

**Meeting Minutes of the 33<sup>rd</sup>  
Odyssey Steering Committee (OSC)  
Judicial Information Division (JID)  
Wednesday, May 18, 2011  
2:06-3:43 p.m.**

**Executive Subcommittee Members present:**

Judge Karen Mitchell, Chair  
Justice Petra Jimenez Maes  
Judge Michael Bustamante  
Steve Prisoc  
Marlin Mackey

**Voting Members absent:**

Judge Judith Nakamura  
Judge Duane Castleberry  
Karen Janes  
Sandra Trujillo  
Fred Sena

**Executive Subcommittee Members absent:**

Arthur Pepin

**Guests present**

Juanita Duran (2<sup>nd</sup> DC)(*via video*)  
John Todd (*Tyler Technologies*)  
Mike Mellos (*Burger, Carroll & Assoc.*)  
Jane Davenport (*JID*)

**Voting Members present:**

Judge Camille Martinez-Olguin  
Judge Richard Knowles  
Oscar Arevalo  
Michelle Jones (*via video*)  
Brian Gilmore (*via video*)  
Madeline Garcia  
Gina Maestas  
Tobie Fouratt  
Renee Cascio  
Eric Erb

*Minutes taken by: LaurieAnn Trujillo*

Judge Karen Mitchell called the meeting to order at 2:06 p.m. and established a quorum.

**I. Approval of Agenda.**

Judge Mitchell advised that Arthur Pepin and Karen Janes would not be in attendance today due to their participation at the New Mexico Sentencing Commission meeting concerning the charge code table. She reminded those participating by phone or video to mute their systems when not speaking.

Judge Mitchell moved the *Second District's Request to Obtain Access in Odyssey that Would Allow Them to Make Attorney Address Changes at Their Court* to the first agenda item to accommodate Kathleen Gibson's schedule.

**Second District's Request to Obtain Access in Odyssey that Would Allow Them to Make Attorney Address Changes at Their Court.** Juanita Duran presented on behalf of the Second Judicial District (Second), as follows:

- When Odyssey is available at the Second, they would like the ability to update attorney addresses when a judge's office becomes aware of a new address for counsel as opposed to having to send a request to the JID Help Desk.
- Attorneys provide address changes in open court, frequently.
- She asked if there was a mechanism in place for the Second to update attorney addresses themselves.

Renee Cascio explained the following:

- The way it has always worked is courts notify JID Staff when an attorney advises the court that their address has changed.
- Under the previous case management system, there were different databases throughout the state. When a court requested a change, JID Staff would make the change in a simple table and in the requesting court's database, and then JID Staff would refresh the tables periodically using the central table's database.
- At some point, JID Staff stopped getting update requests for Albuquerque attorneys.
- Right now, Albuquerque attorney addresses are dreadfully out of date. The Bernalillo County Metropolitan Court (BCMC) is assisting JID Staff with updating Albuquerque attorney addresses using the roll of attorneys managed by the Supreme Court.
- She supported a centrally controlled method where someone would be responsible for updating attorney addresses.
- Attorney addresses are very important to case processing
- She spoke to Kathleen Gibson about this problem, and Ms. Gibson published a notice in the New Mexico Bar Bulletin reminding attorneys of their obligation to notify the Supreme Court and the New Mexico State Bar of addresses changes.
- Once a process for updating attorney addresses is fully defined, JID Staff would like to stop accepting requests from courts and use the roll of attorneys managed by the Supreme Court to populate Odyssey.

Ms. Gibson spoke of the following:

- Her concern with courts updating attorney addresses is that an attorney may think he/she has officially changed their address with the Supreme Court.
- The Supreme Court suspends law licenses based on the official address of record, and she would not want to put the Supreme Court in the position of having to defend the suspension of a law license because an attorney states he/she updated his/her address with the court through the Odyssey system, which is a Supreme Court endorsed project.
- She asked all court clerks to direct attorneys to the Supreme Court to update their official address of record.

There was discussion on the following points:

- Ms. Cascio advised that JID Staff could work with the Supreme Court to ensure that attorney address changes are made within a timely basis.
- Ms. Gibson suggested that court clerks post the New Mexico Bar Bulletin notice at their counters.
- Suggestion that at the next general judges' meeting at the Second, Ms. Duran remind judges to direct attorneys to the Supreme Court to officially change their address of record.
- The Supreme Court verifies information on questionable attorney address requests.
- Often times, attorneys will change their address with the New Mexico State Bar but not with the Supreme Court, which makes it burdensome for the Supreme Court when they send notices on bar dues and MCLE issues as they have to send notices to the address the New Mexico State Bar has as well as to the address recorded with the Supreme Court.
- Suggestion to remind attorneys to read Rule 17-202(A) NMRA, which requires attorneys to file changes in contact information with the Supreme Court and the New Mexico State Bar.

***Action Item: Justice Petra Jimenez Maes confirmed that attorney address changes cannot come from the courts to JID. Attorneys need to update their address of record at the Supreme Court and at the New Mexico State Bar.***

## **II. Update on Planning Documents**

**Risk Register Update.** Marlin Mackey referred to the document entitled *Risk Management Plan*, which was attached to the OSC agenda, and reported that Risk #34, *Impact on budget if courts are required to upgrade facilities to support in court processing*, was added based upon a request from last month's meeting. This is a mid-level risk and relates specifically to the smaller magistrate courts. An opt-out provision is being considered as one of the mitigation activities.

**Issues Update.** Mr. Mackey then referred to the document entitled *Issue Management Plan*, which was attached to the OSC agenda, and he spoke of the following:

- There are currently six open items.
- JID Staff discussed each of those items because each had a completion date of June 20, 2011.
- Most of the open issues will not be resolved by the completion date, so JID Staff will further analyze the items and the dates will be moved out.
- JID Staff identified the following two issues that could be closed because they do not appear to have an impact on the project at this point in time.
  - Issue #1, *need policy procedure of what to do if defendant has outstanding warrants in more than one court*. This issue appears to be a local decision that Odyssey will not manage.
  - Issue #9, *need to document IRS form 8300 process and procedures*. This issue will not need to be dealt with in Odyssey.

- Ms. Cascio will take ownership of Issue 15, *need new/updated policy, process and procedures for consolidating/joining cases.*

### **III. Administrative Report**

**E-Citations Update.** Steve Prisoc advised that he and Mr. Pepin would be meeting with Governor Susana Martinez's office to work through some issues regarding the electronic citations (e-citations) project. He will report back to OSC when he obtains more information.

**E-Filing Update.** Mr. Prisoc spoke of the following:

- Chief Justice Charles Daniels wanted the electronic filing (e-filing) portal opened by May 1<sup>st</sup> for the First Judicial District (First).
- In later discussions with Tyler Technologies (Tyler), it was determined that it would be more feasible to implement e-filing at the First in concert with the Second for the purpose of joint trainings.
- He learned yesterday from Tyler that they have completely updated their e-filing portal. The new portal has dramatic improvements. Tyler is proposing that the Judiciary move out their e-filing implementation dates to implement their new e-filing product.

There was discussion on the following points:

- John Todd of Tyler added the following:
  - Tyler did a code freeze on the new e-filing product last week and it is now being tested.
  - Tyler will need boarding documents from each court so Tyler is able to electronically transfer the court's e-filing revenue into the court's bank account.
  - There is a 30-day certification window for the boarding documents to be approved.
  - The new product has the same functionality as the old product.
  - The new product has a different looking interface, a different payment process and is more user-friendly for attorneys.
  - A demonstration of the new e-filing product was provided to the State of Minnesota yesterday.
  - He asked if the Judiciary would like for him to arrange a demonstration for them.
  - Tyler would like to do a pilot with a particular law firm and the Thirteenth Judicial District (Thirteenth) to prove out the new product before it is rolled out to other courts.
- The e-filing rollout schedule that was previously agreed upon is still in effect, so the Second's go live date for voluntary e-filing is currently set for June 27th.
- Concerns were voiced about the Thirteenth as they are currently using the old e-filing product, and the impact it would have on them if the new product is implemented.
- Concerns were voiced about providing the courts with sufficient notice of a change in the current e-filing schedule, so they are able to plan accordingly and formally announce the change to those affected.
- Suggestion to assign an informal e-filing working group to attend the Tyler web ex

demonstration of the new e-filing product. The membership of the group should consist of those most affected.

- Suggestion to have the informal e-filing working group make a recommendation to the OSC Executive Committee of whether the Judiciary should continue with the current e-filing rollout schedule, or move out the dates to implement Tyler's new e-filing product.
- Financial and resource impacts if the new product is implemented.

**Action Item:** *Judge Mitchell assigned Ms. Duran or her designee from the Second; Judge Camille Martinez-Olguin; Greg Ireland; Stephen Pacheco or his designee from the First; and JID Staff to serve as the informal e-filing working group that will attend Tyler's web ex demonstration of the new e-filing product. The informal e-filing working group will then provide a recommendation to the OSC Executive Committee of whether the Judiciary should continue with the current e-filing schedule, or push out the schedule to implement Tyler's new e-filing product. Judge Mitchell noted that the JIFFY Contract Negotiations Committee be involved if the Judiciary elected to implement the new e-filing product.*

**Action Item:** *Mr. Prisoc advised that he would provide JIFFY with Tyler's proposed new e-filing contract tomorrow.*

**Hot Site Update.** Mr. Prisoc reported the following:

- The Storage Area Network (SAN) was placed at the BCMC.
- JID Staff started replicating all of the production data to the SAN.
- JID Staff have relocated the web, application and database servers at the BCMC in test mode, and they hope to have them fully implemented by the deadline of June 30<sup>th</sup>.
- Mr. Mackey asked the Second to provide JID Staff with some disaster scenarios, so JID Staff can test the new hot site against several possible scenarios.

**Magistrate Costs for Clerk Staff Data Entry in Courtrooms.** Mr. Prisoc advised:

- Karen Janes issued orders to the magistrate courts that if it is a small court, and in-court processing would impact serving the public then in-court processing would not take place at that court.
- For the remaining magistrate courts, Ruth Dygert is working to obtain contractor quotes on costs associated with refitting those courts to accommodate in-court processing.
- He provided Ms. Dygert with a list of the order of the magistrate courts' rollout schedule.

Mr. Prisoc added that the purchase request scheduled for JIFFY's consideration tomorrow had been withdrawn by the district attorney's office.

#### **IV. Project Manager Report**

**Tyler Hours and Travel.** Mr. Mackey referred to the documents entitled *New Mexico Administrative Office of the Courts* and *Tyler Hours and Travel New Contract Plan vs Actual by Fiscal Quarter*, which were attached to the OSC agenda, and he spoke of the following:

- The actual hours for last month for the statewide rollout project went from 3,386 to 3,554

- hours. The Judiciary now has a balance of 666 hours for the statewide rollout project.
- The BCMC hours went from 3,555 to 3,907 hours, so the project now has a balance of approximately 7,800 left for future work.
- The graph shows the expenditures by an investment of hours by quarter. In the fourth quarter of 2011, the Judiciary expended 169 actual hours for last month against the plan of 988 hours, so the Judiciary has more available hours than it had in the previous month.
- On the travel costs, the Judiciary budgeted \$18,000 for the quarter, and it used under \$3,000 for the first month, so it still has money saved for hours and travel costs for a downstream investment.

**Project Schedule.** Mr. Mackey referred to the untitled gantt charts that were attached to the OSC agenda, and noted the following:

- Odyssey was implemented at the First and the Tenth Judicial District.
- He asked Ms. Cascio to briefly report on the progress of the Second's implementation. Ms. Cascio shared the following:
  - JID Staff have been reviewing converted data and are counting on the Second's assistance in this regard.
  - The Second has been focused on getting as many people pre-trained.
  - JID Staff conducted a couple of pre-training classes prior to the Second's go live training.
  - JID Staff began the Second's civil training.
- Mr. Mackey continued his report by noting that JID Staff built and tested a traveling training environment, so they are no longer dependent on the training facility's network connection to handle the load for training. Ms. Cascio added that the internet would no longer be accessible on the training computers, so trainees are able to fully focus on the training. Mr. Marlin went on to explain the back-up set of equipment that JID Staff put together in the event there is an equipment failure.
- JID Staff will soon go through Tyler's step by step process checklist.
- JID Staff discussed lessons learned from the First's implementation. One lesson learned was the First's equipment was installed too late, but this is not the case with the Second. The Second has done a great job preparing and they are about 90% ready for their equipment.
- The BCMC recently went live. He asked Brian Gilmore to share his thoughts on the BCMC's implementation. Mr. Gilmore shared the following:
  - The implementation went fine.
  - The BCMC is experiencing issues with the judgment component crashing when judges use it.
  - They are also experiencing a reduction in performance and the bandwidth seems to be slowing down.
  - They are working on some data clean-up.
  - Overall, the BCMC is very pleased with the system.
- Mr. Mackey advised that the bandwidth could be configured. Ms. Cascio added that the judgment component was specifically written for the BCMC and was not the same

judgment component currently used by the magistrate courts.

There was discussion on the problems the BCMC is experiencing with the judgment component.

**Action Item:** *Mr. Mackey offered to arrange for the bandwidth at the BCMC to be checked and configured, if necessary.*

**Financials.** Mr. Mackey then referred to the document entitled *New Mexico Administrative Office of the Courts Budget vs Actual*, which was attached to the OSC agenda, and advised that the amount paid to date through April went from \$8,366,000 to \$8,785,000, so the Judiciary is still on track. The projection deficit of \$79,000 was not changed at this point but the project team will look at that further in upcoming quarters.

**Change Requests Update.** Mr. Mackey reported that there were no changes to the document entitled *State of New Mexico Administrative Office of the Courts Change Request Approvals*, which was attached to the OSC agenda.

**Tyler Project Status.** Mr. Todd referred to his status reports, which were attached to the OSC agenda and noted the following:

- The project team took a patch into production, which is a big undertaking for everybody who is testing.
- The new training server that Mr. Mackey mentioned earlier is an improvement.
- The Second will go live in about three weeks, so the project team will go through Tyler's checklist.
- The Second will stop business on the former case management system at the close of business on June 7<sup>th</sup>.
- The project team began the Second's training.
- Upcoming Activities
  - E-filing
  - Record on Appeal module pilot.
- The BCMC went live. There are some issues that they are working through.
- BCMC's upcoming activities
  - They met last week on lessons learned from their implementation and they will apply those lessons to their criminal and supervision phase.
  - They would like to move up their go live date for the criminal and supervision phase.

Mr. Mackey distributed the document entitled *Change Order/Migration Log May 18, 2011*, and explained that JID Staff implemented a more structured change order process that tracks not only Odyssey changes but infrastructure changes, and blends them together so JID Staff can determine what may be impacting things downstream and/or if problems arises, they can determine what things were changed recently that could be contributing to the problems.

There was discussion on the importance of courts working closely with JID Staff on information technology to avoid affecting the Judiciary's statewide systems.

**V. Procedural Issues from Judges User Group.** Judge Mitchell spoke of the following:

- Last month, JIFFY agreed to suspend Judges User Group (JUG) meetings until after the Odyssey rollout.
- During that time, issues that would have normally gone through JUG will now come to OSC from the Odyssey District User Group and the Odyssey Magistrate User Group.
- Some of the issues that OSC will consider will relate to procedural issues, structural issues and anything that would affect Odyssey.

There was discussion on issues also coming to OSC from JID Staff relative to the disposition codes. There was also discussion on ADR fees. Justice Maes noted that the Supreme Court is forming a statewide ADR Commission that would review the ADR process and fees. At this time, the ADR component is only assessed in the Second.

*Action Item: Per Judge Mitchell, JID Staff to title this item in future OSC agendas to "Procedural Issues from Odyssey District User Group and Odyssey Magistrate User Group."*

**VI. Requests**

**Bernalillo County Metropolitan Court's Request to Display Party Addresses on Public Case Lookup.** Judge Mitchell advised that this request had been withdrawn.

**VII. Discussion on Judge Knowles Potential Involvement with Odyssey Drug Court Subcommittee.**

Judge Richard Knowles reported that he was contacted by Peter Bochart, the Statewide Drug Court Coordinator, to participate in a drug court fit assessment scheduled on July 11-13, 2011. He did not see a conflict with him serving, but asked OSC if they saw any issue with his participation in the drug court fit assessment. There was no objection voiced for Judge Knowles to participate in the drug court fit assessment.

*Action Item: Per Judge Mitchell, Judge Knowles to report back to OSC on anything the drug courts are doing that might affect Odyssey.*

Judge Mitchell inquired why the IV&V update was not on today's agenda. Mike Mellos of Burger, Carroll & Associates advised that they did not have a report due at this time; however, he noted that OSC should be aware that as the statewide implementation moves forward, they are seeing more maintenance issues arise that apply to courts that have been converted to Odyssey. This could become a risk if resources have to devote more attention to maintenance issues than originally anticipated. Mr. Mackey has a very strong technical leadership role, which will mitigate the situation; however, OSC should be aware that the schedule of upcoming conversions could be impacted.

**VIII. Future Meetings.** Judge Mitchell announced that the next OSC meeting is scheduled on Wednesday, July 20, 2011 at 2:00 p.m. at the Judicial Information Division.

Mr. Prisoc added that he is very pleased with Mr. Mackey's job performance.

There was a lengthy discussion on Tyler's new e-filing product.

*Action Item: Per Judge Mitchell, the informal e-filing working group to attend Tyler's web ex demonstration of the new e-filing product on Wednesday, May 25<sup>th</sup> at 3:00 p.m., and to come up with a recommendation for the OSC Executive Committee to consider of whether the Judiciary should continue with the existing e-filing rollout schedule, or push back the schedule to implement the new e-filing product.*

*Action Item: Per Judge Mitchell, the OSC Executive Committee to meet at 8:30 a.m. on Thursday, May 26<sup>th</sup> at the Judicial Information Division to consider the informal e-filing working group's recommendation. She encouraged OSC Executive Committee members to attend Tyler's web ex demonstration on May 25<sup>th</sup>.*

**IX. Adjourn.** Judge Mitchell adjourned today's meeting at 3:43 p.m.

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**Final Minutes Approved by Judge Mitchell on June 2, 2011.**