$942,000.00 information technology appropriation “for electronic filing and document and content management at district courts statewide.” The current schedule for the Odyssey rollout and the determination to include electronic filing in the district courts as Odyssey is rolled out will not be affected by this line item veto.
  - It appeared that all of the appropriations in House Bill 2, with the exception of the magistrate courts, should be able to survive without having to furlough in Fiscal Year 2012.
  - It does not appear likely that appropriations for Fiscal Year 2012 will be reduced later in the year as has occurred in the past two fiscal years.
- Senate Bill 132 was approved, which allows courts to process credit cards to pay for fines and fees.
- Senate Bill 277 was vetoed by Governor Martinez, which would have increased the magistrate court operations fee to \$7.00.
- The handout did not include legislation relative to electronic filing bills that did not survive. The Judiciary received significant support from the New Mexico State Bar Association and Chief Justice Charles Daniels.
- Senate Bill 218.

***Action Item: Mr. Pepin asked JIFFY members to contact him if they had any questions relating to any legislation that passed or was vetoed.***

**Discussion on JID Proposal to Expand Support of Smartphones.** This discussion was deferred to the next JIFFY meeting.

***Action Item: “Discussion on JID Proposal to Expand Support of Smartphones” deferred to the May JIFFY meeting.***

**Continuing Follow-Up on Case Lookup Performance.** Mr. Mackey reported the following:

- The JID Systems Team investigated Case Lookup’s performance during the month of March and identified some areas where improvements could be made. They are working to implement those improvements and will continue to monitor the system.

- Some of the additional problems in the field could be related to the network between JID and the field offices.

### **Discussion on Need to Refit Some Magistrate Courts to Allow for In-Court**

**Processing.** Judge Mitchell reported the following:

- She referred to the handout entitled *Potential Magistrate Court Retrofits for Odyssey*.
- In the process of rolling out Odyssey, the project team realized that some of the older, smaller magistrate courts do not have the physical space nor the data drops for in-court processing.
- Odyssey requires that a clerk be in the courtroom.
- The document outlined the magistrate courts that are coming online. Where an “N/A” is indicated, that means that such court is already equipped to have a clerk in the courtroom. The courts that are not equipped for in-court processing have a retrofit estimate noted.
- The last page reflected a photo of Judge Mitchell’s courtroom. It is clear from looking at the photo that there is limited space to retrofit her courtroom.
- The AOC does not have the funding to cover this retrofit, so she asked JIFFY to evaluate the project for the highest and best use of the Judiciary’s funding as well as its staff time to accommodate in-court processing in the smaller magistrate courtrooms.
- Some of the smaller magistrate courts only have one judge and one clerk. If a clerk is required to be present in the courtroom, the court would have to shut down because no one would be available to answer the telephone, receive payments, etc.
- The total estimate to fund the retrofit is \$26,054.22.
- Suggestion to consider an exception procedure for in-court processes for the smaller magistrate courts where there is only one judge and one clerk.

There was discussion on the following points:

- Support for an opt-out provision for the smaller magistrate courts that have one judge and one clerk.
- Support that courts bear the retrofit expense.
- Possible alternatives to in-court processing.
- Concern was voiced about judges being alone in courtrooms.

***Action Item: Per Judge Bustamante, Mr. Prisoc to work with Ruth Dygert to refine the in-court processing opt-out provision and to bring it back to JIFFY next month as a more specific proposal with specific quotes.***

### **Discussion on Use of CAID Numbers to Reference Attorneys in Odyssey.**

Renee Cascio reported the following:

- When the current case management system was implemented in 1995, the field to record a number for attorneys was shorter than the New Mexico State Bar number, so JID used the Supreme Court CAID number.
- There have been discussions relative to whether or not the Judiciary should continue

using the Supreme Court CAID number in Odyssey, rather than using the New Mexico State Bar number.

- She explained the laborious process that would be involved to change from using the Supreme Court CAID number to using the New Mexico State Bar number, and the fact that JID does not currently have the resources to implement the change.
- The current case management system and Odyssey allows for name searches. JID has worked with courts to create cheat sheets of frequent attorneys in their courts. For fifteen years, the Judiciary has operated without anyone having to interact with attorneys about the Supreme Court's CAID number.
- She referred to the untitled handout that had four columns. This document reflected a sheet off of the Supreme Court web page for attorney listings.
- JID stopped getting updates from the Supreme Court some time back because many times court staff would contact JID Staff indicating that the updates involved outdated attorney addresses.
- JID depends on courts to provide them with the most updated attorney addresses by submitting a form to JID.

There was discussion on the following points:

- Currently, attorneys are not aware that they have a Supreme Court CAID number assigned to them.
- Justice Maes advised that the Supreme Court preferred that the Judiciary use the Supreme Court CAID number, rather than the New Mexico State Bar number because attorneys can change their bar numbers, and the Supreme Court has no control over those numbers.
- Concerns with attorneys not providing notice to the Supreme Court about address changes, despite the rule.
- Concerns that the Supreme Court CAID number is linked to outdated attorney information.
- Suggestion to explicitly notify attorneys that they are responsible for informing the Supreme Court of address changes.
- Suggestion to publish the Supreme Court rule in the Bar Bulletin.
- The Supreme Court's website provides the information to attorneys, along with the list of CAID numbers.
- JID does not forward address forms to the Supreme Court.
- Concerns with placing the burden on court clerks to provide JID with attorney address changes.
- Concerns with attorneys using nicknames and initials when they file paperwork with the courts making it difficult for court clerks to properly identify attorneys in the system.
- Attorney address change forms that are submitted to JID cause the address for that attorney to be changed statewide.
- Concerns that this problem will become more complex as electronic filing is rolled out.

*Action Item: Justice Maes offered to discuss this issue with her colleagues as she believed this was a training issue that needed to be addressed at the New Mexico State Bar.*

**Judge Knowles moved that JID continue to use the Supreme Court CAID number in the Odyssey case management system to identify practicing attorneys. Judge Mitchell seconded. No further discussion. No opposition noted. Motion carried.**

**VII. Future Meetings.** The next meeting will be held on Thursday, May 19, 2011 at 9:30 a.m. at the Judicial Information Division. Judge Bustamante adjourned today's meeting at 11:42 a.m.

**VIII. Additional Attachments**

**JIFFY Project Status Reports.** There was not discussion relative to the *JIFFY Project Status Reports*, which were attached to the JIFFY agenda.

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**Final Minutes Approved by Judge Bustamante on May 2, 2011.**