

**Meeting Minutes of the 174<sup>th</sup>  
Judicial Information Systems Council (“JIFFY”)  
Judicial Information Division (“JID”)  
Thursday, June 18, 2009  
9:38-11:26 a.m.**

**Voting Members present:**

Judge Michael Bustamante, Chair  
Judge Karen Mitchell, Vice Chair  
Judge Richard Knowles  
Judge Clay Campbell  
Judge Camille Martinez-Olguin  
Jan Perry (*via video*)  
Juanita Duran  
Dennis Jontz  
Robert Mead  
Helen Miller

**Non-Voting Members present:**

Justice Petra Jimenez Maes  
Arthur Pepin  
Steve Prisoc  
Pauline Toevs

**Guests present:**

Oscar Arevalo (*AOC-Fiscal*)  
Dr. Julie Carroll (*Burger, Carroll & Assoc.*)  
Phil Hedrick (*BCMC*)(*via video*)

**Voting Members absent:**

Judge Robert Corn  
Judge Alan Kirk  
Maria Romero

**JID Staff present:**

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

*Minutes taken by: LaurieAnn Trujillo*

Judge Michael Bustamante called the meeting to order at 9:38 a.m. and established a quorum.

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

**II. Budget and Revenue**

**JID Revenue Pipeline Report.** Oscar Arevalo referred to the *JID Revenue Pipeline-FY09*, which was included in the JIFFY supplemental packet. He spoke of the following points:

- Revenues are good.

- His staff is working on year-end processes.
- Encumbrances for the University of Alabama electronic citations.
- His staff is watching the balances as the Judiciary moves forward.
- No major issues to report with the FY09 budget. We should be able to finish up through the end of the fiscal year.
- *SCAF Revenue Breakdown by Court Type-Fund 078, Fiscal Year 2009.*

**Fiscal Year 2009 Projection Report.** Mr. Arevalo then referred to the packet he distributed and explained the documents, as follows:

- *Total SCAF Collections by Fiscal Year (FY 2009 Estimate):* June collection may exceed \$300,000.00; and SCAF Fund will top the \$4 million mark by the end of June.
- *Total SCAF Collections by Court Type and Fiscal Year:* This document is a breakdown of collections based on the top four contributors. There is a significant increase in the magistrate and district courts.
- *Total Facility Fee Collections:* His staff uses the Facility Fund as a comparison to the SCAF Fund. The projection collections for 2008 and 2009 are about the same. He is focused on totals from year to year. There appears to be a slight increase projected for the Facility Fund. The payment on the services is about \$4.6 million, so any overages go to the magistrate courts.
- *Facility Fee Collections by Court Type:* The three big contributors to the Facility Fund are: the Motor Vehicle Division (“MVD”), the Bernalillo County Metropolitan Court (“BCMC”) and the magistrate courts. The district courts, the Court of Appeals and the Supreme Court contribute very little to this fund.

Mr. Arevalo concluded his report by mentioning that he was recently appointed by the PERA Board to serve on the Retirement Systems Solvency Task Force.

### **III. JIFFY Sub-Committee Activities**

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

- The Judges User Group (“JUG”) met this morning, which was their first meeting since August of 2008.
- Issue with fees assessed in criminal cases in district courts. JUG recommended to JIFFY that fees in district court be assessed unless they are affirmatively waived by the judge on the judgment and sentence. It is recommended that this become a policy for the current case management application as well as for the new case management application.
- There are discrepancies in how appeals from bondsmen from magistrate court to district court on forfeiture orders are handled. JUG decided that Judge Mitchell would meet with Fern Goodman and Joey Moya relative to the rule and statute.
- She distributed two documents entitled *Order Setting Conditions of Release and Appearance Bond*. Form 9-302 is the long release order that is currently being used by all courts. The collapsed version is what Odyssey produces.
- Odyssey aging clock is the time to disposition. JUG will continue to review the events that start and stop and will return to JIFFY with a recommendation.

**Judge Clay Campbell moved that JIFFY adopt JUG's recommendation to have district courts assess fees unless they are affirmatively waived by the judge in the judgment and sentence. Judge Camille Martinez-Olguin seconded. No further discussion. No opposition noted. Motion carried.**

*Action Item: Judge Mitchell and Renee Cascio will meet to discuss how to notice the district courts about JIFFY's directive that district courts assess fees unless they are affirmatively waived by the judge in the judgment and sentence.*

**Judge Richard Knowles moved that JIFFY adopt JUG's recommendation in relation to the courts using the collapsed form of *Order Setting Conditions of Release and Appearance Bond*, and not print all of the conditions that are not being used, just the ones that are being used. Judge Martinez-Olguin seconded. No further discussion. No opposition noted. Motion carried.**

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

- The Public Access Subcommittee ("PAS") met Tuesday and continued to go through the draft document. PAS discussed the pros and cons of the PAS positions.
- PAS will reconsider the PAS position relating to misdemeanor charges being automatically removed from *Case Lookup* three years after adjudication.
- PAS may not meet in July. However, she plans to arrange a working session with Steve Prisoc, Dana Cox and Robert Mead to update the PAS document.
- Matthew Hoyt from the New Mexico Foundation for Open Government ("NMFOG") complimented the PAS process.

Dennis Jontz added that he is pleased that the PAS opened up its meetings to other interested groups.

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

- The Odyssey Steering Committee ("OSC") met yesterday.
- She referred to the handout she distributed entitled *Change Request Form*. OSC approved the Second Judicial District Court's ("Second") change request form for *Modification of Existing Document Management Component of Odyssey*.
  - These costs will be paid from the EDMS fund.
  - OSC discussed the statewide license and how it should be handled in the future.
  - Juanita Duran explained the change request in detail.
  - Future maintenance costs for any statewide implementation would be paid for by the SCAF Fund.
- Judge Mitchell then explained the document she distributed entitled *NM Odyssey Preliminary Estimate*.
- Judge Mitchell explained the document she distributed entitled *Odyssey Project Sign-Off Sheet*.

- Recommendation from the JID project team to modify the pilot courts schedule to move the eight-week quality assurance checkpoint to after the Roswell District Court rollout.
- Revised new budget and budget summaries which were emailed to the JIFFY members. Tom Edwards explained the difference between the \$9.8 million that was originally proposed as a funding request to the legislature last year and the \$10.8 million noted in the proposed new budget.
- Project status report- conversion issues.
- Enhancements.
- Risk register and issues.
- Administrative report.
- E-Citations contract.
- IV&V contract.
- BCMC fit assessment is complete.

There was discussion on the following points:

- Future annual maintenance costs for statewide implementations.
- Electronic citations' project will provide cost savings over time as well as less data entry errors. This project will provide the BCMC more functionality than they currently have.
- Revised new budget.
- Judicial Education Center ("JEC") may be able to assist with training costs.

**Judge Knowles moved that JIFFY adopt OSC's recommendation in relation to the change request form submitted by the Second. Judge Campbell seconded. No further discussion. No opposition noted. Motion carried.**

**Judge Knowles moved that future annual maintenance with respect to the auto association fees and other annual maintenance fees associated that are listed in the Second's change request form be paid out of a centralized fund, such as the SCAF Fund. Robert Mead seconded. No further discussion. No opposition noted. Motion carried.**

*Action Item: Per Ms. Duran, Mr. Edwards will notify Tyler that the Second's change request was approved by JIFFY.*

**Judge Mitchell moved that JIFFY authorize OSC to move forward with the probation component change request. Judge Martinez-Olguin seconded. No further discussion. No opposition noted. Motion carried.**

**Judge Mitchell moved the adoption of the electronic citations' change request. Judge Martinez-Olguin seconded. No further discussion. No opposition noted. Motion carried.**

**Judge Knowles moved to modify the pilot court schedule as recommended by Mr. Edwards and which was previously endorsed by OSC. Judge Mitchell seconded. No further discussion. No opposition noted. Motion carried.**

**Action Item:** *Per Judge Bustamante and Mr. Mead, as the SCAF Fund increases, that extra SCAF Fund money should be earmarked to cover the projected case management budget shortfall of \$42,260.00 in FY2012.*

**Judge Mitchell moved adoption of revised budget. Judge Knowles seconded. No further discussion. No opposition noted. Motion carried.**

**Action Item:** *Ms. Duran offered to announce to the Court Administrators' Council ("CAC") that JEC may be able to assist with the case management training costs.*

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

- Conversion issues.
- Financial conversion.
- Budget request.
- Risks.

**E-Filing Subcommittee.** Judge Bustamante reported the following:

- The E-Filing Subcommittee ("EFS") did not meet this month.
- EFS researched the procurement code issues. Ms. Goodman and Arthur Pepin informed the EFS that the procurement code did not apply to the e-filing project because the Judiciary would not be expending funds on the project.
- WizNet is closely integrated with Odyssey.
- Proposed local e-filing rule that would need to be considered by the different rules committees.
- JIFFY's recommendation of a few years back that any court wishing to do an e-filing project would need to submit their technical specifications for approval by JIFFY and the Supreme Court.
- Sole source for pilot courts only.
- Redaction of records.

**Action Item:** *EFS to work on the technical specifications for e-filing to be considered by JIFFY and the Supreme Court.*

**Action Item:** *Per Judge Mitchell, EFS to consider redaction of e-filing documents.*

**Action Item:** *EFS and PAS to schedule a joint meeting to discuss a rule for e-filing.*

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

- The Altiris desktop management system detected 1,349 desktop viruses last month (adware and malware).
- Postini blocked 2.5 million SPAM emails last month. Postini blocked 16,500 virus-infected emails last month.
- 35GB of trash did not reach the Judiciary network.

- Metropolitan ethernet is working nicely.
- JID Staff working on the Las Cruces Magistrate Court server.
- JIFFY jury subcommittee is looking at upgrading the entire jury system.
- Five new fleet vehicles for JID field staff.
- The University of Alabama electronic citations' contract was executed.

There was discussion on the TRACS program.

**Action Item:** *Per Mr. Prisoc, Judiciary employees need to delete suspicious emails.*

**V. Purchase Requests.** There were no purchase requests for JIFFY's consideration this month.

## **VI. Review and Approval**

**Update on Second Judicial District's EDMS Project.** Ms. Duran reported that the Second is expecting the approved imaging and computer output microfilm plan from the State Records and Archives. This plan is the first in the state and would allow for the destruction of paper records. The plan will change the destruction schedule. She thanked several individuals from the Second that assisted with this project.

**Action Item:** *Per Mr. Pepin, Ms. Duran will contact the chief justice's administrative assistant so she can report this success to the Judiciary.*

**Action Item:** *Per Ms. Duran, at the next legislative session, Mr. Pepin to request an extension of the EDMS appropriation to be utilized through FY10.*

**Update on final 2008 DWI report.** Mr. Prisoc referred to the document entitled *Fourth Annual Statistical Report on DWI Court Dispositions in New Mexico*, which he distributed to the JIFFY members. He reported the following:

- He presented the *Fourth Annual Statistical Report on DWI Court Dispositions in New Mexico* to the DWI Leadership Team this morning.
- The Supreme Court approved the report for publication and it has been posted to the inside Judiciary website.
- Growth over the past twelve years.
- Last page entitled *Impact of Magistrate Court and Bernalillo Metropolitan Court DWI Cases Refiled in District Court on Dismissed by Prosecutor Rate for 2008: Dona Ana County's dismissals.*
- BCMC's dismissals.

**Action Item:** *Mr. Pepin offered to file the "Fourth Annual Statistical Report on DWI Court Dispositions in New Mexico" with the Legislative Finance Committee.*

**VII. The next meeting will be held on July 16, 2009 at 9:30 a.m.** Judge Bustamante asked that OSC and JIFFY meet at the Roswell District Court next month.

Mr. Pepin spoke of the grand opening of the Las Cruces facility. The Chief Judges Council (“CJC”) will meet at the new facility tomorrow.

Mr. Pepin spoke of the legislators’ interest in the Odyssey project.

Mr. Prisoc invited JIFFY members to a guided tour of the JID computer room. Jim Coberly will conduct the tour.

**VIII. Adjourn.** Judge Bustamante adjourned today’s meeting at 11:26 a.m.

**IX. Additional Attachments**

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

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**Final Minutes Approved by Judge Bustamante on July 7, 2009.**