



Administrative Office of the Courts

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SUPREME COURT APPROVES POLICY FOR ONLINE ACCESS TO COURT CASE RECORDS

SANTA FE - The New Mexico Supreme Court has approved a policy to provide secure online case access to court records for attorneys and their staff, justice partners such as law enforcement agencies, and the press.

The court will issue an order later establishing an effective date for the policy, which could go into effect as early as March.

There was broad support for the policy during testimony at a public hearing last month. Allowing online access to electronic records in civil and criminal cases will improve governmental transparency, assist attorneys and governmental agencies in their work and help members of the press, under their First Amendment rights, provide timely and accurate information to the public.

Approved users will be able to view and download court documents that are public records from personal computer terminals through a secure, restricted access system operated by the Judicial Information Division (JID).

Those requesting to use the Secured Odyssey Public Access (SOPA) system will be required to apply to JID for login credentials. The application process is expected to begin soon and will be announced when the court issues its order.

The new policy will allow members of the public to gain online access to court case records in the future when the Judiciary obtains adequate funding to electronically redact records to remove protected personal identifier information.

Public records in court case files currently can be inspected at courthouses during business hours. The availability of case records at courthouses will not change. The public also can continue to

use the current online case lookup system (<https://caselookup.nmcourts.gov/caselookup>) to view docket summaries and registers of action for court cases. That system does not provide access to documents filed in court cases, however.

The Judiciary is requesting \$1.25 million from the Legislature for redaction software that's needed to provide secure online case records access to the public. The appropriation is necessary for the courts to comply with provisions of state law. Under the Inspection of Public Records Act, unredacted records with protected personal identifier information cannot be made available on a publicly accessible governmental website.

Those who qualify for online access to court records under the new policy are:

- Attorneys licensed by the New Mexico Supreme Court in good standing and staff supervised by attorneys with online access credentials.
- Out-of-state attorneys admitted by the New Mexico Supreme Court on a specific case.
- Justice partners, defined as state, municipal or federal law enforcement agencies, corrections agencies, compliance programs (per NMSA 1978, Section, 31-20-5.1), federal judges in New Mexico, municipal judges and court staff, and any state or federal agency involved in adult, family or child welfare.
- Press, defined as “any person who regularly gathers, prepares, photographs, records, writes, edits, reports or publishes news or information about matters of public interest in any medium and who successfully applies to participate in online access and agrees to comply with all court rules.”
- Self-represented parties in litigation will be able access public records in cases in which they are a party.

The new online system will have restrictions on access to records in certain types of cases, such as juvenile, domestic violence and kinship/guardianship cases, to protect confidential information and to comply with existing statutes or court orders.

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