

Judicial Information Systems Council Meeting (JIFFY)

Meeting Minutes

Judicial Information Division

Thursday, January 15, 2015

9:20 - 12:07 a.m.

JIFFY Voting Members Present:

Judge Karen Mitchell, Chair

Judge Michael Bustamante

Judge Duane Castleberry

Judge Henry Alaniz

Greg Ireland

Judge Richard Knowles

Tobie Fouratt

Judge J. Miles Hanisee

Jason Jones

Dennis Jontz

Non-Voting Members Present:

Justice Petra Jimenez-Maes

Renee Cascio

Gregory Saunders

Artie Pepin

Guests Present:

Oscar Arevalo

Alan Lujan (video)

Robert Padilla

Frank DiMaggio (video)

Jonathon Ash

Robert Mead

Jason Rael

Justice Richard C. Bosson

Chief Justice Barbara J. Vigil

David Vermooten

Brenda Costello

Staff Present:

Grace Catanach

Annie Hall

Wesley Reynolds

Steve Harrington

Suzanne Winsor (video)

Helen Miller

Carlos Cordova (video)

Vince Nicolosi

Pat Mentel

I. Approval of Agenda. Judge Mitchell called the meeting to order at 9:20 a.m. The agenda was accepted as presented.

I. A Tribute to Judge Bustamante.

- Chief Justice Barbara Vigil stated that Judge Bustamante has been a dedicated and committed leader and has been at the forefront of court technology. He was inspirational and willing to push the envelope in order to make change. Chief Justice Vigil presented Judge Bustamante with a plaque from the Supreme Court, thanking him for his many years of service to JIFFY.

- Judge Bustamante recalled that when he was first made a member of JIFFY, the Executive Committee consisted of all the members of JIFFY and they would start the executive meetings behind closed doors early in the morning, go through the entire agenda and then come out into a public meeting room and repeat the entire process. One of the first things Judge Bustamante did when he became Chair was reduce the length of the meetings from twelve hours to six. Chief Justice Minzner supported Judge Bustamante in revamping JIFFY and then Justice Maes took Chief Justice Minzner's place as the Supreme Court representative to JIFFY. Judge Bustamante explained that his whole responsibility as Chair was to keep the conversation focused on the relevant topics of the meeting. Judge Bustamante thanked staff in particular Renee Cascio and James Edwards. Judge Bustamante noted that Judge Mitchell as Vice Chair has been handling a great deal of the work and that she will be a great Chair for JIFFY and will keep the process going.

- Justice Richard Bosson noted that he and Judge Bustamante have both been a member of the judiciary since 1994 and congratulated Judge Bustamante on the many years he has served on JIFFY and what an excellent job he did as chair of the committee.

- Justice Maes recollected that before Judge Bustamante became Chair of JIFFY there were often complaints of inadequate staffing, programs that did not work properly and crises that arose frequently. Under Judge Bustamante's leadership, Steve Prisoc was hired and a case management system was found that would work for the judiciary and get the courts on the right technology track.

- Judge Mitchell added that much of the success of JIFFY was due to Judge Bustamante’s leadership and no nonsense approach. Before Judge Bustamante was Chair of JIFFY, the meetings would take up the entire day with very little being accomplished. With Judge Bustamante as Chair, so much more was accomplished in a much shorter period of time; the needs of the state were put at the forefront and he was extremely supportive of the staff and the process.
- Renee Cascio, Grace Catanach, Greg Ireland, Judge Knowles and Artie Pepin thanked Judge Bustamante for his service and stated that he would be greatly missed.
- Justice Maes congratulated Judge Mitchell on her appointment as the new Chair of JIFFY. Judge Mitchell has been instrumental in chairing numerous other committees and always graciously accepted these appointments and accomplished a great deal in leading other committees such as Odyssey Steering Committee.
- Judge Mitchell thanked the committee and affirmed that it will be challenging to live up to what Judge Bustamante has accomplished as Chair of JIFFY. Judge J. Miles Hanisee was welcomed as the new Appellate Court representative on JIFFY.

II. Budget and Revenue.

JID Revenue Pipeline. Oscar Arevalo presented the “*JID Revenue Pipeline*” and reported that projected revenue through December compared with last year is down around \$75,000. Collections from district courts, MVD, magistrate courts and BCMC are all down. The reason the fund balance on page 4 is still high is a result of not having paid Odyssey bills which will be coming due shortly. The only expenditures coming out of the Red Light Camera fund is salary and benefits. The projection for the remainder of FY15 is \$634,291.47 which is also down from last year. Red Light revenue on page 7 is coming in at the usual rate from Rio Rancho

and small amount of revenue was sent in from Las Cruces in October. Santa Fe Municipal called AOC Fiscal wanting to know what constituted operational costs for collecting revenue for Red Light Camera Fund.

- The revenue sharing credits from Tyler in the past three years were as follows: December 2012 totaled \$598,472, December 2013 totaled \$710,472 and December 2014 totaled \$837,500.

Action Item: Oscar Arevalo will provide JIFFY with a spreadsheet that outlines the Odyssey CMS revenue sharing credits to AOC/JID for the past three years.

FY16 Budget Recommendations. Mr. Arevalo recapped the three budget recommendations for FY16 which were Jury Enhancement, Cyber Security and the rewrite of RCS. LFC recommended \$180,000 out of \$295,000 requested for Cyber Security, \$0 for Jury Management and no recommendation for the rewrite of RCS. DFA had no recommendation for Cyber Security, \$780,000 for Jury Management and \$0 for RCS. DFA recommended taking \$594,600 out of the general fund and distributing it among the other programs in the AOC as well as taking \$1,358,000 from the court services program and distributing that between administrative support and magistrate court programs. There have been no FTEs recommended by LFC thus far for JID. The only recommendation by LFC was \$157,300 for increased telecommunication costs.

- Artie Pepin explained that the Computer Enhancement fund money will be spent unless it is vetoed. That money is not subject to the general fund recommendation of losing \$600,000 in the DFA recommendation. Mr. Pepin cautions that the amount may be reduced or disappear altogether.

III. JIFFY Subcommittee Activities.

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

Forms Committee. Judge Mitchell stated that the Forms Committee did not meet this month.

IV. CIO Report provided by Greg Saunders.

Staffing Changes. Greg Saunders reported staffing changes at JID and BCMC. Steve Harrington has been promoted to AOC Software Development Manager and Wesley Reynolds is the new Judiciary Information Security Officer at JID. Chris Siegel has been promoted to Applications Development Manager at BCMC. Interviews for the Deputy CIO position will take place next week.

Computer Enhancement Funding Update. The contingency plan for security training and enhancements is to have Wesley Reynolds examine Systems from the outside as well as from the inside and make suggestions as to what should be purchased in the next six months and the best way to tighten security and prevent compromises in the judiciary. Steve Harrington and the developers were asked to meet with Oscar Arevalo to explore doing a rewrite of the present RCS structure either in-house or utilizing the services of a contractor. Preliminary outlines are in the planning stage of how to implement the new jury system without the requested funding.

RFI Update. A Request For Information (RFI) has been published with respect to bids on updating the New Mexico Judiciary website. The closing date for submissions is March 9, 2015.

Video Upgrade. A complete revamp of the training room video/audio system has been completed at a cost of approximately \$80,000. Justice Maes reported that at previous meeting in the training room, people who were attending by phone were having difficulty hearing the people in the room and the people in the training room were having trouble hearing those phoning in to the meeting.

E-Payments. E-payments is live in Torrance and Dona Ana Counties, however the planned go-live date of January 1, 2015 was postponed due to an issue between DFA and Chase Payment Tech. The new tentative date for go-live is February 15, 2015. A notice will be sent out to announce the new go-live date. The total receipts as of January 15, 2015 is \$14, 732 which have been processed through the

system. Renee Cascio explained that court managers have been trained how to balance the money received from Chase Payment Tech.

NMDOT Grant. New Mexico Department of Transportation (NMDOT) is giving JID a \$190,000 grant to begin the implementation of document scanning in the magistrate courts and JID is working on a project plan to execute the assignment. The total estimated cost is \$492,038.24. The \$190,000 can only be reimbursed to AOC after it has been spent which means that it has to come from another source at the onset of the project.

Uploading of Municipal Court DWI's to OPA. The uploading of municipal court DWI's to OPA will be added to the Parking Lot. Mr. Saunders handed out a copy of the Parking Lot list to JIFFY and is planning to prioritize the items once a new Deputy CIO has been hired.

TRACS Update. JID is working with BCMC, APD and Bernalillo County Sheriff's Office (BCSO). There is a tentative project plan in place which is scheduled to be operational in the next ninety days at APD and then carbon copied at BCSO.

V. Review and Approval.

2nd JDC E-Filing Pilot. Renee Cascio reported that JID is piloting the e-filing of attorney represented domestic cases and clerk issued documents/summons and proposed orders at the 2nd JDC. Attorney represented domestic cases and clerk issued documents/summons have been very successful and are ready to be rolled out to the other district courts.

Greg Ireland moved to approve rolling out E-filing of attorney represented domestic relations cases and clerk issued documents/summons statewide to all district courts. Judge Alaniz seconded. No opposition noted. Motion Carried.

2nd JDC Termination of Proposed Orders Pilot for File & Serve. Ms. Cascio stated that the way that File & Serve is designed at this time does not accommodate the clear communication needed between a judge and their staff and the other

parties on the case in the proposed order module. TCAAs were now spending three to four times more effort working on proposed orders using File & Serve than in the email process of transmitting those orders. Tyler has plans to rewrite File & Serve using HTML5 and will incorporate proposed orders into that new version of File & Serve. The method Tyler will use to deliver the product will have the attorneys utilize File & Serve and then it will go into Task Manager. Judges will have a queue very much like email and items that will need action will appear in that queue.

Judge Knowles moved to approve the termination of the proposed order pilot in File & Serve at the 2nd JDC until the new version of File & Serve is written by Tyler. Judge Alaniz seconded. No opposition noted. Motion Carried.

Delay of HSD Child Support Enforcement E-filing. Renee Cascio has been meeting with Human Services Division (HSD) concerning child support cases being e-filed. A pilot was undertaken at the 2nd JDC and it is working well in that environment. HSD is not prepared to roll out the program statewide due to the lack of scanners, according to the previous director. The new director asked to delay e-filing in the child enforcement division. Additional staff had to be hired at the 2nd JDC in order to make the program successful and HSD is not able to absorb the cost of hiring additional staff statewide. HSD is in the process of developing requirements for a new computer system.

- Judge Knowles moved to authorize the delay of requiring HSD to implement child support enforcement e-filing statewide for two years and report back to JIFFY in one year, with the possibility of delaying statewide implementation further if it is shown to be necessary. Judge Knowles withdrew the previous motion and moved to delay e-filing of child support enforcement statewide indefinitely until it is initiated by JID for JIFFY or by HSD. Judge Hanisee seconded. Greg Ireland opposed the motion and referred back to when private attorneys were unwilling to go to e-filing due to the added cost. After a lengthy discussion the motion was tabled and the director of HSD or Child Support Enforcement Division (CSED) will be invited to make a presentation to JIFFY in April on what they need and when they feel they will be ready to enact the program statewide.

- Justice Maes pointed out that HSD has been asking for help in order to automate and do e-filing for a long time and if they say that they don't have the funding, JIFFY should delay until HSD is ready for e-filing.

Action Item: Greg Saunders to invite the director of HSD or CSED to make a presentation to JIFFY in April on what they need and when they feel they will be ready to enact statewide e-filing.

LOPD Request for Access to Juvenile Cases in Odyssey. Jason Rael from the Law Offices of the Public Defender (LOPD) gave the reasons his office was requesting access to juvenile cases in Odyssey. LOPD has difficulty doing online research that relates to juvenile client cases and can only access this information at the courthouse. The website where this information was available no longer exists. The Consolidated Offender Query (COQ) is the only online access to these cases other than Odyssey. The FBI does not allow Public Defenders access to COQ as they are not considered by the FBI to be under the umbrella of Law Enforcement.

- Insuring the security of juvenile records was the main issue raised by the members of JIFFY at the November 2014 meeting. Mr. Rael indicated that this access would be limited to attorneys who practiced juvenile law, an affidavit could be signed by those attorneys with access, that the information in those files would be used solely for the benefit of their clients. This information would not be shared with anyone without the express permission of the client.
- Robert Mead clarified that LOPD was requesting *Justice Partner* access to juvenile cases.
- Mr. Rael stated that the following issues make it extremely difficult for LOPD to adequately represent juvenile clients. The DA's office has been charged through statute with sealing records and this was not always being carried out. LOPD is not able to verify that juvenile cases have been sealed. Public Defenders must be able to access their client's criminal history in

order to be sure that what is being reported to the court at the time of sentencing is accurate.

- Renee Cascio explained that Odyssey Public Access (OPA) is secure through logon and for a given user it is possible for JID to turn on or off access to various case types. It is possible for a limited number of attorneys to have the ability to access juvenile cases. Access can be controlled for individual users. Sealed cases are prohibited from any site and can only be accessed internally by the courts.

Judge Knowles moved to approve giving five individuals at LOPD designated by the Chief Public Defender or his designee access to juvenile cases in Odyssey. Those five individuals with logons will only access records that directly pertain to their clients. If any of those five individuals is no longer active in juvenile cases at LOPD, the Chief Public Defender or their designee will notify JID so that their logins can be terminated. Justice Maes added that JIFFY be given an MOU by LOPD, that those five individuals given logons will not share those logons or access to juvenile cases with anyone else. Greg Ireland seconded. No opposition noted. Motion carried.

VI. Additional Item.

Project Status Report Summary. Judge Mitchell indicated that in the future, a designated JID manager,(together with part of their team) will present a summary of what that group is working on and have a dialogue with JIFFY members, in order to keep the committee current on the work being performed at JID.

VII. Future Meetings. The next meeting will be held on February 19, 2015, 9:30 a.m. at the Judicial Information Division in Santa Fe.

VIII. Adjourn. Judge Mitchell adjourned the meeting at 12:07 p.m.