



JUDICIAL COUNCIL OF THE STATE OF NEVADA

BYLAWS

As amended on February 7, 2014

Effective March 1, 2014

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**JUDICIAL COUNCIL OF THE STATE OF NEVADA
BYLAWS**

(As amended on February 8, 2013)

ARTICLE I

CREATION AND COMPOSITION

Section 1. Creation.

By Order of the Nevada Supreme Court, under Rule 9, which is attached.

Section 2. Composition.

By Order of the Nevada Supreme Court, under Rule 9, which is attached.

Section 3. Secretariat.

The Administrative Office of the Courts (AOC) shall provide secretariat services to the Council.

ARTICLE II

MEETINGS

Section 1. Mission Statement.

To unite and promote Nevada's Judiciary as an equal, independent and effective branch of government.

Section 2. Purpose.

By Order of the Nevada Supreme Court, under Rule 9, which is attached.

Section 3. Regular Meetings; Convening; Who May Call.

The Council shall meet at least once every four months or at the call of the chairman. Regular meetings shall be established by the Council and rescheduled as necessary.

Section 4. Notice of Meetings; Agenda.

The Secretary shall provide written notice, via conventional or electronic means, to the general membership of all meetings as early as possible but in all cases assure members are notified at least three (3) working days prior to the meeting. The notice shall include the time, location, and agenda of the meeting.

Section 5. Meetings; Quorum.

A majority of the voting members of the Council shall constitute a quorum to do business; and questions shall be decided by a majority of the members voting thereon, unless otherwise provided by law.

Section 6. Proxies.

Any member entitled to vote must do so in person, unless authorized to do so via correspondence by other sections of these Bylaws. A representative, who attends meetings in lieu of an elected council member and is designated to do so pursuant to Article III, Section 1 (2), shall be allowed to vote as a proxy.

Section 7. Open Meetings; Exceptions.

The Council will make reasonable efforts to conduct meetings, or subcommittee meetings, in a format open to the public and in general compliance with the intent of NRS Chapter 241. However the Council or any subcommittee may, at the discretion of the chair, close any meeting to the public to consider matters of a confidential nature.

Section 8. Meetings; Rules of Order.

Council and Committee meetings shall be conducted in accordance with Robert's Rules of Order, latest edition.

Section 9. Meetings; Minutes to be Taken.

(1) Minutes shall be taken at all Council meetings and shall be prepared in accordance with Robert's Rules of Order, unless a member requests specific portions be set out in detail.

(2) Minutes must contain the elements identified in NRS Chapter 241. The Minutes will be included in the agenda packet of the following meeting for Council members for approval. Before final approval, draft minutes may be disseminated or made available for review pursuant to direction from the chairman.

Section 10. Meetings; Presiding Officer.

The chairman or co-chairman or designate shall preside at all meetings of the Council.

Section 11. Special Meetings; Who May Call.

The chairman may call special meetings of the Council or its Committees as needed.

ARTICLE III

COUNCIL ADMINISTRATION

Section 1. Members; Misfeasance and Absence; Action Taken.

(1) When a member has neglected his or her duties as a member of the Council or is guilty of other misfeasance of office, a motion may be entertained for a vote of the Council to recommend the member be relieved of his duty. The vote shall be by secret ballot and shall be given by each member present at the meeting. A vote of at least twelve (12) will carry the motion. Should there be a quorum of the members present but less than twelve (12) members present, by a vote of the majority, the Secretary may be directed to hold confidential the results of the secret ballot and to solicit ballots on the motion via correspondence from those members absent, and present the results of such ballot to the members when the next notice of meeting is provided, if not sooner. Members not responding timely via correspondence to the Secretary's request shall have their votes counted as not voting. The Secretary shall treat ballots cast via correspondence in similar manner as secret ballots cast at the meeting.

(2) Members are expected to attend all meetings. When attendance is absolutely not possible, a member may designate a proxy. A proxy shall be either another member of Council of like jurisdiction as the member, or a judge of like jurisdiction from the member's region. A member designating a proxy must do so in writing, via conventional or electronic means, to the Secretary as soon as practicable before the meeting. A member who is unable to attend and who has tried unsuccessfully to enlist another qualified judge to attend in his place shall notify the Secretary in writing, via conventional or electronic means, as soon as practicable before the meeting. Notice to the Secretary stating a member's inability to enlist another qualified judge as a proxy shall serve to excuse the member not more than twice during his term, absent extenuating circumstances. The minutes shall reflect the member as excused. Otherwise,

(A) Upon two successive absences without appointment of a proxy or required notice of excuse, the Secretary shall notify the member that absences have been noted and border upon being excessive.

(B) Upon three absences during a term, the Secretary shall notify the member that his absences are excessive, and include such notice in the distribution of agendas to other Council members.

(C) Upon four absences during a term, the matter of such absences shall become an agenda item for discussion under New Business, and the Council may take one of the following actions:

(i) By motion, call for issuance of a resolution formally reprimanding the absent member, or

(ii) By motion, call for the absent member to be relieved of his duty, and, from among the qualified judges of the member's region, select a judge to serve the unexpired term of the member so relieved.

(D) If the fourth absence is apparent and can be verified at the meeting during which the member is fourthly absent, the Council may immediately, under agenda item New Business, take action as described in subsections (2)(C)(i) and (2)(C)(ii) of this Article.

(E) These rules shall apply equally to committee meeting attendance, but the Council shall take the necessary actions. Committee chairmen shall include in their Council reports, identification of any members against whom action appears to be necessary.

Section 2. Committees; Appointment Of.

The Council may create and the chairman may appoint standing committees, special committees, Ad hoc committees, or advisory committees which may be necessary for the efficient discharge of its duties and responsibilities. The Council also may create subcommittees which

include citizens, government officials or designees, and/or representatives of community organizations.

Section 3. Council Member Representatives; Compensation.

A member shall be reimbursed for expenses incurred to attend meetings at the rates established by state law. A proxy who attends meetings in lieu of an elected council member shall be compensated for per diem and/or travel expenses and shall be allowed to vote as a temporary member.

Section 4. Council Member; Resignation or Retirement.

When a member resigns or retires from the Council prior to the end of a term, the member shall notify, in writing, via conventional or electronic means, the Chairman of the judicial region in which the member served, and shall copy the Secretary with such notice. Notice of such vacancy shall be placed on the next regional judicial council agenda. The Chairman of the judicial region shall fill the vacancy in accordance with Article V, Section 1 of these Bylaws. The term for the member-elect shall run for the remainder of the unexpired term of the member who resigned or retired.

Failing election of a member by the judicial region in accordance with Article V, Section 1 of these Bylaws, the Chief Justice shall appoint a representative to fill the unexpired term of the member who resigned or retired from service.

ARTICLE IV

JUDICIAL REGIONS

Section 1. Creation.

By Order of the Supreme Court, under Rule 7.5, dated January 16, 1979, as amended, there are hereby created five (5) judicial regions in the State which shall be comprised as follows:

(1) Sierra Region shall consist of all courts, except the Supreme Court, within the First, Third, Ninth, and Tenth Judicial Districts;

(2) The Washoe Region shall consist of all courts within the Second Judicial District;

(3) The North Central Region shall consist of all courts within the Fourth and Sixth Judicial Districts;

(4) The South Central Region shall consist of all courts within the Fifth and Seventh Judicial Districts;

(5) The Clark Region shall consist of all courts within the Eighth Judicial District.

ARTICLE V

REGIONAL JUDICIAL COUNCILS

Section 1. Creation; Composition.

By Order of the Supreme Court, under Rule 8, which is attached. The start of the first term of the first regional judicial council is deemed to be the first Monday in January 1979.

Section 2. Meetings; Purpose.

The regional judicial councils may meet as often as once every four months or at the call of the chairman to assist in the administration of the court system within that region but no less than once per year. All judges are encouraged to attend their respective regional council meetings. Court staff may, at the discretion of their court, attend regional council meetings. Any policies or procedural changes thereto submitted to the Supreme Court may be first submitted to the regional judicial council for review and comment.

Section 3. Duties.

Each regional judicial council shall, subject to the direction of the Council:

- (1) Coordinate the implementation of, within its region, all administrative Rules and Orders of the Supreme Court or the Chief Justice.
- (2) Be responsible for the representation of the courts of the region to the Council.
- (3) Provide a forum for the communication of information between the courts of the region and the Supreme Court.
- (4) Define, develop, and coordinate programs and projects for the improvement of courts in the region.

ARTICLE VI

LEGISLATION AND RULES COMMITTEE

Section 1. Name; Committee Type.

The Legislation and Rules Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

Section 2. Composition.

The Legislation and Rules Committee shall consist of a number of members necessary to effectively carry-out the duties of the Committee, with no less than seven (7) members who are members of the Council, included in those seven (7) members shall be the chief justice, two district judges, two limited jurisdiction judges and two court administrators. The Presidents of the Nevada District Judges Association and the Nevada Judges of Limited Jurisdiction Association or their designees and the State Court Administrator shall be ex-officio members of the Committee. Any Associate Chief Justices shall be an ex-officio member of the Committee. The chair of the Committee shall be the Chief Justice. The remaining members of the Committee shall be selected from the courts at large. Consideration given to new members must insure appropriate representation from rural and urban courts and limited and general jurisdiction courts. Members, who are not members by virtue of position, shall serve terms of two years and may be reappointed as necessary.

Advisory members may be assigned from non-court entities and advisory groups at the pleasure of the committee chair, however, any governmental relations professionals with whom any judicial association or court contracts shall be included. Advisory members are non-voting members of the committee. The committee may create subcommittees to deal with legislation and court rules that may only impact courts of specific jurisdiction.

Section 3. Duties.

The Committee shall develop and monitor the Council's coordinated legislative strategy; to propose and review legislation affecting the judiciary as well as review and analyze proposed legislation submitted by the judiciary. To develop and review, for the Council, court rules to be submitted to the Supreme Court for approval.

Section 4. Meetings; When Held.

The chairman or a majority of the Committee members may call meetings.

ARTICLE VII

EDUCATION COMMITTEE

Section 1. Name; Committee Type.

The Education Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

Section 2. Composition.

The Committee shall consist of no more than 12 members, with no less than five of who are also members of the Council. The chair and vice-chair of the Committee must be members of the Council and will be designated by the full Council. The chairs of the Education Committees of the Nevada Judges of Limited Jurisdiction Association and the Nevada District Judges Association, or their designees, shall be ex-officio, voting members of the Committee. The President of the Nevada Association of Court Executives, or designee, shall also be an ex-officio, voting member of the Committee. The remaining members of the Committee shall be selected from the courts at large with consideration given to ensure appropriate representation from rural and urban courts, limited jurisdiction and district courts. Recommendations for these appointments will be sought from the Presidents of the Nevada Judges of Limited Jurisdiction Association and the Nevada District Judges Association. Consideration may also be given to representation of court clerks and staff. The chief justice, as chair of the Council, officially appoints committee members. Advisory members may be assigned at the pleasure of the Committee chair. Advisory members are non-voting members.

Section 3. Duties.

Except for existing statutes and Supreme Court Rules, as amended, pertaining to mandatory judicial and legal training and the rules and regulations as set forth by the Nevada State Board of Continuing Legal Education, the Committee shall conduct an ongoing assessment of Nevada's judicial education system in order to make recommendations for improvements to that system.

Section 4. Meetings; When Held.

The chairman or a majority of the Committee members may call meetings.

ARTICLE VIII

COURT ADMINISTRATION COMMITTEE

Section 1. Name; Committee Type.

The Court Administration Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

Section 2. Composition.

The Committee shall consist of every designated and titled court administrator for any court in the state. The chair of the Committee shall be the State Court Administrator and the vice-chair shall be elected from the membership. The membership will last for the duration of the member's employment as a court administrator.

Non-voting advisory members may be assigned from non-court entities and advisory groups at the pleasure of the committee chair.

Section 3. Duties.

The Committee shall study and evaluate any areas of court administration, identify best practices, and make recommendations regarding such topics as human resource management, case flow management, information technology, jury administration, facilities/security management; as well as fiscal administration, intergovernmental relations, and community and public relations.

Section 4. Meetings; When Held.

The chair or a majority of the Committee members may call meetings. Notice shall be provided to all interested parties.

ARTICLE IX

TECHNOLOGY COMMITTEE

Section 1. Name; Committee Type.

The Technology Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

Section 2. Composition.

The Technology Committee shall consist of no more than 12 members, and the Chair of the Committee must be a member of the Judicial Council. The committee shall consist of at least one representative from each region; each member shall be a general jurisdiction judge, a limited jurisdiction judge, a court administrator, or a court technology officer. The State Court Administrator or their designee shall be an ex-officio member of the Committee. All non-Council members will serve either a term of two years or three years and may be reappointed for additional terms. The Chief Justice will officially appoint members upon recommendation of the Council. The Chief Justice shall maintain the right to decline recommendations. Advisory members may be assigned from non-court entities and advisory groups at the pleasure of the Committee Chair. Advisory members are non-voting members of the Committee. The Committee may appoint such subcommittees as deemed necessary by the chairman or a majority of the members in order to assist the Committee in carrying out its duties and making necessary recommendations.

Section 3. Duties.

The Committee shall:

1. Prioritize and make recommendations regarding statewide court technology initiatives and programs.

2. Evaluate and make recommendations regarding trial court technology services provided by the AOC.
3. Determine methods to fund statewide technology programs and services.
4. Promote statewide efforts to modernize and integrate information technology to improve the business of the courts.

Section 4. Meetings; When Held.

The chairman or a majority of the Committee members may call meetings.

ARTICLE X

CERTIFIED COURT INTERPRETERS ADVISORY COMMITTEE

Section 1. Name; Committee Type.

The Certified Court Interpreters Advisory Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

Section 2. Composition.

The Certified Court Interpreters Advisory Committee shall consist of no more than 12 members. Two members must be members of the Judicial Council, one from a district court, and one from a limited jurisdiction court. The Court Administrator is the ex-officio chairman of the committee. The remaining members are pursuant to NRS 1.510 and 1.520. Upon recommendation of the Court Administrator, other members may be appointed at the discretion of the Chief Justice, including members designated as filling non-voting, advisory positions. Consideration given to new members must insure appropriate representation from rural and urban courts and limited and general jurisdiction courts. Members shall serve a term of three years subject to the discretion of the Chief Justice. Terms will be staggered so approximately one-third of the membership is appointed each year. The chief justice will officially appoint members upon recommendation of the Court Administrator, and all terms will commence on January 1st of the appointing year and end on December 31st of the last year of the term. The Chief Justice shall maintain the right to decline recommendations. Advisory members may be assigned from non-court entities and advisory groups at the pleasure of the Committee chair. Advisory members are non-voting members of the Committee.

Section 3. Duties.

The Committee shall:

1. Make recommendations regarding modifications to Certified Court Interpreter program policies, and guidelines; and
2. Review substantive program materials as requested.

Section 4. Meetings; When Held.

The Committee shall meet at least three times a year at the call of the chairman or a majority of the Committee members.

ARTICLE XI

SPECIALTY COURT FUNDING COMMITTEE

Section 1. Name; Committee Type.

The Specialty Court Funding Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

Section 2. Composition.

The Specialty Court Funding Committee shall consist of no more than 17 members. The Chair and Vice-Chair of the Committee must be Supreme Court Justices. The committee will consist of one general jurisdiction judge and one limited jurisdiction judge from each region except Clark. The Clark Region will have two general jurisdiction judges and two limited jurisdiction judges. Additionally, there will be three at-large members consisting of one general jurisdiction judge, one limited jurisdiction judge, and one judge from any region and jurisdiction. At-large members may be judges who do not conduct a specialty court program, and will be appointed by the Chair and Vice-Chair of the Committee. Judges who currently preside as a specialty court judge will have priority. Senior judges who participate in specialty court activities are eligible to serve on this committee. The chief justice will officially appoint members upon recommendation of the Regional Councils, and all terms will commence on January 1st of the appointing year and end on December 31st of the last year of the term. The chief justice shall maintain the right to decline recommendations. Members will serve for a term of 2 years. Terms commencing February 10, 2006, will be staggered so approximately half the membership will be appointed each year. Resignation or retirement appointments will be made by a nomination ballot and election within the region.

Section 3. Duties.

The Committee shall establish an application procedure and required documentation for

requesting of specialty court funds, develop funding criteria, develop reporting requirements for recipients who receive funds, collect specialty court data and information to aid in funding, monitor courts on use of funding.

Section 4. Meetings; When Held.

The chairman or a majority of the Committee members may call meetings.

ARTICLE XII

AUTHORITY

Section 1. Authority of Bylaws.

These Bylaws, dated December 1993, and any subsequent amendments, shall have full force and effect upon adoption by a simple majority vote of the Council members. These Bylaws shall be binding until directed otherwise by the Supreme Court.

Section 2. Hierarchy of Authority.

These Bylaws shall be subordinate to the Constitution, Statutes of Nevada, and Rules and Orders of the Supreme Court. These Bylaws shall be superior to all other in-house rules and regulations.

Section 3. Amendments; Vote Required.

(1) These Bylaws may be amended by a simple majority vote of Council members at any meeting, provided that a quorum is present as set forth at Article II, Section 4.

(2) The Secretary shall amend these Bylaws as necessary to conform with amendments of Supreme Court Rules governing the Council. The Secretary shall provide all members with a draft of these Bylaws, inclusive of amendments denoted in the manner as employed by legislative bill drafters, and shall place the subject of amendments to the Bylaws on the next agenda for review and ratification by members. Ratification of amendments, pursuant to changes in Supreme Court Rules, shall become effective upon an open or secret vote of a majority of the members present.