

**Judicial Information Systems Council  
Online Access Subcommittee  
Draft Meeting Minutes  
James Noel, Chair**

Judicial Information Division  
2905 Rodeo Park Drive East, Building 5  
Santa Fe, New Mexico 87505

Monday, January 11, 2021 at 1:30pm – remote conference

1. Welcome and Introductions

In accordance with the Supreme Court orders regarding the pandemic and the imperative to make court access the top priority while operating under scaled back operations, for the foreseeable future the focus of the Online Access Subcommittee meetings will be on the following three items until further Order of the Court.

- SOPA Access Requests
- re:SearchNM completion
- Expanded e-Filing

***In attendance: Judge James Noel, Chair; Judge Karen Mitchell, Judge Mickie Vega, Judge Maria Dominguez, Artie Pepin, Dick Wilkinson, Barry Massey, Weldon Neff, Ian Bezpalko, Suzanne Winsor, Margarita Terrell, Laura Orchard***

***Guests: Karl Reifsteck (CEO of 13<sup>th</sup> District Court), Kate Yielk (Program Manager for NMKids), Veronica Montano-Pilch (Interim Director of NM CASA Association), Kristen Frueh Leyba (AOC CASA Program Manager), Debra Vanderwerf (Executive Director of NMKids)***

2. Approval of Agenda

***The motion to approve the agenda (in the new order of 1,2,4,3,5,6,8,7,9,10) was made by Ian Bezpalko, seconded by Barry Massey, and passed without objection.***

3. Approval of December 7, 2020 draft minutes

***The motion to approve the December 7, 2020 minutes was made by Barry Massey, seconded by Ian Bezpalko, and passed without objection.***

4. Special profile request for CASA Volunteers - Karl Reifsteck - (see 12/15/20 email and incident 705326) Sandoval County CASA volunteers have a blanket appointment on all JQ cases, but it is not statewide – only for the county. There are fewer than 30 CASA organizations across the state and only 2 individuals per CASA org that would need access to JQ cases. The appointment is for a specific county, but the technology will only allow them access to ALL JQ cases statewide. The CASA volunteers take an oath because they have access to HIPPA protected data. An ED could sign as their supervisor on the application, but a special profile would need to be created to show only JQ cases.

*Laura Orchard explained that a new SOPA/re:SearchNM profile would need to be created to accommodate a single case type statewide, providing sealed cases and sealed documents, because the current tiers do not provide what CASA is looking for. Veronica Montano-Pilch explained that program staff (Executive Directors) in each region, not CASA volunteers, would be the ones applying for the accounts. The committee discussed whether the court-ordered program under contract with AOC would be in compliance with the rules and statutes and determined that the court order providing blanket access to these cases made it so.*

*It was determined that because the sealed case policy included only AORs and SRLs, the JQ profile would need to have access to sealed JQ cases and their sealed documents. It was also clarified that this JQ profile would provide access to all JQ case files statewide rather than a more narrowly defined set of JQ cases. The supervisory signature on the application form will be Kristen Frueh Leyba or Artie Pepin.*

*Judge Maria Dominguez made a motion to approve the creation of a new profile to be provided to CASA employees, reflecting the statutory language, to allow access to JQ cases, with the understanding that the user would only look at JQ cases within their district.*

*Artie Pepin seconded the motion for purposes of discussion.*

*Laura Orchard requested a friendly amendment to state that this profile would be an exception to the sealed case policy approved by the Supreme Court in October 2020.*

*Judge Dominquez and Artie Pepin accepted the suggestion for the friendly amendment. The motion passed without objection.*

**Action Items:**

- *JID to create a new CASA profile that includes only JQ cases, including sealed cases and sealed documents*
- *JID to provide Tyler with the new CASA profile for re:SearchNM*
- *Laura will provide CASA contacts who were on the call with the correct (updated) JP application with instructions on filling them out, supervisory signatures, and submitting them to [support@nmcourts.gov](mailto:support@nmcourts.gov)*
- *Kristen and Veronica to provide Laura with a list of CASA executive directors*

5. Follow up on action items from December 7 meeting (see attached)

*Laura Orchard provided a brief review of the status on all of the December action items.*

6. Magistrate and Metropolitan Courts E-Filing Projects Update – Suzanne Winsor, Margarita Terrell

*Margarita Terrell and Suzanne Winsor provided a status report on the Phase I Magistrate e-Filing project and the Metropolitan Court e-Filing project.*

*The Magistrate Courts in 5<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup> are rolling out civil e-filing on Tuesday, January 19. Phase 2 will include Magistrate Courts in 1<sup>st</sup>, 3<sup>rd</sup>, 6<sup>th</sup>, and 13<sup>th</sup>, and preparation tasks for that phase have begun.*

***Metropolitan Court is using the Task Manager functionality and are very pleased with the process. Other courts are anticipating using the feature as soon as the contract for e-Signature is signed.***

***The e-filing rules for Magistrate Court and Metropolitan Court have been approved by the Supreme Court at their January conference.***

7. re:SearchNM Project
  - a. Status Update

***Laura Orchard provided a status update on the re:SearchNM project, explaining that Tyler Technologies' security breach in the fall has caused a two-week delay as their developers were deployed to resolve the breach. There are currently two minor issues being assessed by Tyler and three development items to be deployed in January, with JID testing to begin on February 1, 2021. An updated implementation plan with the updated schedule has been posted for OAS and include 3 rounds of testing, retaining the original roll out date.***

- b. Draft outline of training plan for approval to submit to Senior Justice B. Vigil at the Supreme Court's February conference

***Laura Orchard presented an outline of the training that will be presented to AOC Judges and Justices prior to the SOPA migration to re:SearchNM and then again at Conclave.***

***Action Items:***

- ***Laura to provide communications that Tyler will distribute to SOPA users for OAS review/approval***
- ***Laura to update implementation plan and training outline to accommodate new dates for Conclave***
- ***Additions to training outline:***
  - ***Provide demo of all value-added features in subscription version***
  - ***Make it clear to Judges, Justices, JIFFY, and SC that re:SearchNM will allow users to search in ways that may provide much more information than they could in SOPA***
  - ***Add redaction note to outline (\$1.5 m appropriation renewed each year)***
- ***Laura to reach out to Maria Dominguez to review the training beforehand***
- ***Laura to send final Outline to Judge Noel, who will write a transmittal letter to submit to Senior Justice Barbara Vigil by 1/27 for Feb Supreme Court Conference***

8. Review Updated SOPA Application Forms for Approval
  - a. See all red text showing additions
  - b. Specific questions regarding:
    - FBI Tier 2 page
    - Press credential statement on last page
    - Tier 3 statement added on JP form Tier 2 page

***Laura Orchard presented the updated and red-lined SOPA application forms for approval.***

***Attorney Application Form: Judge Mitchell made a motion to approve the updated form, Judge Dominguez seconded, and the motion passed with no objection.***

***Attorney Staff Application Form: Judge Mitchell made a motion to approve the updated form, Judge Dominguez seconded the motion, which passed with no objection.***

***Justice Partner Application Form: Judge Mitchell made a motion to approve the updated form with “Tier 3” and “If you represent juveniles in criminal or delinquency cases,” removed from Page 4, Judge Vega seconded the motion, which passed with no objection.***

***FBI Application Form: Weldon Neff made a motion to approve the updated form with “If you represent juveniles in criminal or delinquency cases,” and the first 3 check boxes removed from Page 4, Judge Mitchell seconded the motion, which passed without opposition.***

***Press Application Form: Barry Massey made a motion to approve the updated form, Judge Dominguez seconded the motion, which passed without objection.***

***Action Items:***

- ***Laura to make approved changes to the applications, post on the website, distribute to OBS staff***
- ***Laura to use these updated application forms as the basis for the new re:SearchNM forms***

9. SOPA Requests

- a. Press SOPA request – Aaron Borego (702054)

***After discussion, the committee determined that the information provided through the service desk incident did not contain enough published material to substantiate the request, so the application was denied.***

***Barry Massey made a motion to deny the application because Mr. Borego has not provided information to show that he meets the definition of a press member and is regularly publishing matter related to public interest. Ian Bezpalko seconded the motion, which passed without opposition.***

- b. Librarian SOPA request – Michelle Wallbrett (697821)

***After discussion, the committee determined the applicant does not meet the criteria.***

***Judge Maria Dominguez made a motion to deny the application as presented, Ian Bezpalko seconded the motion, which passed without opposition.***

- c. Forensic Scientist SOPA request – Michelle Graham (703417) – on behalf of the City of Albuquerque, she searches on First, Last, DOB, SSN and booking offenses to see if it is still a valid felony offense – enters this same info into their DNA database as either an eligible offender so the officer will know whether to collect a DNA sample or not. She says the information is not always in Case Lookup. She has been directed to seek the info through NMdataXchange. Does not meet the criteria as Law Enforcement non-officer in support of officer safety.

*After discussion, the committee determined there were unanswered questions about what data the applicant is seeking in SOPA and Judge Noel asked that she be invited to attend the next meeting to respond to those questions.*

*Action Items for Laura:*

- *Reply to Aaron Borrego and Michelle Wallbrett with denials; and,*
- *Request Michelle Graham attend the February OAS to provide additional information*

10. Meeting Adjourned

Next Meeting

Monday, February 1, 2021 at 1:30pm