

**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, March 1, 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; Barry Massey, Jennifer Scott, Judge Micki Vega, Weldon Neff, Judge Maria Dominguez, Artie Pepin, Ian Bezpalko, Suzanne Winsor, Laura Orchard, Margarita Terrell**

**Guests: Lindsey Fooks, Corrie Griffith - AOC**

2. Approval of Agenda

**Barry Massey made a motion to approve the agenda, which was seconded by Judge Dominguez, and passed without opposition.**

3. Approval of February 1, 2021 draft minutes

**Barry Massey noted that the minutes still has the word “agenda” on it. Judge Vega made a motion to accept the minutes with the correction, Barry Massey seconded the motion, which passed without opposition.**

4. Follow up on action items from February meeting

**Laura Orchard briefed the committee on the status of the action items carried forward from previous meetings.**

5. SOPA Requests (see SOPA Requests Folder)

- a. Corrie Griffith, AOC – JQ Auditor profile for NMFAP

**Corrie Griffith, program manager with the Family Advocacy Program, explained that the NMFAP contract social workers need to have online access to case information for JQ cases they have been assigned to, and now that CASA staff have been given access by the committee, she is resubmitting the request. There is an order/affidavit filed by the attorneys, legally appointing the social workers to abuse and neglect cases (JQ). Currently the social workers are relying on attorneys to share the case information with them, which is inefficient. Because they are legally a part of the parent’s legal team, we think it is right to provide them with access to the cases they are assigned to.**

**Laura Orchard explained that when this request first came to OAS in March of 2020, the possibility of using the JQ auditor role was not discussed (this would provide only the JQ case types statewide). After the CASA decision was made by the committee, Laura reached out to Corrie to resubmit her request.**

**Lindsey Fooks interjected that in the Family Advocacy Program, the parent and the attorney are paired with a social worker, and sometimes a parent mentor. The access request is for the Masters-level, licensed clinical social workers. They have a code of ethics and they have been trained in the sequestered nature of the cases and the confidentiality requirements under statute. Unlike the CASA access, which is statewide, this request is like an Attorney of Record account where the social worker would only see the cases they are assigned to.**

**Laura Orchard explained that the link that makes the Attorney of Record account work is the CAID number, so that would not work for social workers.**

**Judge Noel offered that although the CAID number indicates they are licensed with the New Mexico State Bar, there will be a discussion around creating a law clinic CAID number so clinical law students can have Attorney of Record access to their clinical case files. Although not technically attorneys, they are using the CAID mechanism. If we are going down the path of providing AOR access to law student, is it possible to talk to the Supreme Court Clerk's Office to see if there is a way to add the social workers to the attorney table?**

**Laura Orchard reminded the committee that when Self-Represented Litigants were added to the attorney table using fake CAID numbers, that was wholly rejected by the OAS.**

**The number of social workers within the 13<sup>th</sup>, 2<sup>nd</sup>, and the 11<sup>th</sup> district will be about 11 individuals. A conservative estimate if the program went statewide might be 50.**

**Judge Noel suggested a recommendation be made to the Supreme Court. The difference here is that there is a rule providing clinical law students the ability to represent clients in front of courts in a limited fashion. There should likewise be authorization from the Supreme Court to assign CAID numbers to social worker on JQ cases.**

**Artie Pepin agreed that the social workers need to have access to their cases, and if a modified CAID number is the only way to provide it, the Supreme Court needs to understand why they should approve the recommendation.**

**Lindsey Fooks offered to discuss the situation with Senior Justice Barbara Vigil, who is familiar with the NMFAP and may be able to advocate.**

**Judge Noel brought up the issue of tracking and maintaining the records for the social workers and the law clinic students at the beginning and end of each cycle, and the need to remove them from the system when their term is over. Additionally, there should be an agreement with the social workers regarding the use of the data they have access to.**

**The ability to identify the special CAID numbers will be addressed by using "UNM" prefix for the University professor as the supervising attorney, and "LS" for law student.**

**Suzanne Winsor clarified that the CAID numbers cannot be removed from the attorney table, because they are a part of the historic record. The CAID numbers that are obsoleted are turned red, so the clerks would still see the numbers in the list, and the list of red ones would continue to grow.**

**Jennifer Scott interjected that the current process for the UNM law professors to acquire the CAID number is relatively simple. The dean sends a list of professors who might be appearing, then when an individual professor contacts the Supreme Court Clerk's Office, Kathy assigns a**

**“UNMXXX” CAID number and sends it to JID to activate the account. They have never been deactivated by the Supreme Court Clerk’s Office. Jennifer suggested the professor can send a list of students to the Supreme Court, the student CAID numbers would be sent to JID to activate, and at the end of the semester Kathy can confirm with the professor which student to deactivate. She indicated that she and Joey agree this would be a good thing to do for the law students in this program. In terms of the social workers, which does not have a rule in place, the Supreme Court will want to know if other types of social workers will want to do this, making it a commonplace request, or whether this is an isolated situation.**

**Suzanne Winsor clarified that the Self-Represented Litigant CAID numbers were shut down shortly after it began and was resolved by purchasing re:SearchNM, where they can have an AOR account without a CAID number. The SRL profile has an AOR profile by way of being a party on the case marked as Pro Se.**

**Jude Noel suggested OAS make a recommendation to the Supreme Court to create a unique prefix for CAID numbers to be used by a limited small number of social workers as part of the Family Advocacy Program. The Supreme Court could make a rule, or an administrative order.**

**Barry Massey asked if it would be possible to ask Tyler to create a profile that would allow us to provide specific-case access the way the SRL has in re:SearchNM that doesn’t rely on the party being marked as Pro Se. Laura Orchard clarified that a request like that would take time and money to pursue. Suzanne Winsor said it would be worthwhile to write up the requirements, even though it would not be available when re:SearchNM rolls out in the Spring, because this won’t be the last time this type of request is made.**

**Artie Pepin made a motion to recommend to the Supreme Court using the CAID number process unless and until JID can pursue development with Tyler where the CAID number is not involved so the professionals involved in the Family Advocacy Program can access their cases. Barry Massey seconded the motion, which passed without opposition.**

**Judge Noel asked Suzanne Winsor and Laura Orchard to determine whether an entry in the attorney table can be removed. Suzanne said they can, but only if they have never been linked to a case in Odyssey.**

**Action Items:**

- Judge Noel to draft the recommendation and submit it to the Supreme Court to be included in the March 10 Supreme Court Conference; and,**
- JID to define the requirements for a new profile to accommodate users like social workers.**

**b. Jennifer Scott, AOC – Press profile for LexisNexis**

**Jennifer Scott and Joey Moya have been getting many large requests from LexisNexis for case information. They want OAS to respond to the idea of whether Press access for LexisNexis is a way to get this information for themselves so the staff doesn’t have to spend time on these requests.**

**Barry Massey reminded the committee that LexisNexis is a known data miner, and they then sell that information to credit bureaus.**

**Judge Noel noted that providing access would relieve the court staff from having to respond to these requests, but would open up the data to being used in ways the Supreme Court may not approve of.**

**Barry Massey noted there is a policy preventing bulk data reselling, so a certain category of entity (like LexisNexis) is treated differently. If they were to be given this access, they would be given a head start on those who will ultimately get the public profile.**

**Judge Noel stated that if LexisNexis were to receive Press access in SOPA, once JID migrates to re:SearchNM, it has expanded capabilities for data mining. Suzanne Winsor responded that if that access is to be provided to them, it would be more profitable to sell the data to them.**

**Jennifer Scott asked the requester more information to understand what they needed and how they could be better served, but the requester changed their mind, so the conversation never took place and they were unable to learn where this requester was within the larger organization.**

**No action was taken by the committee.**

- c. **UNM Law Clinic Student SOPA access – Serge Martinez, Tracey Greeman, Kathleen Bartlett – provision of temporary student CAID numbers for the duration of their semester for AOR access to cases in SOPA**

**Neither Serge Martinez nor Tracey Greemen were able to attend, but Judge Noel introduced the issue for the UNM clinical law students, as previously discussed. It is likely this will be limited to the 2<sup>nd</sup> District and Metropolitan courts.**

**Jennifer Scott said that the Supreme Court Clerk’s Office does not have a problem with providing and maintaining the “LS” CAID numbers for the law students in the clinical program. A few considerations are:**

- **good communication between the law school and the Supreme Court Clerk’s Office using the current process**
- **a list of students with their names attached to a UNM email address (no gmail, etc.)**
- **the CAID numbers to be deactivated at the end of each semester (logistics to be worked out with UNM and JID)**
- **once the student becomes licensed, they would receive a new normal CAID number**
- **the professor will need to follow the court procedure to get the court to link the supervising attorneys and the law students to the cases (e.g., substitutions of counsel, etc.)**

**With the rules already in place, nothing additional would need to be done by the Court. The total number of students per semester is 30-40.**

**Jennifer Scott said that the rules are in place for this, but the Supreme Court should be notified informationally that this is happening.**

**Suzanne Winsor suggested JID may need to make new attorney type codes in Odyssey to accommodate the Supervising Attorney and Law Student. Jennifer Scott suggested the clerks need to be guided on when to use them.**

**Suzanne Winsor asked if an MOU can be put in place. Having the students submit formal entries of appearance and substitutions of counsel would be helpful to the clerks.**

**Judge Dominguez asked Suzanne Winsor if there is some training that could be provided to the clerks at Metro for Landlord Tenant cases, and she said an SOP can be developed for OJUG approval and then training can be provided.**

**Judge Noel asked if there was a motion to establish that we’ll provide clinical law students with “LS” CAID numbers so they can access the cases they are assigned to.**

**Weldon Neff made the motion, which was seconded by Judge Dominguez, and passed without opposition.**

**Action Items:**

- **Judge Noel to work with Suzanne Winsor to work out the background stuff**
  - **MOU with UNM so they will submit formal entries and substitutions**
  - **New attorney codes in Odyssey for Supervising Attorney and Law Student**
  - **SOP to be developed and presented to OJUG**
  - **Training to be provided to Metro and District 2 staff**
- **Jennifer Scott to contact Serge Martinez and Tracey Greeman to direct them as to how to provide the student roster information to the Supreme Court so the CAID numbers can be assigned, and inform them the supervising attorney and the law students will need to submit entries and substitutions formally.**

6. re:SearchNM Project (reSearchNM Folder)

- a. Documentation and diagram from Phillip Vaden on subscription features, search steps, and the features included in the judges profile

**Laura Orchard noted that Phillip Vaden was not able to join the meeting today, but sent the two documents included in the OAS packet from Tyler Technologies in response to Judge Noel's request for documentation of the subscription feature, the Judge profile features, and a User Guide.**

**Judge Noel and Barry Massey both stated their desire for more clarity on the information provided for search instructions and pricing. The basic level appears not to provide much of anything new, which is not what we were told.**

**Judge Dominguez asked how much the Public Defenders and District Attorneys will have to pay to have the equivalent to SOPA access. Laura Orchard informed the committee that no one will pay for the basic equivalent SOPA access. The features that come with the paid subscriptions are features beyond SOPA.**

**Suzanne Winsor let the committee know that the first Sprint of testing on re:SearchNM was very disappointing. If it doesn't get better in the second testing sprint, the roll out date may need to move. Right now there are data integrity and data security issues.**

**Laura Orchard provided a re:SearchNM project status report based on the Status Report attachment. Judge Noel and Artie Pepin agreed that the Supreme Court should be notified of the situation so they are aware of the reasons why the account migration date might be pushed well ahead of time.**

**She also walked through the 9 additional development requests the testing team made as a result of testing. These will be brought back to OAS at a later time to prioritize.**

**Action Item:**

- **Judge Noel to provide an informational update to the Supreme Court at their March 10 conference indicating JID's concerns with the testing results**
- **Laura Orchard to provide OAS with better information on what is provided to Basic, Premium and Pro levels and address the "reduction in service" notion**
- **Laura Orchard to make note of the In the Matter of and In the Matter of Child party types can be unhidden because the case type is so restricted**

- **Laura Orchard to investigate which groups saw the PDD and the signature history (via email with Dick and Artie)**

b. OAS decisions needed

- Should substituted attorneys who are no longer representing a client in a case display in re:searchNM? (See “reSearchNM – Substituted Attorney Display”)

**For discussion, Laura Orchard showed screen shots of how the withdrawn attorneys display in both Odyssey and in re:SearchNM.**

**Judge Dominguez made a motion to allow the withdrawn attorneys name with the strike through to display in re:SearchNM. The motion was seconded by Judge Vega and passed without opposition.**

- attorney CAID number displaying to all accounts (See “reSearchNM – CAID Display”)

**For discussion, Laura Orchard showed screen shots of how the attorney’s CAID number is displayed in re:SearchNM. When JID asked Tyler to hide the CAID number, Tyler said it is not protected data. Jennifer Scott said the Supreme Court previously had displayed the numbers on nmcourts.gov, but took them down at the request of OAS to prevent non-attorneys from using the numbers in order to e-file through File & Serve.**

**After discussion, it was determined the misuse by non-attorneys is the only downside to allowing the number to display in re:SearchNM.**

**Artie Pepin made a motion to allow the attorney’s CAID number to be displayed in re:SearchNM. The motion was seconded by Ian Bezpalko, and passed without opposition.**

**Jennifer Scott recommended the Supreme Court be informed that the CAID number will now be displayed, which may result in displaying the list on the website again.**

- approval of the hidden and sealed doc security groups (See “reSearchNM – Doc Sec Group”)

**For discussion, Laura Orchard showed a list of document security groups and their current settings in re:SearchNM. The request to OAS is to confirm that the correct settings have been applied. The security terminology is different between Odyssey and re:SearchNM, so Judge Noel asked for more clarity before asking the committee to make a determination.**

**No action was taken on this item.**

**Action Items:**

- **Judge Noel to include the CAID number display in the transmittal letter to the Supreme Court for their March 10, 2021 conference**
- **Laura Orchard to convey the OAS decision on the display of withdrawn attorneys;**
- **Laura Orchard to wait on the Supreme Court’s response to the CAID number being displayed prior to informing Tyler; and,**
- **Laura Orchard to provide a clarifying language to the document security group list and re-send to OAS in advance of the next meeting**

7. E-Filing Projects– Suzanne Winsor, Margarita Terrell (eFiling Folder)

a. Lessons Learned document from Magistrate Phase 1 (See “Phase 1 Lessons Learned”)

**Margarita Terrell provided a summary description of the lessons learned during the Phase 1 roll out for Magistrate e-Filing that had been applied to the roll out of Phase 2. These were**

related mainly to how implementation was organized and resource management for training. In Phase 1 involved implementing both Task Manager and File & Serve at the same time, and for Phase 2 they are being implemented separately. For training, instead of having small group testing and training in small groups, in Phase 2 testing and training is taking place in larger groups to manage resources.

The Phase 2 roll out is planned for April 23 for Magistrate Courts in the 1<sup>st</sup>, 3<sup>rd</sup>, 6<sup>th</sup>, and 13<sup>th</sup> districts.

Phase 3 is planned for roll out at the end of July. Suzanne Winsor explained that because e-Filing at the Magistrate Courts will only become mandatory at the end of Phase 3, it is anticipated that some attorneys will wait to begin e-Filing until then. The plan is to not initiate any new projects in August so OBS staff will be available to provide re-training and hand-holding as the courts from Phase 1 and Phase 2 will need to have refresher training.

b. SRL e-Filing Implementation Plan for review (See “SRL eFile Implementation Plan v1.0”)

Judge Noel asked the committee to review the plan document and asked Laura Orchard to include it on the April 5 agenda.

8. Meeting Adjourned

Next Meeting

Monday, April 5, 2021 at 1:30pm