



JUDICIAL COUNCIL OF THE STATE OF NEVADA

BYLAWS

As amended on March 18, 2022

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(As amended on March 18, 2022)

ARTICLE I

CREATION AND COMPOSITION

Section 1. Creation.

By Order of the Nevada Supreme Court, under Rule 9 (attached).

Section 2. Composition.

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

Section 3. Secretariat.

The Administrative Office of the Courts (AOC) shall provide administrative and expert staff support 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.

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

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

Section 4. Notice of Meetings; Agenda.

The AOC shall provide written notice to the general membership of all meetings as early as possible but in all cases assure members are notified at least three working days prior to the meeting. Notice shall include the time, location, and agenda of the meeting along with any supporting documentation thereto.

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 or rule.

Section 6. Attendance; In Person Required.

Any member entitled to vote must do so while personally present¹ unless authorized to do so via correspondence by other sections of these Bylaws. Based upon good cause shown, a member may be considered excused from a meeting by the chair.

Section 7. Open Meetings; Exceptions.

The Council will make reasonable efforts to conduct meetings, or committee meetings, in a format open to the public and in general compliance with the spirit and overall intent of NRS Chapter 241 which is commonly referred to as the Open Meeting Law. However, the Council or any committee may, at the discretion of the chair, close any meeting to the public to consider matters of a confidential nature².

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. Such a request must be made to AOC in writing and provide sufficient justification for the request.

(2) Minutes must contain the elements customarily included in the minutes of meetings conducted by public bodies. 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 chair.

¹ Personally present includes attendance at a meeting whether it be in person or using video or telephonic conferencing.

² *Goldberg v. Eighth Judicial Dist. Court* 93 Nev. 614 (1977)

Section 10. Meetings; Presiding Officer.

The chair, co-chair, or their designee shall preside at all meetings of the Council.

Section 11. Special Meetings; Who May Call.

The chair 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 their 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 their 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 will carry the motion. Should there be a quorum of the members present but less than twelve members present, by a vote of the majority, the AOC 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 AOC's request shall have their votes counted as not voting. The AOC shall treat ballots cast via correspondence in similar manner as secret ballots cast at the meeting.

(2) Members are expected to attend all meetings. A member who is unable to attend shall notify the AOC in writing, via conventional or electronic means, as soon as practicable before the meeting. Notice to the AOC shall serve to excuse the member not more than twice during their term, absent extenuating circumstances. The minutes shall reflect the member as excused. Otherwise:

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

(B) Upon three absences during a term, the AOC shall notify the member that their absences are excessive and include such notice in the distribution of meeting notices and materials to other Council members.

(C) Upon four absences during a term, the matter of such absences shall become an agenda item for discussion and possible action, 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 their 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 absent for the fourth time, the Council may immediately 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 and regional judicial council meeting attendance, but the Council shall consider taking the actions prescribed in this Article. Committee chairs or the AOC shall include in their Council reports, identification of any members against whom action may be necessary.

Section 2. Committees; Appointment Of.

The Council may create, and the chair 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 may include citizens, government officials or designees, and representatives of community organizations.

Section 3. Council Member Representatives; Compensation.

A member shall be reimbursed for reasonable expenses incurred to attend meetings at the rates established by State law and the Supreme Court Travel Policy.

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, the chair of the judicial region in which the member served and shall copy the AOC with such notice. Notice of such vacancy shall be placed on the next regional judicial council agenda. The chair 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 as amended, there are five judicial regions in the State which shall be comprised as follows:

- (1) Sierra Region shall consist of all courts, except the Supreme Court and the Court of Appeals, 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, Sixth, and Eleventh 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 except the Supreme Court and the Court of Appeals.

ARTICLE V
REGIONAL JUDICIAL COUNCILS

Section 1. Creation; Composition.

By Order of the Supreme Court, under Rule 8 (attached).

Section 2. Meetings; Purpose.

The regional judicial councils may meet as often as once every four months or at the call of the chair to assist in the administration of the court system within that region but no less than once per year. All sitting judges should regularly attend their respective regional judicial council meetings. Council member attendance will be taken at every meeting; regional judicial council meeting attendance shall be reported to the Judicial Council of the State of Nevada on an annual basis for the preceding calendar year at the first Council meeting of the following year. Court staff may, with the permission of their court, and at the discretion of the regional judicial council chair, attend regional council meetings. The chair reserves the right to close any portion of a meeting to guests in order to allow the council to consider matters of a confidential nature. 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, undertake actions necessary to carry out the purposes specified in Supreme Court Rule 4 § 8.

The chair of each regional judicial council shall:

- (1) Call, attend and lead regional judicial council meetings.
- (2) Represent the chair's regional judicial council at Judicial Council of the State of Nevada meetings.
- (3) Work with the AOC to develop meeting agendas and goals.

The vice-chair of each regional judicial council shall:

- (1) Call, attend and lead regional judicial council meetings in the absence of the regional council chair.
- (2) Represent the vice-chair's regional judicial council at Judicial Council of the State of Nevada meetings.
- (3) Work with the AOC to develop meeting agendas and goals.

Section 4. Elections.

Each regional judicial council shall elect a chair and a vice-chair in accordance with the election procedures provided in S.C.R. 8. In regions with more than one limited jurisdiction representative, the vice-chair shall be determined by a vote of the members of regional council at the first meeting after the election or when required due to circumstances. In the event of a tie, the chair of the regional council will appoint the vice-chair.

(1) Nominations for election may be made by any judge of the same jurisdictional level; if no nominations are submitted, the currently sitting chair (for general jurisdiction representative positions) or vice-chair (for limited jurisdiction representative positions) will appoint a nominee. Self-nominations are acceptable.

(2) In the event that a regional election results in a tie, a run-off election will be held. Should the run-off election result in a tie, the Chief Justice will appoint a chair or vice-chair from the run-off election candidates as necessary.

Section 5. Applicability of Full-Council Bylaws.

To the extent applicable and practical, the provisions governing the full Judicial Council of the State of Nevada shall apply to the regional judicial councils.

ARTICLE VI

LEGISLATIVE COMMITTEE

Section 1. Name; Committee Type.

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

Section 2. Composition.

The Committee shall consist of a number of members necessary to effectively carry-out the duties of the Committee, with no less than five members who are members of the Council, included in those five members shall be the Chief Justice, two district judges, and two limited jurisdiction judges. The Presidents of the Nevada District Judges Association and the Nevada Judges of Limited Jurisdiction Association or their designees shall be members of the Committee. Any Associate Chief Justice(s) shall be a member of the Committee. The chair of the Committee shall be the Chief Justice, or the Chief Justice may designate another Justice to serve in this capacity. The State Court Administrator and at least one urban court administrator and one rural court administrator shall be members of the Committee. The remaining members of the Committee shall be selected from the courts at large and appointed by the Chief Justice. Consideration given to new members must ensure appropriate representation from rural and urban jurisdictions and limited and general jurisdiction courts. Members, who are not members by virtue of position, shall serve terms of two years, consisting of the even numbered year after a Legislative Session and following the odd numbered year during which a Legislative Session takes place, and may be reappointed by the Chief Justice as necessary.

Advisory members may be assigned from non-court entities and advisory groups at the pleasure of the chair, however, any governmental relations professionals with whom any judicial association or court contracts, or employs, shall be included. Advisory members are non-voting

members of the committee. The State Court Administrator may designate one staff member from the AOC to serve as an advisory member, and the AOC shall provide administrative and expert staff support to the Committee. The Committee may create subcommittees at the discretion of the chair.

Section 3. Duties.

The Committee shall develop, implement, and monitor the Judicial Branch's coordinated legislative strategy including but not limited to the development and vetting of the bill draft requests afforded to the Supreme Court on behalf of the Judicial Branch by statute. The Committee may, at the discretion of the chair, make recommendations regarding court rules and regulatory matters to the Supreme Court, via the Council, as necessary.

Section 4. Meetings; When Held.

The chair or a majority of the Committee members may call meetings. During any regular Legislative Session, the Committee may meet weekly.

ARTICLE VII

EDUCATION COMMITTEE

Section 1. Name; Committee Type; Composition; Duties.

The Education Committees of the Nevada District Judges Association and Nevada Judges of Limited Jurisdiction Association shall be the ex-officio Education Committees for the Council. These Committees will receive administrative and expert staff support from the AOC and may make recommendations regarding matters related to education for judges and court staff to the Council as necessary.

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 vice-chair shall serve a term of two years and may be reelected. Membership lasts for the duration of the member's employment as a court administrator.

Non-voting advisory members may be assigned by the chair.

Section 3. Duties.

The Committee shall study and evaluate any areas of court administration, identify best practices, and make recommendations for policy and process improvements. Areas of study may include, but are not limited to, human resource management, case flow management, information technology, jury administration, facilities/security management, fiscal administration, intergovernmental relations, and public relations.

Section 4. Meetings; When Held.

The chair or a majority of Committee members may call meetings. Notice shall be provided to all interested parties inasmuch as requests for notice are reasonable and proper.

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 Committee shall consist of a number of members necessary to effectively carry-out the duties of the Committee, with no less than two members, one of which being a district judge and the other being a limited jurisdiction judge, who are members of the Council. The chair of the Committee shall be appointed by the Chief Justice from among the membership of the Committee. 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 a 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 appoint members upon recommendation of the Council and shall maintain the right to decline recommendations. Advisory members may be assigned from non-court entities and advisory groups at the pleasure of the chair. Advisory members are non-voting members of the Committee. The Committee may appoint such subcommittees as deemed necessary by the chair 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, services, system communication and interoperability, and programs;

- (2) Evaluate and make recommendations regarding trial court technology services provided by the AOC;
- (3) Recommend methods to fund statewide technology programs and services; and
- (4) Promote statewide efforts to modernize and integrate information technology to improve the business of the courts, and collaboration with justice partners.

Section 4. Meetings; When Held.

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

ARTICLE X

SPECIALTY COURT FUNDING AND POLICY COMMITTEE

Section 1. Name; Committee Type.

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

Section 2. Composition.

The Specialty Court Funding and Policy Committee shall consist of no more than 20 members. The Chair of the Committee must be a Supreme Court Justice. The Vice Chair may either be a Supreme Court Justice, District Court Judge, Justice of the Peace, or Municipal Court Judge. 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. There will also be up to four non-voting members who are specialty court program coordinators or program administrators. These members will be selected by the chief justice upon recommendation of the specialty court program coordinators and program administrators in three regions consisting of the Clark Region, the Washoe Region, and the Rural Region. The Rural Region shall be comprised of the all the courts in the Sierra, North Central, and South Central regions. The Rural Region will have two coordinators serving as members while the Clark and Washoe regions will have one member. These members will serve terms consistent with those of the other members of the Committee save that the initial terms of the specialty court

coordinator or administrator members shall begin July 1, 2019, and the initial three members shall serve from then until December 31, 2019, before commencing regular two-year terms on January 1, 2020. 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 two 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 and best practices, develop reporting requirements for recipients who receive funds, collect specialty court data and information to aid in funding, and monitor courts on use of funding and compliance with funding criteria and best practices. The committee, at the discretion of the chair, may appoint ad hoc or other subcommittees necessary to further these duties or improve specialty court programs within this State.

Section 4. Meetings; When Held.

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

ARTICLE XI

COURT IMPROVEMENT PROGRAM SELECT COMMITTEE

Section 1. Name; Committee Type.

The Court Improvement Program (CIP) for the Protection and Permanency of Dependent Children Select Committee, hereinafter referred to as the “CIP Select Committee” shall be a standing committee to the Council.

Section 2. Composition.

The CIP Select Committee shall consist of no more than 21 members. At least one Committee member must be a member of the Council. The Chief Justice or their designee shall be chair of the committee. Representation of members must consist of, but is not limited to, the following:

Chief Justice or designee;

State Court Administrator or designee;

Two family court judges designated to handle child dependency matters;

Two rural district court judges;

Two juvenile masters (one rural and one urban) designated by the district court to hear dependency matters;

One family or rural court administrator;

Director of the Division of Child and Family Services or designee;

Director of Washoe County Human Services Agency or designee;

Director of Clark County Family Services or designee;

One representative from the Office of the Attorney General;

One representative from a Public Defender’s Office or a Special Public Defender’s Office;

One representative from a District Attorney's Office;

One representative from a legal aid provider with experience in child welfare or dependency cases;

One representative from an organization of Court Appointed Special Advocates (CASA);

One representative of foster parents;

One representative of Nevada Tribes; and

One representative of a specialty court program.

Consideration given to new members must insure appropriate representation from both rural and urban jurisdictions. All members will serve staggered three-year terms and may be reappointed for additional terms. Initial terms may be for less than three years in order to provide for the continuity of the Committee. The Chief Justice will officially appoint members upon recommendation of the Council, 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 CIP Select Committee chair. Advisory members are non-voting members of the CIP Select Committee.

Section 3. Duties.

The CIP Select Committee shall promote best practices and facilitate the implementation of local and statewide initiatives to improve the operation and efficiency of the child welfare and dependency court systems; to improve outcomes for children and families who enter into the child welfare and dependency court systems by improving court and agency collaboration, to reduce the amount of time children spend in foster care and reduce the time to permanency for children subject to dependency proceedings; and to achieve systemic improvement of the child welfare and dependency court systems so that all children who have been the victims of abuse and neglect can

achieve safety and permanency and enjoy the stability and love of family.

Section 4. Meetings; When Held.

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

ARTICLE XII

AUTHORITY

Section 1. Authority of Bylaws.

These Bylaws 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 ordered otherwise by the Supreme Court.

Section 2. Hierarchy of Authority.

These Bylaws shall be subordinate to the Constitution, Statutes of Nevada, Nevada Revised Statutes, and Rules and Orders of the Supreme Court. These Bylaws shall be superior to all policies or procedures established by the Council.

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.

(2) The AOC shall amend these Bylaws as necessary to conform with amendments of Supreme Court Rules governing the Council. The AOC shall provide all members with a draft of these Bylaws, inclusive of amendments denoted in the manner as employed by legislative bill drafters, and place the subject of amendments to the Bylaws on the next agenda for review and possible action. Ratification of amendments, pursuant to changes in Supreme Court Rules, shall become effective upon a simple majority vote of Council members at any meeting, provided that a quorum is present.