

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

ROBIN SWEET  
Director and  
State Court Administrator



JOHN MCCORMICK  
Assistant Court Administrator  
Judicial Programs and Services

RICHARD A. STEFANI  
DEPUTY DIRECTOR  
Information Technology

MEETING NOTICE AND AGENDA

Name of Organization:

**Supreme Court Permanent Guardianship Commission**

**Date and Time of Meeting:** September 14, 2018, 9:30 a.m. to 5:00 p.m.  
VIDEOCONFERENCE (Carson City, Las Vegas)

**Place of Meeting:**

<b>LAS VEGAS</b>	<b>CARSON CITY</b>
Nevada Supreme Court 408 E. Clark Street First Floor Conference Rooms A & B Las Vegas, NV 89101-4088	Nevada Supreme Court 201 S. Carson Street Conference Room 107 (Law Library) Carson City, NV 89701-4702

AGENDA

- I. Call to Order
  - a. Call of Roll and Determination of Quorum
  - b. Approval of Meeting Summary from July 30, 2018. *See attachment.*
  - c. Opening Remarks
  
- II. Public Comment  
*Because of time considerations, the period for public comment by each speaker may be limited to 3 minutes, and speakers are urged to avoid repetition of comments made by previous speakers*
  
- III. Report from 2<sup>nd</sup> & 8<sup>th</sup> Judicial District Court Compliance Officers. *See attachment.*
  - a. Can reasons for minor guardianship petitions be tracked?
  - b. Can the appointment of counsel outcome measurement be adjusted to differentiate between legal aid, private attorneys, and court appointed attorneys, other than legal aid?
  - c. Confirmation that case statistics of guardianship courts and legal aid organizations match

- d. Can 8<sup>th</sup> Judicial District Court create and implement a procedure to follow-up that out-of-state guardians have obtained a Nevada Resident Agent and registered with Nevada Secretary of State.
  - e. General Discussion and update from Judge Gloria Sturman regarding Mental Health Diversion courts in New York and Ohio
    - i. The Untapped Power of Assisted Outpatient Treatment (AOT) Laws. *See attached PP presentation (30 pages)*
    - ii. Judge Elinore Stormer, Summit County Probate Court. *See attached PP presentation (29 pages)*
- IV. Report from Kate McCloskey, Guardianship Compliance Manager
- a. Preliminary results of survey of county recording fees used to fund counsel for protected persons and investigators for minor guardianships.
  - b. Meeting with Clark County Managers regarding offering temporary assistance from State Compliance Office until they have investigators in place for minor guardianship cases.
  - c. Reports from Judge Vincent Ochoa and Judge Egan Walker on how many investigators they estimate will need to be appointed for future minor guardianship cases. *See attached.*
  - d. Washoe Legal Services Report – Funding & Contracts as of August 2018. *See attached.*
- V. Administrative Docket 507 – General discussion and update on Commission’s First Interim Report, filed May 30, 2018, to approve Statewide Rules and Forms. *See attached Orders.*
- VI. General Discussion re Possible revisions to NRAP to fast track certain guardianship issues
- a. Possible types: temporary guardianships, placement issues, sterilization and/or medical treatments under NRS 159.0805 & 159A.0805. *See attachment.*
  - b. Review of NRAP 3E Child Custody Appeals as possible analogy/guide for guardianship section. *See attachment.*
- VII. Status Report from Rules Subcommittee Co-Chairs John Michaelson and Dania Reid.
- VIII. Discussion re Possible Amendments of 2017 Legislation. *See attached list of topics discussed during July 30, 2018, Commission meeting.*
- a. Judicial Department Bill Draft Request. *See attachment.*
  - b. Redline of NRS 159.0807 Notice of Intent to Move/Change of Location procedures. *See attachment from Karen Kelly.*
  - c. Redline of NRS 159.154 to create priority/right of refusal for family members when disposing of a protected person’s property. *See attachment from Karen Kelly.*

- d. Redline of NRS \_\_\_\_\_ expansion of existing statutory guidelines regarding issuance of temporary guardianships. *See attachment from John Michaelson.*
  - e. Proposed revision of NRS 159.179 regarding receipts and vouchers. *See attached email from Shelly Register dated 8/14/18.* (this was not discussed during the 7/30/18 meeting)
  - f. Update from Shelly Register regarding protected persons being allowed to change appointed counsel. *Attachment 1 entitled Appointment of Legal Services Counsel and Related Costs and Attachment 2: 8/14/18 email from Shelly Register will be provided separately from meeting materials.*
  - g. Update from Shelly Register regarding waiver of service. *See attached email dated 8/13/18.*
  - h. General Discussion on Mediation training and possible creation of manual. *See attached Spectrum Institute White Paper to the U.S. Department of Justice & Alaska Court System Adult Guardianship/Conservatorship Mediation Pilot Project – Policies and Procedures Manual.*
  - i. Suggested revision of NRS 159.081 Reports of the Guardian. *See 9/7/18 email from Jennifer Richards.*
  - j. Minor Guardianship Statutes: Possible creation of uniform procedures to transfer minor guardianships into Nevada from other states.<sup>1</sup> [carry over from 7/30/18 meeting]
  - k. NRS 159.0145: Possible clarification of the difference between a citation and a notice.<sup>2</sup> [carry over from 7/30/18 meeting]
- IX. General Discussion of Potential 2019 Legislative Amendments. [carry over from 7/30/18 meeting]
- a. Consideration and Comparison of ABA proposed amendments to Uniform Guardianship Act. *See attached 2/1/18 email w/attachment from Judge Gloria Sturman re ABA proposed amendments to Uniform Guardianship Act.*
- X. Public Comment
- Because of time considerations, the period for public comment by each speaker may be limited to 3 minutes, and speakers are urged to avoid repetition of comments made by previous speakers.*

---

<sup>1</sup> There is nothing in the new minor guardianship statutes regarding transferring a minor guardianship into Nevada from another state. There are uniform procedures for transferring adults into Nevada but not for minors. Sabrina Sweet has indicated that guardians in Washoe County have to wait six months after establishing residency before they can petition the court for a new guardianship. After the NV guardianship is approved, then they have to go back and petition the other state to terminate. From discussion by the Forms Subcommittee on 3/13/18.

<sup>2</sup> This was discussed by the Rules Subcommittee on 3/14/18 in conjunction with the citations rule that Judge Porter drafted and also discussed by the Commission during the 4/25/18 meeting.

XI. Adjournment

DRAFT