

**Meeting Minutes of the 200<sup>th</sup>  
Judicial Information Systems Council (JIFFY)  
Judicial Information Division (JID)  
Thursday, April 19, 2012  
9:30-11:39 a.m.**

**Voting Members present:**

Judge Michael Bustamante, Chair  
Judge Karen Mitchell, Vice Chair  
Judge Richard Knowles  
Judge Duane Castleberry  
Judge Camille Martinez-Olguin  
Judge Stan Whitaker (*via video*)  
Judge Judith Nakamura (*via video*)  
Judge Alan Kirk  
Dennis Jontz  
Tobie Fouratt (*via video*)  
Greg Ireland  
Jason Jones (*via phone*)  
Robert Mead

**Non-Voting Members present:**

Chief Justice Petra Jimenez Maes  
Artie Pepin  
Steve Prisoc  
Renee Cascio

**Guests present:**

Deborah Dungan (*Supreme Court*)  
Oscar Arevalo (*AOC-Fiscal*)  
Lydia Romero (*AOC-Fiscal*)  
Judge Clay Campbell (*2<sup>nd</sup> DC*)(*via video*)  
Judge Sharon Walton (*BCMC*)(*via video*)  
Ted Bartz (*13<sup>th</sup> DC*)  
Jamie Goldberg (*13<sup>th</sup> DC*)  
Orlando Ulibarri (*9<sup>th</sup> DC*)(*via video*)  
Shari Weinstein (*AOC-Magistrate*)  
Phil Hedrick (*BCMC*)(*via video*)  
Deb Williamson (*BCMC*)(*via video*)

**JID Staff present:**

Pat Mente  
Suzanne Winsor  
Marlin Mackey  
Carlos Cordova  
Grace Catanach  
Shawna Hockandel

*Minutes recorded by: LaurieAnn Trujillo*

**I. Approval of Agenda.** Judge Michael Bustamante called the meeting to order at 9:30 a.m. and established a quorum. He accepted Judge Stan Whitaker's request to move the *Second Judicial District Court's request for wireless* to the first item. Judge Bustamante added a video conferencing purchase request to the Thirteenth Judicial District Court's (Thirteenth) agenda item.

**II. Second Judicial District Court's request for wireless.** Greg Ireland referred to the document entitled *Second Judicial District Court of the State of New Mexico Request for Proposals for A Wireless Local Area Network*, which was attached to the JIFFY agenda. He asked for approval for the Second Judicial District Court (Second) to set up a wireless network to be used by court personnel and attorneys. The network would cost approximately \$70,000, and Bernalillo County would cover the cost.

Steve Prisoc explained that he considered public access to include members of the State Bar of New Mexico because JID does not control their accounts or where they go within the Judiciary's network. He further explained his concerns with a wireless system running through or behind the Judiciary's firewall. He noted support for the project if the wireless system was clearly identified as a separate network that in no way co-mingled with the Judiciary's network.

There was discussion about the wireless networks at the Bernalillo County Metropolitan Court (BCMC) and at the Court of Appeals building in Albuquerque.

Due to the security concerns raised, Mr. Ireland offered the following alternate options for JIFFY to consider:

- The Second be allowed to proceed with Phase One—a wireless system for court personnel only, to cost approximately \$70,000 and to be funded by Bernalillo County.
- The Second be allowed to secure funding for Phase Two—a separate wireless system for the public to cost an additional \$40,000.

**Robert Mead moved approval of Phase One--wireless connectivity for court personnel only, to cost \$70,000 and to be funded by Bernalillo County. Judge Richard Knowles seconded. Mr. Prisoc asked for the caveat that the Second work closely with JID and their security vendor when developing protocols for the wireless network to ensure that log-ins are managed carefully. Mr. Mead and Judge Knowles added Mr. Prisoc's caveat as an amendment to their motion. Mr. Prisoc spoke of the security policies that JIFFY recently approved. No further discussion. No opposition noted. Motion carried.**

**Judge Camille Martinez-Olguin moved approval of Phase Two--a separate wireless system for public access, pending funding to be sought by the Second. Judge Alan Kirk seconded. No further discussion. No opposition noted. Motion carried.**

**III. Budget and Revenue.** Oscar Arevalo began his presentation by thanking everyone for their prayers throughout his recovery. He offered a special note of gratitude to Artie Pepin and Lydia Romero. He referred to the *JID Revenue Pipeline*, which was emailed and distributed to JIFFY, and he spoke of the following points:

- The report entitled *Fund 01100 (SCAF) All Sources (SCAF Reg., \$10 Civil and Red Light)*. Approximately \$1.3 million of the fund balance had been used since July, and about \$800,000 was spent from SCAF Regular in nine months. The cash flow analysis that he provided to JIFFY last year indicated that the fund balance would begin to deplete in Fiscal Year 2012.
- Revenue is down across all fees but most significantly in the district courts.
- A couple of years ago, JIFFY decided that once the Judiciary began to receive red light camera revenue, that revenue would supplement any shortfall in the case management system budget to make it whole at \$895,000. The beginning fund balances were adjusted in the pipeline report to reflect those shortfalls.
- At yesterday's Budget Committee meeting, there was discussion relative to computer

technology requests and the potential need for supplemental budget requests for the upcoming fiscal years.

- Going into FY 2014, it will be important to look at the trend of all funds.
- It is important that he receive hardline projected expenditure numbers through the end of this fiscal year.
- He suggested in June that JID make a year-end commitment to hold off on any further expenditures against the JID budget, so he can better project FY 2013 and FY 2014.
- Due to budget constraints, he reiterated the importance of the Judiciary implementing only the core functions of Odyssey and not adding other functionality outside of the project scope.
- The hope that the budget will level once Odyssey is rolled out and the Judiciary does not have the level of expenditures that it currently has.

There was discussion on the parking lot, Odyssey equipment and software licenses, adjusting projections based on revenue, the \$500,000 appropriation, the BCMC 's Odyssey project has a separate budget, electronic (e-filing) revenue, and concerns relative to how adjusting projections based on revenue could affect the Administrative Office of the Courts' (AOC) internal budget capacity.

***Action Item: Mr. Arevalo offered to adjust projections so they are more in line with actual revenues received.***

#### **IV. JIFFY Subcommittee Activities**

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

- The Odyssey Judges User Group (OJUG) met this morning.
- OJUG continues to work on the disposition codes.
- Judge Barbara Vigil from the First Judicial District (First) reported on the issue of original documents. She will work with Joey Moya to email district judges, their clerks and the New Mexico State Bar requesting feedback on the list of documents that they believe need to be retained as originals by the court according to statute. They hope to present their position to JIFFY next month.
- The May OJUG meeting is scheduled on the same day as the ADR Conference, so OJUG may address the issue of original documents via email.
- OJUG also discussed the appeals issue and how to properly record on the public access website, so the information displayed is meaningful and accurate to the public. JID Staff will report back on procedures that might help trigger when an appeal is taken in district court and how to notify the magistrate court, as well as creating disposition codes at the limited jurisdiction level to indicate "stayed on appeal" rather than "convicted" on the public access website. Chief Justice Petra Jimenez Maes shared that the Supreme Court recently decided an appeal case, specifically on point, that judgment rendered in a limited jurisdiction court is automatically stayed, so OJUG is working to reflect the Supreme Court's decision. She will remind the Chief Judges Council (CJC) of the statute requirements pertaining to cases that are decided in district court and remanded to

magistrate court.

**Odyssey Steering Committee.** Judge Mitchell reported that the Odyssey Steering Committee will meet again on May 16<sup>th</sup>. The next Odyssey rollout will complete the magistrate courts' implementation. The remaining six district courts will be implemented later in the calendar year. There was discussion on the appellate courts' implementation.

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

- The E-Documents Committee met last month and reviewed reports from the e-filing courts, and all are current.
- They talked about best practices. For instance, the First sponsored weekly attorney trainings, which worked really well.
- The Second reported performance problems related to the system timing out.
- The daily statistical report indicated an average of 861 envelopes filed and an average of 1,100 documents filed. The report reflected a 7% rejection rate; however, the e-filing courts believe there is a discrepancy because they are not rejecting many pleadings.
- The First offered to assist the Fourth Judicial District, and the Second offered to assist the Seventh Judicial District when they implement e-filing.
- They discussed the issue of original documents, and Judge Vigil of the First is preparing a chart of documents and the justification relative to maintaining original documents. It is important that this issue get resolved quickly because there is inconsistency among the courts in how original documents are being handled.

**V. CIO Report.** Mr. Prisoc reported the following:

- JID is working with the Administrative Office of the District Attorneys (AODA) to provide wireless connectivity to district attorneys. This project has been implemented in two districts and there are plans to implement it in other courts. This connectivity is completely outside of the Judiciary's network, and the AODA funds the project.
- JID is working with the Legislative Finance Committee on a study relative to what works in criminal justice. For example, drug courts are working in the State of Washington; however, the Scared Straight Program has the opposite effect. The Department of Corrections and the New Mexico Department of Public Safety will be involved in the study. Ultimately, the study will track recidivism over a number of years. The New Mexico Sentencing Commission will define recidivism.
- JID is working with the National Center for State Courts on a survey to be distributed to the Chief Information Officers Organization on the state of e-filing.
- He referred to the handout addressed to Judge Bustamante relative to cloud services. The Judiciary is not currently ready for cloud services, however, JID is closely monitoring the technology.

**VI. Purchase Requests**

**Thirteenth Judicial District Court's request for public wireless outside JID network.** Jamie Goldberg of the Thirteenth referred to the handout entitled *Cloudtrax Quick*

*Start Guide* and explained the following:

- Several years ago, the Thirteenth implemented secure wireless connectivity to court personnel.
- On a regular basis, the Thirteenth receives requests from attorneys and the public for wireless connectivity.
- The Thirteenth would like to create a separate wireless network for the public. This network would not touch the Judiciary's network.
- The Thirteenth can monitor the amount of data that is being pulled. If attorneys are pulling a significant amount of data, the Thirteenth will give them time-outs.
- A significant number of the Thirteenth's attorneys are government attorneys that cannot afford a hot spot to access the internet.
- The Thirteenth would also like to install a wireless printer.
- The long-term goal is to increase judicial efficiencies.
- The wireless system they are proposing is an "open mesh" system, which is similar to wireless connectivity offered in many hotels, and it will be on DSL.
- Cloudtrax is a monitoring site that the Thirteenth can use to manage the connection. It also has the capability to set up self-pay.
- The wireless connectivity would be available solely for attorneys and daily users (contractors) and will be secure through managed log-in accounts.
- The cost for the three locations is approximately \$30,000 one-time, and the DSL connection fee of about \$100/month.

**Mr. Mead moved approval of the Thirteenth's request for a separate wireless network for attorneys and daily users to be funded and managed by the Thirteenth. Judge Knowles seconded. No further discussion. No opposition noted. Motion carried.**

Mr. Goldberg then asked for JIFFY's approval for the Thirteenth to purchase a video conferencing unit for Cibola County.

**Mr. Ireland moved approval for the Thirteenth to purchase a video conferencing unit for Cibola County. Judge Knowles seconded.** There was discussion about JIFFY's prior policies to hold off on approval of further video requests until there are additional resources to support the video system. Mr. Prisoc asked that this decision be deferred until he had a chance to determine if the Video Team could accommodate this request and to ensure that JID would not incur additional expenses as a result of this request. Mr. Goldberg asked for conditional approval due to the fact that the Thirteenth needed to use year-end funds soon or the funds would be reverted to the general fund. **Judge Knowles offered an amendment that approval is contingent upon resources being able to accommodate the request. Mr. Ireland accepted Judge Knowles' amendment. No further discussion. No opposition noted. Motion carried.**

Judge Bustamante reported that the Court of Appeals would soon have access to a metropolitan ethernet connection through the University of New Mexico. The Court of Appeals paid for five years of service using funds saved on their Albuquerque building budget.

**Fifth Judicial District Court's request to purchase 6 Fujitsu fi6140z scanners.** Mr. Prisoc reported that the Fifth Judicial District Court (Fifth) requested to purchase six Odyssey-compatible scanners. He suggested approval of the purchase not to exceed \$10,000.

**Judge Knowles moved approval for the Fifth to purchase six Odyssey-compatible scanners not to exceed \$10,000. Mr. Ireland seconded. No further discussion. No opposition noted. Motion carried.**

## **VII. Review and Approval**

**Draft DWI Report for 2011.** Judge Bustamante advised that the changes requested to the DWI Report for 2011 had been made, and he asked for a motion to approve it.

**Mr. Mead moved approval of the DWI Report for 2011. Judge Mitchell seconded. No further discussion. No opposition noted. Motion carried.**

**Review of final e-mail policy.** Mr. Prisoc referred to the document entitled *Email Storage Retention Policy*, which was attached to the JIFFY agenda. It incorporated all of the changes that JIFFY requested at its last meeting.

**Judge Knowles moved approval of the *Email Storage Retention Policy*. Judge Duane Castleberry seconded. No further discussion. Mr. Ireland opposed the motion. Motion carried.**

### **Legislative followup.**

#### **Discussion on \$500,000 budget for Odyssey technical upgrades for district courts.**

Mr. Pepin reported on both agenda items, as follows:

- He sent an email to JIFFY this morning, which included the revised version of the spending plan that was discussed at yesterday's Budget Committee meeting. \$261,730 will need to be spent in order to implement Odyssey in the remaining district courts. The Budget Committee recommended that the Judiciary not spend more than \$300,000 of the \$500,000 appropriation. The recommendation will be presented to CJC tomorrow.
- The email included the inventory that JID prepared outlining what needed to be purchased for the remaining district courts' rollout.

**Judge Mitchell moved approval for JIFFY to support the \$300,000 cap, from the \$500,000 appropriation, for the remaining district courts to go live on Odyssey. Mr. Ireland seconded.** Mr. Pepin asked for guidance for how the remaining monies should be spent. Chief Justice Maes advised that information technology budget requests needed to be addressed by JIFFY and not the Budget Committee. **No further discussion. No opposition noted. Motion carried.**

**VIII. Future Meetings.** Judge Bustamante advised that JIFFY would meet again on Thursday, May 17<sup>th</sup> at 9:30 a.m. at the Judicial Information Division.

Mr. Pepin introduced Shari Weinstein as the AOC Deputy Director of the Magistrate Court Division.

**IX Additional Attachments**

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

**X. Adjourn.** There being no further business, Judge Bustamante adjourned the meeting at 11:39 a.m.

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**Final Minutes Approved by Judge Bustamante on May 1, 2012.**