

**Meeting Minutes of the 36<sup>th</sup>  
Odyssey Steering Committee (OSC)  
Judicial Information Division (JID)  
Wednesday, November 16, 2011  
2:08-4:53 p.m.**

**Executive Subcommittee Members present:**

Judge Karen Mitchell, Chair  
Justice Petra Jimenez Maes  
Judge Michael Bustamante  
Arthur Pepin  
Steve Prisoc  
Marlin Mackey

**Voting Members absent:**

Judge Judith Nakamura  
Judge Duane Castleberry  
Judge Camille Martinez-Olguin  
Oscar Arevalo  
Michelle Jones

**Voting Members present:**

Judge Richard Knowles  
Madeline Garcia  
Brian Gilmore  
Sandra Trujillo (*via video*)  
Wendy Jones  
Karen Janes  
Tobie Fouratt  
Fred Sena (*via video*)  
Arlene Baca  
Renee Cascio

**Guests present:**

Phil Hedrick (BCMC)  
Mike Mellos (Burger, Carroll & Assoc.)  
Judge Sharon Walton (BCMC)  
John Todd (Tyler Technologies)  
Stephen Pacheco (1<sup>st</sup> DC)(*via video*)

*Minutes taken by: LaurieAnn Trujillo*

Judge Karen Mitchell called the meeting to order at 2:08 p.m. and established a quorum. She welcomed Arlene Baca from the Thirteenth Judicial District (Thirteenth), who is replacing Eric Erb; and Wendy Jones from the Court of Appeals, who is replacing Gina Maestas. Judge Sharon Walton from the Bernalillo County Metropolitan Court (BCMC) will replace Brian Gilmore when he retires at the end of December.

**I. Approval of Agenda.** Judge Mitchell advised that the agenda item *Case Type in Odyssey Needed for Juvenile Involuntary Mental Health Commitments* would be postponed until the next OSC meeting.

**II. Update on Planning Documents**

**a. Risk Register Update.** Marlin Mackey referred to the document entitled *Risk Management Plan*, which was attached to the OSC agenda. Four items were increased due to overload on staff and projects.

**b. Issues Update.** Mr. Mackey then referred to the document entitled *Issue Management Plan*, which was attached to the OSC agenda. There are five open issues that the project team will obtain the status on and report back to OSC at their January meeting.

### III. Administrative Report

**a. E-Citations Update.** Steve Prisoc reported that the electronic citations (e-citations) project is moving forward. Test data was moved from the Dona Ana Sheriff's Office to JID and it populated Odyssey. There are some outstanding issues relative to the patch level as well as a modification in Odyssey that needs to be done before the project team is able to seamlessly transfer data from the sheriff's office to Odyssey. The project is on target for a January implementation in the Dona Ana Magistrate Court. E-citations is expected to be implemented at the Santa Fe Magistrate Court when they become more experienced with using Odyssey. The project team is actively working with the New Mexico Department of Transportation to implement e-citations in a more robust fashion.

**b. E-Filing Update.** Mr. Prisoc reported the following relative to the electronic filing (e-filing) project:

- The Judiciary is piloting Tyler Technologies' (Tyler) e-filing product.
- On Friday, the project team took down Odyssey for regular maintenance and it appeared to e-filing users that the file and serve system was also down, but it was not.
- The project team received numerous complaints from attorneys about the file and serve system.
- He commended Tyler for providing more resources to the project and for responding to the crisis that occurred on Friday.
- He discussed the issues with Tyler and it was agreed that the Odyssey system cannot go down when the file and serve system is down.
- He congratulated Tyler for executing a contract with the State of Maryland for \$45,000,000 to rollout Odyssey and e-filing/document management.
- He received statistics from Tyler, and the Second Judicial District (Second) has assigned three clerks to work full-time on the e-filing queues. John Todd will visit the Second this week to observe the process clerks are using for the file and serve system and will report back to the project team.

There was a lengthy discussion regarding the following points:

- The complaints that Justice Edward Chavez received from the legal community relative to the file and serve system.
- Complaints related to the delay of when attorneys are getting their e-filings recognized is not related to the file and serve system, but rather to the queues that need to be worked on by the clerks.
- Tyler has been very responsive to fixing system delays.
- E-filings are file stamped with the date that the documents were actually submitted for e-filing.
- When an e-filing is rejected, it does not get processed into Odyssey, so it would be up to

- the court to work with the attorneys to make it right during the learning period.
- When a document is e-filed, the attorney receive an email receipt. If a document is rejected, the attorney receives an email notification noting why the e-filing was rejected.
- Ms. Baca noted that in the Thirteenth attorneys screen print the e-filing submission to attach to their motions to prove when a document was actually submitted for e-filing.
- The e-filing rule does not include information on deadlines, attempts to e-file and standards for accepting documents electronically.
- There is a learning curve when courts first implement e-filing; however, through time, rejection rates are expected to decrease and the e-filing process will become routine.
- The project team is satisfied with Tyler's response to the file and serve issues.
- Some attorneys registered several times because their e-filings were failing.
- The file and serve system will eventually lock out users who attempt to register for e-filing without their CAID number. In the meantime, JID Staff are correcting e-filing registrations. At this time, 70-75% of registrations are incorrect, so JID Staff are working with Tyler to run a script to insert the attorney number in the registration.
- The Thirteenth piloted the original WizNet e-filing solution, but the Judiciary is now using Tyler's file and serve product.
- In late December, Tyler expects to implement a validation piece that will help resolve the registration process.
- State Bar number versus CAID number.

**c. Hot Site Update.** Mr. Prisoc noted that at OSC's last meeting he mentioned that the hot site test was successful and the hot site is working great. He reiterated that all of the Judiciary's data exists at JID and at the hot site; however, only the Second's and the BCMC's communications would be able to immediately switch over to the hot site if a disaster occurred at JID. The Judiciary would have to make a significant investment to get the rest of the Judiciary onto the hot site. The Judiciary will once again request funding to expand the hot site through the computer enhancement fund and through capitol requests.

There was discussion on:

- Confusion about the hot site not supporting the entire Judiciary at this time.
- Another issue to consider when expanding the hot site is determining if there is sufficient space at the BCMC to accommodate more equipment.
- At this time, the Judiciary does not have the software to accommodate downloading data from the BCMC to a server that could be taken to a court and downloaded if JID suffered a disaster. Networks would also have to be re-engineered to go into the BCMC.
- The hot site that the Judiciary currently has in place is equal to or ahead of other state agencies.

#### **IV. Project Manager Report**

**a. Master Schedule Summary.** Mr. Mackey referred to the document entitled *JID Odyssey Schedule*, which was attached to the OSC agenda, and he reported the following:

- The document reflected all of the major milestones and the major sub-projects that JID

- Staff is working on relative to Odyssey.
- Because there are many projects that JID Staff are involved in, the risk increases due to too few staff on a short schedule.
  - JID Staff successfully rolled out thirteen magistrate courts in the south central/southeast.
  - The next rollout is scheduled on December 12<sup>th</sup>, and it will involve eleven courts in the north central part of the state.
  - After the December 12<sup>th</sup> implementation, there will be thirty-three magistrate courts and six district courts left to implement.
  - At the same time, JID Staff are upgrading the old case management system to reduce the size of the system from its old technology as the Judiciary moves to the new system. JID Staff are 90% done with centralizing those licenses.
  - JID Staff plan to conduct three tests on the hot site before the next OSC meeting.
  - JID Staff plan to test the laser network between the BCMC and the Second to be able to use that network in the event the Judiciary has a problem with the other networks for those two courts. JID Staff are also working on tasks to document what it would take to expand the hot site to other courts and hope to report back to OSC in the next quarter.
  - JID Staff implemented file and serve in three district courts.
  - The BCMC attorney merge is scheduled for this Saturday.
  - Odyssey Version 11 will soon be installed at the BCMC, so they can begin testing their criminal components. Odyssey Version 12 will be installed next year and will require equipment and software refresh.
  - JID Staff are upgrading some networks for the upcoming Odyssey implementation.
  - The draft security policies were provided to JIFFY at their last meeting, and JID Staff received good feedback from several courts. He hopes to have them ready for JIFFY to vote on in January.

**b. Parking Lot Items.** Mr. Mackey advised that no new items had been added to the parking lot list. There are currently fifteen items on the parking lot, including Record on Appeal, In-Session for Clerks, Supervision Module for multiple courts, etc. Thus far, JID Staff completed the public access kiosks at the First Judicial District (First), the Second and at the Thirteenth, and created a standard way for implementing public access in other courts. The Second developed software related to the print function that is now available for other district courts.

Artie Pepin commended those involved in the public access kiosk project.

***Action Item: Per Mr. Pepin, Mr. Mackey to add to the parking lot list a low level item to have electronic payments in magistrate courts integrate with Odyssey.***

***Action Item: Judge Bustamante asked that in the second quarter of next year that OSC begin looking at Record on Appeal more closely. He asked that Joey Moya be involved in those discussions.***

**c. Project Schedule.** Mr. Mackey referred to the untitled gantt chart, which was attached to the OSC agenda, and noted that there were approximately 400 tasks on the chart for 2011, and now the project team is down to a small sub-set of tasks to complete by the end of December. In January, the chart will list another 400 tasks that need to be done to implement Odyssey in the remaining courts. The Odyssey project remains on schedule

**d. Tyler Hours and Travel.** Mr. Mackey referred to the document entitled *New Mexico Administrative Office of the Courts Odyssey Case Management Project Statewide Rollout 10/31/2011*, which was attached to the OSC agenda, and reported the estimated project hours to date for the statewide rollout project is 9,231 hours. The Judiciary has spent 4,956 hours thus far, so it has a balance of 4,275 hours. After the change order to move hours to the project management category, the BCMC project had an estimated 11,560 hours and has spent 5,046.75 hours with 6,513.25 hours remaining. The BCMC project is within the budget and plan.

Mr. Mackey then referred to the document entitled *Tyler Hours and Travel Plan vs Actual by Fiscal Quarter Through 10/31/2011*, which was also attached to OSC agenda, and noted that the Judiciary is under hours about 1,000 hours. Those hours are scheduled into 2012 and 2013. Tyler's travel costs are budgeted at \$52,500 through October, and the Judiciary has spent \$41,491, so the Judiciary is under budget on the travel costs.

**e. Financials.** Mr. Mackey referenced the document entitled *New Mexico Administrative Office of the Courts Budget vs Actual Project Life and Project to Date*, which was attached to the OSC agenda, and noted that overall for the project through October, the Judiciary is \$596,670 in the black from the projected amount of expenditures, however, it is projected to spend that entire amount. A deficit of \$79,844 remains. He asked OSC to keep in mind that the project team added to the authorized budget the payment of travel monies for clerks attending training. JID is paying those travel costs and is getting reimbursed from the Judicial Education Center. He is working with the AOC-Fiscal Division to ensure that the reimbursement process does not reduce the Judiciary's overall expenditure from what it originally planned. Otherwise, the Judiciary will be \$100,000 short in the budget this year from what it originally planned.

**f. Change Requests Update.** Mr. Mackey referred to the document entitled *State of New Mexico Administrative Office of the Courts Change Request Approval*, which was attached to the OSC agenda, and he reported the following:

- The last change request received and approved was from the BCMC to move hours to project management category.
- E-Filing
  - He asked OSC to keep in mind that the e-filing plan for 2012 is based upon the Tyler contract and the way the Judiciary pays Tyler's fees. The Judiciary has revenue streams in the contract for e-filing, so if the e-filing implementation schedule changes, it changes the Judiciary's revenue picture for payments of Odyssey operations.

- It is imperative that the e-filing issues get resolved before the file and serve system is implemented in other courts.
- The Fifth Judicial District and the Tenth Judicial District are scheduled to implement mandatory e-filing in February, and JID Staff are scheduling training with them in January.
- The project team will then implement e-filing in the Fourth Judicial District and in the Seventh Judicial District in April. These courts are not currently imaging, so JID Staff will deliver their imaging equipment to them in December, so they can be trained in January.
- E-filing will be implemented at the remaining six district courts in the last six months of 2012.
- A checkpoint is planned in January to determine where the Judiciary stands in terms of the file and serve system issues and to decide whether or not the e-filing implementation schedules needs to be adjusted.
- The AOC-Fiscal Division is working with the courts on the required boarding documents that need to be returned to Tyler.
- Some other things to keep in mind if the e-filing implementation schedule is delayed is providing sufficient notice to the legal community and training that needs to be scheduled.
- In summary, the project budget and schedule are in line with the plan. However, the Judiciary needs to catch up on the e-filing project side.

There was discussion on:

- Support was voiced for keeping with the e-filing implementation schedule if the current e-filing issues are resolved. However, if they are not resolved, a suggestion was made to work with Tyler relative to adjusting the schedule.
- A delay in the e-filing implementation schedule should not impact the quarterly Odyssey implementation schedule.
- The difficulties with attaching a digital signature. Tyler is working on a solution to this for the State of Oregon that it hopes to offer it to other states next year.
- The Judiciary should be relying on a log-in and password authentication rather than a digital signature because digital signatures can be easily forged.
- Fingerprint authentication.

***Action Item: Per Judge Mitchell and Mr. Prisoc, Mr. Todd will talk to Tyler about fingerprint/thumb reader authentication for the file and serve system.***

**g. Tyler Project Status.** Mr. Todd referred to his project status report that was attached to the OSC agenda and reported the following:

- The last implementation was the smoothest thus far.
- He recognized and thanked the court staff that assisted with go live support.
- The repeatable process is fine-tuned at this point.
- He is pleased with the statewide rollout.

- The next set of courts goes live on December 12<sup>th</sup> and he expects the same success as the last implementation. The training for the next set of courts begins on December 5th.
- Public access was a huge accomplishment and the courts are happy with the solution.
- The project team continues to work on the file and serve system.
- The integration pieces should be in place soon for courts to eventually accept American Express.

**V. Metro Report.** Phil Hedrick distributed a packet of documents and spoke of the following points:

- The document entitled *Metropolitan Court Financial Summary*, reflected a financial summary and Tyler customizations to date.
  - The BCMC has thus far implemented civil; however, most of the development that Tyler has done is for the criminal customizations.
  - He noted 90% completion for the criminal customizations, however, they cannot test them until Odyssey Version 2012 is installed.
  - They are about 83% done with the things that the BCMC identified in the fit assessments that Tyler took on and developed.
  - The budget is about 36% expended.
- The document entitled *Metro Criminal Conversion Schedule*. BCMC conducted a preliminary push of criminal data into Odyssey and it looked good. In February, they will begin monthly data pushes to help them with their code mapping.
- The document entitled *Metropolitan Court Project Risk Register* reflected the standard project management risks and the mitigations for each risk.
  - The item labeled *Original schedules may not be enough time for effective rollout with existing resources* are rated low because most of the customization have already been done for criminal and the BCMC has hours left over.
  - The BCMC is actively analyzing the developments that they are going to do.
  - The item labeled *Funds available for enhancement, customizations, and licensing may not be sufficient* does not include the work the BCMC did for the civil side. They configured the judgment component to allow them to have defaults filled in. The integration for the supervision module and the case manager are not included because they have yet to define the requirements.
- The document entitled *Metropolitan Court Issues Register*
  - The issue *Bonding Company Collateral Enforcement* has been resolved but is on the list because in 2008 it was decided that bonds would be tracked statewide and the BCMC does not intend on duplicating functionality.
- The document entitled *Odyssey Offenses for Criminal Sexual Contact with a Minor - 2<sup>nd</sup> Degree*. Mr. Hedrick deferred to Judge Walton. She provided a lengthy explanation about why the New Mexico Sentencing Commission's method for classifying offenses is not practical for a charging document.
- Mr. Hedrick explained each item on the document entitled *Metropolitan Court Tyler Customizations Register*.
- The last four pages represented the document entitled *Gantt Chart for Odyssey*.

There was discussion on the following points:

- *Metropolitan Court Financial Summary* - confusion was voiced with the way hours were noted and the *Estimated Completion* column. Mr. Hedrick explained that the *Programming and Tech Services* noted 6,100 estimated project hours, and the BCMC used 2226.50 hours to date with 3873.50 hours remaining.
- *Metropolitan Court Issues Register*
  - *Bonding Company Collateral Enforcement*
    - Bond companies have to post collateral in order to post bonds.
    - The current rules require that bonding companies post individual collaterals at each court and its each court's responsibility to monitor their collateral limit. The BCMC currently does this through their web interface.
    - The BCMC questioned if the rest of the state had the capability to track bonds because the BCMC would not be able to monitor bonding companies and it would also require a rule change.
    - Odyssey is configured to track bonds statewide; however, the problem lies with the rules and underlying legal structure that needs to be reworked.
    - The BCMC's volume does not permit them to track bonds by hand if the rest of the Judiciary is not ready to implement this functionality in Odyssey.
    - The AOC has talked to the Public Regulation Commission about a rule change, but part of the difficulty lies with how the AOC-Fiscal Division will manage the data.
    - Another issue to resolve is Odyssey allows for a statewide limit to be entered for a bonding company; however, currently each county has the ability to note a limit for each bonding company.
    - In Odyssey, when a bonding limit is entered, it would be for the whole state and not by court.
    - The implementation of the rule has been delayed until the AOC business process can catch up with the policy.
    - At this time, no magistrate courts are tracking bonds because the former case management system did not provide this functionality.
    - A suggestion was offered that after all of the Judiciary is on Odyssey, that a determination be made as to whether or not the Judiciary will commit to force all bonding companies to be on a statewide schedule.
    - The Supreme Court rule states that the bonding capability is set at the court level.
  - *Document Migration* relates to the documents the BCMC has been scanning.
    - The BCMC is looking at what they can do to accomplish this task on their own. Mr. Prisoc asked that the BCMC work with JID Staff to avoid the problems they experienced at the First.
  - *Public Access*

- The BCMC needs a decision on whether or not to disclose addresses in landlord/tenant cases. If this functionality is turned on in Odyssey, addressees will appear in all civil cases. JIFFY needs to determine if this is an issue that should be added to the parking lot.
- The BCMC does not currently have a testing site for public access.
- *Odyssey Offenses for Criminal Sexual Contact with a Minor - 2<sup>nd</sup> Degree*
  - The Administrative Office of the District Attorneys took the lead in developing the charge code table and the New Mexico Sentencing Commission agreed to post it on their website. A suggestion was made to form a subcommittee to sort through the issues and include Renee Cascio or her designee in such discussions as JID Staff maintain a duplicate of the charge code table in Odyssey.
  - JISC and the New Mexico Sentencing Commission sponsored meetings relative to the charge code table.
  - Odyssey can record the history of charges through each stage of a case.
- *Metropolitan Court Tyler Customizations Register*
  - *Citation Entry Template* - suggestion to have citations entered the same way in magistrate and metropolitan courts.
  - The BCMC does not capture every piece of information that is on a citation because they scan citations into their system.
- *Gantt Chart for Odyssey*
  - Item 1.6 *Business Continuity* is complete.
  - Item 4.15 should actually be *Visual Studio*.
  - The BCMC completed a proof of concept with the Albuquerque Police Department for e-citations.

***Action Item: Per Judge Mitchell, the Odyssey project team to reopen the issue of tracking bonds statewide and start dialogue on how the AOC will track bonds statewide.***

***Action Item: Per Mr. Prisoc, the BCMC to coordinate with JID Staff regarding document migration.***

***Action Item: Judge Mitchell will ask JIFFY if they want to differentiate in Odyssey between landlord/tenant cases and other civil case types for public access purposes.***

***Action Item: Per Karen Janes, Mr. Hedrick to include Tobie Fouratt in the discussions related to the Citation Entry Template.***

***Action Item: Per Ms. Cascio, Mr. Hedrick to talk to Trixi Bubemyre regarding the e-citations' project.***

There was discussion regarding the Metropolitan Court Odyssey Steering Committee membership.

## **VI. Procedural Issues from Odyssey District User Group and Odyssey Magistrate User Group**

**a. Review of Disposition Codes.** Ms. Cascio referred to the document entitled *Disposition/Judgment Code Modifications*, which was attached to the OSC agenda. She spoke of the following:

- This is a request from an Odyssey court.
- JID Staff does not make decisions about disposition codes.
- Odyssey calculates time to disposition. However, one of the larger courts internally uses the broader dispositions as an indication for themselves that a case required more work over another case and it asked for two disposition codes to be added to Odyssey (*Settled/Merits Hearing* and *Decree or Order Entered*).

**Fred Sena moved to deny the disposition code modification requests. Ms. Baca seconded. No further discussion. No opposition noted. Motion carried.**

**b. Municipal Appeals.** Ms. Cascio referred to the document entitled *OSC Agenda Item November 2011 How to Create Municipal Appeals in District Court in Odyssey*, which was attached to the OSC agenda, and she spoke of the following:

- Years ago, the Judges User Group discussed the fact that if a magistrate criminal case is appealed in a district court, it should be created with a criminal data set so it is clear what the charges were.
- JID Staff discovered that some courts continue creating criminal appeals with a civil data set, so JID does not have information on the details of these cases.
- She asked for OSC's support to continue to advise courts that they need to follow the current policy and create a criminal case if it involves a municipal criminal appeal.

**Judge Knowles moved to adapt the Odyssey system to conform with the decision already made about how municipal appeals should be coded. Ms. Janes moved that Odyssey be configured to enforce the current policy.** Ms. Cascio advised that would not be possible because if someone created a civil lower court case appeal, she would not know what kind it is supposed to be. She noted that JID Staff would continue to advise courts to follow the current policy in place.

**VII. IV&V Update.** Mike Mellos advised that he submitted his reports last month and asked if anyone had any questions. No questions were asked, so Judge Mitchell moved on to the next agenda item.

## **VIII. Requests**

**a. Case type in Odyssey needed for juvenile involuntary mental health commitments.** Judge Mitchell noted that this item had been removed from today's agenda.

**IX. Future Meetings.** Judge Mitchell advised that OSC's next meeting is scheduled on Wednesday, January 18, 2012 at 2:00 p.m. at the Judicial Information Division. She requested

that OSC move it's September 19<sup>th</sup> meeting to the week prior to September 12<sup>th</sup> to accommodate those members who would be attending the Magistrate Judges Conference the week of September 19<sup>th</sup>.

**Judge Knowles moved to have the bi-monthly OSC meetings occur the day before the JIFFY meetings. If the chair of JIFFY reschedules a JIFFY meeting, then the OSC meeting would move to the day before JIFFY.** There was discussion about OSC meeting quarterly. **Ms. Janes seconded. No further discussion. No opposition noted. Motion carried.**

**Judge Knowles moved that the *BCMC Odyssey Project* become a regular OSC agenda item. Ms. Janes seconded. No further discussion. No opposition noted. Motion carried.**

**X. Adjourn.** There being no further business, Judge Mitchell adjourned today's meeting at 4:53 p.m.

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**Final Minutes Approved by Judge Mitchell on January 3, 2012.**