

**Meeting Minutes of the 173<sup>rd</sup>**  
**Judicial Information Systems Council (“JIFFY”)**  
**Judicial Information Division (“JID”)**  
**Thursday, May 21, 2009**  
**9:37 a.m. - 12:00 p.m.**

**Voting Members present:**

Judge Michael Bustamante, Chair  
Judge Karen Mitchell, Vice Chair  
Judge Richard Knowles  
Judge Clay Campbell  
Judge Camille Martinez-Olguin  
Judge Robert Corn  
Judge Alan Kirk  
Jan Perry  
Juanita Duran  
Dennis Jontz  
Robert Mead  
Helen Miller

**Voting Members absent:**

Maria Romero

**JID Staff present:**

Tom Edwards  
Renee Cascio (*via video*)  
Jerry Wise  
Andre O’Brien  
Rebecca Switzer  
Suzanne Winsor  
Terry Leach  
Trixi Bubemyre  
Grace Catanach

**Non-Voting Members present:**

Justice Petra Jimenez Maes  
Arthur Pepin  
Steve Prisoc  
Pauline Toevs

**Non-Voting Members absent:**

Arthur Pepin

**Guests present:**

Frank Dimaggio (*2<sup>nd</sup> District Court*)  
Deborah Gutierrez (*2<sup>nd</sup> District Court*)  
Lydia Romero (*AOC*)  
Karen Janes (*AOC*)  
Dave Torres (*1<sup>st</sup> District Court*)  
Dr. Julie Carroll (*Burger, Carroll & Assoc.*)  
Patrick Simpson (*AOC*)  
Greg Ireland (*13<sup>th</sup> District Court*)  
Brian Gilmore (*BCMC*)(*via video*)  
John Keck (*BCMC*)(*via video*)

*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**

Grace Catanach asked that the *Discussion on Sentencing Commission Charge Table* be moved to the first agenda item.

**Discussion on Sentencing Commission Charge Table.** Renee Cascio attended today's meeting via video conference and spoke of the problems JID Staff are experiencing because law enforcement agencies throughout the state are not aware of the new charge code table and they continue to use the old charge code table for motor vehicle and traffic offenses. There are far too many law enforcement agencies for JID Staff to implement/educate law enforcement officials about the new charge code table. Karen Janes allowed JID Staff to re-enable the old FACTS 65 and 66 range statutes, so courts could use those; however, JID Staff need the new charge code table enabled so the courts can enter citations.

There was discussion on the following points:

- New Mexico Sentencing Commission's server down.
- District attorneys are not using the codes from the new charge code table.
- Law enforcement cheat sheets.
- TRACS
- Enabling the motor vehicle and traffic codes so courts can limp along in the meantime, and judges can deal with exceptions when the parties appear before them.
- Electronic citations

***Action Item: Robert Mead offered to have the New Mexico Compilation Commission develop a cheat sheet of the new charge code table to be shared with the Police Chiefs' Association and with the Association of Counties to be distributed to all New Mexico law enforcement.***

***Action Item: Per Judge Karen Mitchell, Judge Richard Knowles and Judge Robert Corn, JID Staff to post the cheat sheet on the Judiciary web site under "What's New."***

## **II. Budget and Revenue**

### **JID Revenue Pipeline Report.**

**Fiscal Year 2009 Projection Report.** Lydia Romero presented on behalf of Oscar Arevalo as he is attending a PERA board meeting this morning. She reported the following:

- AOC collections are up this month.
- Based upon all averages over the years, AOC is on track with collections.
- Chief Financial Officers' ("CFO") meeting was held last week. Mr. Arevalo reiterated to all CFOs the importance of ensuring that their deposits reach the AOC timely. The AOC Fiscal Staff work closely with the courts on problems they are experiencing to ensure those deposits are made on a timely basis.
- Mr. Arevalo, Robert Duran and Ken Wells recently met with Tom Edwards on the new case management budget.
- Possibly hiring an outside source to work the new civil filing fee into the RCS System that the AOC Fiscal Staff uses. Ensuring that the new civil filing fee is tracked separately from the \$10 fee that is already being charged. Before July, the AOC Fiscal Staff will train the courts on how to process their fees so the new civil filing fee can be tracked separately.

### III. JIFFY Sub-Committee Activities

**Judges User Group.** Judge Mitchell noted that the Judges User Group (“JUG”) did not meet this month. JUG will meet again on June 18, 2009 at 8:00 a.m. at JID.

**Public Access Subcommittee.** Judge Mitchell reported the following:

- The Public Access Subcommittee (“PAS”) met Tuesday.
- PAS continued to go through the draft document. PAS tackled three more sections relative to historical, national trends and current state.
- In June, PAS will begin working on the actual PAS positions.
- PAS will present their draft document to JIFFY in October.
- PAS will regroup to discuss electronic filing once it is implemented.
- Outside participation at the PAS meetings.
- New Mexico Sentencing Commission’s new director.
- Joint Sealing Rules Committee draft sealing rule.

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

- The Odyssey Steering Committee (“OSC”) met yesterday.
- Judge Jones and Sherry Weingarten provided OSC with a report on how Odyssey is working at the Moriarty Magistrate Court.
- OSC recommended that JIFFY accept the Second Judicial District Court’s (“Second”) work plan for deployment of Odyssey.
- OSC recommended that JIFFY authorize JID Staff to renew the Mythics’ contract.
- Tyler Technologies’ (“Tyler”) contract.
- Alabama’s electronic citations’ contract.
- Change requests. OSC discussed the change requests relative to probation. OSC sent this issue back to the JID Business Analysts and to JUG for more clarification.
- Tyler’s project status report.
- Roswell Magistrate Court Odyssey rollout is scheduled for July 13<sup>th</sup>.
- JID Staff will provide additional management tools for courts this summer. These tools will assist the courts to identify cases that could be problematic for conversion.
- Financial update.

There was discussion on the following points:

- The Second’s work plan for deployment of Odyssey.
- Electronic citations’ contract: Remaining issues to finalize the contract involve gross receipts tax and intellectual property.
- Competing electronic citations’ vendors.
- June 10<sup>th</sup> is the deadline for contract encumbrances.
- Second’s change request: The Second received the estimate from Tyler on Monday; and they will meet on June 1<sup>st</sup> to discuss that estimate.
- Lessons learned from the first pilot courts are to have Tyler support the conversion and JID Staff to provide training and go live support.
- New case management budget. Assumptions document laid out things that Mr. Edwards

used to arrive at the new budget; however, the new budget does not include monies for new enhancements that may come up and it does not include refresh of hardware.

**Judge Knowles moved to approve the Second's work plan for deployment of Odyssey.**

**Judge Clay Campbell seconded.** There was discussion on the differences from the process used for the FACTS' implementation. **No further discussion. No opposition noted. Motion carried.**

**Judge Corn moved to approve that JID Staff be allowed to spend up to \$30,000.00 to renew the Mythics' contract. Robert Mead seconded. No further discussion. No opposition noted. Motion carried.**

**Mr. Mead moved to endorse the new budget for the case management system. Judge Camille Martinez-Olguin seconded.** Judge Bustamante voiced concerns with JIFFY voting on this item as they did not have enough time to digest the information. He encouraged everyone to carefully review the proposed budget. He asked JIFFY members that also sit on OSC to maintain an independent view. **Mr. Mead withdrew his motion.** There was discussion on OSC providing JIFFY with documents for consideration, and that matters that are not imperative be deferred until the next JIFFY meeting so JIFFY members have time to carefully review and consider the documents prior to JIFFY voting on them.

*Action Item: Per Judge Mitchell, Mr. Edwards to advise Ms. Duran and Ms. Janes when the case management tools will be available for the courts, so they can inform the Court Administrators Council ("CAC") and the magistrate courts.*

**IV&V Report.** Dr. Julie Carroll of Burger, Carroll & Associates reported the following:

- Completion of Odyssey implementation at the Moriarty Magistrate Court.
- JID Staff completed conversion training for the Second and the Bernalillo County Metropolitan Court ("BCMC").
- Roswell Magistrate Court will be the first court that is going through conversion a second time. JID Staff are working to increase this efficiency.
- In order to properly monitor the budget costs through pilot, she needs to consider whatever funding there is from other sources for activities that are in the budget. For example, imaging and electronic filing. Mr. Edwards' new budget does not incorporate any of that.
- Two recommendations regarding documentation and transparency: tracking assignments/ and decisions on an internal basis and a formal non-technical documentation for conversion. Monitoring the assumptions that are the basis of the pilot courts' schedule prior to final implementation.

There was discussion on Judge Jones and Ms. Weingarten's comments relative to training concerns. JID Staff are adjusting the training to meet those concerns.

**E-Filing Subcommittee.** Steve Prisoc reported the following:

- The E-Filing Subcommittee (“EFS”) met Tuesday.
- Greg Ireland’s draft electronic filing rule was distributed at the meeting and members will provide Mr. Ireland with comments.
- Two proposals were distributed to the members (Lexis Nexis and WizNet). The proposals are similar, so the EFS will seek a legal opinion from the AOC on what vehicle the EFS could use.

There was discussion on the following points:

- Joey Moya will assist the EFS with the draft electronic filing rule.
- State Bar of New Mexico participation.
- Lexis Nexis and WizNet.
- EFS membership and rescheduling the EFS meetings to accommodate JIFFY members that serve on the EFS.
- BCMC’s membership on the EFS and on JIFFY.

***Action Item: Per Justice Petra Jimenez Maes, Brian Gilmore to provide the Supreme Court with a letter of appointment for the BCMC’s membership on JIFFY and on the EFS.***

***Action Item: Mr. Prisoc to arrange for the EFS to meet the afternoon of JIFFY.***

***Action Item: Per Judge Mitchell, the EFS to discuss what they envision would be available on the internet once electronic filing is implemented. They will share that information with the PAS.***

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

- For power saving purposes, JID Staff set Judiciary monitors to sleep mode after ten minutes of inactivity.
- Altiris desktop management application detected 78 viruses on various hard disks and they have now been deleted.
- Josh Drinkard, a new JID employee, who will perform field support to the northeast area of the state.
- JID Staff can obtain more competitive pricing from Dell.
- Postini system blocked 2,200,000.00 SPAM emails in April. 4,152 virus-infected emails were blocked. He spoke of the multi-tier system JID has in place for virus protection.
- Mr. Prisoc provided a short Powerpoint presentation of photographs of the new generator, air conditioning system and UPS. JID Staff will provide JIFFY with a tour of the JID computer room in June.
- Qwest metropolitan Ethernet is now operational between the Second and JID.

***Action Item: Per Mr. Prisoc, Judiciary staff to report any unusual computer behavior to JID.***

## V. Purchase Requests

**Equipment request from the Thirteenth Judicial District.** Mr. Ireland asked for JIFFY's approval for the Thirteenth Judicial District Court ("Thirteenth") to purchase forty-five 26" screen monitors in an effort to prepare for the electronic filing/document imaging project.

There was discussion on the following points:

- Dell monitors versus Samsung monitors.
- JID's standard monitor size is 17".
- JID Staff are starting to see 17-19" monitors fail. JID Staff are short on monitors.

**Judge Knowles moved to approve the Thirteenth's request to purchase forty-five 26" monitors. Judge Mitchell seconded.** Judge Knowles asked that the Thirteenth shop around for the best price. **No further discussion. No opposition noted. Motion carried.**

*Action Item: Per Judge Mitchell, the Thirteenth and JID Staff will work together to find homes for the Thirteenth's old monitors within the Judiciary.*

**Equipment request from JID.** Mr. Prisoc reported that the Eighth Judicial District Court ("Eighth") would like to purchase \$27,000.00 in For The Record ("FTR") software. They currently have old Reporter Decks.

**Judge Corn moved to approve the Eighth's request to purchase FTR software for \$27,000.00. Mr. Mead seconded. No further discussion. No opposition noted. Motion carried.**

## VI. Review and Approval

**Update on Second Judicial District's EDMS Project.** Juanita Duran reported that the Second would appear before OSC in June as they just received the information from Tyler.

**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 at the JIFFY members' places.

There was discussion on the following points:

- Refilings
- Bindovers
- BCMC's language to footer.
- Dismissals

*Action Item: Per Judge Martinez-Olguin, Mr. Prisoc to provide her with the criteria used for re-filings.*

***Action Item: Per Judge Bustamante, Judge Mitchell, Mr. Prisoc and Mr. Gilmore to go through the draft report this afternoon and ensure that there is a clear understanding of what the percentages mean before the report is published.***

**Discussion on Skype Services on the JID Network.** Mr. Prisoc noted that JID received a request from the Court of Appeals to install Skype, a service that would allow a person to do unlimited long distance calls for approximately \$21.00 a month using the internet. He conducted research on Skype and voiced concerns with bandwidth usage. He recommended JIFFY deny the request due to bandwidth concerns, and suggested a blanket rule that JIFFY deny all software installations that have a user agreement that commits the Judiciary to anything, unless there is special dispensation from JIFFY.

**Mr. Mead moved to ban Skype as a policy and that JIFFY look at the broader question of forbidding quick-through license approval for software. Judge Mitchell seconded.** There was discussion on analogies, the Los Alamos Judicial Complex, Web Ex and Net Meeting. **Mr. Mead amended his motion to ban Skype-like services. Judge Mitchell accepted the amendment. No opposition noted. Motion carried.**

***Action Item: Per Justice Maes, Mr. Prisoc to send an email to the “justice” email distribution list advising the Judiciary of JIFFY’s decision to ban Skype-like services. She also asked that this decision be mentioned at the next CAC meeting and at the next Chief Judges Council (“CJC”) meeting.***

**VII. The next meeting will be held on June 18, 2009 at 9:30 a.m.**

**VIII. Adjourn.** Judge Bustamante adjourned today’s meeting at 12:00 p.m.

**IX. Additional Attachments**

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

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**Final Minutes Approved by Judge Bustamante on June 8, 2009.**