

JULY 30, 2018
GUARDIANSHIP COMMISSION MEETING
SUPPLEMENTAL MATERIALS

UPDATED STATISTICAL REPORT FROM
EIGHTH JUDICIAL DISTRICT COURT
PRESENTED DURING MEETING
AGENDA ITEM III

EIGHTH JUDICIAL DISTRICT COURT SUPPLEMENTAL
OUTCOME MEASUREMENTS REPORT

Update

To: The Supreme Court of Nevada, Permanent Guardianship Commission
From: Riley Wilson, Guardianship Compliance Administrator Eighth Judicial District
Re: Supplemented Guardianship Outcome Measures
Date: July 30, 2018

On April 25, 2018, the Permanent Guardianship Commission (“Commission”) reviewed a Guardianship Outcome Measurements Report, which reflected caseload reporting and tracking capabilities in the Second Judicial District and Eighth Judicial District. Commission members discussed and identified specific outcome measures to be tracked.

The Eighth Judicial District Court has been working on tracking the outcome measurements requested at the last meeting. An updated report in roughly the form of the Second Judicial District’s report is attached. The Eighth District is still working on this report to adapt it to its circumstances.

There are some outcomes that were requested to be tracked at the last meeting that are not yet being tracked because the information is not being gathered. The demographic information (including placement types) is not being gathered so it cannot be tracked. The certificate of Guardian class is not yet being offered so it cannot be tracked.

Additionally other outcomes are not listed on the report as they remain a work in progress. Accurate information and methods of tracking ADR, Mediation, Settlement conferences, Bond/blocked accounts, Budget, Plan of Care, Notice of Fire Arms Restrictions are all still works in progress.

Eighth Judicial District Court



State of Nevada Clark County

June 2018

Summary Monthly Adult Guardianship Case Status Report

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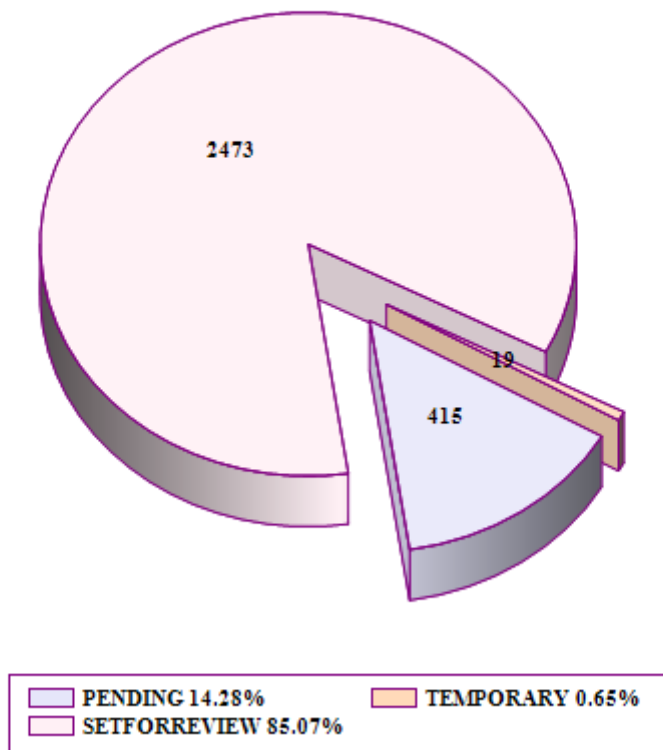
Please note that certain data groups may not appear in this report, due to no data being returned from the report query.

Caseload Reports**1.1 - Status of Pending Adult Guardianship Cases**

Average Age of Case reflects time of initial petition to either time of disposition or current date.

	0 - 30 Days	31 - 60 Days	61 - 90 Days	91 - 180 Days	181 - 365 Days	Greater Than 365 Days	Totals
Pending Active	115	26	13	40	35	186	415
Pending Active - Temp Order	5	3	1	3	3	4	19
Disposed / Set For Review	3	38	42	114	179	2,097	2,473
Totals	123	67	56	157	217	2,287	2,907

**Pending Adult Guardianship Cases
Grouped by Status**



Cases represented in the previous table and this graph contain cases with any initial filing date. Disposed cases are not listed here. Age of case is determined by the date the status was updated.

Pending - Active: A count of cases that, at the start of the reporting period, are awaiting disposition.

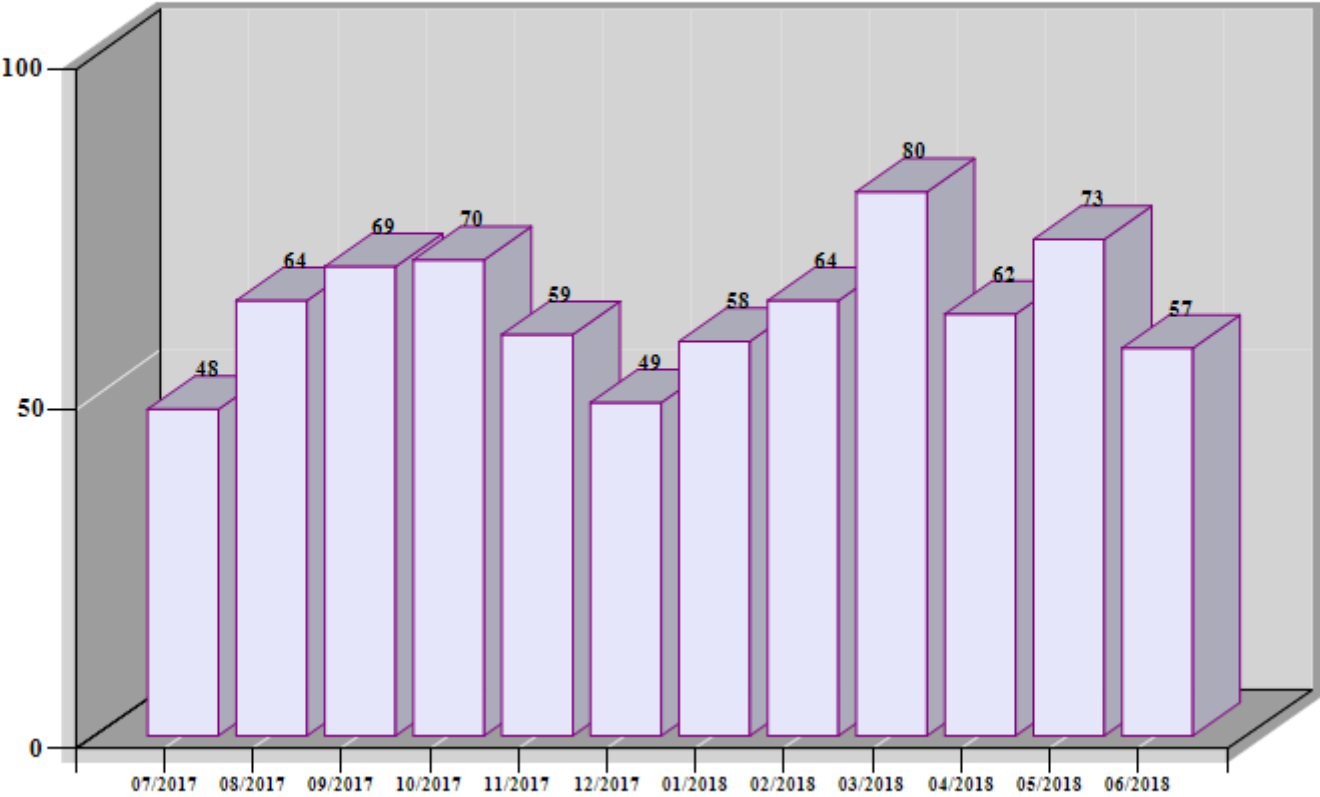
Pending Active - Ex Parte Order: A count of cases that have an ex parte order of guardianship filed and are awaiting further action.

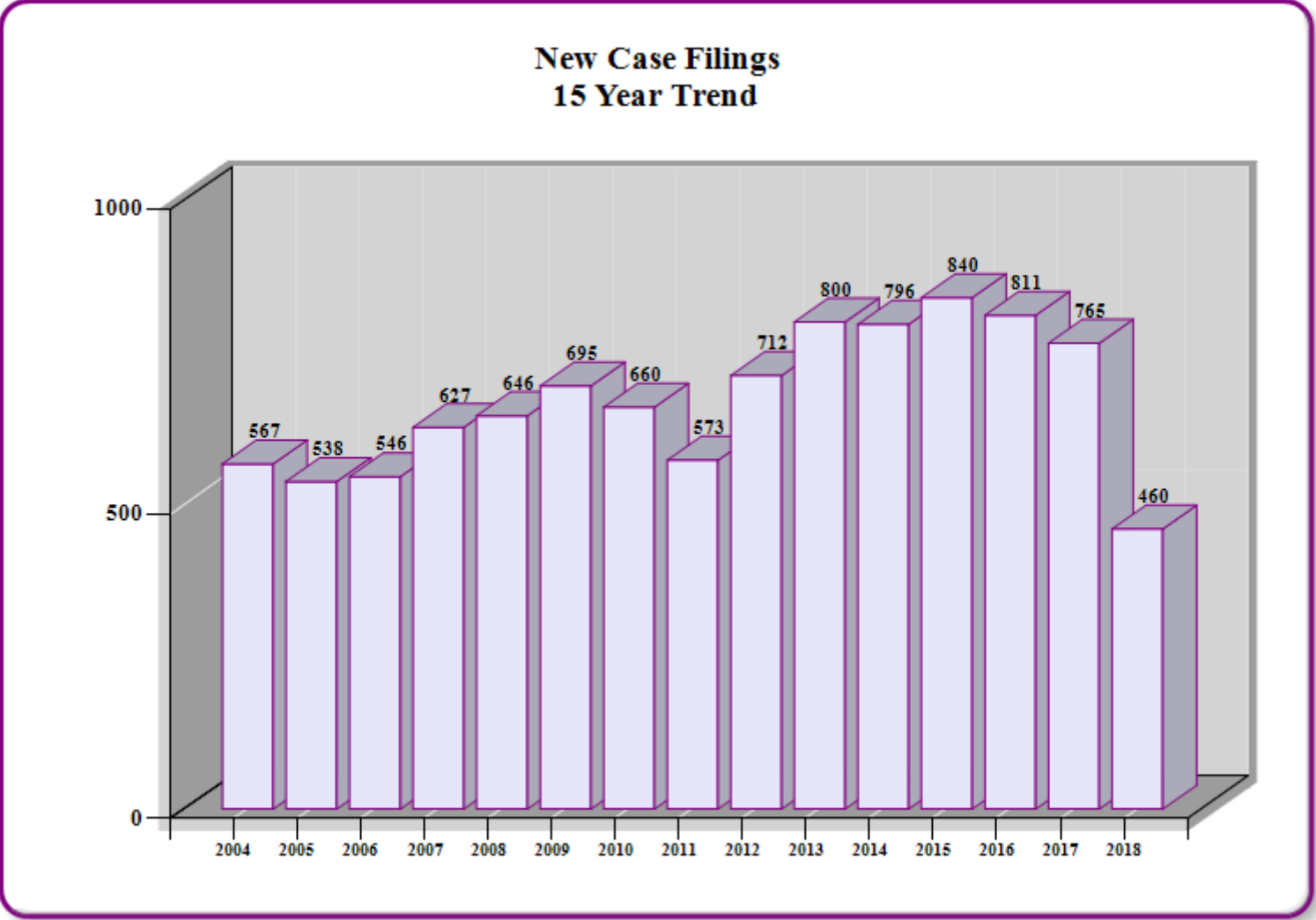
Pending Active - Temp Order: A count of cases that have an order of temporary guardianship filed and are awaiting disposition.

Disposed/Set for Review: A count of cases at the end of each month that, following an initial Entry of Judgment, are awaiting a regularly scheduled review involving a hearing before a judicial officer during the reporting period.

These days represent the time from petition to adjudication, at which point the cases stop aging. This group represents cases that are awaiting a regularly scheduled review (ex., annual report). These cases do not continue to age, and therefore, remain static in their respective age grouping.

New Case Filings
Last 12 Full Months



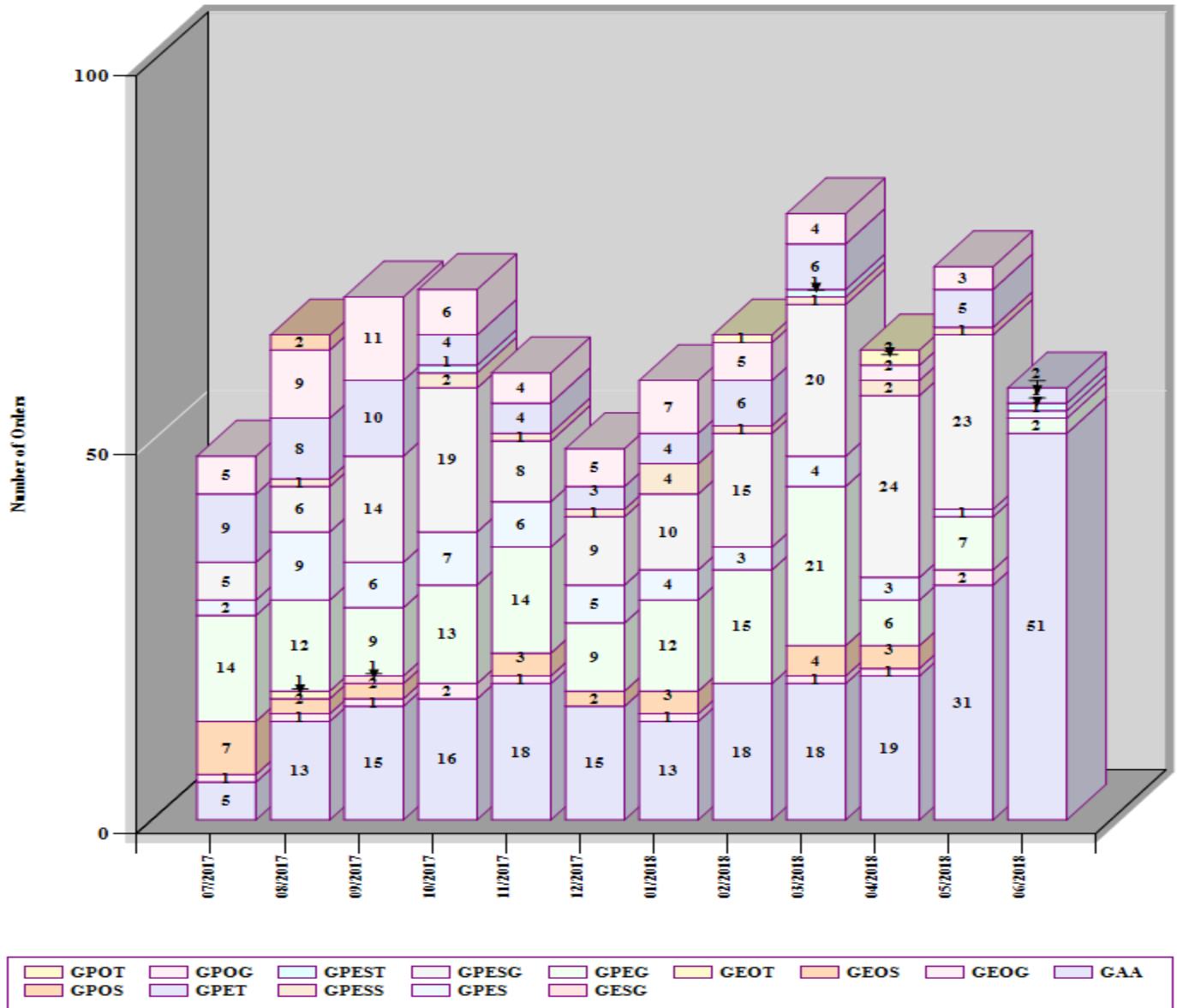


Caseload Reports**1.3 - Types of Guardianships Ordered**

The below table shows the number and types of guardianships ordered in the past 12 full months. Definitions regarding the statutory authority for types of guardianships are listed in Appendix A.

	<u>07/2017</u>	<u>08/2017</u>	<u>09/2017</u>	<u>10/2017</u>	<u>11/2017</u>	<u>12/2017</u>	<u>01/2018</u>	<u>02/2018</u>	<u>03/2018</u>	<u>04/2018</u>	<u>05/2018</u>	<u>06/2018</u>	<u>Total</u>
General - Estate Only (GEOG)	1	1	1	2	1	1	1	1	2	0	0	0	11
General - Estate Only – Summary (GESG)	1	0	0	0	0	0	0	0	0	0	0	0	1
General - No Sub Type Description	5	13	15	16	18	15	13	18	18	19	31	51	232
General - Person & Estate (GPEG)	14	12	9	13	14	9	12	15	21	6	7	2	134
General - Person & Estate – Summary (GPESG)	5	6	14	19	8	9	10	15	20	24	23	0	153
General - Person Only (GPOG)	5	9	11	6	4	5	7	5	4	2	3	0	61
Special/Limited - Estate Only (GEOS)	7	2	2	3	2	3	4	3	0	0	0	0	26
Special/Limited - Person & Estate (GPES)	2	9	6	7	6	5	4	3	4	3	1	1	51
Special/Limited - Person & Estate – Summary (GPESG)	1	2	1	1	4	1	1	2	1	0	0	0	14
Special/Limited - Person Only (GPOS)	2	0	0	0	0	0	0	0	0	0	0	0	2
Temporary - Estate Only (GEOT)	1	0	0	0	0	0	0	0	0	0	0	0	1
Temporary - Person & Estate (GPET)	9	8	10	4	4	3	4	6	6	5	2	0	61
Temporary - Person & Estate – Summary (GPESG)	1	1	1	0	0	0	0	0	0	0	0	0	3
Temporary - Person Only (GPOT)	1	2	0	0	0	0	0	0	0	0	0	0	3
Total	55	65	70	71	61	51	56	68	76	59	67	54	753

Types of Guardianships Ordered

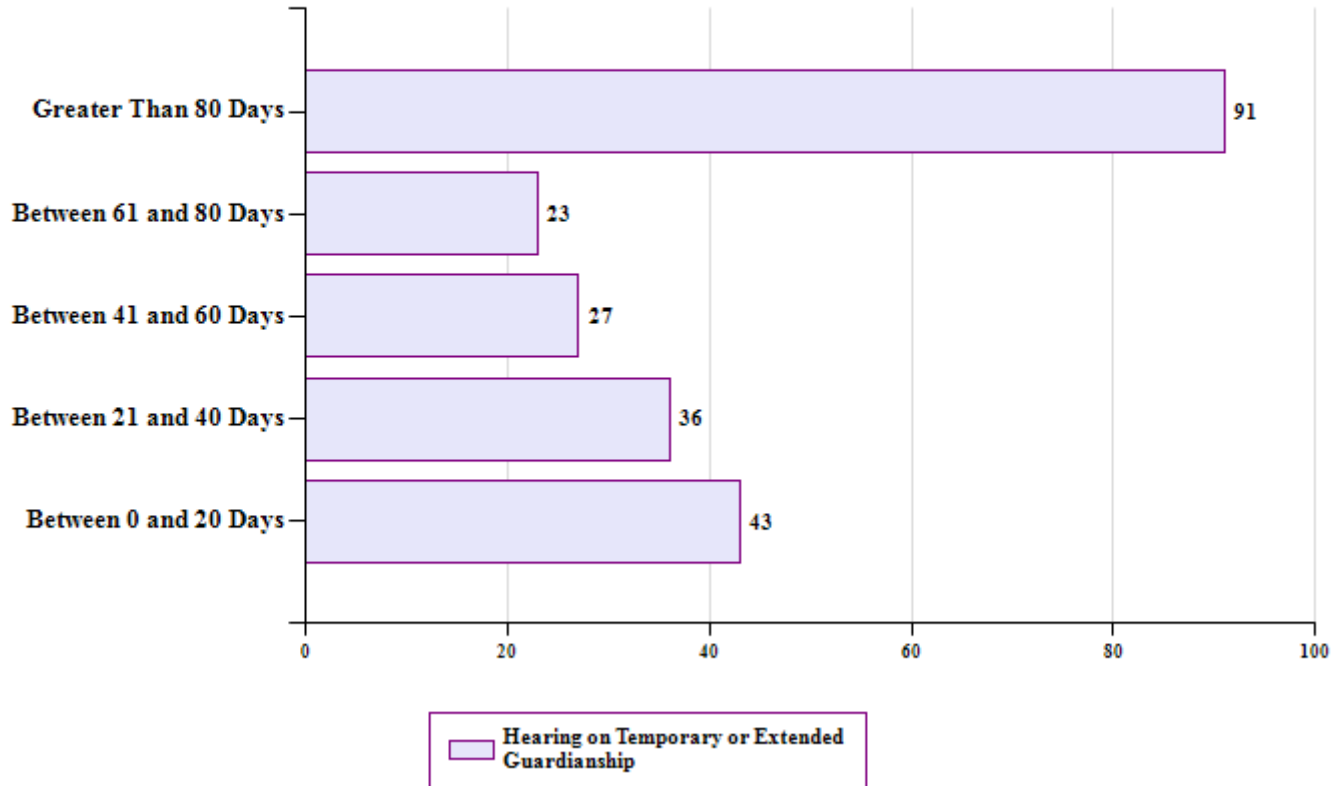


Additional Caseload Statistics**2.1 - Timeliness of First Hearing****2.1.2 - Hearing on Temporary or Extended Guardianship**

Scheduled hearings broken out by the number of calendar days from initial petition filing to first hearing on temporary or extended guardianship.

**Hearing on Temporary or
Extended Guardianship**

	<u>0 - 20 Days</u>	<u>21 - 40 Days</u>	<u>41 - 60 Days</u>	<u>61 - 80 Days</u>	<u>Greater Than 80 Days</u>	<u>Totals</u>
Denied	1	0	0	0	1	2
Dismissed	0	1	1	1	2	5
Granted	11	4	3	0	9	27
Others	31	31	23	22	79	186
Totals	43	36	27	23	91	220

**Calendar Days to Initial Hearing
Temporary or Extended Guardianship**

Additional Caseload Statistics
2.2 - Alternative Dispute Resolution: - Last 12 Full Months
2.2.1 - Scheduled Mediations

Cases are grouped based upon resolution type. Pending mediations, if available, are labeled as 'Outcome Pending.'

Work in Progress

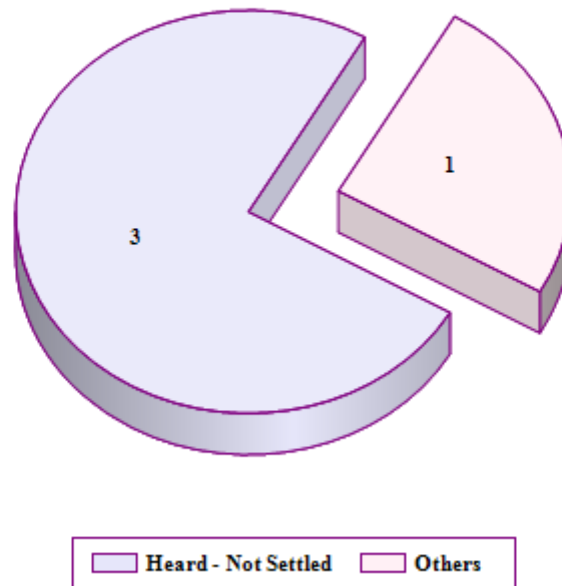
Additional Caseload Statistics**2.2 - Alternative Dispute Resolution: - Last 12 Full Months****2.2.2 - Scheduled Settlement Conferences**

Events are grouped based upon resolution type. Pending settlement conferences are labeled as 'Outcome Pending.'

Multiple events may occur on a single case.

	<u>09/2017</u>	<u>11/2017</u>	<u>04/2018</u>										<u>Total</u>
Heard - Not Settled		2	1										3
Others	1												1
Totals	1	2	1										4

Settlement Conferences



2.3 - Annual Reports and Inventories Filed

	07/2017	08/2017	09/2017	10/2017	11/2017	12/2017	01/2018	02/2018	03/2018	04/2018	05/2018	06/2018	Total
Inventories	32	40	32	39	59	43	43	40	52	70	82	91	623
Accounting	29	195	196	211	215	191	188	228	237	272	288	293	2543
Annual Report of Guardian	29	192	192	198	203	185	183	201	204	224	226	293	2330

Number of Children	Number of Families
0	623
1	2330
2	2543



Case Sub Type	Case Sub Type Description	Active Case Count
GAA	No Sub Type Description	194
GAB	Person and Estate - Adult	3
GEOG	General - Estate Only	29
GEOS	Special/Limited - Estate Only	41
GESG	General - Estate Only - Summary	19
GESS	Special/Limited - Estate Only - Summary	3
GPEG	General - Person & Estate	472
GPES	Special/Limited - Person & Estate	96
GPESG	General - Person & Estate - Summary	1528
GPESG	Special/Limited - Person & Estate - Summary	21
GPEST	Temporary - Person & Estate - Summary	2
GPET	Temporary - Person & Estate	24
GPOG	General - Person Only	457
GPOS	Special/Limited - Person Only	14
GPOT	Temporary - Person Only	4

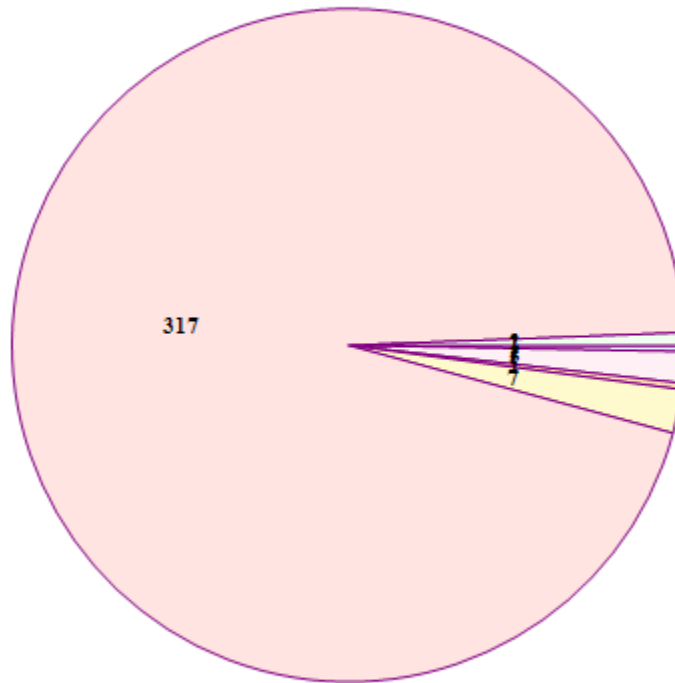
Additional Caseload Statistics

2.5 - Appointment of Counsel - Last 12 Full Months

Court appointed counsel for the last 12 months, broken out by the party type.

	<u>07/2017</u>	<u>08/2017</u>	<u>09/2017</u>	<u>10/2017</u>	<u>11/2017</u>	<u>12/2017</u>	<u>01/2018</u>	<u>02/2018</u>	<u>03/2018</u>	<u>04/2018</u>	<u>05/2018</u>	<u>06/2018</u>	<u>Total</u>
Guardian of Estate	0	0	0	0	0	0	0	0	0	1	0	0	1
Guardian of Person and Estate	0	0	0	0	0	0	0	0	1	0	4	0	5
Other	0	0	0	0	0	0	1	0	0	0	0	0	1
Petitioner	0	0	0	1	0	0	1	1	0	2	2	0	7
Protected Person	9	15	29	12	17	9	24	41	39	47	37	38	317
Temporary Guardian	0	0	0	1	0	0	0	0	0	1	0	0	2
Totals	9	15	29	14	17	9	26	42	40	51	43	38	333

Appointment of Counsel Past 12 Full Months



Guardian of Estate
 Other
 Petitioner
 Protected Person
 Temporary Guardian
 Guardian of Person and Estate

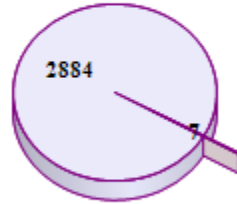
Compliance Reports

3.1 - Milestones for all Adult Guardianship Cases

Every Adult Guardianship case requires the filing of the following:

- Letters of Guardianship
- Guardian's Acknowledgment of Duties
- Annual Report of Guardian

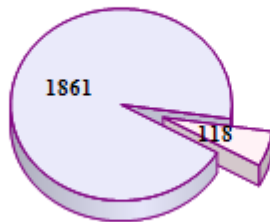
Letters of Guardianship



Compliant
Non-Compliant

Compliant	Non-Compliant
99.76%	0.24%

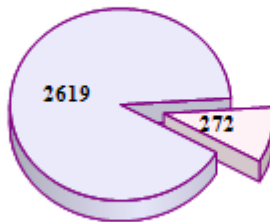
Guardian's Acknowledgment of Duties



Compliant
Non-Compliant

Compliant	Non-Compliant
94.04%	5.96%

Annual Report of Guardian



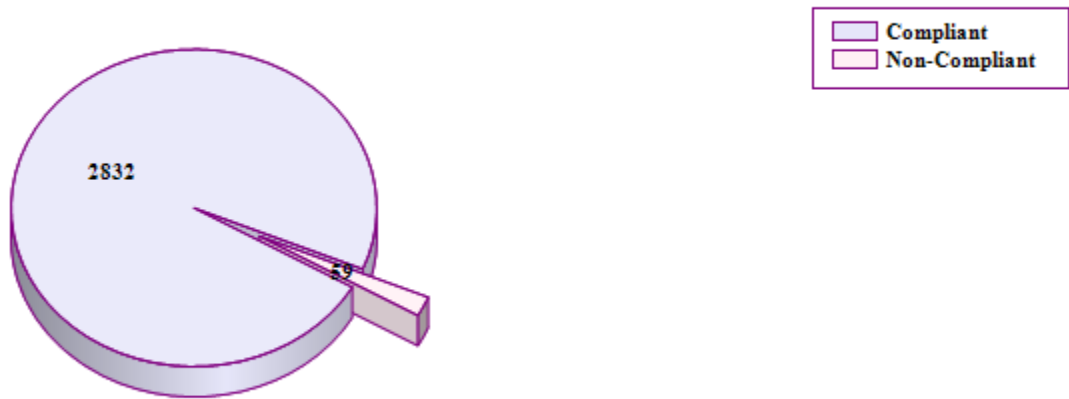
Compliant
Non-Compliant

Compliant	Non-Compliant
90.59%	9.41%

Compliance Reports
3.2 - Inventories and Annual Accountings

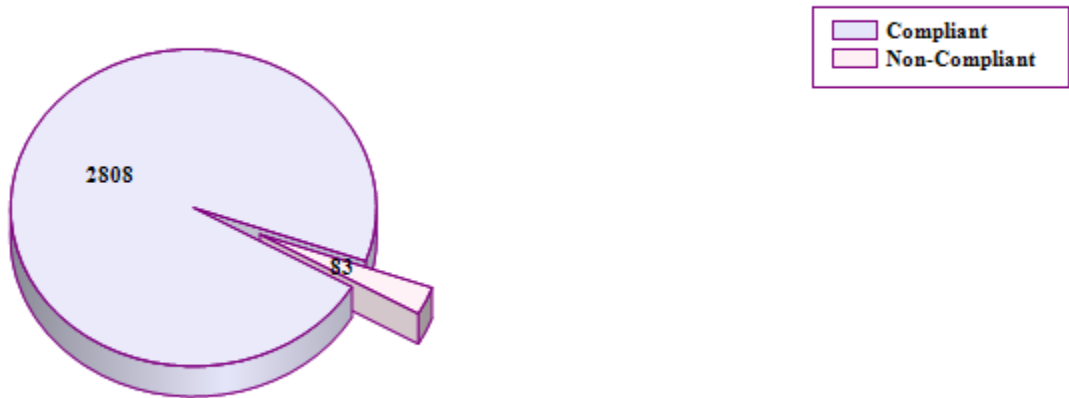
Only Guardianships of the Estate require the filing of an Inventory and Annual Accounting

Accounting



Compliant	Non-Compliant
97.96%	2.04%

Inventory



Compliant	Non-Compliant
97.13%	2.87%

Compliance Reports
3.3 - Certificate of Compliance

Class not offered or required to be offered at this time by NRS 159. Will track once class is offered / required.

Demographics
4.1 - Placement

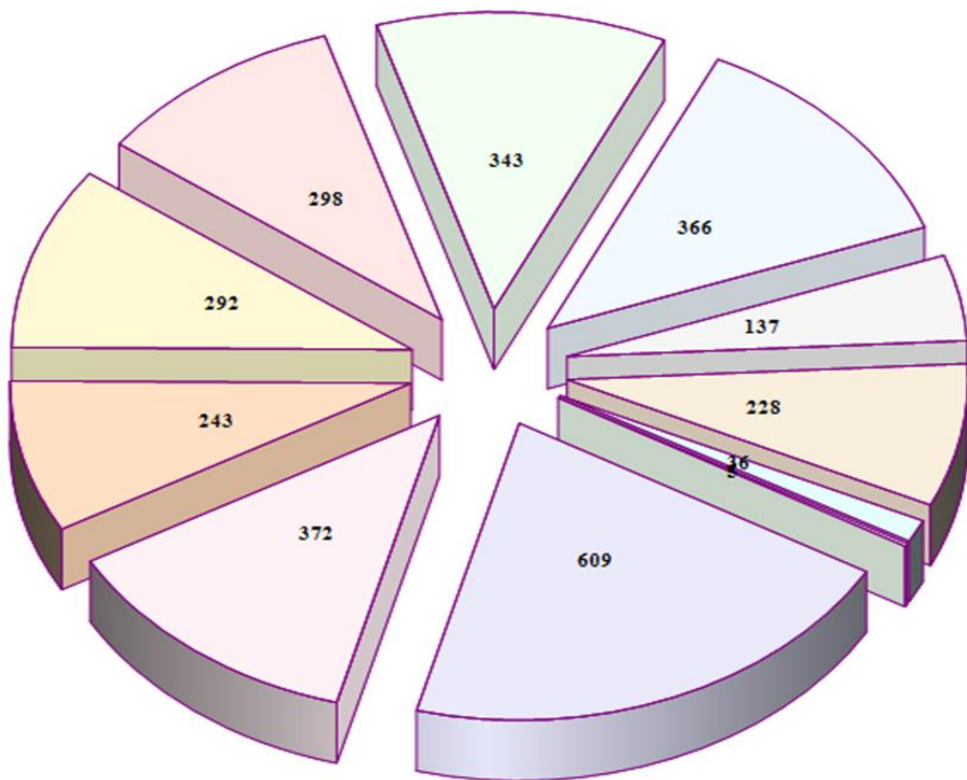
This is a work in progress. Once the form is approved requiring the data to be produced, it will be tracked.

Demographics
4.2 - Adult Subject to Guardianship - Age Breakdown

The table and chart below show the breakdown in age of persons subject to a guardianship in pending cases.

Total Number of Persons: 2929

Age Breakdown
For Persons Subject to a Guardianship



21 to 29: 21%	50 to 59: 10%	70 to 79: 12%	90 to 99: 5%	No DOB Entered: 1%
30 to 39: 13%	60 to 69: 10%	80 to 89: 12%	Less Than 21: 8%	Older Than 99: 0%
40 to 49: 8%				

Appendix A. Statutory Authority for types of Guardianships

NRS 159.0487 provides for the appointment of 5 different types of Guardian.

- Guardians of the Person, of the Estate, or of the Person and Estate for incompetents or minors whose home state is this State

This is a General Guardianship over the Person, Estate or both over a person found to be incompetent with all of the powers available under NRS 159 granted to the Guardian. However the Guardian must still petition the Court before taking action in relation to certain aspects of the Person and/or Estate.

- Summary Administration of a Guardianship Estate (NRS 159.076)

Ordinarily a Guardianship of Estate requires annual accountings to be heard on noticed hearing by the Court. However where it appears after payment of all claims and expenses of the guardianship that the value of the Ward's property does not exceed \$10,000 the Court may dispense with annual accountings and all other proceedings required by this chapter. However the Guardian must notify the Court through an amended inventory should the net estate exceed \$10,000 and file annual accountings from that point on.

- Guardians of the Person, of the Estate, or of the Person and Estate for incompetents or minors who, although not residents of this State, are physically present in this State and whose welfare requires such an appointment

This is the same type of Guardianship as described at 1. However it is the physical proximity in state and the circumstantial requirement of appointment rather than residence which allows the Court to make an order. The powers granted are the same and subject to the same statutory requirements of permission before action is taken.

- Guardians of the Estate for non-resident incompetents or non-resident minors who have property within this State

This describes a guardianship concerned with property held in this state only.

- Special Guardians (NRS 159.026, NRS 159.0801, NRS 159.0805)

This is a guardianship over a person found to be a limited capacity as opposed to incompetency. The Court may dictate the powers granted to the Special Guardian and, save in emergency situations, must apply to the Court for instruction or approval before commencing any act relating to the person of limited capacity. The Special Guardian of the Person may also be granted powers to manage and dispose of the estate of the Ward.

- Guardians ad litem

Not applicable to this analysis.

- Temporary Guardian of the Person and/or Estate (NRS 159.0523/0525)

The Court may grant a temporary guardianship over the Person, Estate or both. This may be granted on an ex parte basis but in such circumstances must be heard not later than 10 days after the date of appointment or the guardianship will expire. The Court may extend the guardianship for no longer than 5 months unless extraordinary circumstances are shown. The Court shall limit the powers of the Temporary Guardian to those necessary to respond to a substantial and immediate risk of physical harm or financial loss as is relevant.

Eighth Judicial District Court



State of Nevada Clark County

June 2018

Summary Monthly Minor Guardianship Case Status Report

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3.0 Demographic Data

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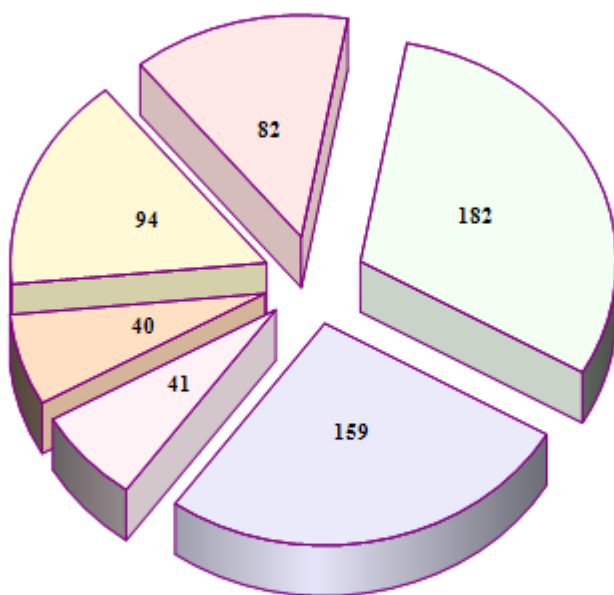
Caseload Reports

1.1 - Status of Pending Minor Guardianship Cases

Average Age of Case reflects time of initial petition to either time of disposition or current date. Please note, the total number of cases does NOT reflect the actual number of children under guardianship.

	0 - 30 Days	31 - 60 Days	61 - 90 Days	91 - 180 Days	181 - 365 Days	Greater Than 365 Days	Totals
Pending Active	158	36	32	83	77	179	565
Pending Active - Temp Order	1	5	8	11	5	3	33
Disposed / Set For Review							
Totals	159	41	40	94	82	182	598

**Pending Minor Guardianship Cases
Grouped by Status**



Between 0 and 30 Days
 Between 91 and 180 Days
 Between 31 and 60 Days
 Between 181 and 365 Days
 Between 61 and 90 Days
 Greater Than 365 Days

Cases represented in the previous table and this graph contain cases with any initial filing date. Disposed cases are not listed here. Age of case is determined by the date the status was updated.

Pending - Active: A count of cases that, at the start of the reporting period, are awaiting disposition.

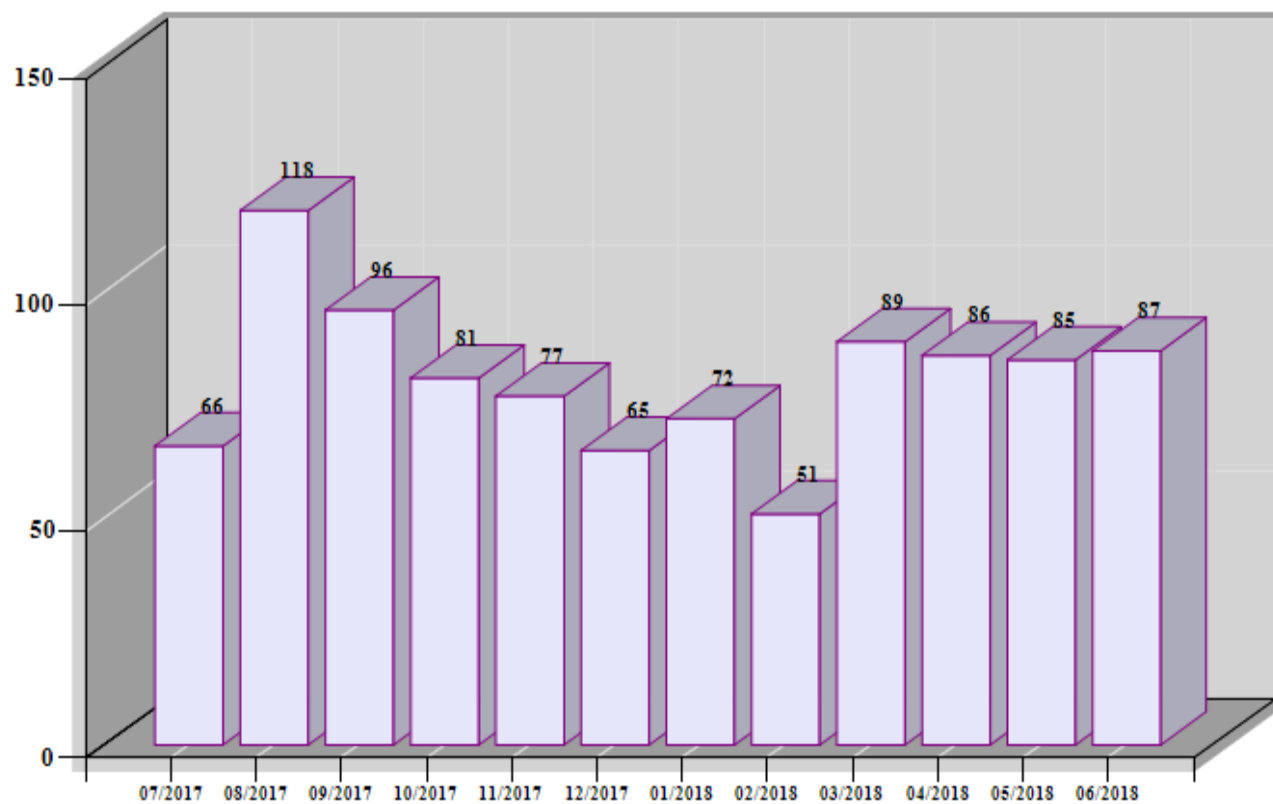
Disposed/Set for Review: A count of cases at the end of each month that, following an initial Entry of Judgment, are awaiting a regularly scheduled review involving a hearing before a judicial officer during the reporting period.

Caseload Reports

1.2 - New Minor Guardianship Cases

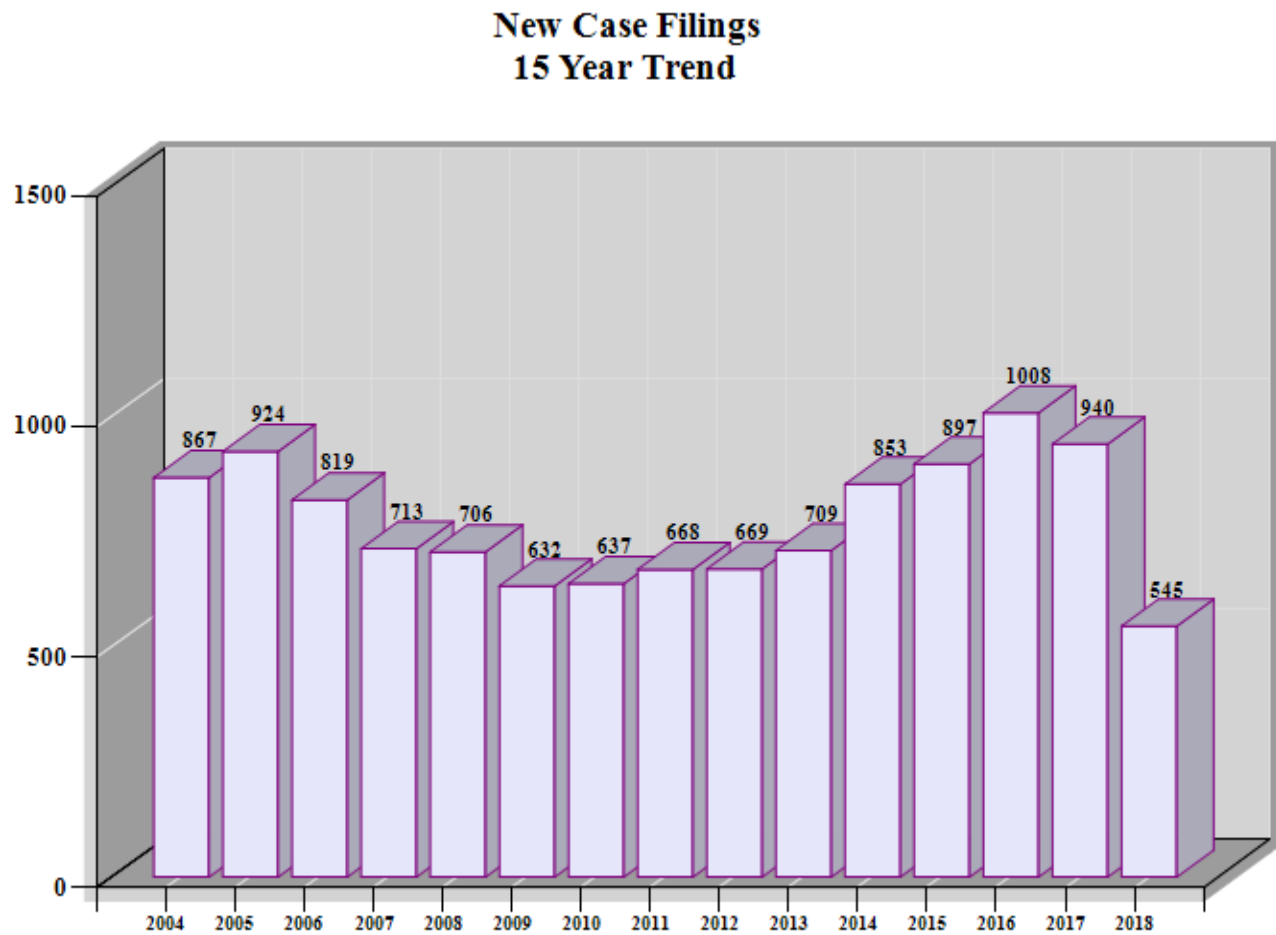
New Minor Guardianship cases filed in the previous 12 months.

**New Case Filings
Last 12 Full Months**



1.2.1 - New Minor Guardianship Cases

New Minor Guardianship cases filed in the previous 15 years.



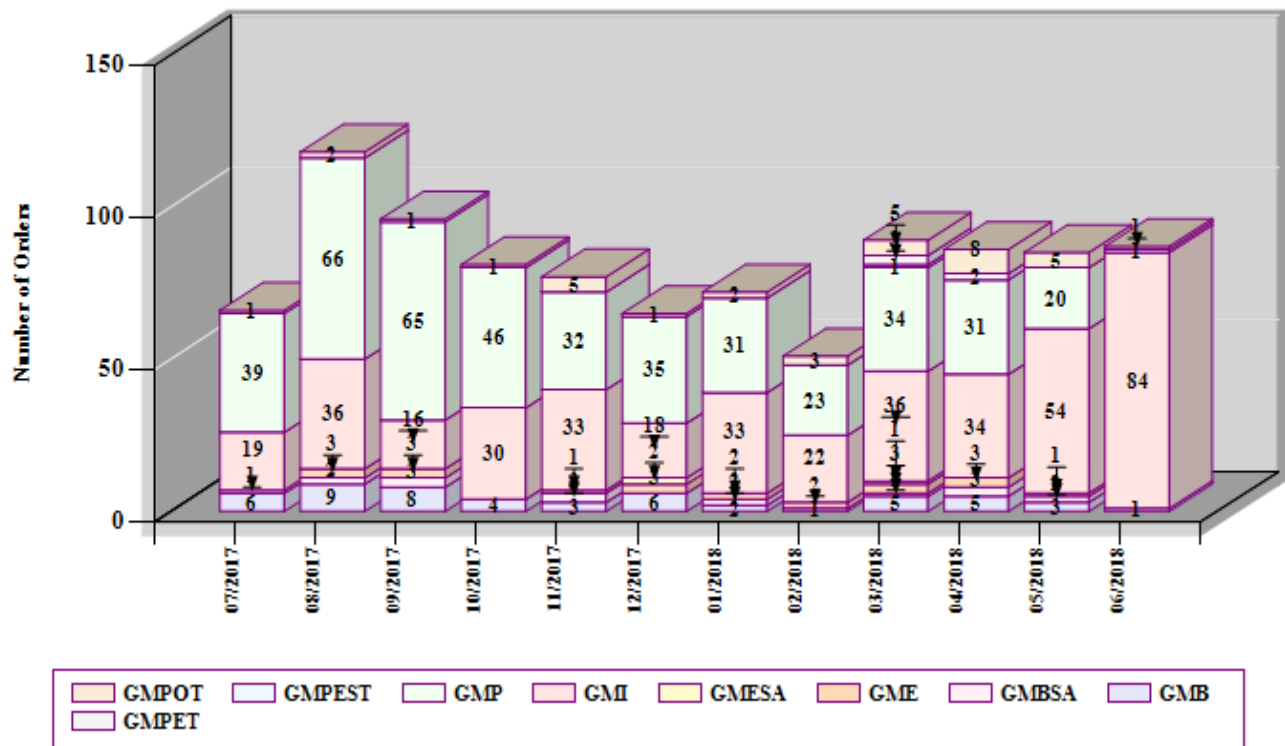
Caseload Reports

1.3 - Types of Guardianships Ordered

The below table shows the number and types of guardianships ordered in the past 12 full months. Definitions regarding the statutory authority for types of guardianships are listed in Appendix A.

	07/2017	08/2017	09/2017	10/2017	11/2017	12/2017	01/2018	02/2018	03/2018	04/2018	05/2018	06/2018	Total
Estate Only – Minor (GME)	3	3	1	3	2	2	3	3	1	0	0	0	21
No Sub Type Description	19	36	16	30	33	18	33	22	36	34	54	84	415
Person and Estate – Minor (GMB)	6	9	8	4	3	6	2	1	5	5	3	1	53
Person Only – Minor (GMP)	39	66	65	46	32	35	31	23	34	31	20	1	423
Sum Admin Estate – Minor (GMESA)	2	1	0	0	0	0	0	0	0	0	0	0	3
Sum Admin Person/Estate – Minor (GMBSA)	1	2	3	3	2	1	3	2	0	0	0	0	17
Temporary - Person & Estate – Minor (GMPET)	1	3	2	0	0	0	0	0	0	0	0	0	6
Temporary - Person & Estate - Summary – Minor (GMPEST)	1	0	0	0	0	0	0	0	0	0	0	0	1
Temporary - Person Only – Minor (GMPOT)	1	2	1	5	1	2	3	5	8	5	1	0	34
Total	73	122	96	91	73	64	75	56	84	75	78	86	973

Types of Guardianships Ordered



Caseload Reports**1.4 - Average Time to Disposition for Pending Active Cases - Last 12 Full Months.**

	<u>07/2017</u>	<u>08/2017</u>	<u>09/2017</u>	<u>10/2017</u>	<u>11/2017</u>	<u>12/2017</u>	<u>01/2018</u>	<u>02/2018</u>	<u>03/2018</u>	<u>04/2018</u>	<u>05/2018</u>	<u>06/2018</u>	<u>Total</u>
Average Number of Days	322.00	498.00	386.00	290.00	271.00	171.00	117.00	67.00	82.00	86.00	55.00	7.00	196.00

Caseload Reports**1.5 - Adult Guardianship Cases Disposed**

State of Nevada - USJR definitions are provided in Appendix A

	<u>07/2017</u>	<u>08/2017</u>	<u>09/2017</u>	<u>10/2017</u>	<u>11/2017</u>	<u>12/2017</u>	<u>01/2018</u>	<u>02/2018</u>	<u>03/2018</u>	<u>04/2018</u>	<u>05/2018</u>	<u>06/2018</u>	<u>Total</u>
Alternative Dispute Resolution	0	1	0	0	0	0	1	0	0	0	0	0	2
Age of Majority	0	0	0	2	0	0	0	1	1	0	0	0	4
Disposed After Trial Start (Bench Trial)	0	0	0	1	0	0	0	0	0	0	0	0	1
Dismissed - Want of Prosecution	7	11	9	5	10	9	1	1	0	5	10	1	69
Involuntary Dismissal	9	23	13	10	15	6	2	0	0	1	0	0	79
Judgment Reached (Bench Trial)	0	0	0	0	1	0	0	0	0	0	0	0	1
Order Terminating Guardianship or Final Accounting	0	0	2	0	1	0	2	0	0	1	0	0	6
Other Manner of Disposition	2	6	1	2	3	1	2	1	1	0	0	0	19
Transferred	0	0	0	1	1	0	0	0	0	0	0	0	2
Settled/Withdrawn With Judicial Conference or Hearing	38	51	47	40	27	29	22	22	31	40	33	4	384
Settled/Withdrawn Without Judicial Conference or Hearing	3	10	12	8	4	8	14	8	11	2	0	0	80
Totals	59	102	84	69	62	53	44	33	44	49	43	5	647

Additional Caseload Statistics

2.1 - Timeliness of First Hearing

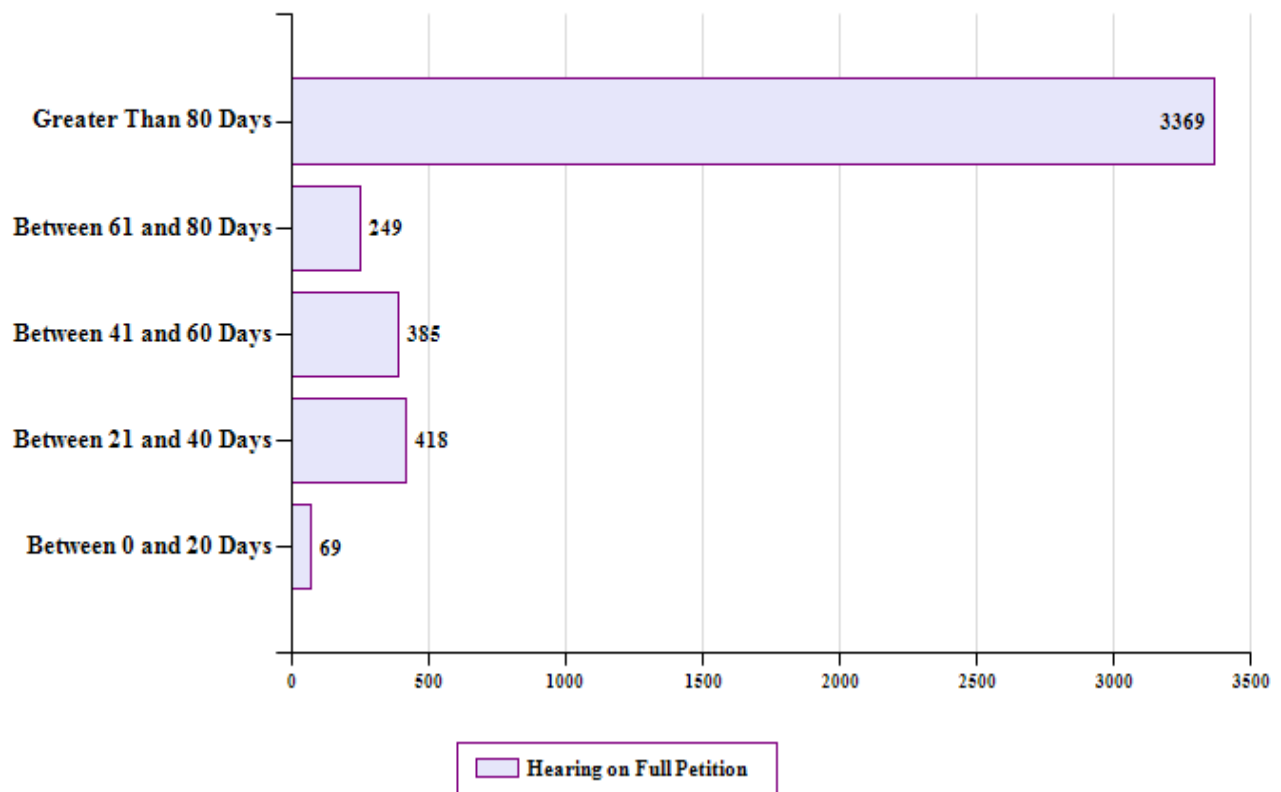
2.1.1 - Hearing on Full Petition

Scheduled hearings broken out by the number of calendar days from initial petition filing to first hearing on a full petition.

Hearing on Full Petition

	<u>0 - 20 Days</u>	<u>21 - 40 Days</u>	<u>41 - 60 Days</u>	<u>61 - 80 Days</u>	<u>Greater Than 80 Days</u>	<u>Totals</u>
Denied	3	35	13	8	49	108
Dismissed	1	19	13	5	23	61
Granted	9	97	76	45	173	400
Others	56	265	282	191	3,122	3,916
Vacated	0	2	1	0	2	5
Totals	69	418	385	249	3,369	4,490

Calendar Days to Initial Hearing Full Petition



Additional Caseload Statistics

2.1 - Timeliness of First Hearing

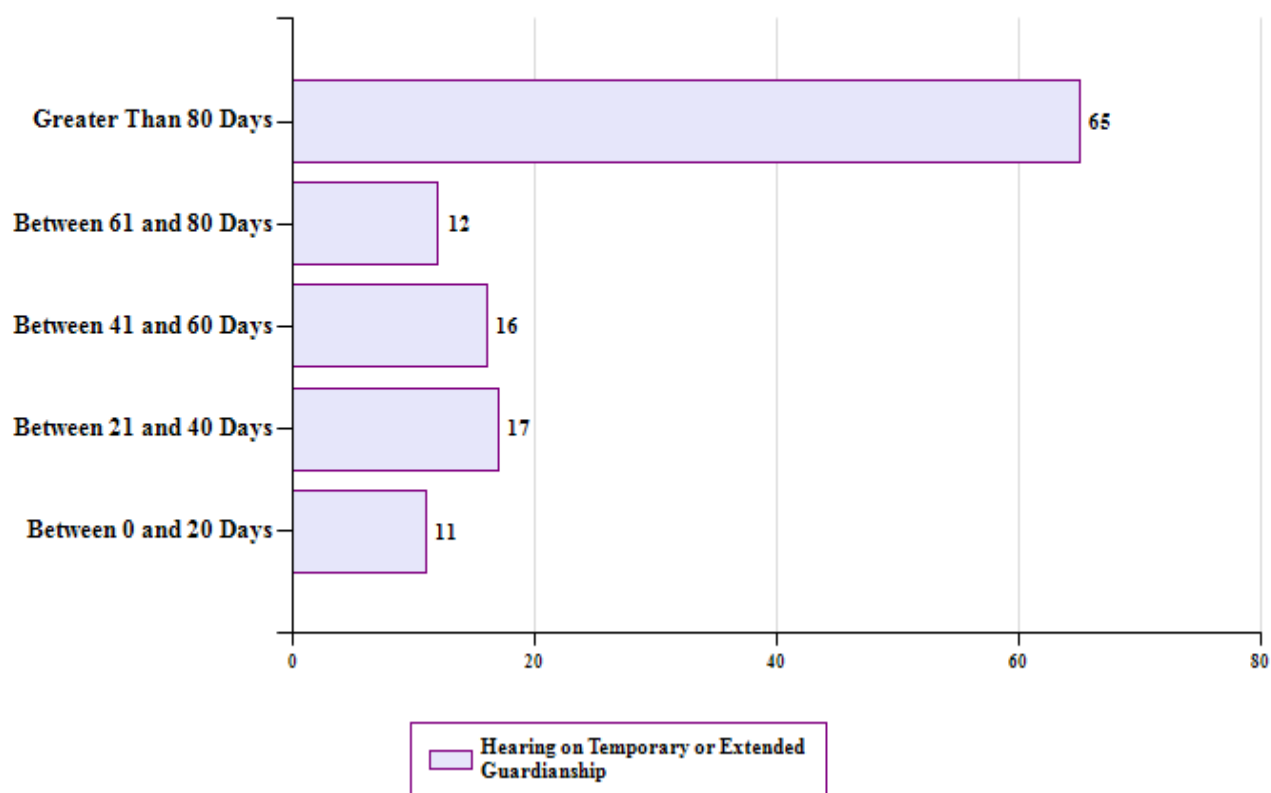
2.1.2 - Hearing on Temporary or Extended Guardianship

Scheduled hearings broken out by the number of calendar days from initial petition filing to first hearing on temporary or extended guardianship.

Hearing on Temporary or Extended Guardianship

	<u>0 - 20 Days</u>	<u>21 - 40 Days</u>	<u>41 - 60 Days</u>	<u>61 - 80 Days</u>	<u>Greater Than 80 Days</u>	<u>Totals</u>
Denied	0	0	0	0	4	4
Granted	4	1	1	1	2	9
Others	7	16	15	11	59	108
Totals	11	17	16	12	65	121

Calendar Days to Initial Hearing Temporary or Extended Guardianship

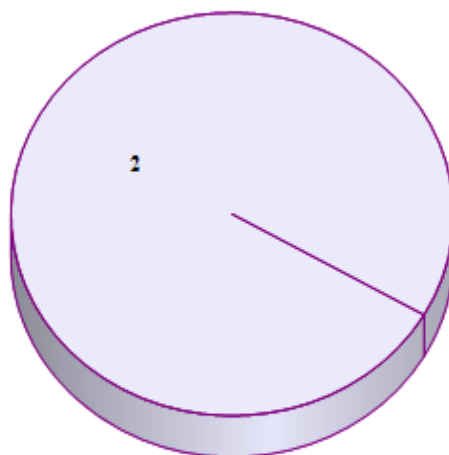


Additional Caseload Statistics**2.2 - Alternative Dispute Resolution: - Last 12 Full Months****2.2.1 - Scheduled Mediations**

Work In Progress

2.2.2 - Scheduled Settlement Conferences

Work in Progress

[illegible]

☐ Others

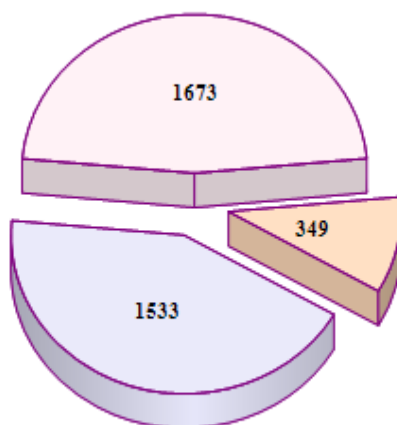
Additional Caseload Statistics

2.3 - Annual Reports and Inventories Filed

The below table shows the number of annual reports, accountings, inventories, and appraisal and record filings.

	07/2017	08/2017	09/2017	10/2017	11/2017	12/2017	01/2018	02/2018	03/2018	04/2018	05/2018	06/2018	Total
Inventories	12	20	15	14	18	11	28	16	28	28	50	109	349
Accounting	12	104	81	79	85	59	109	95	124	95	196	494	1533
Annual Report of Guardian	15	121	82	90	98	68	120	130	140	117	198	494	1673

Annual Reports & Inventories Filed



Accounting Annual Report of Guardian Inventories

Additional Caseload Statistics

2.4 - Guardianship Review Comparison

The below table shows the number of types of Guardianship cases that are pending active.

Case Sub Type	Case Sub Type Description	Active Case Count
GMB	Person and Estate - Minor	38
GMBSA	Sum Admin Person/Estate - Minor	11
GME	Estate Only - Minor	35
GMESA	Sum Admin Estate - Minor	2
GMP	Person Only - Minor	169
GMPEST	Temporary - Person & Estate - Summary - Minor	1
GMPET	Temporary - Person & Estate - Minor	5
GMPOT	Temporary - Person Only - Minor	27
NO_SUB_TYPE	NO_SUB_TYPE	310

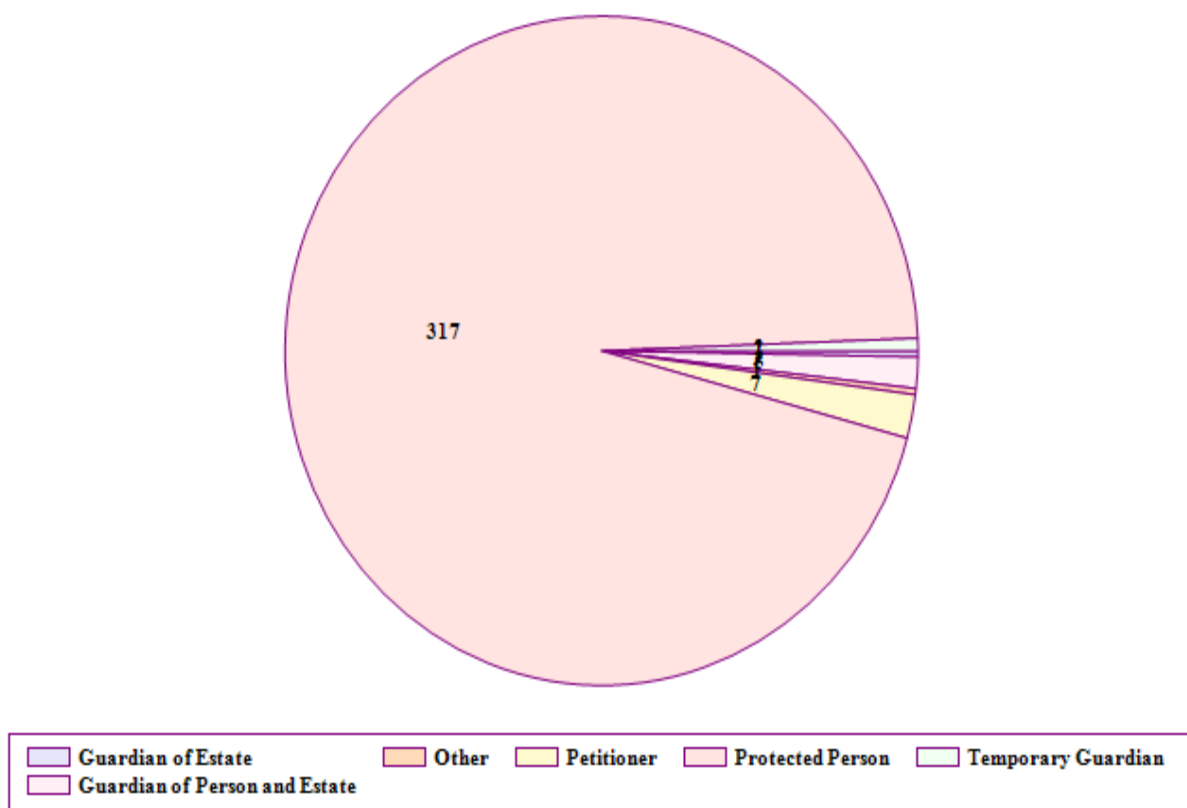
Additional Caseload Statistics

2.5 - Appointment of Counsel - Last 12 Full Months

Attorneys are not appointed in minor cases as a matter of course.

	<u>07/2017</u>	<u>08/2017</u>	<u>09/2017</u>	<u>10/2017</u>	<u>11/2017</u>	<u>12/2017</u>	<u>01/2018</u>	<u>02/2018</u>	<u>03/2018</u>	<u>04/2018</u>	<u>05/2018</u>	<u>06/2018</u>	<u>Total</u>
Guardian of Estate	0	0	0	0	0	0	0	0	0	1	0	0	1
Guardian of Person and Estate	0	0	0	0	0	0	0	0	1	0	4	0	5
Other	0	0	0	0	0	0	1	0	0	0	0	0	1
Petitioner	0	0	0	1	0	0	1	1	0	2	2	0	7
Protected Person	9	15	29	12	17	9	24	41	39	47	37	38	317
Temporary Guardian	0	0	0	1	0	0	0	0	0	1	0	0	2
Totals	9	15	29	14	17	9	26	42	40	51	43	38	333

**Appointment of Counsel
Past 12 Full Months**



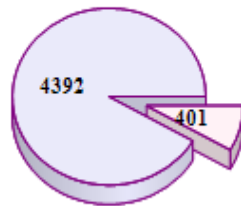
Compliance Reports

3.1 - Milestones for all Minor Guardianship Cases

Every Minor Guardianship case requires the filing of the following:

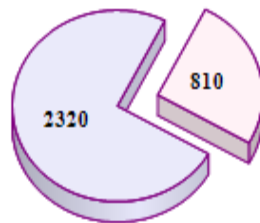
- Letters of Guardianship
- Guardian's Acknowledgment of Duties
- Annual Report of Guardian

Letters of Guardianship



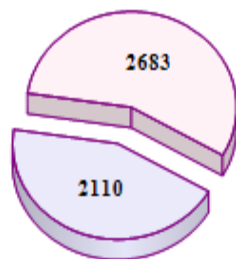
Compliant	Non-Compliant
91.63%	8.37%

Guardian's Acknowledgment of Duties



Compliant	Non-Compliant
74.12%	25.88%

Annual Report of Guardian

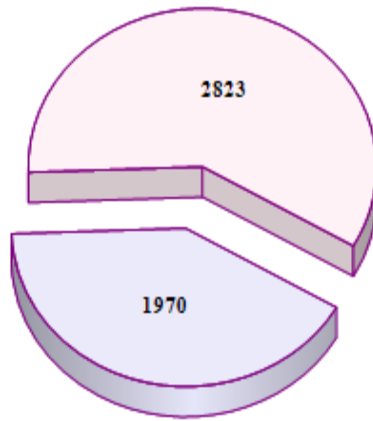


Compliant	Non-Compliant
44.02%	55.98%

Compliance Reports
3.2 - Inventories and Annual Accountings

Guardianships of the Estate require the filing of an Inventory and Annual Accounting

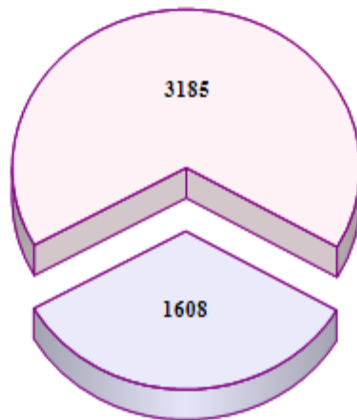
Accounting



Compliant
Non-Compliant

Compliant	Non-Compliant
41.10%	58.90%

Inventory



Compliant
Non-Compliant

Compliant	Non-Compliant
33.55%	66.45%

Compliance Reports

3.3 - Certificate of Compliance

Class not offered or required to be offered at this time by NRS 159. Will track once class is offered / required.

Demographics

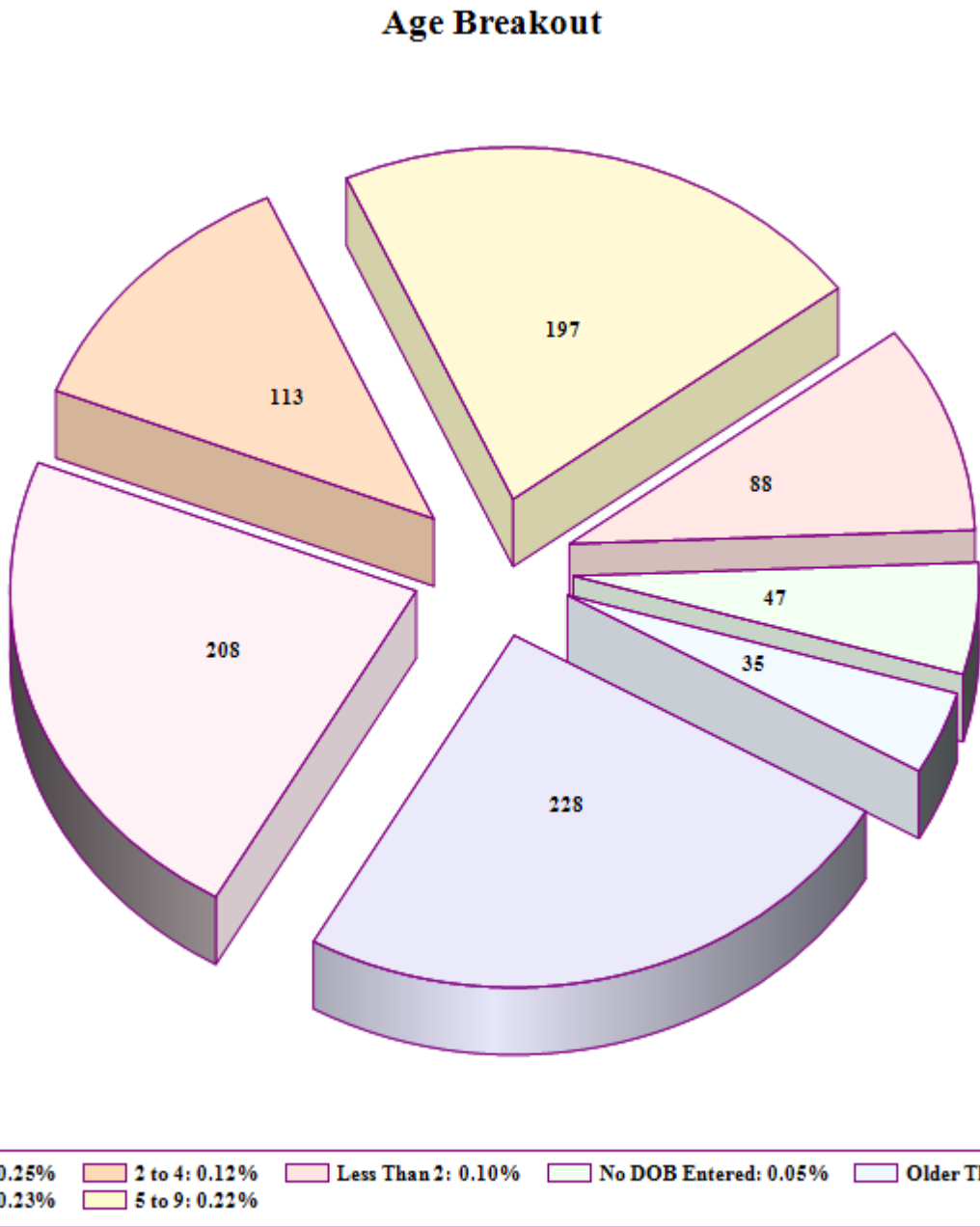
4.1 - Placement

This is a work in progress. Once the form is approved requiring the data to be produced, it will be tracked.

Demographics

4.2 - Minor Subject to Guardianship - Age Breakdown

The table and chart below show the breakout in age of minor wards in pending cases.



Total Number of Persons: 916

Demographics

4.3 - Guardian Types

This is a work in progress. Once the form is approved requiring the data to be produced, it will be tracked.

Appendix A. Statutory Authority for types of Guardianships

NRS 159.0487 provides for the appointment of 5 different types of Guardian.

- Guardians of the Person, of the Estate, or of the Person and Estate for incompetents or minors whose home state is Nevada
This is a General Guardianship over the Person, Estate or both over a person found to be incompetent with all of the powers available under NRS 159 granted to the Guardian. However, the Guardian must still petition the Court before taking action in relation to certain aspects of the Person and/or Estate.

- Summary Administration of a Guardianship Estate (NRS 159.076). Ordinarily a Guardianship of Estate requires annual accountings to be heard on noticed hearing by the Court. However where it appears after payment of all claims and expenses of the guardianship that the value of the Ward's property does not exceed \$10,000 the Court may dispense with annual accountings and all other proceedings required by this chapter. However the Guardian must notify the Court through an amended inventory should the net estate exceed \$10,000 and file annual accountings from that point on.

- Guardians of the Person, of the Estate, or of the Person and Estate for incompetents or minors who, although not residents of this State, are physically present in this State and whose welfare requires such an appointment.

This is the same type of Guardianship as described at 1. However it is the physical proximity in state and the circumstantial requirement of appointment rather than residence which allows the Court to make an order. The powers granted are the same and subject to the same statutory requirements of permission before action is taken.

- Guardians of the Estate for non-resident incompetents or non-resident minors who have property within this State

This describes a guardianship concerned with property held in this state only.

- Special Guardians (NRS 159.026, NRS 159.0801, NRS 159.0805)

This is a guardianship over a person found to be a limited capacity as opposed to incompetency. The Court may dictate the powers granted to the Special Guardian and, save in emergency situations, must apply to the Court for instruction or approval before commencing any act relating to the person of limited capacity. The Special Guardian of the Person may also be granted powers to manage and dispose of the estate of the Ward.

- Guardians ad litem

Not applicable to this analysis.

- Temporary Guardian of the Person and/or Estate (NRS 159.0523/0525)

The Court may grant a temporary guardianship over the Person, Estate or both. This may be granted on an ex parte basis but in such circumstances must be heard not later than 10 days after the date of appointment or the guardianship will expire. The Court may extend the guardianship for no longer than 5 months unless extraordinary circumstances are shown. The Court shall limit the powers of the Temporary Guardian to those necessary to respond to a substantial and immediate risk of physical harm or financial loss as is relevant.

Appendix B. USJR - Family Disposition Definitions

Non-Trial Dispositions: A major classification category for family-related case dispositions in which a case is disposed of by a dismissal, default, settlement, withdrawal, transfer or other non-trial action.

Other Manner of Disposition: A subcategory of family-related non-trial case type dispositions including ones of unknown specificity or dispositions not attributable to one of the other defined family-related disposition categories.

Dismissed for Want of Prosecution: A subcategory of family-related non-trial dispositions involving cases dismissed by the court because the plaintiff, petitioner or obligee has voluntarily ceased to pursue a case.

Involuntary (statutory) Dismissal: A subcategory of family-related non-trial dispositions involving cases adjudicated by an order of dismissal being entered because the legal time a statute has expired, with no other judgment or order being rendered for the case.

Default Judgment: A subcategory of family-related non-trial dispositions involving cases in which the defendant(s) either chose not to or failed to respond to (i.e. answer) the plaintiff's allegations.

Settled/Withdrawn Without Judicial Conference or Hearing: A subcategory of family-related non-trial dispositions for cases settled out of court, voluntarily withdrawn from the court docket by the plaintiff, and/or by joint stipulation without a conference or hearing with a judicial officer.

Settled/Withdrawn With Judicial Conference or Hearing: A subcategory of family-related non-trial dispositions for cases settled, voluntarily withdrawn from the court docket by the plaintiff, and/or by joint stipulation following a conference or hearing with a judicial officer.

Settle/Withdrawn by Alternative Dispute Resolution (ADR): A subcategory of family-related non-trial dispositions involving cases that were referred by the court to programs such as mediation or arbitration and through those processes, were successfully settled and/or withdrawn from the court docket during the reporting period.

Transferred: A subcategory of family-related non-trial dispositions involving cases in which a judicial order transfers a case from one court to another jurisdiction. Transferred does not mean transferring the case from one judge or master to another judge or master within the same court.

Trial Dispositions: A major classification category for family-related case dispositions that involves a hearing and determination of issues of fact and law, in accordance with prescribed legal procedures, in order to reach a judgment in a case before a court.

Bench (Non-Jury) Trial: A subcategory of family-related trial dispositions involving a trial in which there is not jury and a judicial officer determines both the issues of fact and law in the case. For statistical purposes, a Bench trial is initiated when an opening statement is made, the first evidence is introduced, or the first witness sworn, whichever comes first, regardless of whether a judgment is reached.

Disposed After Trial Start: A subcategory of family-related bench (non-jury) trial dispositions in which a judicial officer determines both the issues of fact and law in the case, but no judgment is reached, typically because the case settles during the trial.

Judgment Reached: A subcategory of family-related bench (non-jury) trial dispositions in which a judicial officer determines both the issues of fact and law in the case and a judgment is rendered by the court/judicial officer.