

# Administrative Office of the Courts

Supreme Court of New Mexico



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## **Online Access Subcommittee Policy Regarding re:Search@NM Public Access Violations**

All violations of the terms and conditions of an individual's application for online access to New Mexico court case files are reviewed by the Judicial Technology Council ("JTech"). Upon discovery of a violation of any of the terms and conditions set forth in the Application for Online Access to New Mexico Judiciary Secure Court Cases in the re:Search@NM by any user, the following steps will be implemented:

1. The Judicial Information Division ("JID") will immediately disable access of the re:Search@NM user violating the terms and conditions of the re:Search@NM Application.
2. The user will be notified by the JID Chief Technology Officer ("CTO"), through the JID service desk system, that said user's re:Search@NM access has been disabled, and will be sent a notice describing the violation(s) and the process to follow to seek restoration of re:Search@NM access.
3. For all users seeking restoration, the user must submit a new and complete application with a letter addressed to the JTech Chair detailing the reasons for, or the circumstances surrounding, the violation that led to the user's disabled access.

4. JTech will first consider the new application and explanatory letter to determine whether there are aggravating circumstances involved in the re:Search®NM access violation. “Aggravating circumstances” will be determined by JTech on a case-by-case basis.
  - a. If JTech determines that there are no aggravating circumstances, JTech can immediately restore the user’s re:Search®NM access.
  - b. If JTech determines that there are aggravating circumstances, before re:Search®NM access can be restored, the user shall appear before JTech at a designated date and time. Upon hearing from said user and considering the additional information provided by the user, JTech will decide whether to restore access.
6. All decisions by JTech will be communicated in writing by the Director of the Administrative Office of the Courts (“AOC”).
7. You may appeal the decision of JTech by requesting a date to appear before the JTech.
8. When re:Search®NM access is restored to any user whose access had been disabled, the user will be further advised in the written communication from the AOC Director that any subsequent violation will result in permanent termination of re:Search®NM access and if the violator is an attorney, an automatic referral to the Disciplinary Board of the New Mexico Supreme Court.