

**Meeting Minutes**  
**ATJ Commission Meeting, August 08, 2025**  
**ATJ Hybrid, In-Person (with video appearance option)**

**Location: New Mexico State Bar, 5121 Masthead St., NE, Albuquerque, NM 87109**

**12:00 p.m. – 2:30 p.m.**

**Item 1: Welcome, Introductions, In Attendance:**

**Welcome/Introductions:**

Aja Brooks (not present)(AOC), Alma Lerma (AOC), Kathleen Sabo (AOC)

**Attendance:**

*Justice Shannon Bacon (ATJ NMSC liaison)	Kasey Daniel (MMH)
*Hon. Erin O’Connell (ATJ Chair; SJDC)	Kathleen Sabo
Aaron Holloman (AOC)	Kathryn Farquhar (ALTSD)
Adam Leuschel (AOC)	Julie Radoslovich (Office Sen. Sedillo Lopez)
*Alex Flores (ATJ Commission)	Lisa Giandomenico (AOC ATJ Staff)
*Allison Freedman (UNM Law School)	Lori Thornton (NMSL)
Alma Lerma (AOC ATJ Staff)	Marcie Battle (OFRA)
Amy DiBello (NM State Library)	Michael McGuire (SCLO)
Beth Wojahn (AOC)	Hon. Michael Aragon (4th JDC)
Bette Fleishman (Pegasus Legal Services for Children)	Natalie Meyers (LREP)
Caitlin Carcerano (SBNM)	Peggy Cadwell (AOC)
Celina Jones (AOC)	*Rebecca O’Gawa (ATJ Comm; 2nd DAO)
Cheryl Thompson (Metro Court)	Rudy Sanchez (DNA)
Craig Hay (ALTSD)	*Sarita Nair (ATJ Comm; NMDWS)
Diana Dorn-Jones (USBC)	*Scott Cameron (ATJ Commission; RLD)
*Doug Echols (ATJ Comm; SBNM)	Sireesha Manne (NMCLP)
Gary Housepian (DRNM)	*Teague Gonzalez (ATJ Comm; NMILC)
Eric Sutton (USBC)	Theresa Yanan (Native Disability Law)
Heather Norfleet (Equal Access to Justice)	Torri Jacobus (AOC)
Hosanna Black	*Verily Taylor (ATJ Commission)
*Jennifer Salazar (ATJ Commission)	Winter Torres (NM Eviction Prevention & Diversion)
John Greacen	Zac Addison (NMLA)
*Juan Abeyta (ATJ Commission)	*Hon. Zach Ives (ATJ Comm; NMCA)

**Item 2: Commissioner Vote on the Portal Report Submission:**

Vote in favor to present portal project to Supreme Court for consideration and approval. John and Juan scheduled to meet with Supreme Court and will report at next meeting.

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**Item 3: Minutes Approved from April 11, 2025:**

Judge O’Connell moved to approve minutes. Motion was seconded with no objections. The minutes are approved.

**Item 4: Scribing & ADA Updates (Peggy Cadwell, State LAS ADA Coordinator, AOC):**

Presentation: “ADA Self-Evaluation & Transition Plan Update and Statewide Scribing Statistics Q1 and Q2 2025 (January – June).” There has been both an increase and decrease in certain areas of the statistics collected. The highest area of need for scribing services is in jury, criminal, traffic, and civil. Interpreter track shows that most customers requiring scribing services do not require interpreters. They are currently working on training employees and developing a new course for employee scribes while also working on self-evaluations and a transition plan. In addition, evaluations were completed of all courthouses in the state, program service activities, and the website. This project is currently in a new phase as they prepare to visit courthouses.

**Q & A**

Q. Juan - How many buildings are involved in scribing throughout the state?

A. Peggy - There are 81 buildings in the entire state.

**Update on court functions - reduction of hours at Second Judicial District Court (SJDC):**

Judge O’Connell provided an update related to court services. Hours of operation at the SJDC have been reduced as remote functions have increased, due to a shortage of BCSO officers available at SJDC. The court is working on reopening and increasing hours soon. Please refer to the website before attending/referring in person, including emailing clerks’ office for any civil filings. Kasey Daniel of the Modest Means Helpline (MMH) will share with ATJ & AOC staff the current limitations to the hours of operation provided to her by SJDC staff.

**Item 5: Assisted Outpatient Treatment Program (AOT), Launch and Challenges, (Adam Leuschel, Attorney Senior, AOC):**

Presentation: “Assisted Outpatient Treatment Program - what is AOT, who is eligible, other key elements of AOT statute, its benefits and barriers accessing AOT.” AOT is a treatment program where individuals can participate/manage their own treatment plan. Referrals are based on any type of court case involvement and/or family referral of individuals with severe mental illness. The Administrative Office of the Courts (AOC) will monitor each AOT program until each district can supervise its own program based on the individual needs of each county/district. Currently, AOT exists at the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> districts. Currently, the AOC runs/leads the

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AOT program at the 1<sup>st</sup> and the 4<sup>th</sup> judicial districts, as an initiative, but the goal is to hand it over to the individual districts. The 2<sup>nd</sup> judicial district leads its own program in collaboration with the City of Albuquerque. While at the 3<sup>rd</sup> judicial district, in Dona Ana County, the program is led by the county. The AOT program in each district is tailored to the needs of its own community.

AOT graduates throughout the nation have reported that seeing a Judge regularly has helped them meet their individual goals; a consistent and single-action interaction with someone who cares (a Judge) has demonstrated positive results for people in the program. In New Mexico, there is an ongoing need to increase the number and availability of service providers. An AOT program requires a Memorandum of Understanding (MOU) with city/county providers for the purpose of engaging with service providers and other stakeholders, including public defenders and district attorneys. The program is categorized as a civil case matter, which requires a filing fee but can be waived. Although there is an Application for Free Process, there is hope to change this requirement because this may be a barrier to individual/family caregivers. In addition, other barriers/factors identified that may limit program participants are a lack of transportation, consistent housing needs, and/or severe mental health issues that prevent a potential participant from staying out of the medical/judicial system.

Aaron added that another barrier in this process may be the Affidavit of Qualified Care Professional. Obtaining this affidavit may be a challenge not only to the individual but to the family/caregivers. Adam added that a qualified medical professional should not only be a professional connected to the family, but should also be willing to complete the Affidavit. Additionally, it has been a consistent challenge to get local hospitals involved.

**Q & A's**

Q. Judge O'Connell - What is eligibility?

A. Eligibility may be one or more criteria as laid out in the PowerPoint presentation. Although if an individual has an ongoing disability, they may not be a good candidate due to ongoing conditions/diagnoses.

Q. Gary - What is the criteria?

A. Adam reviewed the procedure for filing and emphasized the limited treatment plan language with a recommendation for modifications. Statute provides criteria of eligibility and all are unique so it is designed to meet each individual's level of care, with the Judge, participant, family and treatment team involved. Case management is key in this program for coordination of benefits, while it allows caregivers and family to be a part of this team without making them

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responsible for the treatment plan. AOT takes an individual out of the system while they are under AOT services. This serves as a benefit to both the individual and the system. AOT clients have reported that AOT has been positive in their recovery, while the benefits for the system can be cost reduction.

Q. Is there a strategy for housing issues that these individuals may have?

A. Adam mentioned that this is part of the process with AOT.

Q. Scott – What are the stats?

A. Dona Ana County & the Second have more robust activity.

Verily – shared one experience she knew of at the 1<sup>st</sup> judicial district, in just starting the program. There was a petition filed, and the individual was unable to complete the treatment plan due to a lack of providers, and concern was expressed about the requirement for a diagnosis before recommendations. She will contact Adam for future conversation.

Q. Alex – shared that as a federal prosecutor, he understands when prosecutors may agree for evaluation of competency, but there are other factors that may cause barriers, like accessibility in rural justice areas and an incomplete diagnosis from lack of mental health providers/resources.

Therefore, how do you plan on expanding this program? Has there been formal development where there have been inquiries about petitions? Given this is an old statute with new reform, who can be the point of contact for questions about this? Are there people who are unable to access information because of limitations? How to empower to expand program? For example, federal prosecutors may agree on competency evaluations, but there may be other factors in rural justice areas, including a lack of resources/providers available.

A. Adam previously spoke at the legislative session. AOT is a Community Health treatment model. There is a path for anyone who has concerns about access to AOT and can contact their representatives. People have not been shut out of this program other than competency diversion (which is a different program). AOT provides for provider/team accountability.

Judge Aragon shared that at the 4<sup>th</sup> Judicial District, New Mexico Behavioral Health Institute (NMBHI) has existed in their community since 1989, which has been empathetic with this population and NMBHI will hold for 30 days to 1 year for treatment purposes. As an example of their community efforts and accountability, NMBHI allows individuals to function independently but with community support. AOT can be another opportunity to ensure that

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needs are being met. Judge thanks the AOC for providing this tool and for collaborating with communities. It's about improvement on an individual basis.

**Item 6: Updates, ATJ Events & Statewide Call Center (Lisa Giandomenico, Attorney Senior, AOC):**

Law La Palooza on October 03 – need volunteers (provided a list at the meeting for volunteers to sign-up)

Provided updates on Call Center's projected time/trainings of legal topics presented to call center staff and management team. Invited stakeholders to review training topic guides and provide feedback and comments. [A sign-up sheet was passed around for those interested in doing this for specific training topics.] The 12 legal topics on the sign-up sheet are: civil restraining order, guardianship/conservatorship, consumer issues/consumer complaints, divorce, domestic violence, foreclosure, how to file a lawsuit, how to answer a lawsuit and small claims, kinship/guardianship, landlord/tenant (disputes/evictions), and name changes.

The call center is located in Las Cruces/Rio Rancho and is currently assisting customers in mostly magistrate legal areas, citations, warrants, and with calls related to the training topics being provided. Training guides emphasize legal information, not legal advice; therefore, if you volunteer to advise on the guides, keep context in mind that it is legal information and not legal advice. Therefore, callers/public are referred to civil legal services like Modest Means Helpline (MMH) and Legal Resources for the Elderly Program (LREP) because they can assist where the courts are unable to assist.

**Q & A's**

Q. Justice Bacon – Is immigration a current legal topic on the list of trainings? Otherwise, it should be part of the next phase training topics.

A. Lisa - This topic has been discussed and is in the works because we need more precise information/resources that can be provided with accuracy at this time.

Q. John – Have you been using NM Law Help and has it been helpful?

A. Lisa – Not at this time because it lacks updates. Scripts are short and only provide legal information v. legal advice.

Kathleen – We are cautious about what is provided. Staff have received training on legal information v. legal advice and we need other experts in subject areas to provide feedback.

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Lisa – A shared share drive has been created with all the legal/support topics. These outline some of the resource topics that we have worked on, such as ADR/Court locations and others.

**Item 7: Portal (John Greacen)**

John and Juan thanked commission members for their support on the portal. The funding needs for this portal project are less than \$1.3 million to build and would not take away from civil legal service providers. It is understood that IOLTA has sufficient funds to cover this need and will not exhaust its resources for continuous functions. Additionally, John and Juan have met with the Bar Foundation Board, and there are concerns related to membership, liabilities, and funding, which are currently being discussed with stakeholders and trusted intermediaries. John, Juan, and Richard Spinello will meet with NMSC to discuss providing a safe harbor provision to protect participating entities and to explore any additional funding needs. These are examples of the concerns that need to be discussed.

**Q & A's**

Q. With this assumption, can we get vendors?

A. John - Yes, we can draft an RFP because the information on what IT would require to buy is already available. Five vendors have been provided with information on what is needed and what is affordable.

Q. What type of future liability issues may there be? Tort? Basically, what type of safe harbor provision?

A. John - There are safe harbor provisions in other states, and provisions should cover all roles because each role already provides advice based on a professional skill set. It is not appropriate to be barred from already providing this type of advice with this type of tool.

Q. Lisa – Is safe harbor for the trusted intermediaries?

A. John – trusted intermediary shall not be held liable for an IT mistake.

Q. Has a cover letter gone out to the Supreme Court?

A. Report will be going out on Monday with a draft of the safe harbor provision. Currently, areas of consideration for the court are funding, and that not all legal service providers are in favor. Lisa added that this is the reason why the court will be presented with this information.

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**Update on Tribal Interface Report (Juan Abeyta):**

Report was submitted in April. The report outlined that there are twenty-three (23) recognized tribes in NM, but the information on their websites is not reliable or available, and when this was explored, there were various issues, such as non-working links. This was researched by a tribal-interface team and Dr. Jodi Burshia. Juan emphasized that each tribe is sovereign to Western Court systems and they each have their own system. This provides us with an understanding of why and whom to engage if they choose to be part of the portal.

**Item 8: Adjournment:**

The meeting adjourned at 2:23 p.m.