

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**

**Indigent Defense Commission (IDC)  
VIDEOCONFERENCE**

**Date and Time of Meeting:** September 9, 2020 at 1:30 p.m.

**Place of Meeting:** Remote Access via BlueJeans

***All participants attending via teleconference should mute their lines when not speaking; it is highly recommended that teleconference attendees use a landline and handset in order to reduce background noise.***

**AGENDA**

- I. Call to Order
  - A. Call of Roll
  - B. Determination of a Quorum
- II. Public Comment  
*Because of time considerations, the period for public comment by each speaker may be limited. Speakers are urged to avoid repetition of comments already made by previous speakers.*
- III. Review and Approval of the January 15, 2020 Meeting Summary\*
- IV. Update on Department of Indigent Defense Services - *Ms. Marcie Ryba*
- V. Update on ACLU of Nevada - *Ms. Holly Welborn*
- VI. Update on Indigent Defense Clark County - *Mr. Drew Christensen, Mr. Darin Imlay, Ms. JoNell Thomas*
- VII. Update on Indigent Defense in Washoe County - *Mr. John Arrascada, Ms. Krista Meier, Mr. Marc Picker*
- VIII. Update on the State Public Defender's Office - *Ms. Karin Kreizenbeck*
- IX. Update on the Federal Public Defender's Office - *Mr. Jonathan Kirshbaum*

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X. Other Business

- A. Updates on Eighth Judicial District Court's Homicide Program - *Judge Doug Herndon, Mr. Chris Lalli*
- B. Updates on Settlement Conferences - *All (as applicable)*

XI. Adjournment

- Action items are noted by \* and typically include review, approval, denial, and/or postponement of specific items. Certain items may be referred to a subcommittee for additional review and action.
- Agenda items may be taken out of order at the discretion of the Chair in order to accommodate persons appearing before the Commission and/or to aid in the time efficiency of the meeting.
- If members of the public participate in the meeting, they must identify themselves when requested. Public comment is welcomed by the Commission but may be limited to five minutes per person at the discretion of the Chair.
- The Commission is pleased to provide reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If assistance is required, please notify Commission staff by phone or by email no later than two working days prior to the meeting, as follows: Jamie Gradick, (775) 687-9808 - email: [jgradick@nvcourts.nv.gov](mailto:jgradick@nvcourts.nv.gov)
- This meeting is exempt from the Nevada Open Meeting Law (NRS 241.030 (4)(a))
- At the discretion of the Chair, topics related to the administration of justice, judicial personnel, and judicial matters that are of a confidential nature may be closed to the public.
- **Notice of this meeting was posted in the following locations:** Nevada Supreme Court website: [www.nevadajudiciary.us](http://www.nevadajudiciary.us);

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**Indigent Defense Commission**

*Summary Prepared by Jamie Gradick*

January 15, 2020

1:30 p.m.

<p><b><u>Attendees</u></b> Sr. Justice Michael A. Cherry, Chair Judge Thomas Armstrong John Arrascada Drew Christensen Joni Eastley Franny Forsman Judge Kevin Higgins Kriston Hill Darin Imlay Jonathan Kirschbaum Karin Kreizenbeck John Lambrose Judge Michael Montero</p>	<p>Marc Picker Marcie Ryba Dagny Stapleton JoNell Thomas Jeff Wells Judge Nathan T. Young</p> <p><b><u>AOC Staff</u></b> Jamie Gradick Hans Jessup John McCormick Kimberly Williams</p>
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- I. Call to order
  - Call of Roll and Determination of a Quorum
    - Ms. Gradick called roll.
    - A quorum was present.
- II. Public Comment
  - There was no public comment.
- III. Review and Approval of the November 20, 2019 Meeting Summary
  - Attendees approved the summary of the November 20, 2019 meeting.
- IV. Caseload Standards Discussion/Update
  - Mr. Jessup provided a brief update.
    - The Research and Statistics team continues to receive reports; perhaps these reports should be provided directly to the Department of Indigent Defense Services, moving forward.
    - Mr. Jessup commented that his team stands ready to assist with further data

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collection efforts, as needed.

- V. Update the Department of Indigent Defense Services/Board on Indigent Defense Services
- Ms. Marcie Ryba provided an update.
    - The Board has been created and meets January 29 at 1:00 pm.
    - Board duties are established in NRS 180.320.
    - Focus areas include:
      - Establishing minimum standards for delivery of indigent defense services.
      - Establishing a procedure for receiving complaints and recommendations. Once approved by the Board, this form will be available via the DIDS website for public access.
      - Adopting CLE regulations/requirements.
      - Establishing guidelines to determine maximum caseload standards
    - The Department is researching funding options to purchase time-tracking software for rural attorneys.
    - The Department has made a request for caseload data from the rural practitioners.
    - The Department is currently evaluating indigent defense contracts in the various counties; DIDS hopes to establish a formula to determine the maximum amount counties should be paying for indigent defense services.
      - Currently working with the counties and NACO to get the necessary data.
  - Attendees discussed the need for input from urban indigent defense offices to aid DIDS in their efforts. Information on the hiring practices, training protocols, and time-tracking policies could be a “starting point” for developing “meaningful recommendations” for the rural counties.
    - Sr. Justice Cherry suggested Ms. Ryba meet with Mr. Imlay, Ms. Thomas, Mr. Christensen, and Mr. Kirschbaum to discuss these issues and offered a room at the Nevada Supreme Court building in Las Vegas for this purpose.
- VI. Status Update on ACLU of Nevada Lawsuit (*Portions of this discussion were inaudible*)
- Ms. Forsman informed attendees that the discovery process is wrapping up and the parties are entering into settlement discussions.
- VII. Status Update on Indigent Defense in Clark County
- Mr. Christensen informed attendees that his office is maintaining status quo and has been working with Ms. Ryba on the DIDS efforts.
  - Mr. Imlay provided a brief update.
    - His office just completed its first misdemeanor jury trial; it resulted in an acquittal for the defendant.
    - His office is fully staffed and new attorney training is ongoing.
  - Ms. Thomas provided a brief update.
    - Her office is expecting a vacancy in March and is need of SCR 250 qualified attorneys.
      - A new policy is in place: attorneys wanting to handle murder cases must also be prepared to handle sexual assault cases.

- Her team has negotiated five death penalty cases resulting in no death sentences.
- Looking to expand; currently at capacity in terms of space.

VIII. Status Update on Indigent Defense in Washoe County

- Mr. Arrascada provided a brief status update.
  - He and Mr. Picker recently met with judges to go over the model plan.
  - There is a new case assignment process in place; aims to free up attorney time and improve client communication.
  - His office continues to work with the WCSO to improve access to and communication with clients located there.
- Mr. Picker commented that his office has seen increasing caseloads and has been working with the WCSO on specialty court and treatment programs.
- Ms. Meier is learning her new role well and has recruited new attorneys to her office.

IX. Status Update from the State Public Defender's Office

- Ms. Kreizenbeck provided a brief update.
  - Her office has been supporting Ms. Ryba and DIDS as it gets up and running.
  - She has brought on three new attorneys and her office will handle its second DV misdemeanor DV trial next week.
  - Currently working on increased communication with clients; her office has started appearing at out of custody arraignments at one justice court.

X. Status Update on the Federal Public Defender's Office

- Mr. Kirshbaum informed attendees that the December 5 post-conviction training was successful.
  - There was discussion regarding the need to “tweak” this training to make it more applicable to the rural counties. This is something he will reach out to Ms. Ryba about when the time comes.

XI. Other Business

- Senior Justice Cherry commented on the CLE requirement for senior judges and asked attendees to keep him posted on any opportunities.
- Senior Justice Cherry commented that the next meeting will be set for April.

XII. Adjournment

- Senior Justice Cherry adjourned the meeting at 2:10 pm.