

**Judicial Technology 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, September 13 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, Ian Bezpalko, Cassandra Hayne, Barry Massey, Weldon Neff, Laura Orchard, Artie Pepin, Margarita Terrell, Suzanne Winsor

Guests: Celina Jones; Calley Carswell of the Legislative Finance Committee (LFC)

2. Approval of Agenda

Ian Bezpalko motioned to approve the agenda. Judge Karen Mitchell seconded. There being no further discussion, or opposition noted, the agenda was unanimously approved.

3. Approval of August 2, 2021 draft minutes

Ian Bezpalko motioned to approve the August 2, 2021, meeting minutes. Barry Massey seconded. There being no further discussion, or opposition noted, August 2, 2021, meeting minutes were unanimously approved.

4. Follow up on action items from prior meetings

Laura Orchard referred to the Action Items document and provided an update on the action items being tracked from prior meetings.

5. SOPA Actions

a. SOPA Request – Bernalillo County Criminal Justice System – Jon Courtney, Cally Carswell

Cally Carswell, Program Evaluator, advised the LFC is creating a progress report on the 2018 evaluation of the Bernalillo County criminal justice system. They will be revisiting some of the findings and recommendations and researching the current issues. Governor Michelle Lujan Grisham and the Legislature have an interest in the crime in Bernalillo County. The LFC previously had access to SOPA, and it would be helpful to have this same access to look at cases for the current evaluation. Judge Noel inquired how much time this project will take, how quickly access is needed, and if having direct access to SOPA would reduce the need to use staff at the Second Judicial District Court (SJDC) as they did in the past. Ms. Carswell advised they are planning to present this information to the Legislature in December or January; they would like access as soon as possible. They will be engaging with staff at SJDC; however, as the majority of the research was completed the first time, the evaluation will be less intensive. She doesn't believe they'll need as much assistance, and having SOPA access will take some burden off the SJDC staff.

Ms. Orchard advised that Travis McIntyre of the LFC was previously granted Tier 2.1 access which included Domestic Violence (DV) and Children's Court cases; DV is now on Tier 1. Judge Noel inquired if they would need access to the Children's Court records, and Ms. Carswell advised that it is not the primary focus; however, they may look at those cases.

Ms. Carswell is asking for SOPA access for herself and Ryan Tolman. They haven't applied yet but will do what they need. Judge Noel stated their request doesn't necessarily need votes from the Online Access Subcommittee (OAS). He asked that Ms. Carswell submit a Justice Partner application. If an attorney signature is required, get with Raul Bruciaga, Director of the Legislative Council Service, as he should sign off on that. If Mr. Bruciaga is unable to sign, please speak with Artie Pepin as he is an attorney and Director of the Administrative Office of the Courts (AOC), and the reports they're doing are very relevant to the courts. Mr. Pepin believes he was the attorney sponsor in the past and would be willing to sign off again if needed. Judge Noel asked that Ms. Carswell checks with Mr. Bruciaga first, then Mr. Pepin. Once the application is submitted, it should be approved as long as they meet the criteria. If their application is denied, they will need to come back before the OAS.

Action Item: Ms. Orchard to email the application and instructions to Ms. Carswell

b. Request for Approval of SOPA Criteria Spreadsheet Update

- Policy 12 for CASA regional EDs to have JQ Auditor profile
- Policy 13 for CASA social workers in the NMFAP to have AOR access
- Policy 14 to address the Department of Public Safety attorneys and paralegals to have a new CRE profile for EX cases

Ms. Orchard referred to the SOPA Criteria Spreadsheet that ensures applicants meet the criteria for access. Three policies were added to the spreadsheet, and she is seeking approval for the updates.

b. Request for Approval of SOPA Criteria Spreadsheet Update cont'd

Ms. Orchard provided a brief overview of the updates to include the following: update of Policies 12-14; an update to Blanket Criteria 9; adding back Tier 1 for the University of New Mexico (UNM) Law Clinic Students; Tier 3 for Department of Public Safety (DPS) Attorneys and Paralegals; and JQ Auditor Role for CASA regional Executive Directors or equivalent staff. This document is distributed to Service Desk staff so they have the most accurate information of what the OAS has approved.

Judge Noel advised the University of New Mexico (UNM) Law Clinic is still having difficulty understanding how to get access to SOPA. There was a brief discussion, and Judge Noel asked that Celina Jones get with Supreme Court's Court Executive Officer, Jennifer Scott, or Mr. Pepin to assist the UNM Law Clinic with applying for access.

Cassandra Hayne motioned to approve the changes to the SOPA Criteria Spreadsheet. Judge Mitchell seconded. There being no further discussion, or opposition noted, the motion to approve the changes to the SOPA Criteria Spreadsheet was unanimously approved.

Action Item: Ms. Jones to get with Ms. Scott or Mr. Pepin to assist the UNM Law Clinic with applying for access. Ms. Orchard will provide written instructions.

6. File & Serve Upgrade Project Status Report – Laura Orchard

Ms. Orchard referred to the File & Serve Upgrade 2021/Review Tool Project Status Report and provided the following updates:

On October 12, 2021, Silverlight will be turned off completely by Tyler Technologies (Tyler); this has shortened the timeline for training. They are in the process of training court staff to file using the HTML5 File and Serve application while continuing to review in Silverlight. Once Tyler sends the training tools on the new review tool, they will start training court staff on that. The team is currently at the training stage in the timeline for this project, and they are also testing the review tool that Tyler has developed. Tyler is trying a new, continuous development approach that entails upgrading the stage environment every Monday then uploading what was built into production every Tuesday.

Judge Noel inquired if this impacts only internal filers, and Ms. Orchard advised that yes; however, in the new year, Tyler will have a new review and filing tool that will impact both court staff and external filing attorneys. Ms. Orchard provided an overview of the issues they're facing, including 11 showstoppers and Tyler's continuous development approach. There was a brief discussion regarding the new process and issues, and it was the consensus of the subcommittee that Ms. Hayne would follow up with Tyler on these issues. Ms. Hayne will also work with Mr. Pepin to inform the New Mexico Judicial Council (NMJC) that the Judicial Information Division (JID) was blindsided by Tyler in regards to the shutoff deadline for Silverlight and that they've done a good job working through the obstacles.

6. File & Serve Upgrade Project Status Report – Laura Orchard cont'd

Margarita Terrell referred to the Magistrate e-Filing for Civil Cases Post Mortem/Debrief. After the project was over, the team got together for a debrief and asked two questions: What were the positive aspects of the implementation? What do you think we could have done differently? Ms. Terrell provided a brief overview, and Judge Noel inquired what the biggest surprise was and what they found was the most useful from their list. Ms. Orchard advised that she focuses on the technological aspect and when it went in-depth; and the staff was asking about the business process, it opened her eyes to the training process. Ms. Terrell added that the breakout rooms in Google were very beneficial for the hands-on training. She advised that September 9th was the mandatory day for attorneys to begin e-filing in Magistrate courts for civil cases. A reminder went out to the State Bar for the Friday e-news, and notice will post in the September 22nd Bar Bulletin. Judge Mitchell congratulated the team for their success.

Action Items: Ms. Hayne to follow up with Tyler regarding the File and Serve Upgrade issues. Ms. Hayne and Mr. Pepin will inform the NMJC that JID was blindsided by Tyler in regards to the shutoff deadline for Silverlight and that they've done a good job working through the obstacles.

7. Self-Represented Litigant e-Filing Project Plan Discussion – Suzanne Winsor, Laura Orchard

Judge Noel inquired if JID is ready to proceed with the proper steps to get the Self-Represented Litigant (SRL) e-Filing Project started. Ms. Winsor informed the subcommittee that project priorities are being discussed at JTech this week, and more feedback is needed; she doesn't think this is the best time to proceed based on current projects. Ms. Winsor received feedback from Justice David K. Thompson, and he doesn't feel this project is a priority for the courts; however, Ms. Winsor is unsure where the other courts stand. She added that JID should hold off on this project until the new filing tool is received. Judge Mitchell raised some concerns and expressed the need to manage the current projects first and see where this falls in. There was a brief discussion, and it was the consensus that the subcommittee should take cues from JTech as to the priority of this project.

8. Meeting Adjourned

Next Meeting – Monday, October 4, 2021 at 1:30pm

Respectfully submitted,

Alicia C. Trujillo
Administrative Assistant II