

**Meeting Minutes of the 172nd
Judicial Information Systems Council (“JIFFY”)
Judicial Information Division (“JID”)
Thursday, April 16, 2009
9:33-11:24 a.m.**

Voting Members present:

Judge Michael Bustamante, Chair
Judge Karen Mitchell, Vice Chair
Judge Richard Knowles (*via phone*)
Judge Clay Campbell
Judge Camille Martinez-Olguin
Judge Robert Corn
Judge Alan Kirk
Jan Perry (*via video*)
Juanita Duran
Maria Romero
Helen Miller

Voting Members absent:

Robert Mead
Dennis Jontz

JID Staff present:

Tom Edwards
Renee Cascio
Jerry Wise
Andre O’Brien
Trixi Bubemyre
Grace Catanach

Non-Voting Members present:

Justice Petra Jimenez Maes
Arthur Pepin
Steve Prisoc
Pauline Toevs

Guests present:

Frank Dimaggio (*2nd District Court*)(*via video*)
Greg Ireland (*13th District Court*)
Dr. Julie Carroll (*Burger, Carroll & Assoc.*)
Jamie Goldberg (*13th District Court*)(*via video*)
Oscar Arevalo (*AOC*)
Faythe Medina (*6th District Court*)(*via phone*)
John Keck (*BCMC*)(*via video*)

Minutes taken by: LaurieAnn Trujillo

Judge Michael Bustamante called the meeting to order at 9:33 a.m. and established a quorum.

I. Approval of Agenda

Judge Bustamante explained the new procedure after calling a meeting to order to allow the Video Arraignment Team to test the network connections.

Judge Bustamante advised that there is a purchase request from the Court of Appeals and one from the Twelfth District Court, which would be addressed under *V. Purchase Requests*.

II. Budget and Revenue

JID Revenue Pipeline Report. Oscar Arevalo referred to the document entitled *JID's Revenue Pipeline-FY09*, which was distributed. He reported the following:

- JID's revenue is below average.
- His staff is correcting deposits that were posted incorrectly for the Facility Fund.

Mr. Arevalo referred to the document entitled *Magistrate Court Financial Transactions for the Monies Received in the Month of February 2009*, which was distributed. Magistrate court collections are down. There was discussion relative to the collections from the Motor Vehicle Department.

Mr. Arevalo explained the document entitled *SCAF Revenue Breakdown by Court Type - Fund 078, Fiscal Year 2008*, which was distributed. The HRMS fees have been corrected and placed into the appropriate funds.

Fiscal Year 2009 Projection Report. Mr. Arevalo referred to the document entitled *Judicial Information Division, FY09 Projection Report As of 04/08/09*, which was emailed to the JIFFY members. He reported the following:

- JID is holding steady on projections.
- Main concern is payroll.
- The real difficulty may be going into next year, and the AOC may be in a situation where it may have to tap into fund balances.

Mr. Arevalo referred to the document entitled *Judiciary FY 2010 H AFC HB 2 Final Recommendations*, which was distributed. He reported the following:

- Audit costs will be incorporated into the AOC budget.
- AOC received transfer authority that would not affect JID.
- AOC has a 9-10% vacancy factor.
- The Jury and Witness Fund and the Court Appointed-Fund took a slight deduction.
- Transfer authority from Special Court Services over to the Admin. Support budget.
- SCAF and the magistrate courts have their individual issues when it comes to next year's budget.
- Overall cut to Judiciary was 3.4%.
- Magistrate court leases and salaries.
- Fiscal Year 2011 could be difficult.
- Issues for the Video Arraignment Program.
- Judiciary staff is adhering to shortages and to the emails his office sent out.
- His staff is closely monitoring revenue received from fees to ensure there is not a decline going forward.
- He commended Steve Prisoc for the excellent job he has done monitoring expenditures.
- Email he sent out regarding priorities, essential supplies and safety and security of employees.

There was discussion relative to the following points:

- Making a specific request in FY2011 for the Video Arraignment Program.
- Odyssey rollout should not be affected.

Final Legislative Report. Arthur Pepin reported the following:

- He will provide the Chief Judges Council (“CJC”) with a document that details each particular bill.
- Civil filing fee bill passed.
- Electronic filing fund passed.
- Red light camera bill passed.
- HB2 resolved the FTE unauthorized positions.

There was discussion on the following points:

- Tracking the additional \$10 filing fee separately.
- Revenue from increased civil filing fee should begin generating in August.
- Gratitude was voiced to those that worked hard at the Legislature this year.

Action Item: Mr. Pepin offered to provide JIFFY with the document detailing the legislation that passed.

Action Item: Per Mr. Pepin, Mr. Arevalo will include the breakdown of the \$10 civil filing fee increase in the monthly revenue pipeline report, for JIFFY’s review.

III. JIFFY Sub-Committee Activities

Judges User Group. The Judges User Group (“JUG”) did not meet this month.

Public Access Subcommittee. Judge Karen Mitchell reported the following:

- The Public Access Subcommittee (“PAS”) met Tuesday.
- Special gratitude to Dana Cox, Robert Mead and Mr. Prisoc for drafting sections one through three of the draft PAS document.
- Members of the public attended PAS and provided helpful questions and suggestions.
- PAS will meet again on May 19th and will review other sections of the draft PAS document.
- Joey Moya asked PAS to review the draft sealing rule.
- Bench and Bar Media Meeting that she and Mr. Pepin attended.

Odyssey Steering Committee. Judge Mitchell reported the following:

- The Odyssey Steering Committee (“OSC”) met yesterday.
- Moriarty go live date of April 27th may need to be extended due to conversion issues.
- Question on how to instruct/train clerks on how to handle outstanding warrants in other courts.

- March 2006, JUG accepted the *Magistrate Courts Electronic Record and Data Retention Procedures and Functional Specification Procedure*. This procedure created a docket event that was placed on a record when cases were destroyed. That docket event then triggered the masking of the record on *Case Lookup*.
- New Tyler Technologies (“Tyler”) contract.
- HB263 and the budget. At a future date, the Judiciary needs to begin looking at a four-year cash flow of the actual project itself.
- Change requests that will be presented at the May meeting.
- Electronic citations- waiting for Tyler’s estimate on this project.
- Tyler’s project status report.
- Customizations
- After Moriarty is rolled out, the next license payment of approximately \$1 million will be due to Tyler.
- OSC anticipates relying more heavily on Tyler than once thought for conversion. In the future, decisions will need to be made regarding conversion hours.
- Pilot schedule: She referred to the untitled Gantt chart. Tom Edwards noted that JID Staff needed to begin communication with the pilot courts, so they could plan accordingly relative to employee vacations and hearing that need to be rescheduled. Judge Mitchell explained the amount of time allocated for the Grants and the Bernalillo District Courts.
- OSC discussed things that need to happen as the Judiciary moves out of the pilot phase into the rollout.
- Dr. Julie Carroll reported that she added a new risk for not meeting what was previously scheduled as the completion date of rollout of September 2010.

There was discussion relative to the following points:

- Outstanding warrants.
- *Magistrate Court Electronic Record and Data Retention Procedures and Functional Specification Procedure*.
- The \$750,000.00 appropriation.
- Pilot court schedule.

Judge Camille Martinez-Olguin moved to give authority to JID, Tyler and the Moriarty Magistrate Court to extend the Moriarty go live date not more than a week out. Helen Miller seconded. No further discussion. No opposition noted. Motion carried.

Judge Clay Campbell moved to ratify JUG’s acceptance of the *Magistrate Courts Electronic Record and Data Retention Procedures and Functional Specification Procedure* that has been in effect for three years. Judge Robert Corn seconded. There was discussion relative to the PAS. No opposition noted. Motion carried.

Judge Corn moved to approve the pilot court schedule. Juanita Duran seconded. No further discussion. No opposition noted. Motion passed.

Action Item: Judge Mitchell offered to meet with Karen Janes about communicating with Mr. Moya relative to a procedure for how to instruct/train clerks regarding outstanding warrants in other courts.

Action Item: Per Ms. Duran, Mr. Edwards will place the Second Judicial District Court's ("Second") work plan on the OSC May agenda.

E-Filing Subcommittee. Mr. Prisoc reported that the E-Filing Subcommittee did not meet in April because they are awaiting responses from the two prospective vendors (Lexis Nexis and Tyler/Wiznet). They plan to have a recommendation for JIFFY next month.

IV. CIO Report. Mr. Prisoc reported the following:

- More than 40% of JID activities are devoted to the pilot courts and rollout.
- Systems Team and Client Team have made a lot of improvements, such as installing Altiris, a desktop management program that allows JID to remotely manage computers.
- Construction outside of JID is complete.
- JID Staff are heavily involved in staffing and preparing for meetings. He thanked the Client Team for their excellent work on the facilities work they have performed for JID. He also thanked the Video Arraignment Team for their work, however, he pointed out that they have reached absolute saturation with video tasks. Budget Committee and CJC are now meeting at JID. The Judicial Education Center ("JEC") is hosting lunch/learn meetings at JID.
- Increase in SPAM emails that Postini blocked.
- He asked everyone to empty their email "trash" folder.
- JID blocked 4,469 virus-infected emails.
- For the PAS document, JID Staff ran reports, and there were more than 140,000 individual hits on *Case Lookup*.
- Systems Team moved the *Water* application and the associated databases last month. Client Team is now rolling out a new *Water* application to the *Water* users.
- Server room upgrade and the mechanical work are nearly complete. Air conditioning is being tested. New UPS Unit will be wired and installed this week.
- The generator will be delivered next week. Testing and training will begin after it is installed.

There was discussion on the following points:

- Possibly charging JEC for hosting meetings at JID.
- The quality of work that the Video Arraignment Team performs has not suffered despite reaching their saturation point.
- Department of Information Technology ("DoIT") refund relative to internet access fees.

Action Item: Mr. Prisoc offered to provide JIFFY with a tour of the JID computer room at the May meeting.

Action Item: Mr. Prisoc will follow-up with DoIT regarding the refunds for internet access fees.

V. Purchase Requests

File Scanning Equipment for Sixth Judicial District. Mr. Prisoc explained that the Sixth Judicial District (“Sixth”) would like to purchase with their own funds scanning equipment to be used for microfilm conversion. State Records and Archives require that files be converted to microfilm. He recommended the purchase.

Judge Mitchell moved to approve the Sixth’s request to purchase scanning equipment for up to \$17,000.00 of their funds. Judge Corn seconded. No further discussion. No opposition noted. Motion carried.

Purchase Request from Twelfth District Court. Mr. Prisoc referred to the estimate that was distributed from Spectrum, dated April 2, 2009, for \$7,675.00, for a copier that could be used as a network printer/scanner. The Twelfth Judicial District (“Twelfth”) would eventually like to connect this equipment to the network. Mr. Prisoc recommended the purchase. There was discussion on how this equipment would be connected to the network.

Judge Corn moved to approve the Twelfth’s request to purchase a network printer/scanner for no more than \$9,000.00 of their funds. Ms. Miller seconded. No further discussion. No opposition noted. Motion carried.

Purchase Request from the Court of Appeals. Mr. Prisoc referred to the document entitled *Court of Appeals Proposal to Purchase Computer Equipment to Replace Old Equipment for Santa Fe Employees*, which was distributed. The amount is \$28,894.00. Mr. Prisoc explained that this request saves JID from having to replace this equipment. JID will recycle the old computers. Judge Bustamante may return to JIFFY for approval to purchase computers for the new building if they can identify more funds to spend.

Judge Mitchell moved approval for the Court of Appeals to purchase new computers for up to \$33,000.00 of their funds. Judge Corn seconded. No further discussion. No opposition noted. Motion carried.

VI. Review and Approval

Update on Second Judicial District’s EDMS Project. Ms. Duran referred to the OSC March minutes wherein it was noted that Tyler’s new release included the enhancement to view imaged documents prior to docketing. She asked for a status of when the Second could expect Tyler’s response on the options. She spoke of the current budget situation, performance measures for docketing, the Second’s staffing and budget cuts, how this enhancement would benefit the Second’s court staff, and her concerns relative to shortage of space to store their files. Judge Campbell added his concerns. Ms. Duran pointed out that the pilot court schedule for the Thirteenth Judicial District could be affected by this delay.

Action Item: Mr. Prisoc and Mr. Edwards will follow-up with Tyler regarding providing the Second with the options for imaged documents.

Discussion on 2008 DWI Report. Mr. Prisoc referred to the document entitled *Third Annual Statistical Report on DWI Court Dispositions in New Mexico*, which was distributed. Mr. Prisoc pointed out that this report was actually the fourth report. Two issues were brought to his attention that could be resolved in next year's report.

There was discussion on the following points:

- Prosecutor and law enforcement refusal to prosecute.
- The Bernalillo County Metropolitan Court's ("BCMC") nolle'd cases.
- Conditional discharges for Cibola County.
- Data entry issues.
- Striking "officer" from the footnote on page 5 entitled *Dismissed Failure to Appear - Cases filed that were dismissed due to failure of an officer/witness to appear.*

Action Item: Per Mr. Pepin, JID Staff to check the Cibola, Hidalgo, Roosevelt and Santa Fe Counties' numbers for conditional discharges noted on page 5.

Action Item: Per Mr. Pepin, JID Staff to add a footnote on page 4 noting that nolle'd cases are lumped into the "Dismissed by Prosecutor" column. Maria Romero will email Mr. Prisoc the language to place in the footnote.

Action Item: Mr. Prisoc and Ms. Romero will work together on the BCMC's information for next year's report.

Action Item: Per Justice Petra Jimenez Maes, Mr. Prisoc will work with her on the structure of the narrative.

Action Item: JID Staff will make the discussed revisions and bring the report back to JIFFY next month for review and approval prior to it being published.

Action Item: Per Mr. Pepin, JIFFY members to talk to him or Mr. Prisoc regarding any issues relative to the Municipal Court Automation Fund.

VIII. The next meeting will be held on May 21, 2009 at 9:30 a.m.

IX. Adjourn. Judge Bustamante adjourned today's meeting at 11:24 a.m.

X. Additional Attachments.

Project Status Reports. There was no discussion relative to the *Project Status Reports*, which were attached to the JIFFY agenda.\

Final Minutes Approved by Judge Bustamante on May 6, 2009.