

**Meeting Minutes of the 31st
Odyssey Steering Committee (OSC)
Judicial Information Division (JID)
Wednesday, March 2, 2011
2:11-3:32 p.m.**

Executive Subcommittee Members present:

Judge Karen Mitchell, Chair
Judge Michael Bustamante (*via video*)
Arthur Pepin
Steve Prisoc
Tom Edwards

Executive Subcommittee Members absent:

Justice Petra Jimenez Maes

Voting Members present:

Judge Richard Knowles (*via phone*)
Oscar Arevalo
Michelle Jones (*via video*)
Sandra Trujillo (*via video*)
Brian Gilmore (*via video*)
Madeline Garcia
Karen Janes
Eric Erb
Tobie Fouratt
Renee Cascio

Voting Members absent:

Judge Judith Nakamura
Judge Duane Castleberry
Judge Camille Martinez-Olguin
Fred Sena
Gina Maestas

Guests present:

Theresa Delgado (*4th DC*)(*via phone*)
Marlin Mackey (*new JID Deputy Director*)
John Todd (*Tyler Technologies*)
Mike Mellos (*Burger, Carroll & Assoc.*)
David Torres (*1st DC*)(*via video*)
Amy Plank (*2nd DC*)(*via video*)
Ron Davis (*Tyler Technologies*)

JID Staff present:

Trixi Bubemyre

Minutes taken by: LaurieAnn Trujillo

Judge Karen Mitchell called the meeting to order at 2:11 p.m. and established a quorum.

Steve Prisoc introduced Marlin Mackey, who will replace Tom Edwards as the JID Deputy Director and will officially begin work on March 14th.

I. Approval of Agenda

Judge Richard Knowles moved approval of today's agenda. Oscar Arevalo seconded. No further discussion. No opposition noted. Motion carried.

II. Update on Planning Documents

Risk Register Update. Tom Edwards explained the document entitled *Risk Management Plan*, which was attached to the OSC agenda, as follows:

- The project team added Risk #32, which is associated with courts that have their own

information technology staff that create and manage a number of ad hoc reports. There is an expectation that those services will be made available when Odyssey is implemented at those courts. Unfortunately, that functionality is outside the scope of the project, but the project team realizes the value of maintaining this functionality, so they are investigating a way to support that request in light of limited resources.

- Burger, Carroll & Associates lowered Risks #20 and #22, which are associated with services and support from Tyler Technologies (Tyler).

Issues Update. Mr. Edwards referred to the document entitled *Issue Management Plan*, which was attached to the OSC agenda. He spoke of the following points:

- The project team closed Issue #29, which was associated with not having a decision-making body to address district court forms. The District Court Forms Committee has been implemented and is operating smoothly. He recognized Trixi Bubemyre and Chris Preston of JID who have actively participated in the District Court Forms Committee meetings. The Second Judicial District Court's (Second) information technology staff volunteered to take over the application development side of the forms, so JID Staff are slowly transitioning that task to the Second.
- There is a general risk noted in the register relative to out of scope projects, adding new projects and unfunded projects.
- The electronic filing project will mainly require resources from Tyler. However, one caveat is that as electronic filing expands and the Judiciary continues to use Tyler's public access module for attorneys to access documents, JID Staff may have to take on the task of the registration process as well as some configuration and data entry efforts.

There was discussion on the following:

- Smaller courts that do not have information technology staff will likely require JID resources to support their report writing. Odyssey has a simple report writer embedded in the application; however, there may be some licensing issues to work out at a later time.
- Concerns were voiced about the addition of electronic filing causing a potential delay in the implementation of the case management system.
- JID Staff designed electronic filing in the Thirteenth Judicial District Court (Thirteenth) not to impact JID Staff or the Odyssey rollout, and it was successful.

Action Item: *Mr. Arevalo and Judge Knowles asked the project team to isolate a specific risk relative to the implementation of electronic filing and the potential impacts to JID Staff and the case management rollout.*

III. Administrative Report

E-Citation Update. Steve Prisoc reported the following:

- The electronic citations project is progressing well.
- While investigating how to get electronic citations from the sheriff's office to the Las Cruces Magistrate Court, the project team learned that the New Mexico Sentencing

Commission's charge code table had not been incorporated into TRACS. They are now determining if incorporating the charge code table will incur extra costs and if the University of Alabama can incorporate it.

- Extra resources may be needed.
- The Traffic Safety Bureau is amenable to providing extra money if it is required for this project; however, the project team will first determine the scope for installing the new table and then report back and request additional monies, if needed.
- They discovered that they were not completely informed as to the deficiencies of TRACS.
- This incident will help the Bernalillo County Metropolitan Court (BCMC) as they get closer to an electronic citations exchange.

E-Filing Update. Mr. Prisoc advised that 1,200 plus attorneys are now able to access documents in cases for which they are involved by using Tyler's public access module.

Hot Site Update. Mr. Prisoc reported that the power upgrade was completed last week at the BCMC. It was tested and is working well. JID Staff will deliver the new replicate server to the BCMC next week and will deliver the other servers the week of March 28th. Brian Gilmore added that the project is proceeding as planned. Mr. Prisoc thanked Mr. Gilmore and Phil Hedrick for their assistance in this project.

Protective Order Update. Mr. Prisoc spoke of the following points:

- The articles recently published in the Santa Fe New Mexican and in the Albuquerque Journal relative to reporting to the National Instant Criminal Background Check System (NICS). The NICS bill was enacted in 2007 in reaction to the Virginia Tech shootings to have courts through the criminal history repositories report on involuntary commitments, domestic violence orders of protection and all criminal convictions. At this time, New Mexico is one of five states that are not reporting to NICS, and the newspaper articles focused on the Department of Public Safety. He spoke to NICS' representatives and they would like to obtain the Judiciary's reporting directly because they do not require links to fingerprint identification numbers. This reporting would identify individuals who are not approved to purchase firearms.
- As of yesterday, the Applications Team reported to him that the Judiciary would be able to report a significant percentage of orders of protection, criminal convictions and involuntary commitments; however, before they proceed, Artie Pepin will look into this further and then present it to the Supreme Court.
- He asked Renee Cascio to report on JID's plans for how to obtain more data elements in Odyssey. Ms. Cascio spoke of the following:
 - When JID Staff began looking at data that was eligible to be reported, they discovered a big inconsistency problem in the courts. It was difficult to determine the party that got committed because courts have used different party types and sometimes they use defendants. JID Staff will create a required field in Odyssey for the name of the person who was committed.

- JID Staff plan to implement the protective order tab in Odyssey to capture some of the required information. Initially, this tab was not implemented because it was considered to be a larger scope project. The following is a list of some of the information they wish to capture using the protective order tab:
 - Who the order was issued against.
 - Whether the relationship is an ineligible relationship.
 - Whether it qualifies under the Brady Handgun Violence Prevention Act.
 - If a weapon was involved.
 - The date and time of the abuse.
 - What duty of support the person was ordered to provide during the time the protective order is in effect, such as child support, attorney's fees, payment of rent, etc.
 - The abuser's address.
 - Whether or not the abuser is currently on probation and parole.
 - Vehicle information.
- Mr. Prisoc obtained a list of orders of protection issued in 2010 for four counties based on what the Judiciary has in the current case management system and in Odyssey, and he was unable to determine who was a petitioner and who was a respondent.
- Ms. Cascio added that the Judiciary will not report on mutual orders of protection.
- Ms. Prisoc noted that orders of protection that do not have an expiration data will not be reported.
- Ms. Cascio noted that District Court User Group meetings had begun and it would be possible to provide training to court staff on the protective order tab via web ex.

There was discussion on the following:

- Judge Knowles suggested that JID Staff not exclude mutual orders of protection until someone checked for actual findings of threat that might fit within the federal regulation.
- Judge Knowles asked how information is captured on cases where a person is found not guilty by reason of insanity and cases involving persons who had been found incompetent to stand trial and had been committed to a state hospital, and how it was captured if the state filed for a separate commitment proceeding. He offered to brainstorm these situations further with JID Staff to ensure that these types of cases were not overlooked.
- Tobie Fouratt asked if the protective order tab could be used in the magistrate courts to capture information on criminal misdemeanor domestic violence cases.

Action Item: Judge Knowles offered to meet with JID Staff to brainstorm options for how to capture information on cases involving not guilty by reason of insanity and cases where persons were found incompetent to stand trial. Mr. Prisoc will arrange a meeting with Judge Knowles.

Action Item: Ms. Fouratt and Ms. Cascio will meet and explore the possibility of magistrate courts using the protective order tab to capture information on criminal misdemeanor domestic violence cases.

Action Item: Judge Knowles offered to check the New Mexico statute on definition of intimate partner.

IV. Project Manager Report

Tyler Hours and Travel. Mr. Edwards advised that regular updates for January and February had been made to the documents entitled *New Mexico Administrative Office of the Courts Odyssey Case Management Project Statewide Rollout Thru 1/31/2011* and *Tyler Hours and Travel New Contract Plan vs Actual By Fiscal Quarter*, which were attached to the OSC agenda.

Project Schedule. Mr. Edwards noted that regular updates were made to the untitled document labeled *stategannt.pdf*, which was attached to the OSC agenda. The project team is looking at changing the location of the training for the third quarter of 2012 for the following reasons:

- With the compressed rollout schedule, class sizes have increased substantially, and the project team is finding it more and more difficult to secure a location that will accommodate 50-75 trainees in a classroom environment.
- For the Second, as an example, he checked with a dozen facilities and the cheapest one able to accommodate 45-50 trainees at a time will cost about \$7,000.
- The courts scheduled for Odyssey rollout in the third quarter of 2012 are the Eighth Judicial District Court, the Ninth Judicial District Court and the Eleventh Judicial District Court, and they are currently scheduled for training in Albuquerque.
- For cost-saving purposes, the project team proposed holding the training for the third quarter of 2012 at the JID building in Santa Fe.
- JID Staff assessed the JID training rooms and believe they can modify the setup to accommodate 40-50 trainees, which would save \$7,000 that it would cost to secure a location in Albuquerque.
- Using the JID building provides the project team with the ability to ensure that communications are working effectively.
- Training sessions for district courts involve two weeks because district courts do not close for training. Half of a district court staff is trained one week and the other half are trained the second week.
- Magistrate courts close for training, so the project team is able to train them in one week.

There was discussion on the following points:

- Mr. Gilmore offered the project team the use of the BCMC's DWI School to conduct training sessions.
- Mr. Edwards spoke of the importance of having the training sessions in one classroom environment, so that one trainer is able to provide training in light of the limited resources.
- Concerns were voiced relative to Santa Fe's higher per diem expenses.
- Mr. Edwards is working with the Judicial Education Center to ensure they will continue to reimburse trainers and trainees for travel.

Action Item: Mr. Edwards and Mr. Gilmore will further discuss the possibility of the BCMC DWI School being used as an Odyssey training location.

Financials. Mr. Edwards explained that January and February updates had been made to the document entitled *New Mexico Administrative Office of the Courts Budget vs Actual Project Life to Project to Date*, which was attached to the OSC agenda. He then referred to the handout entitled *Civil Filing Fee Revenue Projections and CMS Budget*, and he spoke of the following points:

- It is important for OSC to understand the potential issues related to the decrease in revenues received from civil filings.
- Civil filings revenue is currently down about \$125,000 a year.
- If this trend continues, the Judiciary will be in a deficit on the budget for the case management rollout in July 2012.
- He referred to the second graph entitled *Annualized Average by Month*. The case management budget was based on receiving \$895,000 a year in new civil filing fees. In FY2010, the Judiciary received about \$787,788 in civil filings revenue.
- On an annualized basis, at this point, the Judiciary is averaging about \$768,000 by the end of the fiscal year.
- The project team offered the following options to cover the gap if this trend continued:
 - Lower the quality of services relative to conversion activities.
 - Extend the rollout schedule to spread out the costs over a longer period of time.
 - Reserve red light camera revenue.

There was discussion on the following:

- Foreclosure civil cases peaked in 2009 and are now declining. Debt and real estate cases are increasing.
- Judge Knowles offered to meet with the project team to look at percentages related to free process for filings.
- Mr. Arevalo and Artie Pepin provided the following information on the current commitments on the red light camera revenue:
 - \$190,946 for the hot site's first set of expenses.
 - Red light revenue fund carryover balance of \$227,164.
 - Red light revenue projection to collect \$251,394 for this year.
 - Next year's fund balance of \$287,612 in red light revenue.
 - House Bill 2 included one full time employee for the Video Program to cost \$75,000 and to be funded by the red light camera revenue.
 - Recurring hot site costs will be covered by the SCAF Fund.
 - At some point, red light revenue should come in from Rio Rancho.
 - Some loss to the General Fund in FY2012.

Karen Janes moved that OSC designate the remaining red light camera money that has not already been committed. There was more discussion on the following: OSC make a suggestion to JIFFY and that any other expenditures of the red light camera revenue be specifically approved by JIFFY; and a suggestion to include the projected deficit amount plus 20% in the event the deficit increased over time. Mr. Arevalo advised that his staff separated the SCAF funds into three different pools of money--SCAF regular; case management money; and red light revenue, and within the red light camera revenue, they reserved the first set of expenses related to the hot site. Mr. Arevalo further explained that his staff also incorporated the additional 5% that was increased in the SCAF budget to fund the Second's computers. Judge Mitchell asked Ms. Janes to restate her motion. **Ms. Janes moved that all the money in the red light camera fund for the case management system that has not already been committed either to the hot site's first set of expenses or to the video position, assuming the position is authorized, shall remain in the fund to cover any deficiencies in revenues for the case management rollout, unless and until JIFFY approves their expenditure. Judge Knowles seconded. No further discussion. No opposition noted. Motion carried.**

Action Item: Mr. Prisoc to arrange a meeting with Judge Knowles to further discuss the percentages related to free process.

Change Request Update. Mr. Edwards reported regular updates 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. John Todd introduced Ron Davis, the National Director of Marketing for Tyler. Mr. Todd referred to his status reports that were attached to the OSC agenda and spoke of the following:

- Tyler conducted an information technology workshop for JID employees that focused on troubleshooting Odyssey and how to better support it.
- Over the last three weeks, Tyler spent time in the courts observing and generating recommendations on the Second's processes. Last week, Tyler presented to the Second's general counsel of judges meeting their observations and recommendations to help them get caught up prior to their Odyssey implementation.
- The Second is currently thirty days behind in processing work, so the project team is looking at ways to help them get caught up. After the meeting with Tyler, the Second believes they will be back on track soon.
- The statewide rollout is on track.
- The First Judicial District Court (First) and the Tenth Judicial District Court (Tenth) will go live on March 26th. Their training is scheduled for the week of March 14th. This will be the first time that the project team will be working from the compressed schedule.
- The BCMC project was a little behind. However, since the last OSC meeting, Mr. Todd met with Mr. Gilmore and Mr. Hedrick, and they generated a one day assessment document and a to do list of what needs to be done within the next thirty days. This effort has gotten the BCMC project back on track. Within the next couple of weeks, they

plan to conduct another sixty day assessment to see where they are. From a conversion standpoint, the BCMC is down to five issues, so they are getting close to where they need to be for the civil go live date of May 2nd. They plan to have a mock go live as they did in Las Vegas where they iron out any kinks prior to the go live date. This effort will require the assistance of the JID Systems Team. The BCMC does anticipate being able to meet the May 2nd go live date.

- Mr. Davis added that Tyler is pleased with the progress.

Mr. Pepin commended Tyler for the meeting they held with the Second. Amy Plank commented that Tyler's meeting with the Second was well received and they appreciated their assistance. It alleviated a lot of concerns that the Second had. Mr. Pepin thanked Judge Louis McDonald from the Thirteenth as well as his Trial Court Administrative Assistant for attending the Second's meeting.

V. IV&V Update. Mike Mellos of Burger, Carroll & Associates reported the following:

- He referred to his February report, which was attached to the OSC agenda.
- The report was primarily associated with the Second.
- He spoke of the extensive and highly effective communications that had taken place at the Second.
- JID Staff is devoting significant attention to pre-conversion meetings at the Second even as they are also preparing for the First and Tenth Districts' conversions as well as the BCMC's conversion.
- Companion projects such as the hot site, electronic filing and remote document storage are being conducted simultaneously and are being managed well in spite of over allocated resources.
- The project seems to be on track.
- He voiced concerns relative to information technology staff at the individual courts that may require JID Staff's assistance with the use of Tyler's integration tool kit in creating some of the custom enhancements that would be needed to produce the full set of functionality that currently exists.
- He did not have an update on the BCMC's civil conversion at this time.

VI. Future Meetings. The next OSC meeting is scheduled on May 18th. However, due to the transition of Mr. Edwards and Mr. Mackey, Judge Mitchell called an OSC meeting on Wednesday, April 20, 2011 at 2:00 p.m. at the Judicial Information Division. She proposed that OSC meet again on May 18th and then resume the every other month meeting schedule.

Action Item: Per Judge Michael Bustamante, Mr. Arevalo to provide JIFFY with a forecast of the potential demands on the red light camera fund at tomorrow's JIFFY meeting.

There was discussion about the delay in the Second receiving their new computers. Mr. Prisoc advised that JID Staff are prepared to assist the Second with the rollout of their new computers.

Mr. Pepin spoke of the meeting he attended at the governor's mansion relative to the electronic citations project. At the conclusion of the Legislative Session, the Governor plans to involve the appropriate executive departments, so that all parties are on common ground as far as going forward with the electronic citations projects. He mentioned a recent California newspaper article that explained the audit of California's case management system project. He commended the Odyssey project team for their fine work on the New Mexico Judiciary's project.

VII. Adjourn. Judge Mitchell adjourned today's meeting at 3:32 p.m.

Final Minutes Approved by Judge Mitchell on March 30, 2011.