

Administrative Office of the Courts

Supreme Court of New Mexico

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Judicial Information Division (JID)

SMS (Text) and E-Mail Reminders of Court Hearings for
Defendants that have Opted-In
Standard Operating Procedure

Version 1.2

Updated: (4/2020)

Version 1.2 Approved by AOC Pretrial Services Division April 2020

SMS (Text) Reminders of Court Hearings for Parties that have Opted-In

COURT / DEPARTMENT / DIVISION

This procedure is to be used by District / Metro / Magistrate Courts.

USER

This procedure is to be used by Pretrial Services staff.

PURPOSE

This procedure is to be used by Pretrial Services staff when a Defendant opts-in to the cell phone Short Message Service (SMS) for court reminders and/or e-mail reminders.

PLEASE NOTE:

To implement the Court Date Reminder Application for Pretrial Services, refer to the memorandum from the AOC Pretrial Services Division dated January 29, 2020 (attached at the end of this SOP for your convenience) that identifies court requirements. Please contact AOC Statewide Pretrial Program Manager, Kelly Bradford aockkb@nmcourts.gov and/or AOC Program Manager, Cecilia Perry aoccmp@nmcourts.gov if you have any questions.

NAVIGATION

This procedure takes place in the Defendant's Global Record in Odyssey.

IMPORTANT NOTE BEFORE BEGINNING

This procedure utilizes Global Party Records. It is not unusual that a party may have multiple Global Party Records. Multiple Global Party Records are tied to multiple cases.

It is imperative that these records be merged together into one Global Party Record with one Party ID for optimal use of the SMS reminders.

An example:

Defendant Johnny Dough has 5 cases with the same DOB and SSN on all 5 cases. Assume all District Court cases are pending. The Party IDs and cases are as follows:

- **Global Party Record for Defendant Johnny Dough, Party ID 12345**
 - *This Global Record and Party ID are used in D-101-CR-2019-00010*
 - *This Global Record and Party ID are used in M-49-FR-2019-00015*
 - *This Global Record and Party ID are used in M-33-VFR-2019-00025*
- **Global Party Record for Defendant Johnny Dough, Party ID 67890**
 - *This Global Record and Party ID are used in D-101-CR-2019-00020*
- **Global Party Record for Defendant Johnny Dough, Party ID 45678**
 - *This Global Record and Party ID are used in D-101-CR-2019-00030*

If the following procedure is only used on the Party ID number of 12345, the Defendant **will not** be notified of upcoming hearings in case number D-101-CR-2019-00020 or D-101-CR-2019-00030. The failure to merge the Party IDs together may result in Failure to Appear for court hearings.

Currently, you must submit a Service Desk ticket to JID to merge the Global Party Records. JID will merge party records if 3 identifiers match. In this example, the name, DOB and SSN match, therefore the records in this example could be merged.

The defendant can provide verbal consent for an invitation to participate in the program (see section 2) or provide written consent (see section 3).

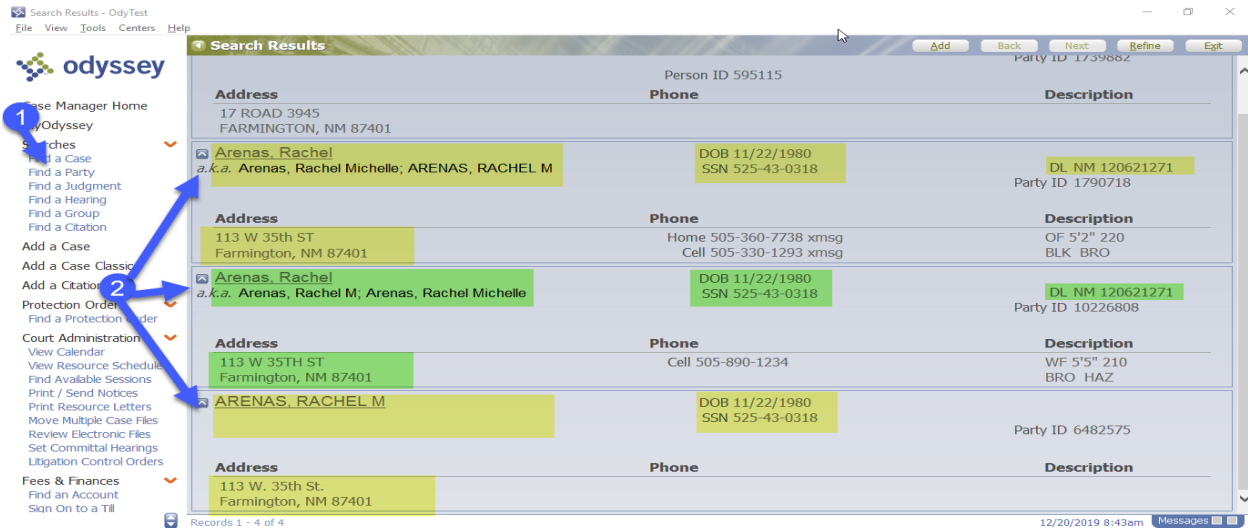
This SOP is broken into five sections.

- **Section 1: Party Record..... Page 4**
How to locate a party record and determine what Party ID should be used.
- **Section 2: Verbal Consent for Invitation to Participate Page 7**
When a defendant gives verbal consent to the Court for an invitation to participate in SMS reminders.
- **Section 3: Written Consent to Participate Page 9**
When a defendant gives written permission to the Court to participate in SMS reminders.
- **Section 4: Opting Out of Reminders Page 12**
When a defendant opts out of SMS reminders and/or reinstates SMS reminders.
- **Section 5: Memorandum from AOC Pretrial Services Division Page 13**

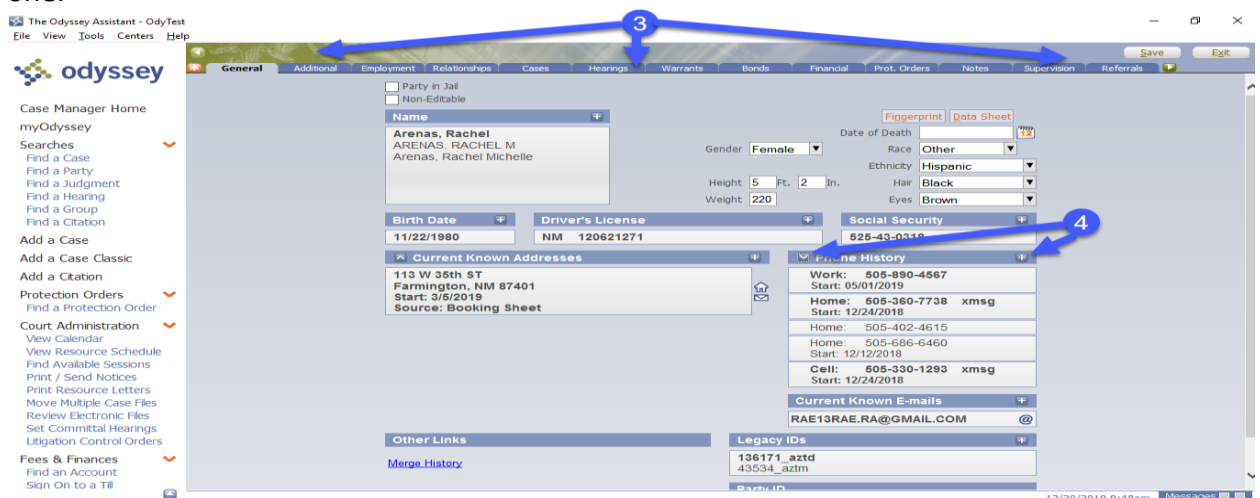
STEPS

SECTION 1: PARTY RECORD

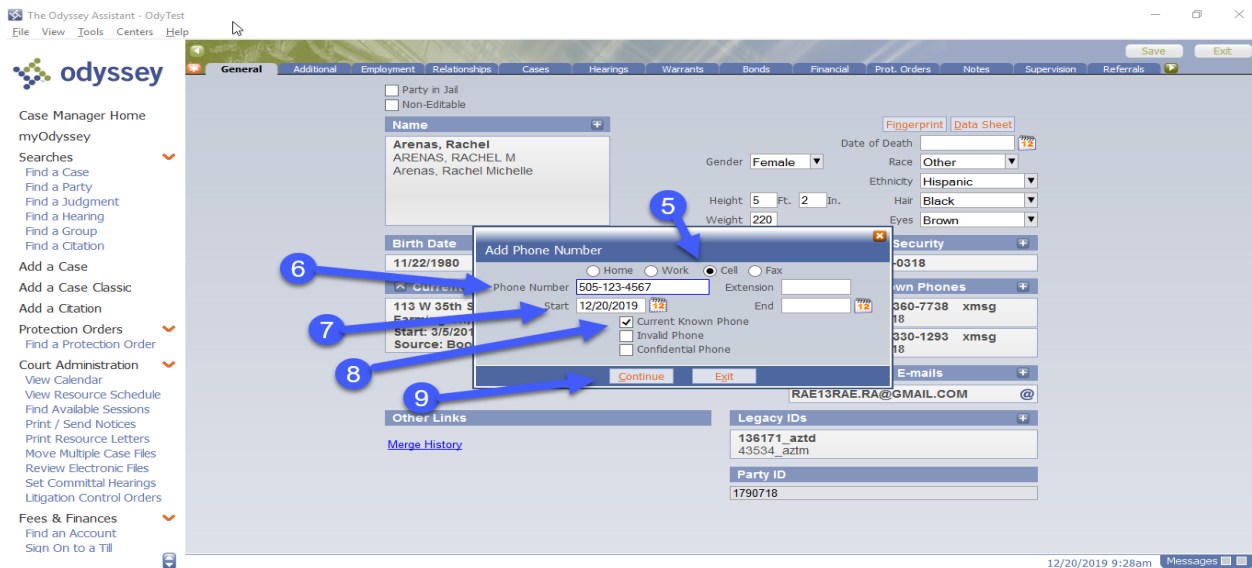
1. Using the navigation bar, locate the party you are looking for by using the Find a Party.
2. In this example, the party has 3 records. Note that the Party Name, DOB, SSN, and Addresses match. Submit a Service desk ticket to merge Party ID Records. There must be at least 3 matching identifiers for records to be merged by JID.



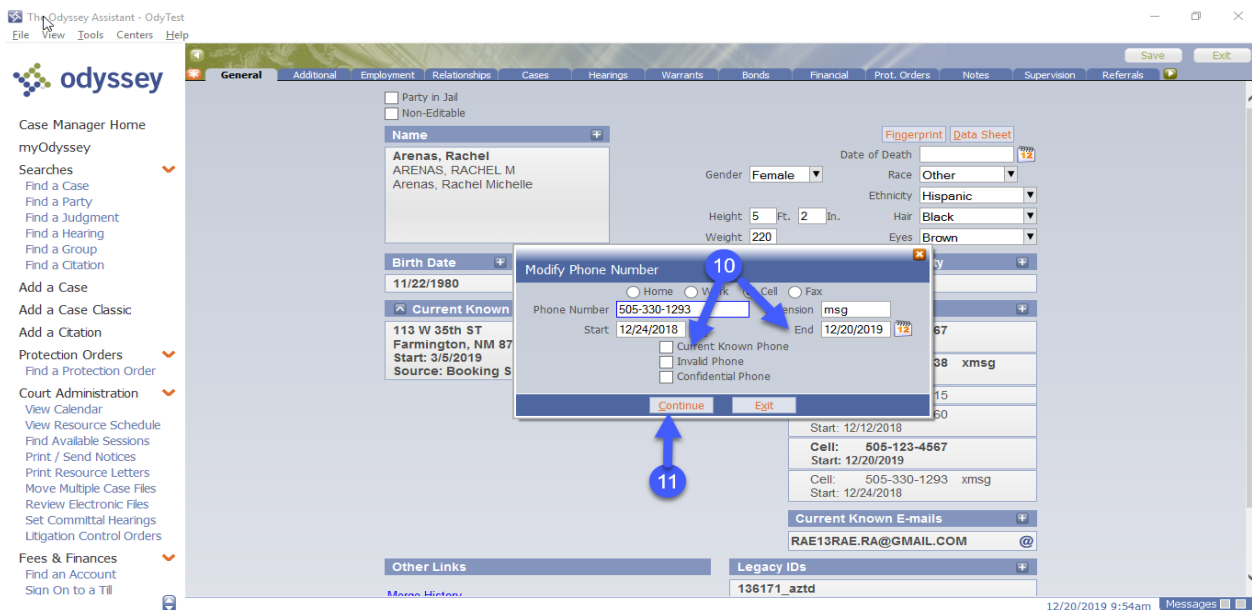
3. Go to the Party Global Record by double clicking party name. You can verify you are in the Global Record by seeing the tabs that are available.
4. Verify current cell phone number and/or e-mail address. Click on drop down carrot to view entire list of known phone numbers and/or e-mail addresses. To add a phone number and/or e-mail address, click on the plus sign. Do not change previous phone numbers and/or e-mail address for historical purposes, however, you may add a new one.



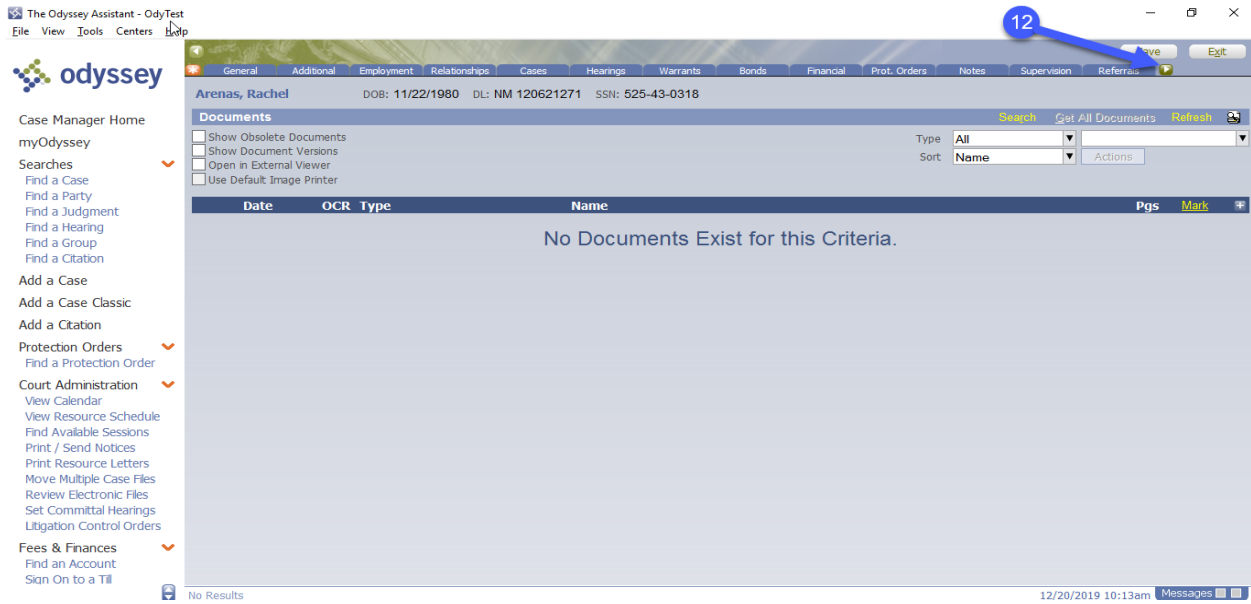
5. If adding a phone number, indicate what type of phone number you have added. SMS messages will only be sent to cell phone numbers.
6. Add a phone number by typing in new number into appropriate blank.
7. Include a start date.
8. Indicate that this is the current known phone by clicking into the box.
9. Click Continue.



10. You can end a phone number's history by clicking on the phone number and adding the end date.
11. Click Continue.

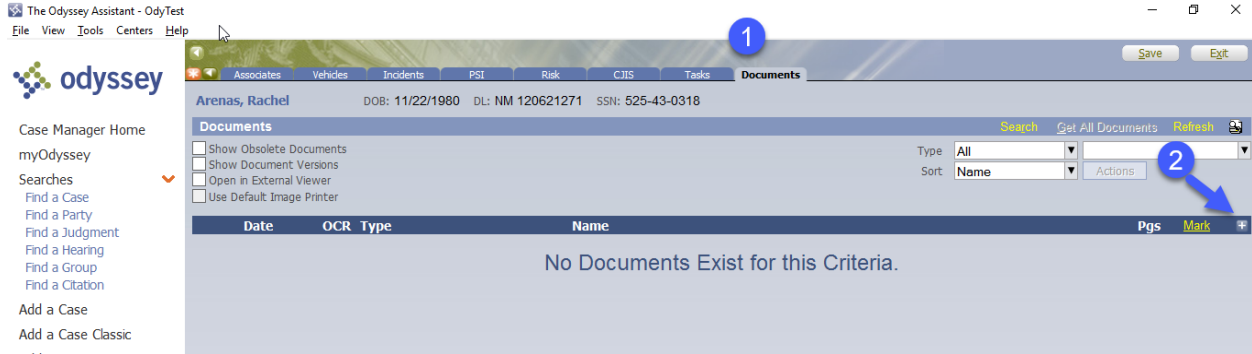


12. Proceed to Documents tab in Global Party Record. You can click on arrow to access more tabs.

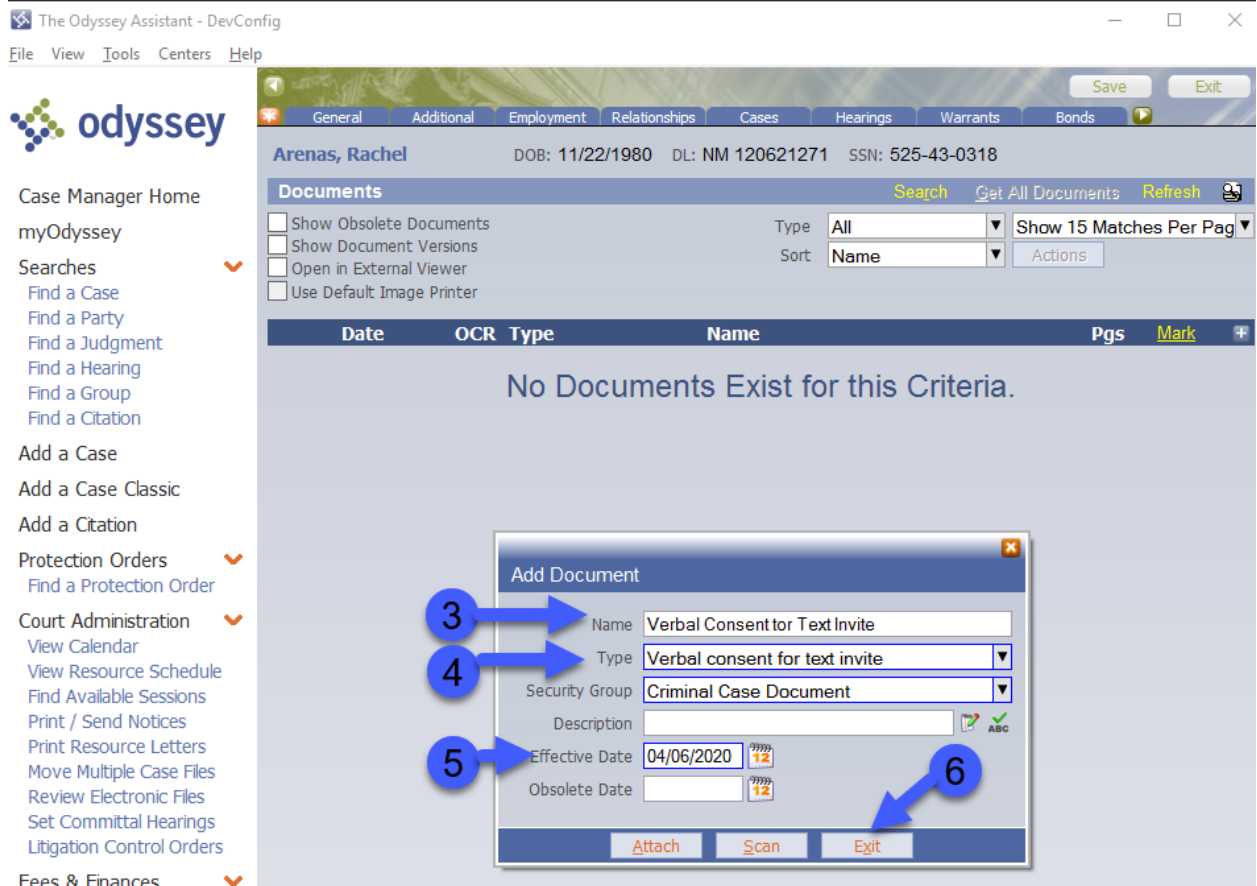


SECTION 2: VERBAL CONSENT FOR INVITATION TO PARTICIPATE IN SMS REMINDERS

1. In the appropriate party record, click into the Document Tab.
2. Add an entry to the record by clicking on the plus sign.



3. Type in "Verbal Consent for Text Invite" as the name of the opt-in document.
4. From drop down list select Verbal Consent for Text Invite. The Security Group will automatically default to Criminal Case Document once Verbal Consent is selected.
5. Enter Effective Date. The effective date is the date the Verbal Consent is entered into Odyssey.
6. There are no documents to attach or scan to the documents tab. Click Exit.



The defendant will receive an invitation on their cell phone that says:

-Text YES to join NMCourt reminders. Msg&data rates may apply. 3 msgs/court hearing. STOP to cancel.

If the defendant replies YES, they will then get a welcome message that says:

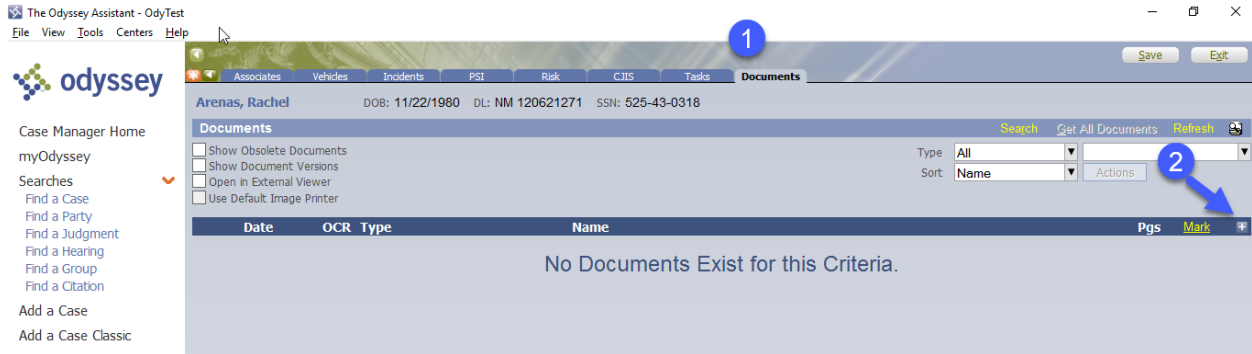
-Welcome to NMCourt Reminders. Msg&data rates apply. 3msgs/court hearings. Reply HELP for help, STOP to cancel.

The global record will automatically be updated to reflect that the Defendant opted in. The global screen will then look like the one in Step 3. A image of a document reflecting their approval to participate will automatically be generated by Odyssey and an image will be added to the documents tab reflecting the date and time of the approval.

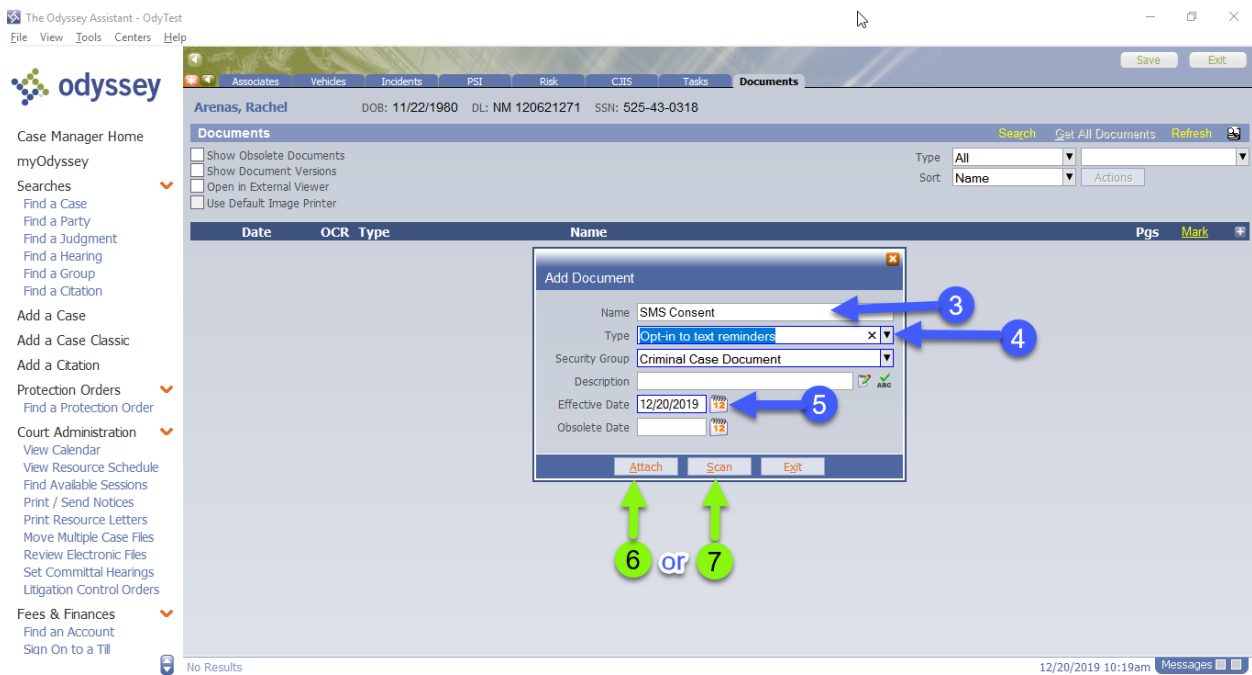
If the defendant replies STOP, then they will see the message in Section 4 of this SOP.

SECTION 3: WRITTEN CONSENT TO PARTICIPATE IN SMS REMINDERS.

1. In the appropriate party record, click into the Documents Tab.
2. Add a document by clicking on plus sign.

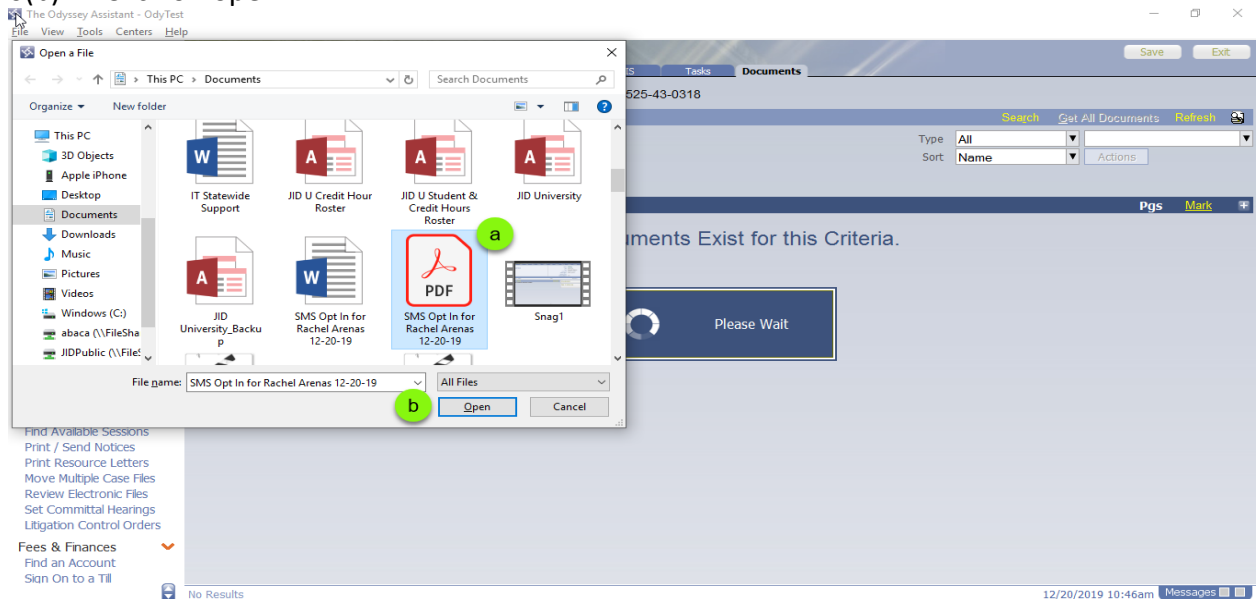


3. Type in "SMS Consent" as the name of the opt-in document.
4. From drop down list select Opt-In to text reminders. The Security Group will automatically default to Criminal Case Document once Opt-In is selected.
5. Enter Effective Date. The effective date is the date the Opt-In is entered into Odyssey. You must now choose how to attach the document to Odyssey.
6. Click on Attach to load a pdf file from your computer. Follow instructions for 6 below.
- OR
7. Click on Scan to scan directly into Odyssey. Follow instruction for 7 below.

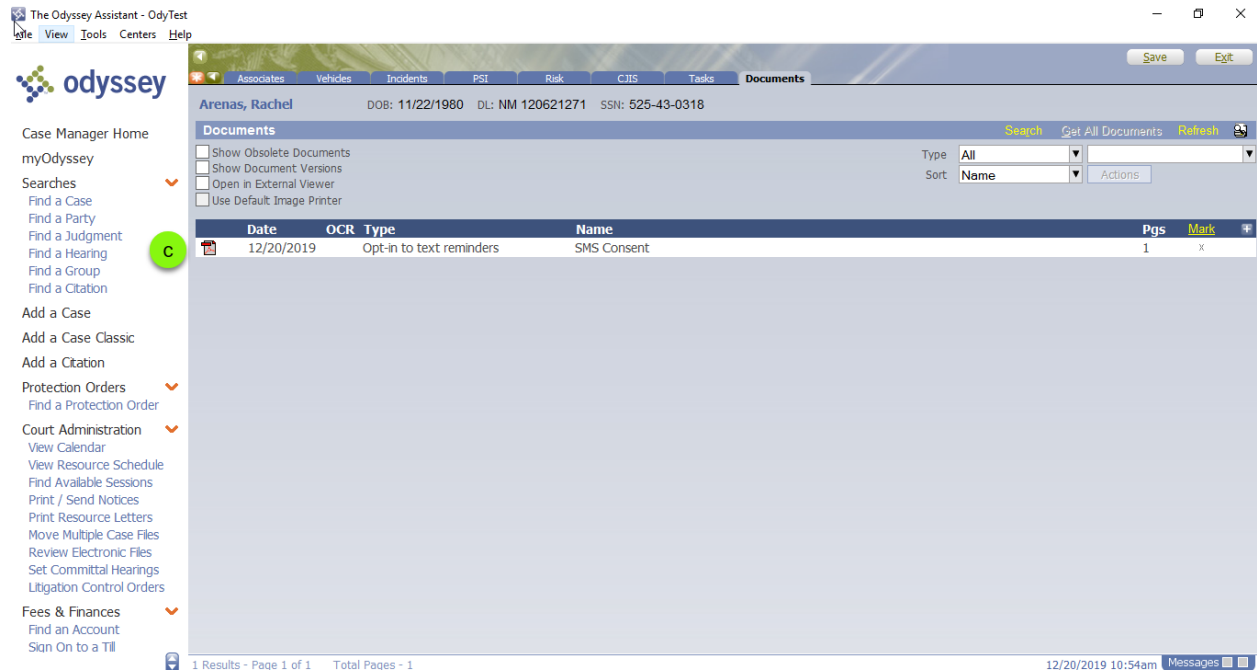


6(a) Locate file on your computer where you saved the image to and click on file.

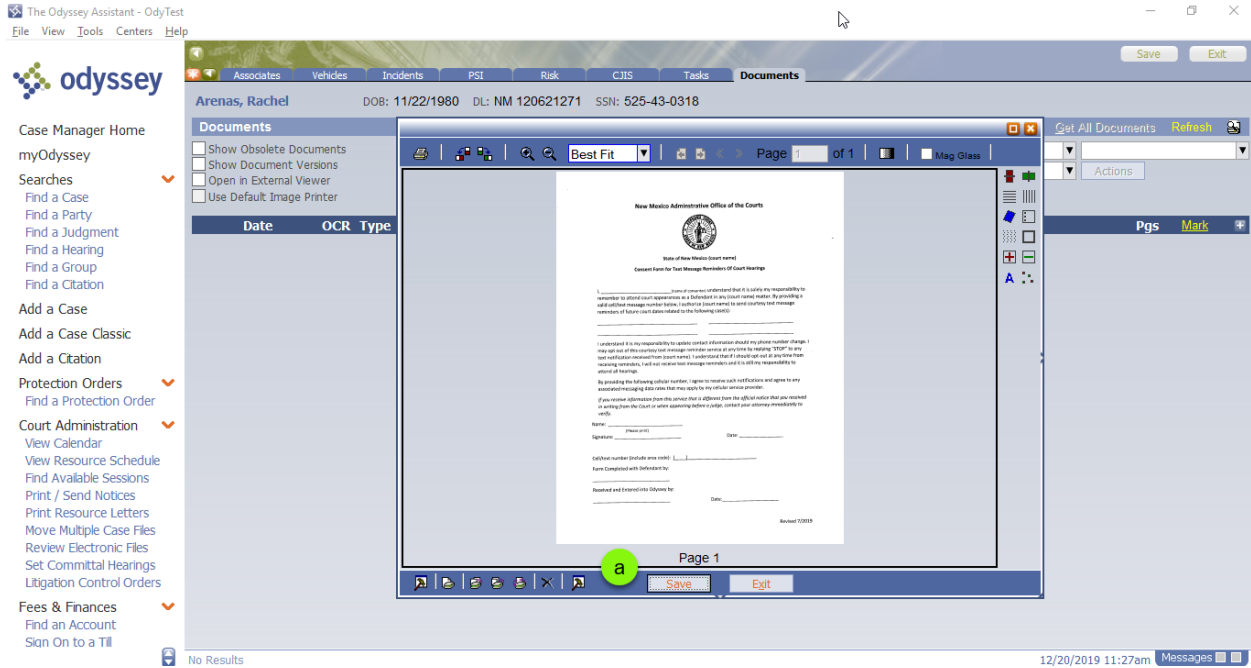
6(b) Click on open.



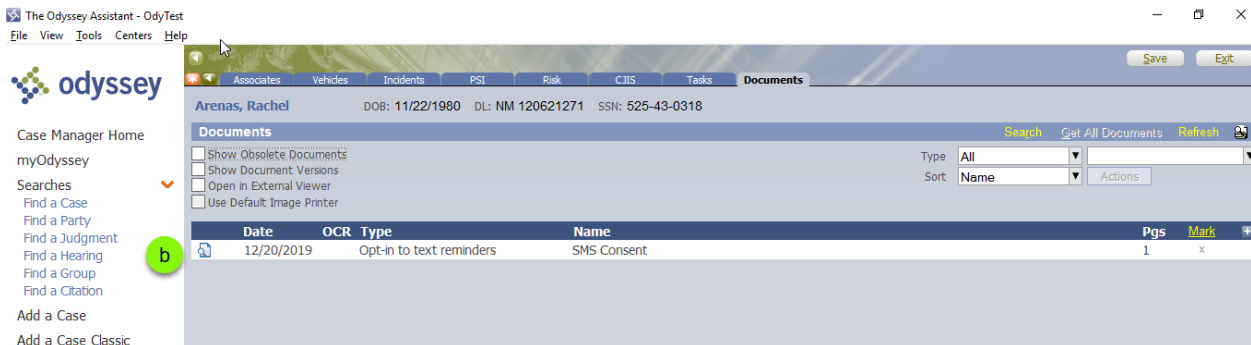
6(c.) You can now see the document type and the pdf image attached to the entry.



7(a) Scan image. Save.

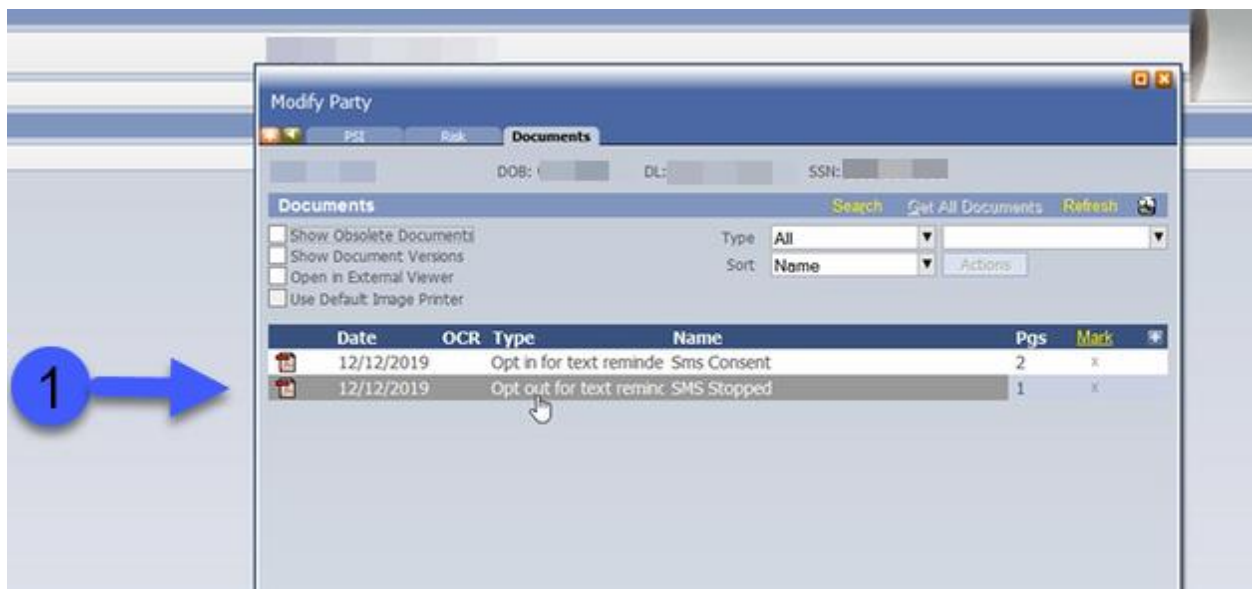


7(b) You can now see the document type and the scanned image attached to the entry.



SECTION 4: OPTING OUT OF SMS REMINDERS

1. If a party Opt-out of text and/or e-mail reminders, the document will automatically be added to the party's Global Record. An image indicating party's name and date and time the party Opted-out will automatically be attached and reminders will stop.
 - a. The party may activate reminders again by replying "Opt-In" as a response to a previous reminder text message. If the party chooses to re-activate, the Opt-In will be automatically added to the Global Party Record along with an image noting the party name, date and time they opted back in.
 - b. If a party no longer has the original text messages, they may Opt-in by contacting the court and the process will begin again.



Reminders will be sent out before the hearing date in the following increments:

- 1 week before the hearing;
- 3 days before the hearing;
- 1 day before the hearing

If a party's Global Record indicates that their language is Spanish, text messages will also be sent out to them in Spanish.

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January 29, 2020

AOC Court Date Reminder Memo of requirements

Court Date Reminder Systems, when implemented in the pretrial phase of a case, can greatly reduce unintended failures to appear reducing community and court costs associated with missed hearings. When defendants miss court hearings, failure to appear warrants can be issued resulting in defendants returning to custody, use of unnecessary jail bed days, increased docket sizes, and workloads for all criminal justice partners. In jurisdictions where court date reminder systems have been implemented, these jurisdictions have seen increased court appearance rates and improved the perception of fair criminal justices; by avoiding unnecessary detention of defendants who otherwise may have un-intently missed their court hearing.

The Administrative Office of the Court has developed an automated Court Date reminder system which can provide court date notification via text message and/email reminders. The tool was developed in partnership with JID and the AOC Pretrial Services Divisions (AOC PTS) with the goal of statewide utilization.

Implementation Requirements:

- The court date reminder system is a voluntary program defendants can utilize. Defendants cannot be required to participate as a condition of release or pretrial.
- Email reminders do not require an opt-in form, but text message reminders do require the defendant to sign an opt-in form or for staff to receive a verbal opt-in from the defendant and the defendant acknowledge the opt-in via text.
 - The form must be docketed to the party ID in such a way to ensure the public and SOPA users cannot access the defendant's contact information.
 - If the opt-in is verbal, staff must follow the SOP to activate the text opt-in confirmation.
- Reminders shall be given on all criminal case settings/hearings if the defendant chooses to receive reminders.
- The SOP developed will be reviewed regularly by AOC and changes may be made to processes and data collection.
- Measuring the impact on court appearance will be required to use the software and require changes in some business practices.
- New Warrant codes will be available in 2020. Until the new codes are in use and training completed, jurisdictions will need to adopt temporary business practices. Prior to the Court Date Reminder system being available to a court, the court shall provide AOC Pretrial the different FTA warrant codes used. AOC PTS will work with the court to identify which codes will be used in the interim to measure FTA rates. Each court will enter into Odyssey (ODY) if the defendant has been released from custody to allow the Appearance Rate to be calculated. This information may need to come from the jails who can provide a daily release list.

- Each court will use the scripted messages that have been developed by AOC for the 7-day, 3-day and 1-day reminders. Messages in Spanish are available but must be indicated in ODY.
- Defendants who have opted in, cannot have their phone contact information changed in ODY unless a new opt-in form is completed or the defendant has opted out. Court staff cannot change telephone contact information if there is an opt-in form on the case unless the defendant directly provides a new phone number on an opt-in form.

For questions, concerns and implementation please contact Kelly Bradford aockkb@nmcourts.gov or Cecilia Perry aoccmp@nmcourts.gov to implement application.