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Supreme Court of New Mexico

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Judicial Information Division (JID)

Electronic Reporting of Citation Dispositions,
Notifications of Failure to Appear and
Compliance to MVD

Standard Operating Procedure

Version 2.2

Updated: 8/2024

Approved by OJUG on 6/15/2023

Electronic Reporting Of Citation Dispositions, FTA and Compliance for FTA

COURT / DEPARTMENT / DIVISION

This procedure is to be used by District and Magistrate Courts

USER

Court Clerks

PURPOSE/INTRODUCTION

This process allows for the electronic reporting of Citation Dispositions, Notice of Failure to Appear and the Notice of Compliance for Failure to Appear to the Motor Vehicle Division. In most cases, this process removes the need for the District and Magistrate Courts to manually submit citation abstracts and notices of failure to appear/compliance to the MVD. However, certain requirements are necessary for electronic reporting. Those requirements will be discussed throughout this SOP.

****Note:** Clerks may be familiar with the term ‘Suspend’ as it relates to the Notice of Failure to Appear and ‘Clear’ as it relates to the Notice of Compliance for Failure to Appear. Courts do not actually ‘Suspend’ or ‘Clear’ licenses, they simply **notify** the Motor Vehicle Division of the Failure to Appear and/or the defendant’s Compliance with the Failure to Appear.

RELEVANT DATA STANDARDS

Data Standards were approved by the Supreme Court on May 20, 2020. Using the data standards will result in improved data collection and reporting; improved data quality; improved consistency in case processing; improved court efficiency; and improved ability to establish court staffing needs. Refer to the following data standards for any procedures that may or may not be specifically mentioned in this SOP:

General	Case Specific
1.7.0 Forms	2.0.0 Adult Criminal
1.8.0 Hearings	3.0 Juvenile Delinquency/Youthful Offender
1.14.0 Reports	
1.15.0 Scanning	

VERSION HISTORY

Version #	Date	Description	Author
1.0	10/2017	Initial SOP	Tobie Fouratt
1.2	06/2023	Updated to include the District Courts as Users	Jinger Fiola / Christal Bradford
2.1	06/2023	Updated to remove MVD Cases Missing Citation Images report and adding DQ Case Event Docketed ECR	Jinger Fiola / Christal Bradford

2.2	8/2024	Updated to add No Seat Belts offense to not report as a conviction on a Deferred Sentence for CDL Driver License	Tracy Nakai
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Glossary of Common Terms

Throughout this document, the following acronyms will be used:

CDL	Commercial Driver’s License
FTA	Failure to Appear
MVD	Motor Vehicle Division
UTC	Uniform Traffic Citation

What Is Sent to MVD Electronically?

For the citation dispositions, data and the scanned citation images are sent to MVD. For FTA and Compliance notices, only data is sent to MVD.

IMPORTANT: The MVD reporting process is **not** entirely automatic. There are certain circumstances in which items must be reported manually. Refer to the section titled *When are Citation Dispositions NOT Eligible for Electronic Reporting and Which FTA and Compliance Notices Need to be Manually Reported?*

Email Notifications

There are conditions under which a record **cannot** be reported to MVD. When the electronic reporting tool is unable to submit the record electronically, an email will be sent to designated users in the court. It will inform the court that the abstract or the Notice of Failure to Appear in Court / Notice of Compliance for Failure to Appear in Court will need to be **manually reported**.

REPORTING OF DISPOSITIONS

Which Citation Dispositions are Eligible for Electronic Reporting?

A citation disposition is eligible for electronic reporting when all of the following are true:

1. The disposition is the initial (non-amended) disposition.
 - --AND --
2. The charge requirements are met. [See **Charge Requirements** listed below]
 - -- AND --
3. The disposition is required to be reported to the MVD. [See **Disposition Requirements** below].
 - -- AND --
4. A citation image is attached in Odyssey
 - -- AND --
5. The citation number is correct and added to the Charges tab.

Charge Requirements

- Must be a non-DWI charge,
- Must match against a pre-determined list of charges that are required to be reported to the MVD. The list includes Chapter 65 and 66 violations and also some county or local traffic charges, AND
- Must appear on a UTC

Disposition Requirements

The disposition type must be one of the following:

- Consent Decree
- Conviction – Bench Trial
- Conviction – Jury Trial
- Conviction – Plea
- Delinquent Adjudication
- Juvenile Admission

** Electronic reporting will also occur when the disposition of **Deferred** is entered, the offense charge code is **NOT 1430 - No Seat Belts AND a CDL** is detected. A CDL is detected when:

1. 'YES' is chosen for one or more of the following options on the citation screen in Odyssey:
 - Commercial Vehicle
 - Hazmat Vehicle
 - Vehicle that carries 16 or more passengers

The screenshot shows the Odyssey citation screen with the following fields:

- 1. Citee:** Veh License # BHAH60, State NM
- 2. Vehicle:** Year 2006, Color Gray, Type Passenger, Make Chevrolet, Model 4 Door
- 3. Incident:** Commercial Vehicle Yes, Hazardous Material Yes, Passengers (16 or more) Yes, DOT #

The 'Commercial Vehicle', 'Hazardous Material', and 'Passengers (16 or more)' options are highlighted with a green box.

■ AND/OR --

2. One of the following license types is selected in Odyssey:

Description	CodeID
Commercial Driver's License (CDL)	9915
Class A - CDL	10035
Class B - CDL	10036
Class C - CDL	10038

NOTE: §66-8-135 Record of Traffic Cases NMSA 1978 no longer requires dismissals to be reported to the MVD. Therefore, traffic deferrals that are eventually dismissed will not be electronically reported to the MVD **unless** the defendant holds a CDL as defined above and the offense charge code is NOT 1430-No Seat Belts. If the license is a CDL, the deferred disposition will be reported when the deferral is entered on the case, the offense charge code is NOT 1430-No Seat Belts, not after the deferral period is completed (either successfully or unsuccessfully). Convictions will be reported for all citations with eligible charges regardless of the type of driver's license. Deferrals will be reported only for CDL holders and if the offense charge code is NOT 1430-No Seat Belts.

When are Citation Convictions Electronically Reported?

Electronic reporting time will vary based on if the case is eligible for appeal.

For both Magistrate and District Courts, convictions are electronically reported the next business day after the disposition has been entered if the following criteria is met:

- Eligible charge
- Guilty or No Contest Plea
- Conviction disposition – as listed in the ‘Disposition Types’ section above

For Magistrate Court, if no appeal has been filed, convictions are electronically reported sixteen (16) days after the disposition has been entered* if the following criteria is met:

- Eligible charge
- Not Guilty Plea
- Conviction disposition - as listed in the ‘Disposition Types’ section above

For District Court, if no appeal has been filed, convictions are electronically reported thirty-one (31) days after the disposition has been entered** if the following criteria is met:

- Eligible charge
- Not Guilty Plea
- Conviction disposition - as listed in the ‘Disposition Types’ section above

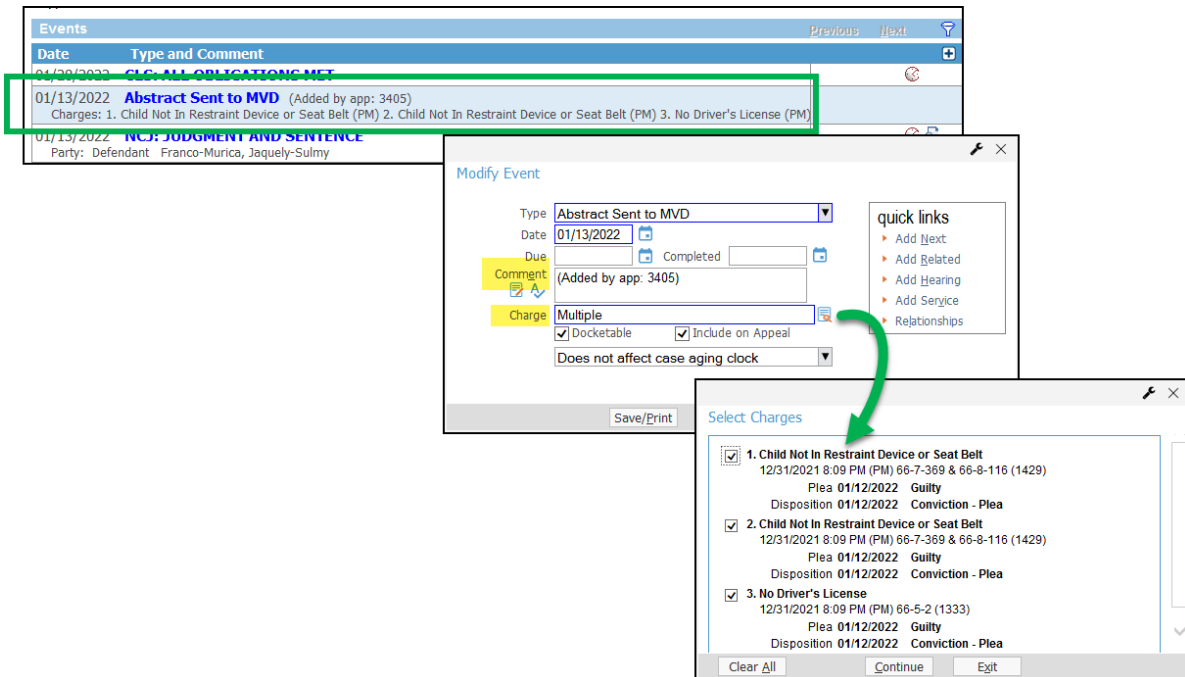
**According to Supreme Court Rule 6-703D(1), ‘The notice of appeal shall be filed in the district court within fifteen (15) days after the judgment or final order appealed from is filed.’*

*** According to Supreme Court Rule 12-201(A)(1)(b), ‘A notice of appeal shall be filed’... ‘within thirty (30) days after the judgment or order appealed from is filed in the district court clerk’s office.’*

NOTE*The electronic reporting tool is triggered by the date the disposition is entered. Therefore, it is imperative the date of the disposition matches the filing date of the Judgment / Order to ensure convictions are reported timely.**

How Do I Know if a Disposition Was Reported to MVD?

The event code **5865 Abstract Sent to MVD** will auto-docket in Odyssey for each eligible charge. The event will indicate the specific charge submitted and will also include the comment, “Added by app: 3405,” which indicates it was electronically submitted.



When are Citation Dispositions NOT Eligible for Electronic Reporting?

The electronic reporting tool will **not** report all dispositions. In the following instances, abstracts will need to be manually completed and submitted:

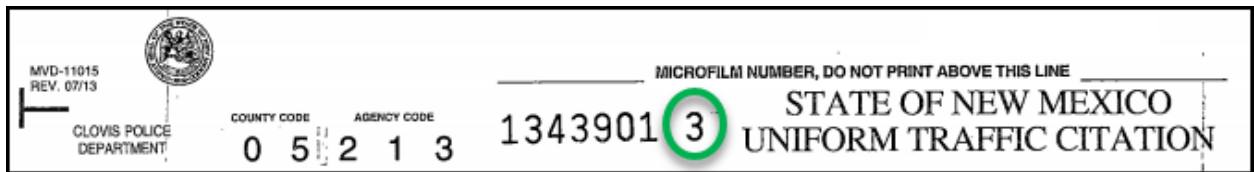
1. All DWI convictions
2. Amended dispositions
 - i. This includes any disposition for a non-CDL holder that was originally entered as a deferral or a conditional discharge, but amended to a conviction due to the defendant's failure to comply with the sentencing conditions.
3. Any citation with an associated event code of **5897 Additional Citation**.
4. Any charge that falls under the Motor Vehicle Code that is not on a UTC (This will be most, if not all felony charges)
 - i. This includes 30-16D codes and 30-3-8(B)

REMINDER** Use Event Codes 6198 – Abstract Manually Mailed to MVD or 3700 - Abstract sent to MVD with J&S when manually reporting.

Manual Reporting is also required when there is Inaccurate Data and / or Missing Requirements

Dispositions that should have been electronically reported will need to be manually reported if required data is missing or was entered inaccurately.

1. Any disposition that was entered incorrectly and is not corrected the same day
2. Any charge with an invalid citation number
 - i. The citation number does not include 13 digits (excluding DWI citations which are not currently reportable)
 - ii. The check digit is incorrect (the check digit is the last number in the citation number which is mathematically determined)



3. There is no scanned image attached to event codes for **Count 1 Citation** through **Count 10 Citation**.
4. When the charge sequence does not match the corresponding citation event code(s)
 - i. This can happen when charges and citation event codes are entered incorrectly at case initiation, OR when an amended Criminal Complaint, Criminal Information, Grand Jury Indictment or Petition (Juvenile) is filed that renumbers the charges and citation event codes are not updated.

NOTE for District Courts Make sure citation information has been unlinked from the lower court case and linked to the District Court case, citation events have been docketed, and citation images scanned. See 'Unlinking and Linking of Citations for District Courts' SOP.

REPORTING NOTIFICATIONS OF FAILURES TO APPEAR AND COMPLIANCES **NMSA 1978, Section 66-8-135(B)**

Which Cases are Eligible for Electronic Reporting of Failure to Appear?

A case is eligible for electronic reporting when all of the following are true:

1. The defendant fails to appear

■ --AND --

2. The charge requirements are met. [See **Charge Requirements** listed above]

■ -- AND --

3. The citation number is correct and added to the Charges tab

■ -- AND --

4. The correct citation image is related to the corresponding event code

When are Notices of FTA and Compliance Electronically Reported?

When is an FTA Electronically Reported?

A Notice for Failure to Appear shall be sent to the MVD when the following occurs:

1. After a defendant fails to appear in court as ordered by notice and/or a warrant for failure to appear is issued, (EX: Failure to Appear in Court Warrant, Bench Warrant for Failure to Appear for an FTP or FTC Summons or a Juvenile Bench Warrant for Failure to Appear), the clerk will result the hearing as '**Failure to Appear – Defendant**' and docket event **5746 MVD Notice of Failure to Appear in Court**.
2. The following day, the electronic reporting tool detects the **5746 MVD Notice of Failure to Appear in Court** event code and electronically submits notification to the MVD.
3. The electronic reporting tool will also add the comment, "[e-sent to MVD]" to the **5746 MVD Notice of Failure to Appear in Court** event code.

When is a Notice of Compliance Electronically Reported?

A Compliance notification shall be sent to the MVD when the following occurs:

1. When the defendant comes into compliance with the Failure to Appear and the event code **5746 MVD Notice of Failure to Appear in Court** exists on the case, court staff shall add the event code **5738 MVD NTC of Compliance for Failure to Appear in Court**
2. The following day, the electronic reporting tool detects the event code **5738 MVD NTC of Compliance for Failure to Appear in Court** and notifies the MVD of the compliance.
3. The electronic reporting tool will add the comment, "[e-sent to MVD]" to the **5738 MVD NTC of Compliance for Failure to Appear in Court** event code.

The screenshot shows a 'Modify Event' form. The 'Type' dropdown is set to 'MVD NTC of Compliance for Failure to App'. The 'Date' is '01/18/2023' and 'Time' is '12:56 PM'. The 'Comment' field contains '[e-sent to MVD]' with a green arrow pointing to it. There are checkboxes for 'Docketable' and 'Include on Appeal', both of which are checked. A 'quick links' sidebar on the right lists 'Add Next', 'Add Related', 'Add Hearing', 'Add Service', and 'Relationships'. At the bottom, there are buttons for 'Save/Print', 'Save', and 'Exit'.

Which Notices of FTA and Compliance Need to Be Manually Reported?

In the following instances, the court must generate the Notice for FTA / Notice of Compliance for FTA and manually submit it to the MVD:

- i. If the *only eligible charge* on a case is a DWI
- ii. If the *only eligible charge* is not reported on a UTC. Many of these, but not all, will be felony charges (Examples: Shooting at or From a Motor Vehicle, Unlawful Taking of a Motor Vehicle, Homicide by Vehicle, etc...)
- iii. If a case is listed in the MVD email sent to the court.

HOW TO AVOID MANUAL REPORTING:

The courts can minimize the need to manually report a disposition, FTA / Compliance by running the following reports and correcting issues found.

Reports

Two ECR reports exist to help avoid manual reporting.

1. **MVD – Invalid Citation Number - If the PDF or CSV option is selected for the Output Format, the report will not produce results. Results can only be found in List Manager.**
 - a. This report checks the validity of citation numbers.
 - i. Citation numbers will show up on the report if they are not the required 13 digits.
 - ii. They will also appear if the check digit is incorrect

- iii. This report will include DWI citation numbers because they will not have the required 13 digits. These can be ignored since DWI convictions are not electronically reported.

2. DQ – Case Event Docketing

- a. This report includes cases that do not have citation images attached to corresponding event codes.

If issues are not corrected before a Disposition, FTA/Compliance is entered, the court will have to manually report to MVD.

Additional Reports to Find Cases Not Reported to MVD

1. ECR: DQ – Convictions Without MVD Reporting

- a) This report generates a list of cases that do not contain an abstract event code but have convictions for charges that are identified as Motor Vehicle Code violations

2. ECR: FTA and Compliance Reporting – PENDING DEVELOPMENT

**If a user does not see one of the reports above, contact the service desk to see if additional rights are needed.

Email Notifications

If a court receives an email for a *disposition*, the necessary corrections should be made in the system and then that item must be reported manually.

For FTA and Compliance notifications, the process is somewhat less burdensome. If the court receives an email for a *Failure to Appear* notification, the court needs to make the correction in Odyssey and submit the FTA notice manually. Later, when it is time for the Compliance Notice to be submitted, the item will be reported to MVD electronically because the issue has been corrected in Odyssey.

In the event an FTA Notice was submitted manually (before the electronic reporting tool was available), the court may receive an email requiring the *Compliance* notification be manually reported.

Example emails

Citation Abstract / Disposition – either not sent or rejected

```
//// ABSTRACTS THAT WERE NOT SENT TO MVD FOR PROCESSID: 4020 NODEID: 150 ////  
-- Automated email. Do not reply. Issues/questions should be directed to helpdesk@nmcourts.gov --  
----- BEGIN RECORD -----  
Possible issues: Missing citation image;  
Case number: M15TR202300978  
Citation number: 0779092720895  
Charge number: 1
```

//// ABSTRACTS THAT WERE REJECTED BY MVD FOR MSTPID: 4019 AUDPID: 17 NODEID: 3800 ////
-- Automated email. Do not reply. Issues/questions should be directed to helpdesk@nmcourts.gov --

Case number: M38TR202300480
1511511309465: Duplicate Citation Number;

Failure to Appear

//// SUSPEND/CLEAR THAT WERE NOT SENT TO MVD FOR PROCESSID: 2962 NODEID: 6001 ////
-- Automated email. Do not reply. Issues/questions should be directed to helpdesk@nmcourts.gov --
----- BEGIN RECORD -----

Possible issues: : Too few digits in citation number
Case number: M60TR202300584
Citation number: 024041207630
Type: **SUSPEND**
----- END RECORD -----

Compliance

//// SUSPEND/CLEAR THAT WERE NOT SENT TO MVD FOR PROCESSID: 2962 NODEID: 3500 ////
-- Automated email. Do not reply. Issues/questions should be directed to helpdesk@nmcourts.gov --
----- BEGIN RECORD -----

Possible issues: : Contains non-numeric characters
Case number: M35TR201000192
Citation number: C-1379053410833
Type: **CLEAR**
----- END RECORD -----