

1 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2 **February 20, 2017**

3 **NO. 17-8500-001**

4 **IN THE MATTER OF THE**
5 **NEW MEXICO JUDICIARY**
6 **CASE ACCESS POLICY FOR**
7 **ONLINE COURT RECORDS**

8 **ORDER**

9 WHEREAS, this matter came on for consideration upon recommendation
10 of the Judicial Information Systems Council (JIFFY) and its Online Access
11 Subcommittee (OAS) to adopt policies and procedures for providing secured
12 online access to court case records through the New Mexico Judiciary’s Secured
13 Odyssey Public Access (SOPA) website maintained by the Judicial Information
14 Division (JID) of the Administrative Office of the Courts (AOC);

15 WHEREAS, the recommendation was published for comment and a public
16 hearing was held on December 8, 2016;

17 WHEREAS, after considering the written and oral comments received,
18 JIFFY and OAS submitted a final recommendation for approval by this Court;

19 WHEREAS, under the recommendation, New Mexico attorneys and their

1 staff, governmental justice partners, and the press would have online access to
2 currently digitized court case files in New Mexico state courts, subject to the
3 protection of protected personal identifier information appearing in any digitized
4 court case files and subject to the protection of other confidential information in
5 specific case types as required by law;

6 WHEREAS, under the recommendation, out-of-state attorneys authorized
7 to appear in specific cases (*pro hac vice* attorneys) and self-represented litigants
8 would have online access to all digitized court case files in their respective cases,
9 subject to the protection of protected personal identifier information and other
10 confidential information as required by law;

11 WHEREAS, under the recommendation, the general public would have
12 online access to digitized court case files in New Mexico state courts contingent
13 upon the protection of confidential information as required by law and upon the
14 New Mexico Judiciary receiving funding to purchase and implement redaction
15 technology that is currently unavailable but would be necessary to redact protected
16 personal identifier information from digitized court case files as required by law;
17 and

18 WHEREAS, in light of the foregoing, and the Court having considered the

1 recommendation and being otherwise sufficiently advised, Chief Justice Charles
2 W. Daniels, Justice Petra Jimenez Maes, Justice Edward L. Chávez, Justice
3 Barbara J. Vigil, and Justice Judith K. Nakamura concurring;

4 NOW, THEREFORE, IT IS ORDERED that the recommendation is
5 APPROVED and the New Mexico Judiciary Case Access Policy for Online Court
6 Records is ADOPTED;

7 IT IS FURTHER ORDERED that JID shall make applications available
8 online for those wishing to obtain the necessary login credentials for accessing the
9 SOPA system and shall begin accepting such applications immediately;

10 IT IS FURTHER ORDERED that OAS shall assist JID with the review of
11 applications for access to SOPA;

12 IT IS FURTHER ORDERED that online access to digitized court case files
13 through SOPA shall begin on or before **March 31, 2017**; and

14 IT IS FURTHER ORDERED that the Clerk of the Court is authorized and
15 directed to give notice of the above-referenced policy and application procedure
16 by posting notice on the New Mexico Judiciary website, by emailing notice
17 through the New Mexico Supreme Court email notification listserv, and by
18 publishing notice in the *Bar Bulletin*.

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IT IS SO ORDERED.

WITNESS, Honorable Charles W. Daniels, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 20th day of February, 2017.

(S E A L)

Joey D. Moya, Chief Clerk of the Supreme Court
of the State of New Mexico