

# Administrative Office of the Courts

Supreme Court of New Mexico

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## Judicial Information Division (JID)

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### DISTRICT COURT JUDGMENT & SENTENCE

### Standard Operating Procedure

### Version 1.1

*Created: (01/2020)*

*Amended: (04/2020)*

**Original Approved by: OJUG 03/19/2020**  
**Amendment Approved by: OJUG 05/21/2020**

## Title of Procedure

### COURT / DEPARTMENT / DIVISION

District Court

### USER

This procedure is to be used by district court staff responsible for preparation of a Judgment & Sentence (J&S) in a criminal case.

### PURPOSE

There are two sources of data from which a J&S is populated: information about the case already available in Odyssey and dispositions as ordered by a district judge. This procedure will guide staff through the steps of producing a J&S from the two sources.

This version of the J&S operates to produce orders on counts in a single case. This version may not work in all circumstances, but the form and procedure allow for freedom to accommodate circumstances not contemplated by the form or embraced in Odyssey, whose approach is based on criminal counts (as opposed, for example, to multiple defendants or a series of cases). An example of a circumstance that may not at first seem covered by the procedure is that involved when the parties and the court wish to dispose of various counts in various cases for one defendant. One approach would be to call all cases into session, to make dispositions, and to make clear in the language of the dispositions how sentences are to be executed concurrently, consecutively, or in various combinations thereof. Another approach would be to consolidate the cases and require an amendment to the charging document.

Use of the form also brings uniformity and a reduction in some areas of work for court staff. The form relies on information already posted in Odyssey so that the information remains constant throughout the case. In addition, the preparation of the form and posting of the disposition in Odyssey can be done in one step.

### INTRODUCTION

In its continuing effort to simplify and standardize procedure, the Odyssey Judges User Group (OJUG) appointed a subcommittee to create a J&S in a form acceptable to district court judges after several meetings and opportunities for review and commentary. Although the form can be used in many but not all circumstances, the subcommittee strived to include provisions requested by judges and to employ customary and simple language whose terms are easy to understand and carry out. The committee sought commentary also from local jails, the corrections department, criminal practitioners, and the association of district attorneys. The subcommittee was chaired by the Honorable Donna Mowrer of the Ninth Judicial District Court and had representatives from district courts across the state. Senior Justice Petra Maes also participated on the subcommittee representing the interests of the appellate courts and their concern for a uniform J&S that included basic components of an adequate order that expressed the actual rulings of the district courts without the need to refer to the transcript of proceedings to determine the intent of the sentencing court. After many lengthy discussions, the subcommittee submitted a form to OJUG for its review and

approval. The form was then presented to Chief Judges Council (CJC) and the Supreme Court, which has approved the form. Thereafter, JID staff began developing and testing the automation of the J&S. The form has been tested in the Fifth and Ninth Judicial District Courts, districts that had been pilot courts for a previous version of an auto-populated J&S. All changes made have been approved by OJUG.

## NAVIGATION

To generate this auto-populated J&S in Word format that can be modified as needed, Odyssey will be used to enter data as set forth in Step I and then the Alt+F1 Application Software will be used as set forth in Step II.

It is recommended that the docket(s) be reviewed prior to the hearing(s) and as much information as is available at that time be entered and/or reviewed in Odyssey. This will make preparation of the J&S easier and quicker.

## STEPS

### I. Verifying/Entering Data in Odyssey

The J&S was designed to pull data from specific areas of Odyssey. In order for the J&S to populate in a manner that requires little to no change once populated, it is important to verify and/or enter data on the case in Odyssey as set forth below.

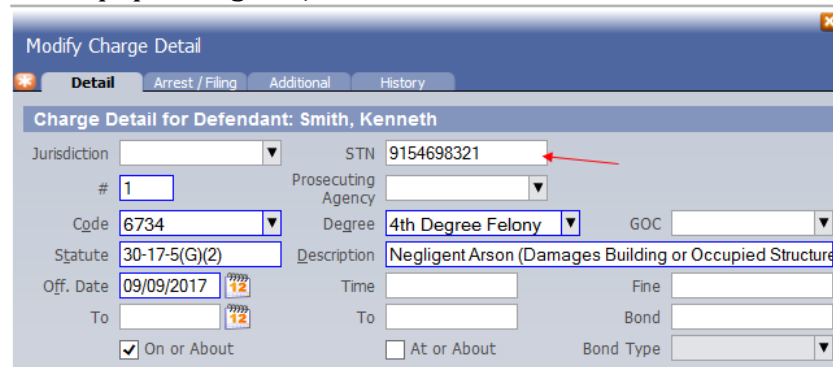
#### A. Verify Existing Case Data

1. From the 'Parties' Tab, verify the defendant's NAME, DOB and SSN have been correctly entered in Odyssey. If not, update before populating the J&S. *Party information should be updated on the Global Party Record and pinned to the Case Party Record.*
2. Also from the 'Parties' Tab, verify the attorneys appearing at sentencing are marked as lead attorneys on the case. If another attorney appeared on their behalf, have their name readily available to change on the parameter page when populating the J&S.
3. From the 'Detail' Tab, verify the Sentencing Judge is the judge assigned on the case. If not, update before populating the J&S.
4. From the 'Charges' Tab, verify the charges (a/k/a counts or offenses) have been updated to match the charges being sentenced. If not, update before entering plea and disposition data. The J&S pulls the charge number, description, statute, degree, and date of offense for each charge with a disposition in Odyssey so it is important to check each of these fields. *No two charges should have the same Charge Number. Charges should be deleted only if entered in error. Charges should only be edited if entered incorrectly. Charges should be amended if the charge is changed by an amended charging document, plea, or finding of the jury/judge.* If a charge has been entered as amended, the J&S will pull both the original and amended charge.



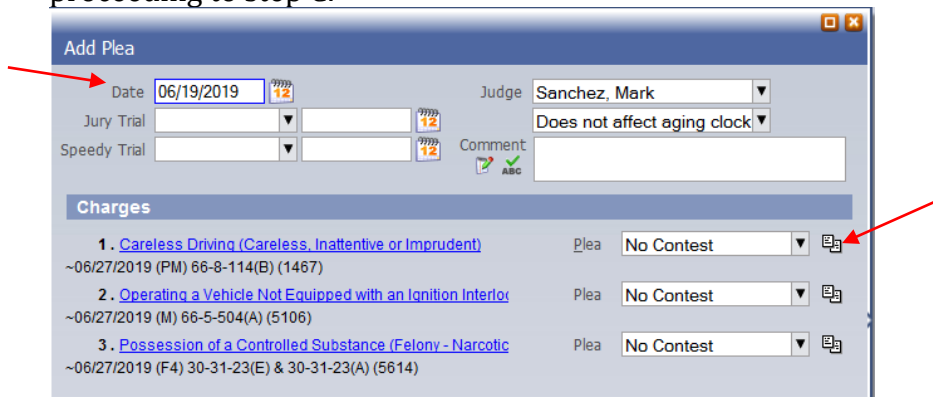
***It is important to update charges before entering plea and disposition data as the plea and disposition must be deleted before changes to the charge can be made.***

5. If a State Tracking Number (STN) is available, verify it has been correctly entered in the STN field on the appropriate charges. If not, update before populating the J&S.



B. **Entering Plea Data** – The J&S pulls plea types of Admission, Alford, Consent Decree, Guilty or No Contest entered for each charge with a disposition in Odyssey. If no plea or a different type of plea is entered for a charge with a disposition, the J&S will disregard the plea data and populate the disposition data.


If plea data already exists, verify the data was entered correctly. If not, update before proceeding to step C.



1. From the 'Disposition' Tab, click **Plea** (yellow hyperlink) to enter a plea in the 'Add Plea' dialog box. *If entering the plea, disposition and sentence at the same time, click **All** (yellow hyperlink) to enter the data in one screen.*

2. Enter the date the plea was entered into and accepted by the court. *This may be different than the file stamp date.*

3. Verify the judge that accepted the plea appears in the 'Judge' field. If not, use the dropdown to select the appropriate judge.

4. For each charge that the defendant entered a plea on, use the dropdown next to the charge to select the correct plea type. *If the plea is the same on all charges, select the correct plea type on the first charge, then click the duplicate icon  to copy the plea to all charges.*

5. Once the plea data has been entered, review it carefully before clicking **Save or Next**. **Save** will save the plea data and return user to the 'Disposition' Tab. **Next** opens the 'Add a Disposition' dialog box.

6. If the defendant pled to different charges on different dates, click **Save** in step 5 and repeat steps 2-5 for each different date.

***It is important to verify the plea data was entered correctly before entering the disposition as the disposition must be deleted before changes to the plea can be made.***


C. **Entering Disposition Data** – The J&S pulls the disposition type entered for each charge with a disposition in Odyssey. The J&S also pulls the disposition date for each charge with a disposition equal to a conviction. *If a charge does not have a disposition entered, the charge will not populate on the J&S.*

If disposition data already exists, verify the data was entered correctly. If not, update before proceeding to step D.

1. From the 'Disposition' Tab, click **Disposition** (yellow hyperlink) to enter a disposition in the 'Add Disposition' dialog box. *If **Next** was selected after entering the plea data, this step is not necessary as the 'Add Disposition' dialog box will already be open.*

2. Enter the date the charge(s) was disposed of.

3. Verify the judge that disposed of the charge(s) appears in the 'Judge' field. If not, use the dropdown to select the appropriate judge. *If the charge(s) was nolle, the judge on the case at the time the nolle was filed should appear for the disposition of the charge(s) dismissed in the nolle.*

4. For each charge disposed of on the date entered, use the dropdown next to the charge to select the correct disposition type. *If the disposition is the same for all charges, select the correct disposition type on the first charge, then click the duplicate icon  to copy the disposition to all charges.*

5. Once the disposition data has been entered, review it carefully before clicking **Save or Next**. *Save will save the disposition data and return user to the 'Disposition Tab'. Next opens the 'Add a Sentence' dialog box.*

6. If charges were disposed of on different dates, click **Save** in step 5 and repeat steps 2-5 for each different date. *Example: Count 3 was dismissed by the prosecutor on 12/10/2019, while Counts 1 and 2 were not pled to or sentenced until 1/8/2020. In this scenario, the dispositions would be entered separately; one for Count 3 with a disposition date of 12/10/2019 and one for Count 2 and 3 with a disposition date of 1/8/2020.*

***It is important to verify the disposition data was entered correctly before entering the sentence as the sentence must be deleted before changes to the disposition can be made. If the sentence included any fines or fees, the 'Financial Tab' must be updated before the sentence can be re-entered.***

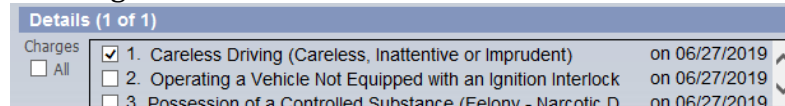
D. **Entering Sentencing Data** – The J&S pulls the sentence for each charge as entered in Odyssey. Sentencing information **must** be entered in Odyssey separately per charge. Not only is this important for populating the J&S but also for other reasons, i.e. data sharing, statistical reporting and reporting sentencing outcomes.

**Note:** Any information entered in a 'Comment' box within the 'Add Sentence' dialog box will not populate on the J&S. If a comment should be on the J&S, the comment will need to be manually copied and pasted into the J&S once it populates.

1. From the 'Disposition' Tab, click **Sentence** (yellow hyperlink) to enter a sentence in the 'Add Sentence' dialog box. *If Next was selected after entering the disposition data, this step is not necessary as the 'Add Sentence' dialog box will already be open.*
2. Use the dropdown to select the type of sentence ordered by the court.
3. The date defaults to today's date. DO NOT change the date if you are populating the J&S on the same day as the sentence. *The sentencing date populates in the opening paragraph of the J&S as the date this matter came before the Court so it should be the date the defendant was sentenced in the Courtroom. This date will also populate as the date post-sentence credit begins unless a date is entered in 'Reporting to Jail By' field.*
4. The judge assigned on the case should be sentencing judge. Verify the judge in the 'Judge' field is correct. If not, reassign the case from the 'Detail Tab'. Additional research may be needed to determine when the judge assignment on the case changed.



5. Next to 'Charges', select just one of the charges at a time. DO NOT select all charges at once.



6. Next to 'Sentence', click **Add or Default**. *Add allows the user to select the sentencing components. Default auto populates the standard sentencing components. If Default is selected and a specific field(s) is not needed, right click in the component to delete it.* The steps below are based on the default components.
7. **Confinement Component** - If a period of confinement is ordered by the judge on the charge, it should be entered in Odyssey, even if it is suspended or has already been served. If no period of confinement is ordered, right click to delete this component and proceed to step 8.

The screenshot shows a web form titled "Confinement" with a sub-section "Confinement Terms". The form includes the following fields and options:

- Confinement Location:** A dropdown menu with "Lea County Corrections" selected.
- Reporting to Jail By:** A date input field with a calendar icon.
- Term:** Radio buttons for "Term", "Life Imprisonment", and "Death Sentence". Below "Term" are input fields for Years (0), Months (18), Days (0), and Hours (0).
- Enhancement Type:** A dropdown menu.
- Enhancement Time:** Input fields for Years (0), Months (0), and Days (0).
- Total Term:** Summary fields for 1 Year, 6 Months, 0 Days, and 0 Hours.
- Suspend:** A checkbox and input fields for Years (0), Months (0), Days (0), and Hours (0). A "Suspend All" checkbox is also present.
- Pre-Sentence Credit:** Input fields for Years (0), Months (0), Days (0), and Hours (0). Three checkboxes: "Time may be served on Electronic Monitoring", "Time may be served on Weekends", and "Time may be served on Work-release".
- Concurrent/Consecutive:** Two checkboxes: "Concurrent" and "Consecutive".
- Case #:** An input field.
- Charge #:** An input field.
- Comment:** A text area with a "Save" button.
- Serious Violent Offense:** A checkbox.
- Justification:** An input field.
- Confinement Sequence #:** An input field.

a) **Confinement Location** – use the dropdown to select the location where the confinement is to be served. *This will usually be the NM Department of Corrections or a local jail/detention center.* If the period of confinement is suspended or has already been served, select the location where the time would have been served.

b) **Reporting to Jail By** – enter a date here ONLY if the Defendant is reporting to jail at a later time. If Defendant is immediately remanded to custody at sentencing or if there is no time left to serve, do not enter a date here.

c) **Term** – enter the amount of years, months, days and hours ordered to be served on this charge. DO NOT add time ordered to be served for other charges or enhancement time and DO NOT subtract suspended time or credit for time served here. If **Life Imprisonment** or **Death Sentence** is ordered, check the coordinating radio button.

d) **Enhancement Type & Time** – use the dropdown to select the enhancement type and time to be added to the sentence. *Odyssey limitation only allows for one type of enhancement per charge. If more than one type of enhancement is ordered on a charge, select one type but enter the total amount of time. Once the J&S populates, the other enhancement types will need to be manually entered.* If enhancement type of **Habitual Offender** is selected, a finding of adjudication as a Habitual Offender will also populate after the sentence of all charges.

e) **Suspend** – enter the amount of years, months, days and hours ordered to be suspended on this charge or if the entire sentence is suspended, check the 'Suspend All' box.

f) **Pre-Sentence Confinement** – enter the years, months, days and hours ordered as credit for time served on this charge. DO NOT enter credit here if the judge orders the entire term of confinement to be suspended and the credit to be applied towards probation. DO NOT enter credit for the same time served on multiple charges as this will reduce the total term ordered. *If the judge orders pre-sentence credit per case and the amount ordered is more than the term of confinement on a single charge, divide the credit between multiple charges.*

g) **Concurrent/Consecutive to Another Charge(s) in Same Case** – check **Concurrent** or **Consecutive** and enter the charge number the

sentence is ordered to run concurrent to or consecutive with in the 'Charge #' field. If the sentence is running concurrent or consecutive with multiple charges, enter each charge # separated by a comma and a space (Example: 1, 3, 4). DO NOT use roman numerals or other text. DO NOT enter anything in the 'Case #' field.

h) **Concurrent/Consecutive to Another Case** - check **Concurrent** or **Consecutive** and enter the entire case number(s) the sentence is ordered to run concurrent to or consecutive with in the 'Case #' field. If the sentence is running concurrent or consecutive with multiple cases, enter each case # separated by a comma and a space. (Example: D-412-CR-2018-103, D-412-CR-2018-376).

i) **Comment** - if a comment is made that should be a part of the J&S, the comment will need to be manually copied and pasted into the J&S once it populates.

j) **Serious Violent Offense** - if the courts finds the charge is a serious violent offense, check the 'Serious Violent Offense' box and enter the justification given. If the box is checked, language regarding meritorious deduction will populate under 'Sentence Specifics' section of the J&S.

Confinement Location: Lea County Detention (▼)  
Reporting to Jail By: [Date Picker]  
Term:  Years 18 Months  Days  Hours  
 Life Imprisonment  
 Death Sentence  
Enhancement Type: [Dropdown]  
Enhancement Time:  Years  Months  Days  
Total Term: 1 Years 6 Months 0 Days 0 Hours  
 Serious Violent Offense  
Justification: [Text Field]  
Confinement Sequence #: [Text Field]

k) **Total Term** - is calculated, in Odyssey, by adding the confinement time plus (+) enhancement time, minus (-) suspended time and pre-sentence credit. Verify 'Total Term' equals the amount of time the defendant will be expected to actually serve. Odyssey will not allow the 'Total Term' to be a negative amount so an adjustment to the amount of suspended time or pre-sentence credit may be need. Currently, Odyssey will not allow less than 1 day 'Total Term' if the suspend time plus (+) pre-sentence credit is equal to the confinement time plus (+) enhancement time. *If the judge orders the entire period of incarceration, except for time served, be suspended; enter the pre-sentence credit, look at the balance in the 'Total Term' section, and enter all but 1 day of that amount in the suspend fields. Once the J&S populates, manually add 1 day to the suspend amount and change the "for a total period of" to 0. This is a glitch in Odyssey that may be fixed in future versions.*

Total Term  
1 Years 6 Months 0 Days 0 Hours

8. **Parole Component** - If a period of incarceration is ordered, the judge may also order a parole term. If parole is ordered by the judge on the charge,

it should be entered in Odyssey. If no parole is ordered, right click to delete this component and proceed to step 9.

The screenshot shows the 'Parole' form interface. At the top, there is a dropdown menu for 'Supervising Agency' with 'Adult Probation & Parole' selected. Below this, there are radio buttons for 'Term' with '1' entered in the 'Years' field, and an 'Indeterminate' option. A checkbox for 'Pay Cost for Parole' is present and unchecked. To the right, there is a 'Comment' field with a green checkmark icon and the letters 'ABC'.

a) **Supervising Agency** – use the dropdown to select the agency responsible for supervising the defendant while on parole. *This will usually be Adult Probation & Parole.*

b) **Term** - enter the amount of years, months and days ordered to serve on parole for this charge. If **Indeterminate** is checked, the J&S will populate as “indeterminate period”.

c) **Parole Costs** – if the defendant is not ordered to pay the cost of parole, uncheck the ‘Pay Cost of Parole’ box.

d) **Comment** – if a comment is made that should be a part of the J&S, the comment will need to be manually copied and pasted into the J&S once it populates.

9. **Probation Component** - If a period of probation is ordered by the judge on the charge, it should be entered in Odyssey. If no probation is ordered, right click to delete this component and proceed to step 10.

The screenshot shows the 'Probation' form interface. It features input fields for 'Term' (18 Months) and 'Credit for Time Served' (3 Months). Below these is a 'Supervision Level' section with a plus sign icon and a table listing 'Adult Probation & Parole' with a term of 18 Months. At the bottom, the 'Total Term' is calculated as 1 Year 3 Months 1 Day.

a) **Term** – enter the amount of years, months and days ordered to serve on probation for this charge.

b) **Credit for Time Served** - enter the years, months, days and hours ordered as credit for time served on this charge. DO NOT enter credit here if applied in the ‘Confinement’ section. DO NOT enter credit for the same time served on multiple charges as this will reduce the total term ordered. *Credit for Pre-Sentence Confinement is usually only entered here if no confinement time was ordered or if credit for time served on probation is order for sentencing on a Probation Revocation.*

c) **Supervision Level** – click the plus (+) sign to add the level of probation (a/k/a type of probation, i.e. supervised, unsupervised, etc.), the term and agency responsible for supervising the defendant while on probation. *If multiple levels and agencies for different terms are ordered, repeat this step for each one. It is recommended that the user verify the time entered in the levels equals the ‘Total Term’. The J&S does not verify the terms add up to the total term.*

The screenshot shows a 'Probation' form with the following fields and values:

- Term:** 18 Months
- Credit for Time Served:** 3 Months
- Supervision Level:** Adult Probation & Parole (18 Months)
- Total Term:** 1 Year 3 Months 1 Day
- Pay Cost for Probation:**
- Comment:** (empty text box)

A 'Modify Supervision Level' pop-up window is also visible, showing:

- Level:** Supervised
- Agency:** Adult Probation & Parole
- Term:** 18 Months

d) **Concurrent/Consecutive to Another Charge(s) in Same Case** - check **Concurrent** or **Consecutive** and enter the charge # in the 'Charge #' field. If probation is running concurrent or consecutive with multiple charges, enter each charge # separated by a comma and a space. (Example: 1, 3, 4) DO NOT use roman numerals or other text. DO NOT enter anything in the 'Case #' field.

e) **Concurrent/Consecutive to Another Case** - check **Concurrent** or **Consecutive** and enter the entire case number(s) in the 'Case #' field. If probation is running concurrent or consecutive with multiple cases, enter each case # separated by a comma and a space. (Example: D-412-CR-2018-103, D-412-CR-2018-376).

f) **Probation Costs** - if the defendant is ordered to pay the cost of probation, check the 'Pay Cost of Probation' box.

g) **Comment** - if a comment is made that should be a part of the J&S, the comment will need to be manually copied and pasted into the J&S once it populates.

10. **Condition Component** - If conditions are ordered by the judge, they should be entered in Odyssey. If no conditions are ordered, right click to delete this component and proceed to step 11.

The screenshot shows the 'Condition - Adult' form with a table of conditions:

Condition	Duration Location	Amount Comment	Effective	End	Status
Shall comply with			12/13/2018		12/13/2018
Maintain full time			12/13/2018		12/13/2018
Alcohol/Substanc			12/13/2018		12/13/2018

a) **Conditions** - use the picker (magnifying glass) to select the condition(s) or condition group ordered by the judge. Once all are selected, click **Continue** then click **Add** to populate the conditions selected. *The same condition may be entered on multiple charges if ordered by the judge but each condition will only populate once on the J&S. Currently, many courts enter all conditions only once and on the first charge sentenced. This practice is okay for purposes of populating the J&S. However, for reporting purposes, it is important that special conditions specific to a particular charge (i.e.,*

***DWI School and Interlock to DWI offenses, Substance Abuse Screening and/or Treatment to Drug offenses, etc.) be entered on the specific charge.***


b) **Restitution** - there are several options for entering restitution in Odyssey. If restitution is entered as a condition; it will populate in the condition section of the J&S. The amount can be added to the condition but will not be added to the Financial Tab.

c) **Comment** - if a comment is made that should be a part of the J&S, the comment will need to be manually copied and pasted into the J&S once it populates.

11. **Restitution Component** - If restitution is ordered by the judge on the charge, it should be entered in Odyssey. If restitution is entered in this component, the person the restitution is to be paid to (if known) needs to be entered as a party or participant on the case prior to entering the sentencing data. If restitution is entered in this component, the amount will populate in the fee section of the J&S and will be added to the Financial Tab. If restitution is not collectable by the court, a credit will need to be entered through the Financial Tab after the J&S populates. *When applying a credit, be sure to uncheck all fees except for the one the credit is to be applied to.* If no restitution is ordered or if restitution is entered as a condition or will be entered as a fee, right click to delete this component and proceed to step 12.

The screenshot shows a software interface for entering restitution. At the top, there is a header 'Restitution' with a plus sign icon. Below it, a text field contains '\$700.01' and another field contains 'Dick Elkins Trading Co'. A dialog box titled 'Modify Restitution' is open in the foreground. It has a 'Pay To' field with 'Dick Elkins Trading Co' and a magnifying glass icon. Below that is a checkbox labeled 'To Be Determined by Probation' which is currently unchecked. The 'Amount' field contains '700.01'. At the bottom of the dialog are 'Continue' and 'Exit' buttons.

a) Next to 'Restitution', click the plus (+) sign to add restitution information.

b) Use the picker  (magnifying glass) at the end of the 'Pay To' field to select the party or participant on the case that the restitution will be paid to.

c) Enter the amount of restitution ordered in the 'Amount' field.

d) If the pay to or amount is not determined at sentencing, check the box next to 'To Be Determined by Probation'. By checking this box the 'Pay To' and 'Amount' are no longer required fields.

e) Verify the restitution information before clicking **Continue**.

f) If restitution is ordered to be paid to multiple persons, repeat steps a-e.

g) **Comment** - if a comment is made that should be a part of the J&S, the comment will need to be manually copied and pasted into the J&S once it populates.

12. **Fees Component** - If fines and/or fees are ordered by the judge on the charge, they should be entered in Odyssey. Most fees, except for the DNA Fee,

are per charge and should be entered on each individual charge. ***Fees specific to a particular charge (i.e., DWI fees to DWI offenses, Substance Abuse fees to Drug offenses, Felony Crime Reparation Fee to Felony offense, etc.) must be entered on the specific charge.*** If no fees are ordered, right click to delete this component and proceed to step 13.

Fee Totals	
Criminal DNA Identification Fee	100.00
Criminal Domestic Violence Treatment Fee	5.00
Criminal Felony Crime Victims Reparation Fee	75.00
Fee Totals \$	180.00

- a) Under 'Fee Totals', click **Add Standard or Add Custom**.
- b) The date defaults to today's date. DO NOT change the date if you are populating the J&S on the same day as the sentence.
- c) Click the plus (+) sign to select the fee schedules or fee groups, including any fine, ordered by the judge. Once all are selected, click **Continue**.
- d) If 'Criminal Fine' was selected in step iii, a dialog box will pop-up. Enter the total fine ordered in the 'Pronounced Fine' field and any amount suspended in the 'Suspended Fine' field. Verify the total is as expected, click **Finish**.
- e) **Restitution** - there are several options for entering restitution in Odyssey. If restitution is entered as a fee, the amount will populate in the fee section of the J&S and will be added to the Financial Tab. If restitution is not collectable by the court, a credit will need to be entered through the Financial Tab after the J&S populates. *When applying a credit, be sure to uncheck all fees except for the one the credit is to be applied to.*
- f) **DNA Fee** – if a DNA Fee is ordered, the fee is only entered once per case. If the court does not collect the DNA Fee, a credit will need to be entered through the Financial Tab after the J&S populates. *When applying a credit, be sure to uncheck all fees except for the one the credit is to be applied to.*
- g) Verify all ordered fees appear and the total adds up as expected, before clicking **Continue**.

Enter Defendant Charges on Case # D-1215-CR-2019-00003

Date: 01/23/2020 Case Due Date: [ ] For Party: Martinez, Aaron

System Distribution  Manual Distribution Case Grace Days: 0

Charge Information Auto Assess Edit Detail

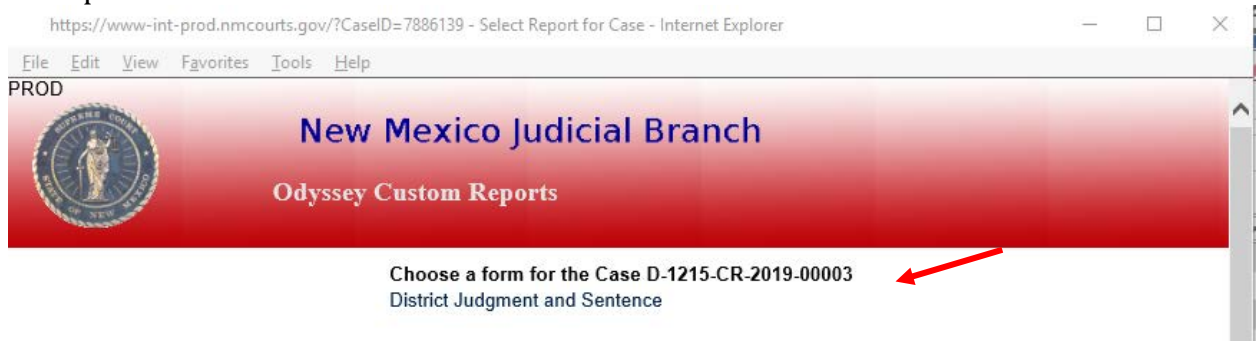
Fee Schedule	Charge	
Criminal DNA Identification Fee	100.00	<input type="checkbox"/>
Criminal DNA Identification Fee	100.00	
Criminal Domestic Violence Treatment Fee	5.00	<input type="checkbox"/>
Criminal Domestic Violence Treatment Fee	5.00	
Criminal Felony Crime Victims Reparation Fee	75.00	<input type="checkbox"/>
Criminal Crime Victims Reparation Fee	75.00	
<input checked="" type="checkbox"/> Criminal Fine	50.00	<input type="checkbox"/>
Criminal Fine	50.00	
<b>Totals</b>	<b>230.00</b>	

13. The components necessary to populate the J&S for a single charge are now entered, review the information from the 'Modify Sentence' dialog before clicking **Save** in case changes are needed. Once correct, click **Save**.
14. Repeat steps D (1-13) for each charge sentenced on the case.
15. Once the disposition and sentencing data has been correctly entered on all charges, proceed to section II.

## II. Populating the J&S

Now that the disposition and sentencing data has been saved in Odyssey, the J&S can be populated using the Alt+F1 Application.

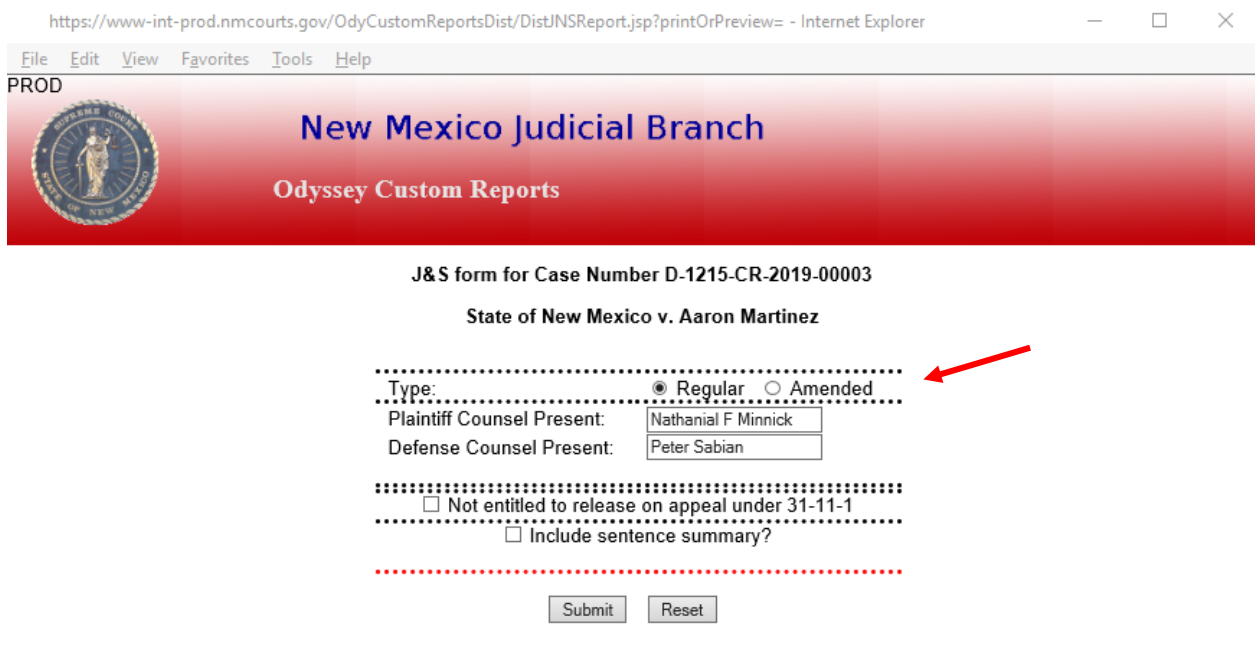
- A. From the 'Disposition' or 'Case Summary' Tab of the case in Odyssey, press the "Alt" plus the "F1" keys on the computer keyboard at the same time.
- B. A separate window for New Mexico Judicial Branch Odyssey Custom Reports will open.



- C. Verify the case number is the correct case the J&S should populate for, click 'District Judgment and Sentence'.
- D. The Alt+F1 Application will retrieve "fetch" data needed from Odyssey. The screen will provide the status of this process.



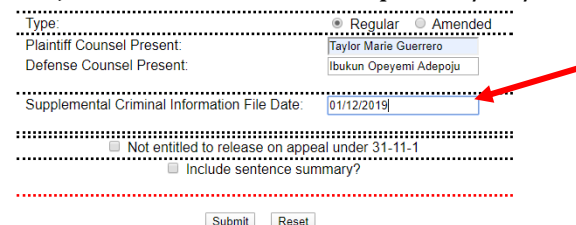
E. Once the data necessary to populate the form has been “fetched” from Odyssey, the ‘Parameter Page’ will open.



F. Select **Regular** or **Amended** by clicking the coordinating radio button.

G. Verify the attorneys appearing at sentencing appear. If not, update.

H. If Habitual Offender Enhancement was selected on one or more charges in Odyssey, a field will populate asking for the date the Supplemental Criminal Information was filed. Enter this date in MM/DD/YYYY format. This will populate on the J&S to a full date. Example: 01/12/2019 will populate as January 12, 2019.



I. If the Defendant is convicted of a capital or violent offense as identified in §31-11-1(D), NMSA 1978, or if the court finds cause under §31-11-1(C), NMSA 1978; check the box at the bottom of the ‘Parameter Page’ next to “Court finds cause under 31-11-1(C)”. If selected, the J&S will be populated with the appropriate language.

Type:  Regular  Amended  
Plaintiff Counsel Present: Taylor Marie Guerrero  
Defense Counsel Present: Ibukun Opeyemi Adepoju  
Supplemental Criminal Information File Date: 01/12/2019  
 Not entitled to release on appeal under 31-11-1  
 Include sentence summary?  
Submit Reset

J. The sentence summary is optional and will not auto-populate on the J&S. To include the summary, check the box next to “Include sentence summary?” on the ‘Parameter Page’.

Type:  Regular  Amended  
Plaintiff Counsel Present: Taylor Marie Guerrero  
Defense Counsel Present: Ibukun Opeyemi Adepoju  
Supplemental Criminal Information File Date: 01/12/2019  
 Not entitled to release on appeal under 31-11-1  
 Include sentence summary?  
Submit Reset

K. Once the appropriate selections have been made on the ‘Parameter Page’, click **Submit** to populate the J&S.

L. If there is an error populating the J&S, a message will pop up identifying the error. Go back to the case in the Odyssey, correct the error before trying to populate the J&S. If unable to determine what the error is or if assistance is needed to correct the error, submit a Service Desk Ticket.



M. If there are no errors, the following message will appear.



N. Once the J&S has merged, a Word document is generated and saved to the computer using the case number. A link to the merged document will appear at the bottom of the screen.



- O. Open the saved document by clicking the link or opening the saved file.
- P. Review the J&S carefully, making any corrections or modifications needed. *See section III for more information about each section of the J&S.*
- Q. If any correction or modification is made, save the J&S in case additional changes are needed after the parties and judge review it.
- R. Print the J&S for the parties and judge to review and sign. *Once the court has the ability to review and sign electronically, this step should be modified based on that process.*
- S. Proceed with filing, docketing, certifying, copying and distributing the J&S pursuant to local procedures.

### **Reminders after population of J&S:**

- Apply credit through the Financial Tab for any fee not collectable by the court.
- Generate any additional forms needed, i.e. Notice of Entry of J&S, Notice to Register as a Sex Offender, Firearms Findings and Notice, etc.
- Docket any events that identify orders contained within the J&S, i.e. Ignition Interlock, Quahsing Warrant, etc.
- Quash active warrants through Warrant Tab
- Exonerate or release bond

### **III. Understanding Sections of the J&S**

- A. The J&S was created to populate certain sections and specific information within each section based on the data entered in Odyssey. The following is a breakdown of each section of the J&S and the data points in Odyssey used to populate the section. If the J&S does not populate as expected, review the data points in Odyssey making necessary corrections and repopulate the J&S. If the J&S still does not populate as expected, create a Service Desk Ticket.
- B. **Style of Case** - The style of the case generated at the top of the J&S is populated with the Court Location, Case number, identifying information on the Defendant from the party tab, and the STN entered on any charge on the case. If multiple STNs have been entered, each different STN will populate.

- C. **Title** - The subcommittee decided that the title of the form would be "Judgment and Sentence" even if the sentence is suspended. If the judge wants a different title, it will need to be changed after the J&S populates.
- D. **Opening Paragraph** - The opening paragraph populates with the assigned judge, the latest date entered as the sentence date in the disposition tab, and the attorneys marked as lead attorneys in Odyssey. If an attorney other than the lead attorney appeared at sentencing, the attorney's name can be changed on the 'Parameter Page' when populating the J&S or after the J&S populates.
- E. **OFFENSES CHARGED/DISPOSITION/SENTENCE** - This section populates for each charge that has a disposition entered in Odyssey. Any charge without a disposition will not populate on the J&S. Each charge is separated by a horizontal line. Within this section, the following information is pulled from Odyssey and will populate if applicable.
- F. **Count:** - Charge number, description, statute and degree as entered in Odyssey. If the charge is amended, both the amended and original charge as filed will populate.
- G. **Date of Offense:** - Date or date range entered on the offense in Odyssey.
- H. **Date of Conviction:** - If the disposition type selected is equal to guilty, the disposition date entered in Odyssey will populate.
- I. **Serious Violent Offense:** - If the 'Serious Violent Offense' box in the confinement section is checked, "YES" will populate followed by any text entered in the 'Justification' field below the 'Serious Violent Offense' box. Otherwise, "NO" will populate.
- J. **Disposition:** - If there is a plea of Admission, Alford, Consent Decree, Guilty or No Contest, the plea type followed by the disposition type selected in Odyssey will populate. If there is no plea or any other plea type, only the disposition type selected will populate.
- K. **Sentence:** - The term of confinement, parole and/or probation entered in Odyssey will populate in paragraph style. If **Concurrent** or **Consecutive** is selected and a charge/offense is entered in the 'Charge #' field, the concurrent/consecutive language will populate in this section. The total amount of fines and fees entered in Odyssey for the charge will populate. *If the disposition type of Conditional Discharge Pending is selected, language specific to a Conditional Discharge will populate.*
- L. **HABITUAL OFFENDER** - If Habitual Offender Enhancement was selected on one or more charges in Odyssey and the Supplemental Criminal Information File Date was entered on the 'Parameter Page', Habitual Offender Finding will populate at the end of the 'OFFENSES CHARGED/DISPOSITION/SENTENCE' section.
- M. **SENTENCE SUMMARY** - If the box next to "Include sentence summary?" on the 'Parameter Page' was selected, the sentence summary section will populate with blank lines for the total term of confinement, parole and/or probation for all charges may be entered.
- N. **SENTENCE SPECIFICS** - This section populates sentencing information pertaining to the case as a whole and not specific to an individual charge.
- O. **Concurrent/Consecutive to Another Case** - If the sentence and/or probation for any charge is marked to run **Concurrent** or **Consecutive** to another case, a sentence will populate with that information.

- P. **Serious Violent Offense** – If any charge was marked as a Serious Violent Offense, a sentence will populate with information about the meritorious deduction not exceeded 4 days per month.
- Q. **Fines & Fees** – The total of all fines and fees entered on all charges will populate along with an itemized list of the fees entered. *If any fee was credited before populating the J&S, the totals will not add up correctly and will need to be manually changed on the J&S.*
- R. **Probation Conditions** – A list of conditions entered on all charges will populate. Conditions will only be listed once even if they were entered on multiple charges.
- S. **Right to Appeal** – Based on the plea and disposition type entered, a sentence with information about the defendant’s right to appeal will populate. Also, if the “Court finds cause under 31-11-1(C)” box was selected on the ‘Parameter Page’, a sentence with information about the defendant not being entitled to release during the appeal will populate.
- T. **Outstanding Warrants & Active Bonds** – Language quashing all outstanding warrant and exonerating/refunding active bonds will automatically populate here even if there are no outstanding warrants or active bonds on the case. This was a decision made by the subcommittee.
- U. **REMAND/SURRENDER/TRANSPORT** – If a period of confinement is to be served, a sentence will populate stating the defendant is “immediately remanded” or “to surrender on [DATE]”, to whose custody. If the New Mexico Department of Corrections is selected as the Confinement ‘Location’, “to be transported to the New Mexico Department of Corrections” will populate at the end of the sentence.

### ***Quick List of DOs and DO NOTs***

- DO verify Defendant's NAME, DOB, SSN and STN for charges are entered correctly on the case
- DO verify the Sentencing Judge is the judge assigned on the case
- DO verify the attorneys appearing at sentencing are marked as lead attorneys on the case. If another attorney appeared on their behalf, have their name readily available to change on the Parameter's page
- DO verify and/or enter the plea, if applicable; disposition and sentence before populating the J&S
- DO enter as many sentencing details as allowed by Odyssey before population the J&S but DO NOT enter sentencing details before the day of the sentencing hearing
- DO NOT use comment fields to record the sentence. Sentencing data should be entered in the appropriate section and field. *Any comment entered will have to be copied and manually added to the J&S once it populates*
- DO NOT change Concurrent to Consecutive or Consecutive to Concurrent after saving a sentence. If it is necessary, then it will have to be manually changed on the J&S (*Odyssey bug*)
- DO NOT use roman numerals or other text when entering count numbers for concurrent or consecutive
- DO NOT enter credit for the same time served in both the confinement and probation section or in multiple counts as it will reduce the total time to be served
- ALWAYS review the J&S once populated for accuracy
- DO report problems with the J&S populating to the JID Service Desk

***NOTE: A Sentencing Worksheet is being created. Judges will be encouraged to use the worksheet so sentencing is announced in a manner which will mirror the 'Sentencing' section of Odyssey. This will make entering the required data easier and quicker.***

***If it is not possible to complete the J&S instantaneously (in Court at the time of sentencing), the J&S can be prepared at a later time from any computer with access to Odyssey. If a worksheet or notes are not available, it is recommended that the preparer listen to the FTR recording in order to accurately capture the sentence ordered by the judge.***