

**Meeting Minutes of the 186th
Judicial Information Systems Council (JIFFY)
Judicial Information Division (JID)
Thursday, August 19, 2010
9:32-11:06 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 phone*)
Judge Duane Castleberry
Juanita Duran (*via phone*)
Jan Perry (*via phone*)
Brian Gilmore
Robert Mead
Helen Miller

Voting Members absent:

Judge Alan Kirk
Dennis Jontz

JID Staff present:

Grace Catanach
Renee Cascio
Andre O'Brien
Brian Eckert

Minutes taken by: LaurieAnn Trujillo

Judge Michael Bustamante called the meeting to order at 9:32 a.m. and established a quorum. Justice Petra Jimenez Maes welcomed back Oscar Arevalo from his absence due to his recent surgery.

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

II. Budget and Revenue

JID Revenue Pipeline Report.

Fiscal Year 2010 Projection Report.

Mr. Arevalo reported the following:

- The first month of collections totaled \$389,000.00.

Non-Voting Members present:

Justice Petra Jimenez Maes
Arthur Pepin
Steve Prisoc
Pauline Toevs

Guests present:

Oscar Arevalo (*AOC-Fiscal*)
Mike Mellos (*Burger, Carroll & Assoc.*)
Karen Janes (*AOC*)
David Torres (*1st DC*)
Frank Dimaggio (*2nd DC*) (*via phone*)
Deborah Torres-Gutierrez (*2nd DC*) (*via phone*)
Richard Sanchez (*BCMC*) (*via phone*)

- The last quarter of the red light camera revenue was received at \$90,000.00. He is attempting to reach the City of Santa Fe to discuss their red light camera payments due to the Judiciary.
- EDMS-Case Management appropriations
 - \$750,000.00 appropriation - approximately \$1,000.00 will be reverted back.
 - \$3.8 million appropriation - approximately \$3,000.00 will be reverted back.
 - \$6 million appropriation - zeroed out.
- The entire SCAF general fund was spent.
- He recognized his staff and Grace Catanach for their help with closing out Fiscal Year 2010.
- He explained the documents distributed entitled *Total SCAF Collections by Fiscal Year (FY 2010 Estimate)* and *Total SCAF Collections by Court Type and Fiscal Year*.

Action Item: *At the September JIFFY meeting, Mr. Arevalo offered to provide cash flow estimates for Fiscal Years 2012 and 2013.*

III. JIFFY Sub-Committee Activities

Judges User Group. Judge Karen Mitchell reported that the Judges User Group did not meet in August.

Odyssey Steering Committee. Judge Mitchell reported the following:

- The Odyssey Steering Committee (OSC) met yesterday.
- The Bernalillo District Court implementation was successful.
- The outage that recently occurred.
- The Bernalillo County Metropolitan Court (BCMC) project is progressing. The civil implementation is scheduled for April, 2011.
- The University of Alabama electronic citations and TRACS projects. JID Staff are meeting regularly with the Department of Transportation representatives to have citations filed directly into the court by the time Odyssey is implemented in Las Cruces.
- OSC approved the project charter for remote document storage.
 - The charter was written around the Tyler Technologies' (Tyler) contract.
 - Remote document storage was implemented at the Thirteenth Judicial District Court (Thirteenth).
 - The plan was for seven courts to implement remote document storage. Those seven courts will pay the initial licensing fee, and then remote document storage would be implemented statewide. The Thirteenth has already paid their portion of the licensing fee. The Second Judicial District Court (Second) and the BCMC will also implement remote document storage. OSC will identify the other four courts that will implement remote document storage by the end of Fiscal Year 2012; however, in light of the current budget crisis, there is concern that courts may not be able to fund their portion of the license.
 - Other courts have expressed interest in remote document storage.

- OSC did not approve the business continuity disaster recovery hot site project charter due to concerns raised in relation to the scope and parameters of the charter and how the hot site would get turned on and switched back to JID from the hot site. OSC asked Steve Prisoc, Tom Edwards, Brian Gilmore, Juanita Duran, Greg Ireland, and a representative from the Magistrate Court Division to meet and address these concerns.
- Project schedule.
 - The project team has reached the end of the pilot phase and is now focused on the statewide rollout schedule.
 - OSC approved Karen Janes' request to switch the schedule of the fourth quarter of 2011 with the schedule of the fourth quarter of 2012.
 - OSC denied the Second's request to switch implementation schedules with the First Judicial District Court (First) due to the fact that the First is well underway in the preparation for their implementation.
- OSC voted to closeout the Odyssey pilot phase.
- OSC will meet again on October 20, 2010.
- OSC will begin meeting quarterly beginning in January, 2011.

There was discussion on the following points:

- The remote document storage license.
- Mike Mellos of Burger, Carroll & Associates spoke on behalf of Dr. Julie Carroll. They endorsed the closeout of the pilot phase. Their experience with the BCMC's information technology staff is such that they are moving along well and have already begun data conversion and training.
- Forms.

Judge Richard Knowles moved that JIFFY closeout the Odyssey pilot phase. Robert Mead seconded. No further discussion. No opposition noted. Motion carried.

Judge Knowles moved approval of the remote document storage charter. Judge Camille Martinez-Olguin seconded. No further discussion. No opposition noted. Motion carried.

IV. CIO Report. In the light of Judge Bustamante's request to adjourn today's meeting by 11:00 a.m., Mr. Prisoc deferred most of his report to next month. He referred to the document entitled *New Mexico Judiciary Court Performance Measures, Fourth Quarter 2010*, which was distributed to the JIFFY members. The report will be forwarded to the Chief Judges Council and to the court executive officers and will be posted to the inside Judiciary web site. The measures do not differ significantly from previous years. JID Staff are generating reports to determine if Odyssey has increased the efficiency of the magistrate courts.

There was a lengthy discussion relative to the following points:

- The recent appellate court decision relative to the six-month rule.
- The American Bar Association's (ABA) standard and the Conference of the Court

- Administrator's (COSCA) standard.
- Suggestion to have this report consistent with the Supreme Court's standard.
- Suggestion to differentiate case management - differentiate between complex and non-complex criminal felonies.
- Concerns that trial judges are being set up to violate the Supreme Court standard and how that affects judges when facing re-election.
- Concerns that if measures are done by county and a county has several court locations, how would one know which of those court locations is not efficient.
- Concerns that the New Mexico District and Metropolitan Court Performance Measures Committee does not include magistrate court representatives.
- Suggestion that language be added to the report on page one that recent decisions changed time to disposition.

Action Item: Judge Bustamante stated that he is not comfortable with JIFFY changing a document produced by another committee. He asked Mr. Prisoc to relay JIFFY's concerns to the New Mexico District and Metropolitan Court Performance Measures Committee relative to the document entitled "New Mexico Judiciary Court Performance Measures."

V. Purchase Requests. No requests were submitted this month.

VI. Review and Approval

Follow-up on Case Lookup Changes Subsequent to Supreme Court Sealing Rule.

Mr. Prisoc reported the following:

- The temporary moratorium on some of the restrictions for display. Social Security Numbers are truncated to the last four characters. Dates of birth have been reduced to the year of birth.
- JID put in a captcha, which requires users to retype numbers to ensure a real person is accessing the system and not a machine.
- Criminal Searches Online has mined data from the Judiciary. Their website attributes the information to the Administrative Office of the Courts (AOC) and directs those who disagree with anything to contact the AOC.

Mr. Mead moved that in this period of uncertainty about the sealing rule that JID maintain the status quo and not change anything until the Supreme Court orders changes. Judge Duane Castleberry seconded. No further discussion. No opposition noted. Motion carried.

Follow-up on Submission of PAS Document to the Supreme Court. Judge Bustamante accompanied Judge Mitchell, Mr. Prisoc and Arthur Pepin to a meeting with the Supreme Court justices on July 29th in which they discussed the Public Access Subcommittee (PAS) document. Justice Maes advised that the Supreme Court would take action on the PAS document within two weeks.

Discussion on FY2011/2012 IT Plan. Mr. Prisoc explained the handout entitled *Draft, New Mexico Judicial Branch Information Technology Plan for Fiscal Year 2012*.

Action Item: *Per Mr. Prisoc, JIFFY members to email him with additions/changes to the “Draft, New Mexico Judicial Branch Information Technology Plan for Fiscal Year 2012”.*

Mr. Mead moved to provisionally approve the document entitled *Draft New Mexico Judicial Branch Information Technology Plan for Fiscal Year 2012*, absent any email concerns submitted between now and September 1st. If the changes are small, Mr. Mead moved that JIFFY allow Mr. Prisoc to correct them. Judge Mitchell seconded. No further discussion. No opposition noted. Motion carried.

Discussion on JID Support for Judicial “Smart” Phones. Mr. Prisoc spoke of the following:

- JID decided that the Blackberry smart phone will be the standard that they will support.
- JID currently has a Blackberry enterprise server. The cost of the license is \$3,500.00 and JID currently possesses a twenty-user license.
- Each ten-user license is \$600.00.
- Maintenance.
- Currently, one district court is requesting for all of their judges and Trial Court Administrative Assistants (TCAAs) to have access to the Blackberry enterprise server.
- Courts would be responsible for purchasing the Blackberry smart phones and the subscriptions.
- The Blackberry enterprise server is necessary for communication to other applications, such as Zimbra and Odyssey.
- This expenditure does not have to be approved by JIFFY because it is below the \$5,000.00 threshold; however, he asked for JIFFY’s guidance on who should have access to the Blackberry enterprise server.

There was discussion on the following points:

- Google’s operating system.
- Problems with transferring funds from one judicial entity to another.
- Suggestion to have a priority list for those who should have access to the Blackberry enterprise server.
- Concerns about providing access to TCAAs.
- Opposition about using SCAF funds for this expenditure in light of the current budget crisis.

Mr. Mead moved that the Blackberry enterprise server be limited to judges and AOC staff. Judge Martinez-Olguin seconded. No further discussion. There was discussion about this not being a critical need in light of the current budget state. The Blackberry enterprise server is necessary in order to synchronize a Blackberry smart phone to the Odyssey calendar. **Judge**

Knowles offered an amendment that access to the Blackberry enterprise server be limited to judges within Odyssey courts. There was discussion relative to the Thirteenth's request, clarification that the SCAF Fund will not pay for the smart phones and monthly service charges, and a suggestion that JIFFY not limit access to Odyssey courts because of the burden to the JID Systems Team. **Judge Knowles withdrew his amendment.** There was more discussion about concerns relative to expending funds at a time when courts are furloughing, the costs involved, tracking licenses, and limiting enterprise support to the Blackberry smart phone. **No further discussion. No opposition noted. Motion carried.**

Judge Knowles moved that until JIFFY decides otherwise, JIFFY does not approve Blackberry expenditures beyond the enterprise server access. Mr. Mead seconded. Judge Knowles clarified his motion that if the request is not for a Blackberry smart phone, it is irrelevant, and the only Blackberry expenditure would be the enterprise server. JID will not purchase the smart phones nor pay the monthly service charges. There was discussion relating to JIFFY endorsing Blackberry products. In light of the current budget crisis, the Supreme Court justices decided to purchase their own smart phones; however, some of them are not Blackberry products. Smart phones are critical for the justices to access their calendars and emails, so concerns were raised about support for non-Blackberry smart phones. A concern was raised about what JID was actually requesting as it was not clear what the enterprise server would offer the Judiciary. A suggestion was made for JID Staff to return to JIFFY next month with more information. **Judge Knowles clarified his motion by noting that if a judge purchased a non-Blackberry smart phone, that judge would not have technology support. If a judge purchased a Blackberry smart phone, JIFFY approved the \$60.00 per year to access the Blackberry enterprise server. No further discussion. Judge Knowles and Mr. Mead voted in favor of the motion. Members opposed: Ms. Duran, Mr. Gilmore, Jan Perry, Judge Mitchell, Judge Clay Campbell, Judge Martinez-Olguin, Ms. Miller and Judge Castleberry. Motion failed.**

Mr. Mead moved that JIFFY table this discussion until next month's meeting. Judge Martinez-Olguin seconded. No further discussion. No opposition noted. Motion carried.

VII. The next meeting will be held on Thursday, September 16, 2010 at 9:30 a.m. at the Judicial Information Division.

VIII. Additional Attachments

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

Final Minutes Approved by Judge Bustamante on September 3, 2010.