

COMMISSION ON JUDICIAL SELECTION APPLICATION

EIGHTH JUDICIAL DISTRICT
DEPARTMENT N

Replace the highlighted spaces on this page with the vacancy you seek to fill
VII, XXIX, C or N
Candidates may only choose one department.

By

Jason P. Stoffel, Esq.

Candidate for District Court Judge, Family Division, Department N



Personal Information

1.	Full Name	Jason Patrick Stoffel
2.	Have you ever used or been known by any other legal name (including a maiden name)? If so, state name and reason for the name change and years used.	No
3.	How long have you been a continuous resident of Nevada?	2004
4.	City and county of residence	Henderson. Clark County, Nevada
5.	Age	45

Employment History

6. Please start with your current employment or most recent employment, self-employment, and periods of unemployment for the last 20 years preceding the filing of this Application.

Current or Last Employer	Roberts Stoffel Family Law Group
Phone	702-474-7007
Physical Address & Website	4411 South Pecos Road, Las Vegas, Nevada 89121 www.lvfamilylaw.com
Date(s) of Employment	February 2008 to present
Supervisor's Name and Title	Amanda Roberts, Esq. Partner
Your Title	Partner
Describe Your Key Duties	I manage a Family Law practice from the initial consultation, through the drafting of legal documents, Court appearances, legal research, discovery, Trial, and the occasional appeal. I am also involved with general management and operation of a busy family law office as well as assist supervising support staff.
Reason for Leaving	I am still employed at my law office at the present time.

Previous Employer	Las Vegas Justice Court
Phone	(702) 671-3232
Address & Website	200 Lewis Avenue, Las Vegas, Nevada 89155
Date(s) of Employment	January 2017 – December 2022

Supervisor's Name and Title	Angela Farris Justice Court Clerk II
Your Title	Judge Pro Tem
Describe Your Key Duties	I have served the public in the official capacity as a Judge Pro Tem when I was called to serve. The main job is to adjudicate small claims of litigants, which typically was landlord-tenant disputes, employment contracts, and other matters. There were some Payday Loan NRS 604A cases (high interest loans/title loans) as well where the lending institution had to sue a customer for nonpayment on a consumer loan. Other cases were when a prisoner incarcerated in the State of Nevada is suing the state for money, typically for lost or stolen property. Those evidentiary hearings were telephonic. I had conducted many evidentiary hearings to resolve the disputes and was responsible for typing up findings of facts, conclusions of law, and Trial decisions. This job was unique as it gave me judicial experience and made me a better attorney since first taking the bench in Justice Court in early 2017 when my 1 st time expired in 2018 and then I was appointed for 2 additional two (2) year terms.
Reason for Leaving	I did not apply for reappointment as my current case load conflicted many times when asked to sit Pro Tem on short notice. I did enjoy my time on the bench in this capacity serving the community gaining valuable legal experience.

Previous Employer	University of Nevada – Law Vegas (Boyd School of Law)
Phone	(702) 895-3671
Address & Website	4505 S. Maryland Parkway, Las Vegas, Nevada 89154 www.unlv.edu
Date(s) of Employment	January – May 2010
Supervisor's Name and Title	Ray Patterson Associate Law Professor
Your Title	Mediation Supervisor
Describe Your Key Duties	I was the first non-UNLV law professor to assist in the UNLV Asset/Debt mediation program at Family Court which was an Alternative Dispute Resolution Clinic. This program gave 3 rd year law students the ability to meet with very basic family law litigants who wish to attempt mediation to resolve their property/debt disputes. I had some training of what is necessary to have an effective mediation session and I enjoyed teaching law students how to give litigants the tools for success as mediation is an effective alternative to high conflict litigation. I also would oversee the drafting of legal documents that the Parties would use for stipulated settlements.

Reason for Leaving	It was only a one semester position, and I completed my duties.
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Previous Employer	Hanratty Roberts Law Group
Phone	(702) 821-1379
Address & Website	500 S. Rancho #3, Las Vegas, Nevada 89106 www.hrfamilylaw.com
Date(s) of Employment	February 2008 – December of 2009
Supervisor's Name and Title	Kari Hanratty, Esq. Partner
Your Title	Associate Attorney
Describe Your Key Duties	I was a busy practicing attorney handling all family law cases from the beginning to Trial. I had substantial client contact and did legal consultations. I had excellent support staff and developed my skills as a family law practitioner and there were other attorneys in the office that assisted me with any legal questions that I may have had.
Reason for Leaving	The law firm dissolved, and the Partners opened their own law firms.

Previous Employer	Michael Mushkin & Associates, P.C.
Phone	(702) 386-3999
Address & Website	4475 S. Pecos Road I do not recall the website.
Date(s) of Employment	November 2007 – February of 2008
Supervisor's Name and Title	Michael Mushkin, Esq. Partner
Your Title	Associate Attorney
Describe Your Key Duties	I was an associate attorney. I had limited client interaction and my main duty was drafting legal documents. On a few cases, I did the Court hearings associated with a Motion or Opposition/Counter-motion. Most of the case load was a civil docket with a few family law cases. I also did discovery on cases with the direction and supervision of Attorney Michael Mushkin. I assisted in the preparation for depositions that were conducted in the office.
Reason for Leaving	There was an attorney position that opened up at Hanratty Roberts Law Group with one of the associate attorneys leaving. I decided that a civil practice was not where I needed to be as I enjoyed the family law practice from my prior employer.

There was a brief period of unemployment from the end of September 2007 to early November of 2007. The Steinberg Law Group (Henderson Location) was closed, and I was out of a job. I took some time off during this period to go on a "CLE at Sea" cruise that was already pre-planned that was organized with the State Bar of Nevada and the Clark County Bar Association. I also took this time to interview at a few law firms and consider offers of employment prior to working with Michael Mushkin, Esq.

Previous Employer	Steinberg Law Group
Phone	(702) 384-9664
Address & Website	4 Sunset Way Suite A-6, Henderson, Nevada 89014 www.steinberglawgroup.com
Date(s) of Employment	September 2004 – September 2007
Supervisor's Name and Title	Brian Steinberg, Esq. Partner
Your Title	Associate Attorney
Describe Your Key Duties	This was my first job with a full-time practice of representing clients in Family Law Matters. I worked with my supervisor the first 6-8 months of my time with the firm and then after that, I was able to maintain my own client list. I did the consultations and all legal work necessary, including motion practice, discovery, and Trials. This was a wonderful place to work. I had great support staff which was necessary as I was a new attorney at the time.
Reason for Leaving	The law firm (Henderson Location) closed. The Las Vegas branch office remained open, but they were fully staffed at that location, so I had to seek alternative employment.

Previous Employer	Agwara and Associates
Phone	(702) 385-4800
Address & Website	302 E. Charleston #103 Las Vegas, Nevada 89104 I cannot find a website online at this time
Date(s) of Employment	June 2004 – September 2004
Supervisor's Name and Title	Libo Agwara, Esq. Partner
Your Title	Associate attorney
Describe Your Key Duties	I was a brand-new attorney just getting experience. I assisted Attorney Agwara as needed on legal tasks such as drafting opinion letters, motions, opposition, initial documents, etc. I also did a quite a bit of legal research on legal topics at the direction of Attorney Agwara. This was a full-service law firm with construction defect, immigration, criminal defense, family law, traffic, personal injury, etc. I enjoyed the family law cases the most based on my experience and my personality.

Reason for Leaving	I found a full-time job at the Steinberg Law Group that was a better fit for me at this time of my career. As I enjoyed the family law cases the most, the Steinberg Law Group was a law practice that exclusively represented clients in Family Law and TPO matters.
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Previous Employer	Helm and Associates
Phone	(702) 258-0022
Address & Website	2330 Paseo Del Prado, Ste. C-103, Las Vegas, Nevada 89102
Date(s) of Employment	June 2004 – June 2004
Supervisor's Name and Title	Kevin Helm, Esq Partner
Your Title	Associate Attorney
Describe Your Key Duties	I was an inexperienced new attorney with very little practical experience. This was a construction defect law firm. I did not have much support staff and did not enjoy going through boxes and boxes of discovery and representing corporations as a new attorney in a stressful environment. I assisted senior associate attorneys with legal tasks such as corresponding with opposing counsel, drafting discovery and responses, etc. I attended depositions to assist other attorneys in the firm for Trial. I watched videos of construction sites and summarized the expert's findings to assist the attorneys in litigation. I did not go to Court as part of my limited employment with this firm.
Reason for Leaving	I was only employed there for one month. I did not find the experience at this law office rewarding based on construction defect litigation. I was offered a job at another law firm that did more areas of practice compared to only construction defect. I had applied for the job at Agwara and Associates <i>before</i> I began working at Helm and Associates. I was offered the job 2 weeks <i>after</i> starting working at Helm and Associates. I gave notice of leaving and left on good terms to start a new chapter of my legal career at another law firm.

Previous Employer	Roberts Restaurant
Phone	(231) 582-9927
Address & Website	216 North Street, Boyne City, Michigan 49712
Date(s) of Employment	June 2001 to June 2004
Supervisor's Name and Title	Karen Roberts Restaurant owner
Your Title	Server and Short Order Cook/Kitchen Prep worker
Describe Your Key Duties	I worked on and off and at my future in-law's restaurant, which was 3 hours north of Lansing, Michigan. I would work waiting tables or doing general kitchen work when there was a break in

	my law school trimester or when I was home with my then-girlfriend helping out here and there. This was part time employment and gave me some extra spending money to help with my bills whereas school was my focus and completing a difficult law school curriculum. I worked there on and off from 2001 to 2004 when I finished law school. I moved in with my future in-laws in August of 2003 and worked at the restaurant full time from August 2003 to June of 2004 to help pay my student loans that were becoming due. I was able to manage working at the restaurant full time and studying for the Nevada Bar Examination.
Reason for Leaving	I moved to Las Vegas in June of 2004 to begin my legal career after I found out in April of 2004 that I successfully passed the Nevada Bar Exam.

Previous Employer	Fraser Trebilcock Davis and Dunlap P.C.
Phone	(517) 482-5800
Address & Website	124 W. Allegan St Ste. 1000, Lansing, Michigan 48933 I don't recall the website as this firm has dissolved.
Date(s) of Employment	August 2002 – December 2002
Supervisor's Name and Title	Dave Waddell, Esq.
Your Title	Gaming Law Extern
Describe Your Key Duties	This was a full-service law firm in Lansing, Michigan. This was my first law office job that was an unpaid semester externship, but I did receive law school credit which was part of the curriculum. My official title was "Gaming Law Extern." In this wonderful position that I had in 2002, I was in charge of reviewing gaming law proposals, reviewing tribal gaming compacts, and attending regulatory meetings. I drafted opinion letters and conducted some legal research on a variety of administrative and Native American issues because at the time, the State of Michigan had a very busy time regulating Native American Gaming throughout the State. During this time, I attended some gaming law functions in Lansing, Detroit, Ontario (Canada) and one major convention, which was the Global Gaming Expo in 2002 that was held in Las Vegas. During this time, I developed a love for Las Vegas. In the early 2000's, the economy was booming in Las Vegas, so I made the decision around that time to prepare sitting for the Nevada Bar Examination as there was more opportunity for me in Las Vegas compared to a very saturated legal market in Southern Michigan with not much promise of a satisfying career.
Reason for Leaving	This was a one semester externship for Law School credit.

Educational Background

7. List names and addresses of high schools, colleges and graduate schools (other than law school) attended; dates of attendance; certificates or degrees awarded; reason for leaving.

- a. Hempstead High School
3715 Pennsylvania Avenue
Dubuque, Iowa 52002
Dates of Attendance: 1991 - 1995
Certificate or Degree: High School Diploma
Reason for Leaving: I graduated.

- b. Iowa State University
515 Morrill Road
Ames, Iowa 50011
Dates of Attendance: 1995 – 1996
Certificate or Decree: I did not graduate
Reason for Leaving: I changed Universities to seek a different Bachelor's Degree

- c. University of Northern Iowa
1227 West 27th Street
Cedar Falls, Iowa 50615
Dates of Attendance: 1996 – 1999
Certificate or Decree: Bachelor of Arts.
Major: *Criminology*
Minor: *Psychology*
Reason for Leaving: I graduated

8. Describe significant high school and college activities including extracurricular activities, positions of leadership, special projects that contributed to the learning experience.

Activities in High School

In high school, I was active in wrestling my freshman year. I did not continue wrestling as I was in a car accident early in my Sophomore year and could not complete in athletics for my Sophomore year in High School. I had other interests in my Junior and Senior year, and I focused on getting excellent grades and focus on my college applications. I also worked a few part-time jobs to save money for college.

I was also involved in student government. I remember doing such activities such as fund-raisers and blood drives. I was also involved in the student yearbook and organizing articles and pictures for the annual yearbook.

I was also involved in a Youth Club as part of my church where we volunteered time to help the less fortunate. I also remember taking a trip to Duluth, Minnesota for one week in a summer to work at a Soup Kitchen and was involved with a Habitat for Humanity program up there working on a house for a family in need.

Activities in College

In college, I was involved in the Criminology Club where we did events such as touring local law enforcement centers and local courthouses. We also toured the local county jail and visited two (2) Iowa prisons.

This was a great club as I remember at the Oakdale prison in Iowa, I arranged a meeting with some prison staff and some actual prisoners. We had lunch inside the prison. Not many people can say they had lunch with a convicted murderer serving life in prison with no chance of parole.

I remember the gentleman talking about how he was not sorry to this day for shooting a rival gang member in a drive-by shooting and he enjoys his time in prison. This was the first time I heard the phrase “3 hots and a cot” referring to the fact he gets three (3) meals a day and a place to stay for free. He liked prison and the structure. That was an odd way to look at it, but it was still a real-life experience that you cannot get out of a textbook. I worked my way up from the secretary to the president of the Criminology Club.

I also did a “Ride-along” program with the Asbury Iowa Police Department where I learned first-hand what it was like to work as a police officer as I considered a career in law enforcement. This volunteer position was excellent. I became friends with Officer Dave Roberts as he was a younger police officer assigned to traffic enforcement and he was a wealth of information and answered any questions that I had as part of my learning experience and the internship.

I also was a General Office Clerk for the Black Hawk County (Waterloo, Iowa) for a semester to get hands on experience working at a Courthouse getting substantial experience assisting attorneys with their cases and organization of trial exhibits. There were a lot of special tasks that contributed to my learning experience and I especially enjoyed having a real opportunity for questions to real attorneys. Many of them did not like the hours or the income working as an assistant district attorney, but the ones that did enjoy the job were the ones that I primarily worked with that liked having me in the office helping them with various legal tasks.

I also volunteered a semester working in the Planning and Research Unit at the Cedar Falls Police Department where I was given the task of organizing raw data to be presented to the City Council such as where most of the car accidents took place in the city (civil engineering) and crime trends. I enjoyed this position as I worked with other police officers to present a meaningful report that was used by the local government, so recommendations could be made to improve the city of Cedar Falls, Iowa. I was recognized at a City Council Meeting for my efforts with this report. This was an extra-curricular opportunity posted at my college and after a rigorous interview process, I was the college student selected for this position.

I also was a Teaching Assistant in one of my final semesters of college where I assisted associate professor Timothy Sexton with an entry-level Criminal Justice class. It was an exciting teaching opportunity to get college credit to actually teach a course on occasion with Professor Sexton supervising. I enjoyed grading term papers, quizzes, tests, and also be a leader of small group discussion. This was around the time of the horrible Columbine School shooting so there was always something to discuss such as crime statistics, gun control, juvenile delinquency, gang affiliations, etc.

I volunteered my time for the “Tomahawk” club which was a local service fraternity. I was the Vice-President of the club. We raised some money for charity with various functions. My favorite charity event was a “Car Bash.” Basically, a local salvage yard donated a car from the salvage yard. I remember like it was yesterday. The salvage yard donated a 1976 Ford Station wagon that was this very ugly yellow faded paint. For \$5, students could hit the car once with a sledgehammer. I had to go through many obstacles to make this happen including working with the University of Northern Iowa legal department to draft a specific waiver of liability as to this task relieving the university of any liability for this hazardous event involving hitting a “junk” car with a sledgehammer. We donated most of the money to a local social services organization and kept some of the money for the Tomahawk club.

9. List names and addresses of law schools attended; degree and date awarded; your rank in your graduating class; if more than one law school attended, explain reason for change.

Western Michigan University – Cooley Law School
300 South Capitol Avenue
Lansing, Michigan 48933
Degree: Juris Doctorate
Date of Degree: May 2003
Rank: 77 out of 182

10. Indicate whether you were employed during law school, whether the employment was full-time or part-time, the nature of your employment, the name(s) of your employer(s), and dates of employment.

I did not work my first year of law school. As part of the admissions process, they strongly discouraged employment in the first two (2) trimesters. I did not work the first two (2) trimesters as I wanted to focus on my studies and be off to a good start for law school. I didn't have to work, but I wanted to earn some extra money and get a needed break from my law school classes.

a. **Lansing Lugnuts.** I worked as a seasonal employee in concessions for one summer in 2001 for the Single – A minor league baseball affiliate of the Chicago Cubs in the BBQ pit. One of my friends worked in the front office and I was considering working in Sports Law to possibly be a sports agent. I had fun working with other people for a summer. This possibly developed my love for cooking and especially BBQ as I worked a grill and a smoker having a lot of fun which was a well needed break. I went to school year-round as Cooley Law School was a year-round law program. This was a part time position as I always was enrolled in school full time.

b. **Roberts Restaurant.** I worked on off and at my future in-laws' restaurant, which was 3 hours north of Lansing, Michigan where Cooley Law School is. I would work waiting tables or doing general kitchen work when there was a break in my law school trimester or when I was home with my then-girlfriend helping here and there only on the weekends where I was visiting, which was only a few times each Trimester. This was part time employment and gave me some extra spending money to help with my bills whereas school was my focus and completing a difficult law school curriculum. I worked there on and off from 2001 to 2003 when I finished law school. I also worked there full time from 2003 (after graduation) and until June of 2004 when I moved to Las Vegas since I had just recently passed the Nevada Bar Examination.

c. **Fraser Trebilcock Davis and Dunlap PC.** This was a full-service law firm in Lansing, Michigan. This was my first law office job that was an unpaid externship. My official title was "Gaming Law Extern." In this wonderful position that I had in 2002, I was responsible for reviewing gaming law proposals, reviewing tribal gaming compacts, and attending regulatory meetings. During this time, I attended some law functions in Lansing, Detroit, Ontario (Canada) and one major convention, which was the Global Gaming Expo in 2002. During this time, I developed a love for Las Vegas. In the early 2000s, the economy was booming in Las Vegas, so I made the decision around that time to prepare sitting for the Nevada Bar Examination as there was more opportunity for me here in Las Vegas compared to a very saturated legal market in Southern Michigan.

11. Describe significant law school activities including offices held, other leadership positions, clinics participated in, and extracurricular activities.

I was involved in the Thomas M. Cooley Law Journal. While this activity took an enormous amount of time, this activity enhanced my legal writing and the ability to work on a deadline. I was involved with this for the 2002 academic calendar year.

As stated, I enjoyed working for Fraser Trebilcock Davis and Dunlap PC in Lansing. Cooley Law School required students as a condition of graduating to have an externship for Law School credit. The idea was to gain practical experience.

There was a Sports Law club at Cooley Law School and I was the Vice President of that. I was involved with the club from 2000 – 2003. I made some excellent contacts and had many friends that shared similar interests. We had sports agents come in as speakers and also some local entertainment lawyers. We would promote these events for speakers at school and it really was fun working with others. We also had some fundraisers which consisted of Silent Auctions and the money went back to the club to fund some local activities.

I also was a class senator from 2002 – 2003 for my Law School class. I was elected by my peers to work on activities and programs. Some of the student government meetings were budget-based where we would allocate the spending of student activity fees and have legal community events. I enjoy people and this activity provided a needed break from school.

Law Practice

12. State the year you were admitted to the Nevada Bar.

2004

13. Name states (other than Nevada) where you are or were admitted to practice law and your year of admission.

None

14. Have you ever been suspended, disbarred, or voluntarily resigned from the practice of law in Nevada or any other state? If so, describe the circumstance, dates, and locations.

No

15. Estimate what percentage of your work over the last five years has involved litigation matters, distinguishing between trial and appellate courts. For judges, answer questions 16-20 for the five years directly preceding your appointment or election to the bench.

95% of my practice in the last 5 years has been involved with litigation at the District Court level at Family Court or attending TPO hearings related to a Family Court matter.

2% of my practice has been working on appeals with the Supreme Court of Nevada or the Nevada Court of Appeals. I have also argued one case in front of the Nevada Supreme Court on a very important issue of Child Custody jurisdiction a little over 5 years ago.

2% of my practice has been the occasional District Court civil case that was either directly or indirectly related to a Family Law matter, but with some different Parties.

1% of my practice is the occasional attorney session for Traffic Court and I did one Evidentiary Hearing for a Driver's license revocation hearing (DMV/Administrative Court) for a friend back in 2019.

16. Estimate percentage of time spent on:

Legal Discipline	Percentage of Practice
Domestic/family	95%
Juvenile matters	0%
Trial court civil	2%
Appellate civil	2%
Trial court criminal	0%
Appellate criminal	0%
Administrative litigation	1%
Other: Please describe	0%

17. In the past five years, what percentage of your litigation matters involved cases set for jury trials vs. non-jury trials?

About half of my cases have settled before a Trial was set. The other half were set for Trial and of the ones set for Trial, about 85% of them settled before the first day of Trial.

18. Give the approximate number of jury cases tried to a conclusion during the past five years with you as lead counsel. Give the approximate number of non-jury cases tried to a decision in the same period.

I have never tried to conclusion a Jury Trial in the last five (5) years as there are no juries in Family Court litigation. For the one Civil Case I was involved in that went to a 2-Day Trial, it was a Non-Jury Bench Trial.

During this same period of time, I have done at least thirty-five (35) Bench Trials tried to decision in the last five (5) years and many of them, especially in 2018, 2019, and 2020 have been multiday Trials. One case that began in 2017 had over 19 days of Trial resulting into a favorable child custody judgment for my client in the 100+ page Trial decision with Contempt findings in December of 2020. Only one of these Trials was a Civil Matter indirectly related to a Family Law matter where my client's Father was a Party in the civil case and not a Party in the Divorce/Custody litigation.

19. List courts and counties in any state where you have practiced in the past five years.

Henderson Justice Court
 Las Vegas Justice Court
 North Las Vegas Justice Court
 Eighth Judicial District Court (Civil and Family Division)
 Eighth Judicial District Court (Child Support)
 Nevada Court of Appeals
 Supreme Court of Nevada
 State of Nevada – Office of Administrative Hearings (Driver's License Revocation Hearing)

20. List by case name and date the five cases of most significance to you (not including cases pending in which you have been involved), complete the following tables:

Case 1
Case name and date: <i>Gould v. Snyder</i> (2017)
Court and presiding judge and all counsel: Eighth Judicial District Court (Family Division). The Honorable Judge Moss in Department I was the presiding judge. I was Trial counsel for the Mother and Father proceeded without counsel.

Importance of the case to you and the case's impact on you:

This was a case that had extensive litigation that started in 2017 and end with a final decision after over 19 days of Trial that concluded in December of 2020. There were some small clarification hearings in early 2021. This was significant as my client was awarded custody and the Father in this matter had no real defense based on his immature conduct and health issues to defend Mother's request for Primary Physical Custody in this matter and to defend the Contempt allegations. Husband proceeded in Bad Faith and was sanctioned over \$60,000 in attorney's fees.

Your role in the case: My role in this case was Trial counsel for Mother. I worked on this case from start to conclusion with five (5) years of litigation and this was one of the longest Trials in Department I history resulting in an Evidentiary Hearing that started in 2018 and continued to the end of 2020 with over nineteen (19) days of Trial. This case made me a better attorney and especially after a Trial that took 2.5 years to get done with multiple appearances necessary.

Case 2

Case name and date: *White v. White (2018)*

Court and presiding judge and all counsel: Eighth Judicial District Court (Family Division). The honorable Lisa Brown in Department T was the presiding judge. I was counsel for the Husband. Wife proceeded without counsel.

Importance of the case to you and the case's impact on you: This case was significant as it was a simple divorce case involving the allocation of student loan debt and other marital debt. I was Trial counsel for the Defendant (Husband). This case proceeded to Trial in August of 2018 and a decision was rendered the same day. Moreover, there was discovery that was done, and the Plaintiff (Wife) refused to timely cooperate in discovery. She also rejected a very favorable *Offer of Judgment* that I presented. This case was important because it was clear that the case should have settled. An unprepared litigant represented herself and did not do a good job. The Court was fair and followed the law. I had a very happy client that was also awarded \$2,500 in attorney's fees for being the prevailing Party. The impact of this case was how untimely trial exhibits should be excluded and how an Offer of Judgment can be used effectively against a litigant.

Your role in the case:

My role in the case was Trial counsel where I received a favorable divorce settlement determined by the Judge. All of my Trial exhibits were properly introduced into evidence and none of the Plaintiff's (Wife) exhibits were introduced into evidence.

Case 3

Case name and date:
Castillo v. Castillo (2015)

Court and presiding judge and all counsel:
Eighth Judicial District Court (Family Division). Judge William Potter presiding. I was the attorney for Wife. Attorney James Smith was the attorney for Husband.

<p>Importance of the case to you and the case's impact on you:</p> <p>This case was very important to me. The reason why it was important was that this case was an Annulment case whereas the Husband was married to someone else at the time of his marriage to his Wife. There were three (3) children involved. Husband wanted a Divorce and joint custody and Wife wanted primary custody and an Annulment. The Court ruled in my favor and considered my creative argument as to "Community Property By Analogy." I was also awarded attorney's fees for being the prevailing party in this matter. The Annulment was granted over Husband's objection. The marriage was void.</p> <p>Husband appealed because he wanted to keep his pension and given the fact that the marriage was Annulled, he believed the Trial Court was wrong giving Wife a future interest in Husband's Pension through the State of Nevada. The matter was originally filed with the Nevada Supreme Court and then was "pushed down" to the Nevada Court of Appeals. That Appellate Court ruled in an unpublished decision that the Wife (even though this was an Annulment case) was entitled to a quasi-community property share of the Husband's State of Nevada PERS pension. That part of Judge Potter's Trial decision was affirmed. The impact of this case was to get more experience at the Appellate Court level and also to take a "Void Marriage" matter to Trial and successful argue the "Quasi-Community Property" interest in the other litigant's state retirement plan. The impact on me was doing the best job possible representing clients and getting a successful outcome in a very unique fact pattern. I am still a friend with this former client to this day and I have helped her in child support and custody litigation in 2019 and 2020.</p> <p>The Court of Appeals reversed the District Court's custody order and directed additional findings to support a custodial determination. Judge Potter prepared more findings and that confirmed that Wife would have Primary Custody of the three (3) children in the matter with an award of child support by way of a Minute Order that was done. I was directed to prepare additional findings and an amended Trial decision.</p> <p>Your role in the case:</p> <p>I was Trial and Appellate counsel in this very unique case that yielded a favorable judgment for my client.</p>

<p>Case 4</p> <p>Case name and date:</p> <p><i>In the Matter of the Termination of Parental Rights as to: Gunner Theodore Lee Collins (2014)</i></p> <p>Court and presiding judge and all counsel:</p> <p>Eighth Judicial District Court (Family Division). Judge Mathew Harter presiding. I was the only attorney associated with this case representing the Mother.</p> <p>Importance of the case to you and the case's impact on you:</p> <p>This case was important for a variety of reasons. This was one of my first few Termination of Parental Rights Trials that I had done at that point in my legal career. There was no way I was going to let a violent person addicted to methamphetamine and heroin to have unsupervised contact with a toddler.</p>

At Trial, the Paternal Grandmother admitted to smoking Methamphetamine in the bathroom while the toddler was napping. My client, the Biological Mother, was engaged to be married. She was pregnant with her boyfriend's child and they had plans to marry. The idea was the protection of the child. The Father was clearly unfit and did nothing to focus on his sobriety and he refused to pay child support.

With a future step-parent adoption, the Court did the correct thing and Terminated the Father's parental rights because the relief requested was appropriate under these unique facts. Although a Termination of Parental Rights action is tantamount to a "civil death penalty," this was one of the handful of Termination of Parental Rights Trials that I have conducted that I felt so strongly about that the facts and law was overwhelming on my side. The impact to me was that I became a better attorney as part of this case with a commitment to the protection of children.

The other thing is that this was a situation of "kids having kids" because my client was only 19 years old and not too many people can say their client in a family law matter was a teenager.

Your role in the case:

Trial counsel for Biological Mother and I worked on this case from the initial consultation to the successful Termination of Parental Rights Trial.

Case 5

Case name and date:

Lucero v. Lucero (2018)

Court and presiding judge and all counsel:

Eighth Judicial District Court (Family Division). Judge Rebecca Burton presiding. I was counsel both at the District Court level and on the Appellate level with the Supreme Court of Nevada. I represented the Defendant, the Husband, in this very contested case involving a divorce of spouses in a 35+ year marriage. Counsel for Wife was originally attorney Mark McGannon, Esq. and then Attorney Gregor Mills substituted in to handle the last portion of the case, including the Trial for Wife. Attorney Mills represented Wife on the appeal as well.

Importance of the case to you and the case's impact on you:

I will never forget this nasty divorce case. Wife was sanctioned \$10,000 in attorney's fees for refusing to cooperate in discovery. Wife was sanctioned over \$18,000 in expert fees since Husband had to retain a Forensic Accountant to prove the massive amount of marital waste committed by Wife and unauthorized gifts to 3rd Parties and he was reimbursed 50% of his costs incurred. Husband was disabled and Wife spent most of Husband's personal injury settlement. There was a 2-day Divorce Trial set, and the Court ordered that Wife is to receive only 25% of the marital home proceeds and Husband received the rest of his personal injury settlement and 75% of the marital residence proceeds. This was unique as this Trial with Expert Testimony was held with the Blue Jeans link with Videoconferencing. This was stress in the height of the COVID pandemic to do a Trial this way using two (2) computer screens and having an Expert testify using their financial charts to assist the Court in rendering the proper decision and support the decision with a very long Trial decision.

Wife appealed Judge Burton's order seeking a better Divorce settlement. The matter settled after a settlement conference in 2022 that resulted in Wife receiving a better judgment by stipulation so that Husband could move on with his life.

This settlement was necessary as Husband was in poor health and he needed finality on the judgment, so he had access to marital residence proceeds to put down on his new house that was custom designed as Husband was handicapped and in a wheelchair as a result of a Medical Malpractice action several years before the divorce litigation began.

Wife refused to comply with the terms of the Decree of Divorce, so Husband filed a contempt motion. The Motion was granted and set for Trial in March of 2023.

This case is significant since unfortunately, Husband died based on a number of health issues in November of 2022. As such, Wife will never have to be held accountable for stealing some of Husband's community property share including jewelry. The Trial will of course be vacated by stipulation as Husband's testimony would have been necessary to have a successful contempt matter being heard by the Court.

The takeaway message I got out of this case is that it is very unfortunate for a marriage of over 35 years to end in divorce. It is also unfortunate that Wife spent Husband's separate property money and that the Parties lived beyond their means while Husband had some very serious health and mobility issues. Lastly, this divorce and the stress associated with the finances I believe significantly contributed to Husband's health issues that ultimately resulted in his death in November of 2022.

Your role in the case:

I was Trial counsel in this matter from Day 1, including through the Divorce Trial that required expert financial testimony. I was also Appellate Counsel and counsel for Husband at the Supreme Court settlement Conference that was successful ending this case except for enforcement/contempt issues from after the Settlement Conference.

21. Do you now serve, or have you previously served as a mediator, an arbitrator, a part-time or full-time judicial officer, or a quasi-judicial officer? To the extent possible, explain each experience.

Yes

Mediation (UNLV – mediation supervisor):

In 2010, I was hired by Ray Patterson, Associate Law Professor from UNLV, to work with 3rd year law students to help family court litigants resolve their dispute using an Alternative Dispute Resolution technique like Mediation. This was a great experience. I worked with law students teaching them goals of dispute resolution and the differences in mediation and litigation and it made me a better attorney. I enjoyed working with some of the attorneys that represented the litigants in the cases in this unique opportunity that I did for one semester.

Truancy Division Judge (Eighth Judicial District Court – Specialty Court):

This is the one opportunity that took the most time and overall, it was a great experience serving from 2010 to 2015. Working these six (6) years had many more good memories than bad. What this program is can be described as a diversion program. That are too many at-risk students in Clark County. Truancy is indeed a Gateway Crime. What I did is every Friday for the six years, I went to the school in question to meet students and monitor their academic progress, attendance, and other factors that were unique to the student. I wore a black robe and had a school police officer, a school staff member, a translator, and a social worker at all weekly meetings. Many times, I would meet with the parents to figure out what is going on with home life, so I had a better idea why their children were struggling academically.

The first two years, I was at a school in a very poor area of town in the Northeast part of the Las Vegas Valley (Keller Middle School). Many students spoke English as a second language and had housing issues. This was a very poor area and bullying was a major issue. I was given the authority to order children to attend the “Life of Crime” program which was a program through the City of Henderson whereas current and former adjudicated criminals talk about their life and the choices they have made.

It was a reflection program to help educate the youth. I personally attended this program and most of the students in attendance were ordered to attend either by a Juvenile Delinquency Program or by the Truancy Diversion program. The students enjoyed the Police Dog demonstration attacking a person running in a body suit and they were basically tackled by a Belgian or German Sheppard and the dog’s aggression was scary to say the least. The children also liked the taser and stun gun demonstration to show what non-lethal force that the police may use in appropriate situations.

The second program was called “Keep it Real” and it was also a diversion program. This one had the children actually go to the North Las Vegas jail and the children were told based on the Truancy and other bad acts they did, they would be spending the night in jail.

The children were dressed in jail clothing and the idea was to have children in a very controlled setting exposed to real adjudicated criminals. Many of the criminals enjoyed getting in the face of the kids and telling them that they are not that tough etc. Children were cursed and some of the prisoners made threats of sexual assault. While the prisoners were closely monitored by Corrections Department Staff, the idea was to break the children down to such a point that if they don’t start making positive choices, they will end up on the wrong side of the criminal justice system and they may also be a victim of violence in a jail situation. I personally saw one young man urinate himself when a very tough looking man – as part of the program – got about 2 feet away from the student yelling at the student and acting like an animal while threatening sexual assault on the student. What was interesting is that it was one of my students at Keller Middle School that I have never seen a child go from an arrogant tough guy to crying in under 3 minutes. The student was not hurt but I am sure the verbal altercation scared this student straight to say the least.

While it must have been embarrassing to publicly urinate himself based on the stressful situation he endured, he became an A-B student and attendance was almost perfect from that point forward. In other words, this young adult was “scared straight” and that was basically one of the goals of the program. It took this class that I ordered the young man to attend to really turn his life around and realize that childhood ends at some point and that going to jail is a likely option unless he makes some healthy choices in the near future.

The second two years, I was the Truancy Diversion Judge at South Continuation High School. I went to this school, like Keller, every Friday for 2-3 hours. This was a tremendous commitment, but I was up to the challenge and serve the school district. What I didn't like about this school is that it was a special or alternative school for children that were kicked out of at least two (2) schools. The children were basically one step away from Juvenile Detention. This was a violent school, and it was regularly on lock down.

What was significant is that this program was not effective at this school as the children were already deemed habitually truant and were at this Continuation school for a reason. I did help a few students turn their lives around so that made my attendance at this school worth but overall, I was ready to move on to the next school after my second year in this program.

The final school I was at for my last two (2) years in the Truancy Diversion Program was being the judge at Orr Middle School off of Maryland Parkway. This was an inner-city school with many problems. This school is located in a very poor part of town near the Boulevard Mall.

Many of the students that I would see when I volunteered by time every Friday during the school year from 8 a.m. to 11 a.m. had no money for lunch, no clean clothes, no transportation to and from school, and the odds of success were stacked against them. I can only do what I can, but I had an excellent team of professionals working with the students during our Court sessions at the school.

Some of the children were very motivated by snacks and McDonalds Gift Cards that I would occasionally bring to reward the students that were correcting their behavior that got them placed into the program in the first place. It was during this experience that I would also have some parents attend some of the sessions to really understand what the challenges at home were.

The bottom line is that I helped the most students in this school. This could be because I became very effective in this program and the children were eager to see me to properly motivate and educate them as they were taking the next step in their educational progress as they were becoming prepared for high school.

Although this was a major time commitment more than the other years, I walked away from the program knowing that I made Clark County a better place. I made a difference even if only for a handful of students. The experience was worth it but after 6 years, I decided to focus on my law practice and cutting back on some of the pro bono experiences I have done either with this program or representing clients through the Legal Aid Center of Southern Nevada in a Pro Bono Capacity.

Mediator (Eighth Judicial District Court Special Master):

I was appointed in 2013 to get appointed mediation referrals at no cost to the litigants as a favor to the Court. I did this until 2015 when I was getting quite a few referrals from Judge Elliott and then Judge Moss. The role was unique as it was serving litigants an alternative way compared to an expensive Trial to resolve asset/debt or custody disputes. In some cases, I was asked to draft of Memorandum of Understanding that everyone would sign off of and then it would be submitted to the Court as an exhibit to the final Decree.

Mediator (State Bar of Nevada – Fee Dispute Committee):

I was appointed by the Board of Governors to sit as a Mediator in fee dispute cases involving a client and their former attorney. This was a great position that I have served on since 2012 and this experience was unique as I heard each person's side of the story and recommended a proposed non-binding solution to the fee dispute. In most cases, the actual amount that should be refunded or written off was somewhere in the middle of what the client wanted and what the attorney wanted. I was involved in this program for six (6) years.

Mediator (Private Mediation):

I have done the occasional private mediation from 2007 to present. This is a terrific way to resolve disputes between people. Although I prefer when there are two attorneys involved, I have done some mediation with just individuals representing themselves. This is a great way to step out of the litigation role as needed.

Arbitration (State Bar of Nevada - Fee Dispute Committee):

I was appointed by the Board of Governors through the State Bar of Nevada in Arbitration cases for fee disputes between a client and their former attorney. I served on this committee for six (6) years.

In this arbitration capacity, I am the one that makes the decision based on reading the briefs and considering the exhibits submitted. I would set the matter for a mutually agreed upon time for an evidentiary hearing. I would swear the Parties in and make a decision after reviewing the files. If the amount of question was over \$10,000, I was one of the three (3) member Arbitration panel. I was the lead arbitrator a few times where I did the Arbitration and submitted the findings and the decision to a Fee Dispute Panel where it was processed and then sent to the Parties.

What was unique is sometimes not always there was a unanimous decision. One of the three (3) members had to be a lay person from the community that was approved. From my experience, it was clear that the lay person more times than not agreed with the Arbitration Panel member that was inclined to award more fees to be returned to the client. Evidently, the general members of the public believe attorneys charge too much for legal services and therefore there was a real dispute, and an actual binding decision was made after the hearing.

Arbitration (State Bar of Nevada - Client Security Fund):

This was another State Bar of Nevada committee that I was on after I was appointed by the Board of Governors. I served for an initial term of three (3) years and then was reappointed for another three (3) years.

What is interesting about this committee is that this is the committee that is there at the State Bar that regularly meets to provide restitution to victims of attorney dishonesty. To be eligible as a client to be part of this restitution process, the attorney must be one of three things:

- (1) Disbarred
- (2) Suspended
- (3) Dead

I have personally worked on cases involving terrible people who had major financial mismanagement issues such as the late-Barry Levinson and the incarcerated Rob Graham is serving a lengthy prison term because he basically stole between 13 and 17 million dollars from good honest people. They are the cases that make me proud to be a good attorney whereas every profession there are a few bad ones.

This committee, which I did not seek reappointment for the next three (3) year term, put me in control as being an unpaid investigator with the State Bar of Nevada having access to confidential files and then making a recommendation on the agenda at the regular meetings to award victims of their own attorney's theft from the client trust account. While practicing law is a stressful profession, there is simply no justification to steal from a client trust account. What I like is that although I personally believe our annual member dues for the State Bar of Nevada are higher than most states, a portion of the member dues goes to fund the Client Security Fund reimbursement claims, so the money is well spent to help out honest people.

Pro Tem Judge (Las Vegas Justice Court – Small claims):

This is the most relevant of all of my recent legal experiences. I was appointed to be a Judge Pro Tem for Small Claims Court as part of Las Vegas Justice Court.

I have served the public in the official capacity as a Judge Pro Tem when I am called to serve which may be 1 or 2 times per month depending on when I am called to serve for this two (2) year appointment. The main job is to adjudicate small claims of litigants, which typically was landlord-tenant disputes, employment contracts, and other matters. There were some Payday Loan NRS 604A cases (high interest loans/title loans) as well where the lending institution had to sue a customer for non-payment on a consumer loan. Other cases were when a prisoner incarcerated in the State of Nevada is suing the state for money, typically for lost or stolen property. Those evidentiary hearings were telephonic.

I had conducted many evidentiary hearings to resolve the disputes and was responsible for typing up findings of facts, conclusions of law, and Trial decisions. This job was unique as it gave me judicial experience and made me a better attorney since first taking the bench in Justice Court in early 2017 where my term expires in December of 2018. I was re-appointed in December of 2018 for another two (2) year term and again in 2020 for what was my final two (2) year term.

I did not seek re-appointment in 2022. I have a very busy calendar and I was unable to sit in Justice Court as the Pro Tem Judge so many times in 2022 based on my heavy litigation calendar. I have honorably served in this capacity for six (6) years. and I enjoyed my time serving the community.

My first case ever in Justice Court while being the Judge was interpreting the enforceability of a Professional Matchmaker Contract, whether the “no refunds” clause should be enforced, what goods or services were provided as part of the contract, and which Party was in breach. This was about a 90-minute evidentiary hearing to get the facts in this matter, and this was significant. I had “Trial by Fire” as my first matter was a Trial that I presided over.

22. Describe any pro bono or public interest work as an attorney.

The first thing I must state are the Pro Bono Awards I have received since my time being a licensed attorney. I am committed to helping the less fortunate have access to justice. During my time being involved in Pro Bono activities, I have improved the practice of law by not only giving me more experience but helping litigants navigate their way through the Family Court system. I took my first Pro Bono case in 2005 and have had at least one Pro Bono Case through the present time.

I also volunteer a few shifts each year for the “Ask a Lawyer” Program through the Legal Aid Center of Southern Nevada.

The Specific Awards I have received as part of my Pro Bono works is as follows:

- (1) **Louis P. Weiner Award Winner – 2006.** Legal Aid Center of Southern Nevada. This was the award that was given to Pro Bono Volunteers who have helped victims of domestic violence navigating their way to conclusion in a Family Law Case.
- (2) **Pro Bono Attorney of the Year – 2008.** Legal Aid Center of Southern Nevada.
- (3) **100 hour club.** Legal Aid Center of Southern Nevada. This was given to me every year from 2005 – 2011. This award was for attorney that volunteered over 100 hours of their time to individuals of lesser means. Although the American Bar Association goal is for attorneys to volunteer 20 hours of time through Pro Bono or Reduced Fee work, in this period of time, I substantially went above and beyond the call of duty as I expanded my horizons to get as much legal experience as possible in and out of the courtroom.
- (4) **Ask a Lawyer Program.** I have been a part of this program since this program began around 15 years ago. Basically, several times a year, I volunteer a Thursday afternoon to answer questions to indigent members of the community who want questions answered or assistance with basic Self-Help Center Forms. I find this experience rewarding as it gives individuals confidence that they can file the appropriate forms with the Court and present their case to the Judge.
- (5) **Certificate of Appreciation – State Bar of Nevada: Access to Justice State Bar Award (2015 & 2017).** I received this award for Taking a Pro Bono Case, making a financial contribution to the Legal Aid Center of Southern Nevada, and volunteering

my time for taking at least one Ask a Lawyer Program. Both Amanda Roberts and I did these three (3) things, so our law firm had 100% compliance with the program.

- (6) **Truancy Division Program (2010 – 2015)**. As described in question 21, I gave many hours of Pro Bono hours as part of the Truancy Division Program where I was a judge volunteering 3 hours of time each Friday as part of the Specialty Court program from 2010 – 2015 under the supervision of Judge Jennifer Elliott in Department L. I personally received an award for my participation at the conclusion of each school year from Judge Jennifer Elliott.

23. List all bar associations and professional societies of which you are or have been a member. Give titles and dates of offices held. List chairs or committees in such groups you believe to be of significance. Exclude information regarding your political affiliation.

State Bar of Nevada Member	<u>(2004 to present)</u>
State Bar of Nevada Mentor for the TIPS program/new lawyers	<u>(2012 to 2016)</u>
State Bar of Nevada Family Law Section Member	<u>(2005 to present)</u>
State Bar of Nevada Fee Dispute Committee Member	<u>(2013 to 2019)</u>
State Bar of Nevada Client Security Fund Member	<u>(2013 to 2019)</u>
American Bar Association Member & Family Law Section	<u>(2004 – 2014; 2017 – 2020)</u>
Clark County Bar Association Member	<u>(2005 to present)</u>
Clark County Bar Association New Lawyer Committee	<u>(2005-2009)</u>
Clark County Bar Association Social committee chair	<u>(2017 to 2020)</u>
Clark County Bar Association Member (Executive Board)	<u>(2011 to 2020)</u>
Clark County Bar Association Member (Secretary/Treasurer)	<u>(2017)</u>
Clark County Bar Association Member (President - Elect)	<u>(2018)</u>
Clark County Bar Association Member (President)	<u>(2019)</u>
Clark County Bar Association Member (Past-President)	<u>(2020)</u>
Mediators of Southern Nevada General Member	<u>(2005-2012)</u>
Mediators of Southern Nevada (President)	<u>(2009)</u>
Nevada Board of Continuing Legal Education Board Member	<u>(2012 – 2015)</u>

24. List all courses, seminars, or institutes you have attended relating to continuing legal education during the past five years. Are you in compliance with the continuing legal education requirements applicable to you as a lawyer or judge?

I am in compliance with all continuing legal education requirements. I always take extra courses to not only learn new trends in law, ethics, and substance abuse issues, but I always have plenty of carry-over credits from year-to-year. Education is important and with the variety of CLE's offered through great providers such as the Clark County Bar Association and the State Bar of Nevada, it is easily to meet and exceed the annual CLE requirements.

2018**March 2018 – State Bar of Nevada Family Law Convention**

- **Litigation Essentials**
- **Understanding Human Trafficking: Legal Requirements and Lessons Learned From the Field**
- **Trauma Informed Lawyering**
- **Increasing your Effectiveness in the Trial and the Appellate Courts**
- **Efficient Evidence**
- **Tax Changes and Bitcoin**
- **Substance Abuse and Recovery**
- **10 Tips to Understanding and Ethically Capitalizing on the Evolving Legal Market**
- **Supreme Court Update**
- **Ethics**
- **Case and Legislative update**

April 2018 – Bench Bar Meeting

May 2018 – Bench Bar Meeting

May 2018 – Federal Tax Considerations in Divorce Cases

August 2018 – Compulsive Behavior and Mental Well – Being

September 2018 – Anatomy of a High Conflict Divorce or Custody Case

November 2018 – Las Vegas Justice Court Pro Tempore and Referee Training

2019

February 2019 – Bench Bar Meeting

March 2019 – State Bar of Nevada Family Law Convention

- **It's a Matter of Trust: Common Trust Issues that Arise in Divorce**
- **Trial: Winning. What you Really Want.**
- **Disabled Children and Divorce: What you Really Want.**
- **Danger Zone: Unique Issues in Military Divorce**
- **A View from the Bench**
- **Child Custody Evaluations**
- **Caselaw and Legislative Update**
- **Amendments to the Nevada Rules of Civil Procedure**
- **Substance Abuse: Better Lawyering Through Mindfulness**
- **Bias: The Enemy of Persuasion**

- New Child Support Guidelines

June 2019 – Proactive Self – Regulation: Creating an Ethical Infrastructure

July 2019 – Motions for Relocation in Nevada

October 2019 – The Lawyer’s Use of Social Media: A Look at Hot Topics & Trends

October 2019 – Reciprocity: The Conversation Continues

October 2019 - CLE at Sea

- Preparing to Sail in Uncharted Waters: Family Law Appeals.
- Business Valuations: When is Forensic Analysis Necessary
- Rules of Ethics: Keeping Your Bar License Afloat
- Alternatives to Child Custody Litigation: Taming Troubled Waters
- Preparing a Better Deposition: Don’t Let a Deposition Sink Your Case
- Lost at Sea: Addiction & Recovery for Legal Professionals

December 2019 – Advanced Family Law Seminar

- Everything a Family Law Firm Should Know About Employment Law But Probably Doesn’t
- Family Court Essentials of Blockchain and Bitcoin
- How Legalized Marijuana is Impacting Custody Litigation
- How to Ethically Cross Examine a Hostile Witness
- Remedies for Alienation: What Can Parents and Courts Do
- What Does ‘For Another Purpose’ Mean Under NRS 48.105 and How to Ethically Comply with the Letter and Spirit of the Rule?
- Dealing with Trusts in Divorce Cases
- The Basics of Surrogacy Agreements
- Family Law Can be Taxing
- Bankruptcy in Divorce
- A Covenant with Death and an Agreement with Hell: Survivorship Benefits in Public and Private Plans
- Nevada Appellate Court Update

2020

March 2020 – State Bar of Nevada Family Law Convention (Bishop, California)

- From Foster Child to Family Court Judge: How Trauma – Informed Practices Impact Every Level of Family Court
- Dependency Judges Panel
- Writing to Persuade: Simple Tools to Leverage the Science of Persuasion
- From Argentina to Valiente, or when Your Collection Efforts Make You Feel Like My Cousin Vinny

- Managing High Conflict Personalities in Family Law

October 2020 – Frightening Financial Transactions and How to Avoid Them

December 2020 – Las Vegas Justice Court Pro Tempore Training

2020 Pro Bono Credits

2021

January 2021 – Drug & Alcohol Abuse: The 800 Pounds Gorilla in the Room

February 2021 – Thin Walls, Smart Homes, Zoom Towns & Data Breaches: 21 Things Lawyers should know about the Ethics of Lawyering Remotely in 2021

March 2021 – Family Law Appeals

March 2021 – Disease of Addiction and Mental Health Awareness

April 2021 – Judicial Joint Legal Custody Decision Making

August 2021 – Family Court 2020 – The New Child Support Regulations

September 2021 – The Six Steps to Creating an Ethical and Efficient Family Law Firm

October 2021 – Half! The Four – Letter Word in Divorce Court

Advanced Family Law Seminar December 2021

- The Who, What, and Why's of Alimony
- Creative Ideas for Resolving Family Law Matters Out of Court
- The Impact of Custodial Schedules on Child Support
- Family Law Technology: What You Needed to Know Yesterday for Tomorrow.
- Mental Health for Attorneys. Is that an Oxymoron?
- Ethical Issues Facing Family Law Attorneys
- Appellate Court Case Update

2021 Pro Bono Credits

2022

January 2022 – Five Procedures to Keep Your Bar Compliant and Client Happy

April 2022 – Bench Bar Meeting

April 2022 – Taking Tips to Improve Your Mental Health

May 2022 – EDCR 5 Update: New Rules Approved

June 2022 – Bench Bar Meeting

November 2022 – Bench Bar Meeting

November 2022 – Ethics from the Desk of Bar Counsel

2022 Pro Bono Credits

25. Do you have Professional Liability Insurance or do you work for a governmental agency?

I maintain Professional Liability Insurance and this information is on file with the State Bar of Nevada.

Business & Occupational Experience

26. Have you ever been engaged in any occupation, business, or profession other than a judicial officer or the practice of law? If yes, please list, including the dates of your involvement with the occupation, business, or profession.

Please see the employment section to see what jobs I have worked at from a Restaurant, for a baseball team, police departments, District Attorney's Office, UNLV, etc.

27. Do you currently serve or have you in the past served as a manager, officer, or director of any business enterprise, including a law practice? If so, please provide details as to:

- a. the nature of the business**
- b. the nature of your duties**
- c. the extent of your involvement in the administration or management of the business**
- d. the terms of your service**
- e. the percentage of your ownership**

Business Interest #1

- a. I am the co-owner of Roberts Law Group d/b/a Roberts Stoffel Family Law Group. This is a law firm.
- b. The nature of my duties is to manage staff, generate profits with billable hours, assist in the marketing of the business, etc.
- c. I am a passive partner in the management of the business. Attorney Amanda Roberts handles the day-to-day financial dealings of the office such as paying office bills, managing payroll, etc.

- d. I have been involved as a Law Partner since 2010.
- e. I am a 50% owner.

Business Interest #2

- a. I am one of four owners of R & S Investment Enterprises Inc.
- b. I am just a listed business owner. I don't do any day-to-day duties with this real estate holding business.
- c. I don't actively do anything with this corporation as I only have one rental unit that is currently leased to a tenant.
- d. I have been involved with this Real Estate holding company since 2011 and the only purpose is for the investment real estate property. Currently I only have one rental house.
- e. I am a 25% owner of R & S Investment Enterprises Inc.

28. List experience as an executor, trustee, or in any other fiduciary capacity. Give name, address, position title, nature of your duties, terms of service and, if any, the percentage of your ownership.

I have never been an executor or trustee.

I have an ownership interest in Roberts Stoffel Family Law Group, and I am on the IOLTA and Operating Accounts. I am a Law Partner. I am a 50% owner and make deposits and withdrawals as needed to operate my law office. I have been in this capacity as a Partner since 2010. Roberts Stoffel Family Law Group is located at 4411 South Pecos Road, Las Vegas, Nevada, 89121.

I was the Secretary/Treasurer of the Clark County Bar Association in 2017. I was president Elect in 2018 and President in 2019. I have never made an actual deposit with the organization and did not handle money received. The Clark County Bar Association is located at 717 South Eighth Street, Las Vegas, Nevada 89101. I do not have an ownership interest in this organization.

I was the Treasurer of my 501(c)(3) organization I am involved with, the Nevada BBQ Association, from 2016 through 2020. I was in charge of managing the Bank accounts and the Association's PayPal account. The Nevada BBQ Association mailing address is 5018 E. Monroe Avenue, Las Vegas, Nevada 89110. I do not have an ownership interest.

Civic Professional & Community Involvement
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29. Have you ever held an elective or appointive public office in this or any other state?

Yes

I was one of several practicing attorneys appointed for the Position of Judge Pro Tem for Las Vegas Justice Court. I was appointed in 2017 and was re-appointed in both 2018 and 2020. I was also appointed to sit as Judge Pro Tem in Child Support Court back in 2016.

Have you been a candidate for such an office?

Yes

If so, give details, including the offices involved, whether initially appointed or elected, and the length of service. Exclude political affiliation.

I ran for the appointment seat in Ward 3 for the City of Henderson in 2012. I did not get the appointment.

I applied to be considered for a Hearing Master Position in 2013 at Family Court. I was not appointed. I also applied for the full time Hearing Master Position in 2018 but did not get the appointment to this position.

I ran in a contested election for Family Court Judge, Department S, in 2014. I was not successful in the general election in November of 2014.

I was appointed to as a Pro Tem Child Support Hearing Master in 2016 for the Eighth Judicial District Court. My term was up in 2018.

I was appointed in 2016 as a Traffic Referee for the City of Las Vegas. My term was up in 2018 and I was reappointed both in 2018 and 2020. I did not seek reappointment in 2022.

I was appointed as a Judge Pro Tem for Small Claims Court for Las Vegas Justice Court. My term was up in 2018 and I was reappointed both in 2018 and 2020. I did not seek reappointment in 2022.

I also applied to be a Judge Pro Tem for Las Vegas Justice Court to hear civil/criminal matters back in 2018. I was not appointed.

I also ran for Family Court Judge in 2020 as a Candidate for Department T of the Eighth Judicial District Court. Although I finished in 1st place in the Primary Election, I was defeated by a narrow margin in the November 2020 general election.

30. State significant activities in which you have taken part, giving dates and offices or leadership positions.

Many times in my law career I have taken part of significant activities that have helped people. However, the dates of offices held and leadership positions is contained in my previous answers. Every day representing people I deem a significant activity.

Additionally, I have volunteered to judge Moot Court competitions several times in my legal career at UNLV – Boyd School of Law as well as being a judge in a few Client Counseling Competitions sponsored by the American Bar Association. I became aware of these volunteer opportunities through my involvement in the Clark County Bar Association.

I do not recall the specific dates. These volunteer opportunities were between 2010 – 2016. The reason I know these dates is because I was volunteering on behalf of Roberts Stoffel Family Law Group, which was founded in 2010 and in 2016, I had to focus more on my business as I had other commitments that were utilizing my time.

I have had a lot of involvement with the Clark County Bar Association first as a general member, then as a member of the Executive Board, then, Secretary/Treasurer, then Vice-President to finally making it to President of the Clark County Bar Association in 2019. There are so many activities I was involved in and one of the bigger ones was in 2019, I was on the Social Committee to assist planning the CLE at Sea Law Seminar. I am very proud of my service to the Clark County Bar Association.

31. Describe any courses taught at law schools or continuing education programs. Describe any lectures delivered at bar association conferences.

I taught a CLE on Family Court Jurisdiction with Senior Judge Terry Marren in 2012 at the Legal Aid Center of Southern Nevada. The purpose of this was to teach attendees where and how to file a child support and/or child custody action and if the matter was to be filed in Clark County, how a fee waiver of the filing fee can be obtained.

I co-taught an Ethics CLE with Attorney Rebecca Miller in October of 2019 at the CLE at Sea Program. This program was called Rules of Ethics: Keeping Your Bar License Afloat. Educational credits were given to all attendees of this program.

I gave some welcoming remarks at the 2019 Association of Bar Presidents Annual Convention that was held in Las Vegas. During that year, I was President of the Clark County Bar Association.

32. List educational, military service, service to your country, charitable, fraternal and church activities you deem significant. Indicate leadership positions.

(1) **Nevada BBQ Association.**

I was the treasurer of the organization from 2016 – 2020. While cooking may be a hobby, this organization does a lot of fund raising and money is given to charitable organizations.

- (a) **Pigs for the Kids:** I have been involved with helping run the “Pigs for the Kids” fundraiser and my specific tasks have been promoting the event and helping run the judging of the BBQ competition. The Pigs for the Kids event raised over \$100,000 in the last few years and the money was given to the Nevada Childhood Cancer Foundation, the Candlelighters organization, and the Cure for the Kids foundation. I did not handle any money transactions for this event.
- (b) **St. Jude's BBQ Competition:** Each year since 2014, I have been involved with having a BBQ Competition out at the St. Jude’s Ranch in Boulder City. St. Jude’s houses abused and neglected children that are wards of the state. What makes this April competition exciting is that the Nevada BBQ Association Volunteers have an event out at the Ranch. In 2016, the Nevada BBQ Association bought two (2) gas grills for the Ranch so that the children could have some more variety in their diet such as grilled hot dogs and hamburgers. This is an annual charity event, and I have been in charge several times of organizing the judging of this event.
- (c) **Ribfest:** This event took place in 2016, 2017 and 2019. This is a Rib cookoff event where there is a BBQ competition and prize money is given away to top competitors. Most of the money, and thankfully there were some generous sponsors, was given to the Boys and Girls Club of Southern Nevada. We raised over almost \$20,000 in the three years of the event. I was the treasurer of the Nevada BBQ Association so I had to be very detailed in my accounting as to the expenses and the income for this event so vendors could get paid, prize money could be paid to winners, and the charity received their charitable donation.

(2) **Chili Wars**

This was an annual event for 2016 and 2017. Basically, this was a chili cookoff where the participants were either private attorneys or judges/court staff. There was no money but many of the attorney and family court judge volunteers were in charge of donations and getting goods/services donated to be part of the door prizes. I was in charge of all money for this event. Roberts Stoffel Family Law Group was always a sponsor of this October cookoff. I personally cooked Chili and won 1st prize in the 2016 competition. I smoked the Chicken Breasts for Attorney Amanda Roberts and she made a chicken chili which one 1st place for the 2017 competition. Not only was this event a lot of work, the purpose was to raise money for the Legal Aid Center of Southern Nevada and approximately \$1,500 was raised in two (2) years that this event occurred.

(3) Feed the City

This event took place on September 30th, 2018 at Sunset Park. This is a charity event, and the purpose is to provide free food to feed the local population, including homeless, low income, and the elderly. This is part of the random act of kindness for October 2018 while the Las Vegas valley is still recovering from the horrible tragedy from October 1, 2017.

I am one of the 58 “chefs” for the 58 Tables by 58 Chefs program. I smoked almost 40 pounds of pork shoulder for this event. Volunteer activities are important as the volunteers and local businesses worked together to make a positive difference in our community. I am proud to call the Las Vegas valley my home.

(4) Water Street District Business Association

I am also a member of the Water Street District Business Association since 2020. This is a pro-business organization that plans and coordinates many activities to discuss the positive changes and growth of downtown Henderson.

33. List honors, prizes, awards, or other forms of recognition.

2020 Top 100 Men of Success – My Vegas Magazine

2017 Clark County Bar Association Committee Circle of Support Award Winner

2016 American Institute of Family Law Attorneys – 10 Best Client Satisfaction Award under 40

My Vegas Magazine – Readers’ Choice Award – Top 100 Lawyers in Las Vegas 2015

Award of Appreciation: Truancy Division Program 2010 – 2015

2014 National Academy of Family Law Attorneys award winner – Top 10 under 40

2012 to present Transition into Practice (TIP) Mentor for New Lawyers by the Supreme Court

2006 Louis P. Wiener Award Winner helping victims of domestic violence, Clark County, Nevada

2007 Mediators of Southern Nevada 44-hour Divorce/Custody/DV training attendee at UNLV

2006 – 2011 Pro Bono 100-hour volunteer, Legal Aid Center of Southern Nevada, Family Law Clients

Legal Aid Center of Southern Nevada Pro Bono Attorney of the Year and Small Firm of the year

Thomas Cooley Law School: I received the “Blue Book” award for the top possible score in my Law Office Management class.

34. **Have you at any time in the last 12 months belonged to, or do you currently belong to, any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, creed, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices, and whether you intend to continue as a member if you are selected for this vacancy.**

No

35. **List books, articles, speeches and public statements published, or examples of opinions rendered, with citations and dates.**

- (a) “Elvis Has Now Left the Building...the RIVERO saga continues.” *Nevada Family Law Reporter Fall 2009, Volume 22, Issue 2.* (State Bar of Nevada Publication – Family Law Section official publication).
- (b) “Two Views of the Senior Judge Settlement Program. #1: Attorney’s View: Senior Judge Settlement Conferences – the Best Bang For Our Clients’ Buck.” *Nevada Family Law Reporter Fall 2009, Volume 22, Issue 2* (State Bar of Nevada Publication – Family Law Section official publication).
- (c) “The Top Things the Nevada CLE Board Wants You To Know.” September 2013 *Communique* (Clark County Bar Association)
- (d) “Get It Up Front: Alternative Fee Structures. June/July 2015.” *Communique* (Clark County Bar Association).
- (e) “The Court Giveth and the Court Taketh Away – The Right to be a Parent.” September 2016. *Communique* (Clark County Bar Association).
- (f) “Five Things to Know About Family Law.” *Communique* January 2017. (Clark County Bar Association).
- (g) “Using an Offer of Judgment to Your Advantage at a Divorce Trial.” *Communique* June/July 2019.” (Clark County Bar Association).

36. **During the past ten years, have you been registered to vote?**

Yes

Have you voted in the general elections held in those years?

Yes

37. List avocational interests and hobbies.

I love to spend time with my family.

As often as I can get away from my busy law practice, I do enjoy traveling. In the last few years, I have been to Canada, Mexico, Alaska, Hawaii, Florida just to name a few areas.

I love to go fishing in Mexico and Alaska. I like Sportfishing to get the catch of the day. I have been able to reel in a Tuna, Roosterfish, King Salmon and a Mahi Mahi.

I also love to cook. I am quite active with the Nevada BBQ Association in which I was the Treasurer. Cooking BBQ and being very meticulous on what food comes off my grill or smoker is important. I find cooking/backyard BBQ being a great stress release. I also enjoy volunteering my time which is a constant theme of this application. I am a people-person.

Conduct

38. Have you read the Nevada Code of Judicial Conduct and are you able to comply if appointed?

Yes

39. Have you ever been convicted of or formally found to be in violation of federal, state or local law, ordinance or regulation? Provide details of circumstances, charges, and dispositions.

Yes

Other than minor traffic tickets such as speeding, I paid the fine, but typically the speeding ticket would either be dismissed by attending an Online Traffic school or amended to a non-moving violation such as illegal parking in an attorney session. I had had 2 speeding tickets in the past 10 years or so.

Beyond that, I have never been convicted or formally found to be in violation of federal, state, or local law, ordinances or regulations.

40. Have you ever been sanctioned, disciplined, reprimanded, found to have breached an ethics rule or to have acted unprofessionally by any judicial or bar association discipline commission, other professional organization or administrative body or military tribunal? If yes, explain. If the disciplinary action is confidential, please respond to the corresponding question in the confidential section.

No

41. Have you ever been dropped, suspended, disqualified, expelled, dismissed from, or placed on probation at any college, university, professional school or law school for any reason including scholastic, criminal, or moral? If yes, explain.

No

42. Have you ever been refused admission to or been released from any of the armed services for reasons other than honorable discharge? If yes, explain.

No

43. Has a lien ever been asserted against you or any property of yours that was not discharged within 30 days? If yes, explain.

No

44. Has any Bankruptcy Court in a case where you are or were the debtor, entered an order providing a creditor automatic relief from the bankruptcy stay (providing in rem relief) in any present or future bankruptcy case, related to property in which you have an interest?

No

45. Are you aware of anything that may require you to recuse or disqualify yourself from hearing a case if you are appointed to serve as a member of the judiciary? If so, please describe the circumstances where you may be required to recuse or disqualify yourself.

I would need to recuse myself for any case that involved Roberts Stoffel Family Law Group based on an actual conflict of interest. Other than that, I have a duty to serve and could be impartial in any matter that I was presiding over.

Other

46. If you have previously submitted a questionnaire or Application to this or any other judicial nominating commission, please provide the name of the commission, the approximate date(s) of submission, and the result.

I was appointed to as a Pro Tem Child Support Hearing Master in 2016 for the Eighth Judicial District Court. My term was up in 2018.

I was appointed in 2016 as a Traffic Referee for the City of Las Vegas. My term was up in 2018 and I was reappointed in both 2018 and 2020.

I was appointed as a Judge Pro Tem for Small Claims Court for the Las Vegas Justice Court. My term was up in 2018. I was reappointed in both 2018 and 2020.

I applied to be a Judge Pro Tem for Las Vegas Justice Court to hear civil/criminal matters in 2018. I was not appointed.

I applied for the Department L Family Court judicial vacancy in 2018. I was not appointed.

47. In no more than three pages (double spaced) attached to this Application, provide a statement describing what you believe sets you apart from your peers, and explains what education, experience, personality or character traits you possess, or have acquired, that you feel qualify you as a supreme court justice. In so doing, address appellate, civil (including family law matters), and criminal processes (including criminal sentencing).

PLEASE SEE QUESTION #47 ATTACHED SEPARATELY

48. Detail any further information relative to your judicial candidacy that you desire to call to the attention of the members of the Commission on Judicial Selection.

In addition to what I have already provided in this application, I am committed and passionate to the practice of Family Law. I have attended the State Bar of Nevada – Family Law Convention each and every year from 2005 to present. By not even missing a single year, this shows the dedication I have to the practice of Family Law. I regularly exceed my CLE requirements each year as I have a passion for education and learning new trends in the practice of law.

Since my practice has basically been exclusively in the area of family law since day one, I will be able to hit the ground running. I know of many legal issues that would regularly come before me. I am a quick reader and can process information accurately.

I am a law-abiding citizen. I have never been arrested or convicted of any crime. My record with the State Bar of Nevada is spotless.

I work well with others and have the desire to be the best judge I can. I have a couple of judicial mentors in mind that would make sure to be there as needed to assist me learning the skill of becoming a good judge in a challenging area of law such as family law.

Lastly, I have judicial experience. Since being on the bench as part of my experience rendering decisions and having Trials, I have the necessary skills needed as I enter into another chapter of my legal career. I love Las Vegas and I look forward to this opportunity to serve the community in this judicial capacity.

49. **Attach a sample of no more than ten pages of your original writing in the form of a decision, “points and authorities,” or appellate brief generated within the past five years, which demonstrates your ability to write in a logical, cohesive, concise, organized, and persuasive fashion.**

PLEASE SEE QUESTION #49 ATTACHED SEPARATELY

47. In no more than three pages (double spaced) attached to this Application, provide a statement describing what you believe sets you apart from your peers, and explains what education, experience, personality or character traits you possess, or have acquired, that you feel qualify you as a supreme court justice. In so doing, address appellate, civil (including family law matters), and criminal processes (including criminal sentencing).

What sets me apart from my peers is the passion I have for becoming a Family Court Judge. Since becoming an attorney, my focus has always been on Family Law. Moreover, I have argued a case on Subject Matter Jurisdiction in front of the Nevada Supreme Court and I have other appellate experiences with both Appellate Courts in Nevada.

For my education, what sets me apart is I have a Bachelor of Arts Degree with a Major in Criminology and a Minor in Psychology. This Degree in the social sciences with a diverse education background has served me well as an attorney and will continue to do so as a judge. For my curriculum, I have taken many courses in drugs, criminal justice/sentencing, juvenile delinquency, etc. I have taken a course on psychology of the legal system and jury selection as well as other advanced psychology and sociology issues. I have worked in a local District Attorney's office assisting the assistant prosecutors with sentencing recommendations and I have witnessed first-hand law enforcement issues (including observing one DUI as it happened) as part of a "Ride-A-Long" internship at a local police department back in college in the 1990's. One cannot get these experiences just by being in a classroom or reading a book.

Many litigants that would be appearing in front of me have mental health and substance abuse issues. A basic understanding of some of these issues is imperative to understanding the thought process of the human mind. The litigants' decisions affect the outcome of the matter.

In law school, 63 out of the 90 credits that were required to graduate were mandatory. Cooley Law School (which is now known as Western Michigan University at the Thomas M.

Cooley Law School) was a tough school known for its difficult curriculum and strict attendance policy. Cooley Law wanted “chair-time” with their attendance policy and that was stressed.

Part of the classes that were required were not part of the core law school curriculum in most law schools. The Cooley Law first year program was as follows:

- Property I and II, Torts I and II, Constitutional Law I, Criminal Law, Legal Writing and Research, Contracts I and II, and Civil Procedure I.

Second year mandatory courses were as follows:

- Criminal Procedure, Constitutional Law II, Civil Procedure II, Professional Responsibility, Taxation, Equity & Remedies, Trial advocacy, Wills, Trusts and Estates, Business Organizations, Secured Transactions, and Evidence.

Third year courses were elective courses and the courses I took were in Alternative Dispute Resolution, Family Law, Law Office Management, Sports Law, Gaming Law, Election Law, Trial Advocacy, Federal Administrative Law, and Consumer Law. For one of the Trial Advocacy Courses, we were presented a case, basic discovery, a deposition transcript and then we had to file a motion (or an opposition) for summary judgment. The law student had to actually go to a Courthouse at a time set by the school and argue the motion. That was a wonderful (and successful) experience as this was the first time I had to “act like a lawyer.”

I have also served as a Pro Tem Judge for Small Claims in Justice Court from 2017 – 2022. While not part of a criminal process, this experience sitting on the bench – black robe and all – gave me the confidence and the experience to resolve disputes consistent with the facts presented and what the evidence would support. I had to type up findings of facts, conclusions of law, and the actual Trial decision. I have the fortitude, courage, and ethics to do the job. Now that I have nine (9) years of more experience since my first run for Family Court Judge in 2014, I have the proven temperament, intellect and preparation that would make me an excellent addition to the bench. I have extensive courtroom experience both on and off the bench.

I am a big proponent of legal education. I have attended the multi-day Family Law Convention sponsored by the State Bar of Nevada every year since 2005 to present. Not every applicant can make that assertion. There was such a variety of courses in the last 18 years including cross-over topics such as criminal law, mental health issues, drugs, child custody and child testimony considerations, Trial advocacy. Attending this program annually has made me a better family law attorney. I am already signed up for the 2023 Family Law Convention that will be held in Lake Tahoe.

Additionally, I am likely the only candidate that has served on the Nevada Board of Continuing Legal Education as part of the Board of Directors up in Reno. I was appointed by the Nevada Board of Governors. The Board of Directors met quarterly up in Reno and made policy decisions and communicated with the Nevada Supreme Court regarding attorneys not in compliance with their CLE reporting requirements. I served from 2013 – 2016.

I am the only candidate that was on the Executive Board of the Clark County Bar Association (“CCBA”). I became Secretary, Treasurer, President Elect and eventually President of the organization. I am proud of my accomplishments with CCBA and meeting people.

Being a Family Law judge presents unique issues such as those in taxation, criminal law, immigration, contracts, bankruptcy, etc. Besides my experience, my law school curriculum and CLE courses since becoming an attorney has been an asset as a practitioner.

In conclusion, I have an outgoing personality and I am a born leader. I love what I do, and I am ready to take the next step to becoming your next Family Court Judge.

Professionalism and integrity are important to me. I am a zealous advocate and have settled cases when the facts warrant that resolution. I am a hard worker. This is the work commitment necessary to be successful in the practice of law and to be an effective judge.

- 49. Attach a sample of no more than ten pages of your original writing in the form of a decision, “points and authorities,” or appellate brief generated within the past five years, which demonstrates your ability to write in a logical, cohesive, concise, organized, and persuasive fashion.**

I.

REPLY

Mother repeats and realleges all facts and circumstances contained in the initial closing brief citing applicable legal authority and video cites from the Trial.

While Father and his counsel put together a good closing brief in support of their objection as to the termination of Father’s parental rights, the facts are simply not disputed in this case. This case warrants a termination.

The child is happy and healthy with Mother. The child deserves to be safe and that can only be with Father out of the picture in this situation involving a past International Child Abduction and Father was convicted of that Concealment crime (which falls under the Kidnapping Statute). Father was sentenced to prison.

The child was heard in the FMC child interview and that basically the child would suffer no additional harm if Father’s parental rights were terminated.

Prior family court judges have already ruled that even supervised visitation for Father is not appropriate. That was almost a decade ago so Father in this case is a complete stranger to the child. Judge Harter confirmed what prior family court

judges have done and reminded Father that in this case, Mother has Sole Legal and Sole Physical Custody of the child. Additionally, this is not a custody proceeding.

Father does not seem to think he has to comply with any child support law or order in this case since he has refused to pay a dime in child support, yet he has allotted several thousand dollars to pay for defending this action and paying for an expert. In other words, he has litigation dollars but nothing for the child.

In no way is Mother asking the Court to ignore evidence in this case. Of course, the trier of fact should consider all exhibits and evidence at Trial and then do a final Trial decision based on law and fact. In this regard, Mother agrees with Father's argument on Page 3 of their closing brief based on law/fact and not on emotion or prejudice.

Mother would point out that the Court was very fair and objective at Trial. The Court did nothing wrong and let each Party put on their case. There is no pre-determined outcome here. The Court has a clean record in which to make a decision supported by the unique circumstances of this case. Father's opinion of the Court is largely irrelevant.

What is clear is that Father is living in the past. True, he had a Joint Physical Custody order in the first couple of years of the child's life. However, his action of ignoring the orders and abducting/concealing the child in Canada is a factor that the Court can look at when considering a termination of his parental

rights including the lack of relationship/token efforts he has had with the child since being released from prison and failure to support the child at all. He is his own worst enemy.

This Court is not in the position to review every order from 601 N. Pecos from around the time of Father's incarceration and thereafter. He can and has on occasion used the Appellate process if he felt a ruling was unfair or contrary to established legal principles. All this Court heard at Trial and in this closing brief is that somehow prior judges like Judge Pollock and Judge Sullivan have somehow "wronged" Father and that Judge Harter should basically re-do the past 10 years.

The bottom line is that Father had his due process before the International abduction and after. He attended hearings and the Court had to make decisions affecting the child. One evidentiary hearing even took place when Father declined to participate, and this was discussed extensively at the Trial in this case.

It was never established at Trial or in the record at Trial that there were unserved motions and because of the unserved motion, Mother got a favorable outcome. While Father puts some video cites in the sealed custody case of what took place at a hearing in January of 2009, not only should this have been briefed and put in Father's Pre-Trial memo, but Mother's counsel has no access to the custody case as that is a sealed file. He was at the Trial to grant Mother Sole Custody, so he has had his substantive and procedural due process rights respected.

This information as to custody proceedings is not properly before this Court as the pending legal question is this: *Should Father's parental rights be terminated based on the unique facts and circumstances of this case?* The answer is **YES**. This is for the protection of the child and not for punishment for Father.

This Court has already ruled that the name change petition was properly done as Mother had Sole Legal and Sole Physical Custody of the child. Father is now challenging an order that was never appealed. Father was always secretive about his address and did not even provide a physical address under oath at this hearing until he was told it would be used against him if he did not provide this information. Mother's current counsel was not part of the name change petition and proceedings so no more commentary on that issue is appropriate.

Father has failed to pay child support despite claiming a disability. While he indicated he has not worked since 2013, he still has a duty to support the child. He chose not to. Discovery as to child support and so forth was undisputed – he did not pay child support, but the law did not relieve him of this prior order. Father's own admissions at Trial support a failure to support the child. No additional discovery needed to be done to establish a fact that is not in dispute. He chose not to work but somehow his bills were always paid and support orders were ignored.

When this Trial decision will be entered, it will be almost 11 years since Father has seen the child. **11 years**. He chose a path of criminal activity that he

now complains of. As this Court knows, this is also the same person that was asking for a DNA Test at the beginning of this litigation and was denied as a matter of law. He is on the birth certificate since he is the biological Father. We have a situation where someone got on the birth certificate and now he possibly wants to be off the birth certificate questioning Paternity. With this termination, he will be off the birth certificate and everyone can move on. The healing can begin.

Judge Sullivan made findings supporting a final order of Sole Legal and Sole Physical Custody many years ago. This Court at the present time in this action needs to make best interest findings as well and has ample facts to support the termination as was already briefed in Mother's written closing statement. If this is not the clearest example of why a termination of parental rights action should be granted, Mother is unclear what facts would be necessary to support a termination.

In both *Carson v. Lowe*, 76 Nev 446, 357 P.2d 591 (1960) and *Gonzales v. Dept of HR*, 113 Nev. 324, 933 P.2d 198 (1997), the Supreme Court of Nevada upheld the claims of abandonment when there was no contact or support for a period of one year. In this case, Mother's case is arguably 10 TIMES STRONGER with no contact or support in over 10 years. There is more than just the concealment to support a termination and that has already been briefed in Mother's closing brief. There was no evidence at Trial that showed that Father has rebutted

the presumption of abandonment under the law set forth in NRS 128.012(2). It is error as stated in the NJ case to NOT apply the presumption of abandonment if alleged. *See Matter of Parental Rights as to N.J., 116 Nev. 790, 8 P.3d 126 (2000)*.

Mr. Stoffel has no hidden agenda. He is not hoping the Court will cut corners and add an element of bias as discussed on Page 10 of Father's brief. Mr. Stoffel has no concern that Judge Harter will do the job he was elected to do and consider all the facts and circumstances in this matter to settle the legal dispute.

Anyone guilty of a felony involving child abduction is a fact relevant to this Court and especially with the limited contact – or lack thereof – with the subject minor child. The felony conviction did affect Father's parental rights and now is the time based on the decade of history to finalize this matter. No amounts of supervision or therapy will erase the long history of Father's lack of involvement in this case. The effect of Father's criminal conviction basically gave Father the idea he does not have to pay child support since he figures why pay child support if he is not seeing the child. Token efforts can include not paying child support and that is the clearest way to terminate Father's parental rights as stated in the original brief.

Judge Harter inherited this case as it has been transferred from Dept to Dept. Judge Harter is familiar with the facts of this case and took notes throughout the

Trial. Some of Father's own statements that have been briefed in the closing argument can and were used against him. As this Court knows, Father does not have to be convicted of a crime to have his parental rights terminated, but in this case, the International Abduction that has greatly affected his visitation rights cannot be ignored.

There is no evidence that Father is even a fit and proper person to even have any sort of custody with refusing to provide an address (until Trial), being unemployed, having no answer to the Court how he is supporting himself, etc. Father had provided no documents as to his alleged disabilities. Can he work or can he not? Who knows but he still has violated Court orders by refusing to pay child support. Again, Father can pay his attorney but refuses to pay child support. That is a fact based on Father's own testimony, so this goes to show the Court how little Father cares about the child.

Mother has not sought contempt against Father for non-payment of child support. She has not sought arrearages that have been accruing to be reduced to judgment for enforcement. Since Father refused to work and he testified to that, he still had not sought a motion to even be relieved of even the \$100 minimum payment due. He refused to pay and have no legal authority to ignore this order and therefore it is simply fair game to use this factor against Father for any purpose.

Father is unemployed. **VIDEO CITE: 10:25:05**. He said he is receiving Social Security. He admitted to providing no financial information as to how he supports himself in discovery. **VIDEO CITE: 10:25:17**. Father last had a job in 2013 then he said 2015. **VIDEO CITE: 10:25:24**. Testimony of Father is all that the Court needs to know since Father refused to file a Financial Disclosure Form and refused to show the Court how he supported himself or why he should get out of child support payments. It is his burden to establish his finances as that was at issue. Written discovery was not necessary as to this issue. His testimony was fine.

The Court has read the deposition transcript. Mother testified truthfully in that process and as part of the Trial. This additional discovery only supports Mother's termination request, and this was before the actual non-party witnesses testified at Trial.

Nicolas Ponzio is well respected, but in this case, he is not the judge. It is Judge Harter and not Judge Ponzio. The fact that he may have said it was possible for Father to have a relationship with the minor child is not the end of the analysis. Anything is possible but is it best for the child? Answer: NO. It is still Mother's position this case warrants a termination of parental rights. Mr. Ponzio has never even met Mother or the child so his conclusions or just a very limited professional opinion at this point that doesn't carry much weight.

What is clear is that the child needs to have a wholesome and stable environment. Father has not made any sort of showing that Mother lacks the ability to care for the child. In fact, Father testified that he has no stability himself since how is he supporting himself with no disability documents, yet claims he is making ends meet with loans from family (and can pay an expert and an attorney).

The evidence submitted – and certainly not refused – is that Mother provides a stable environment for the child. *Greeson v. Barnes*, 111 Nev. 1198, 900 P.2d 943 (1995). The child is thriving in the current environment as well and this was further documented in the FMC child interview. *See Recodo v. State, Dep't of Human Resources*, 113 Nev. 141, 930 P.2d 1128 (1997). The child was heard.

With a child doing well in school and is socially active, there is nothing that Father has shown that the child is suffering in any way or form with Mother. The child has no emotional or behavior problems. The child is well adjusted in her current situation. She deserves to be happy and not have a relationship with her Father forced onto her.

The impact on the parental fault is a consideration and the child has absolutely no relationship with her Father in over a decade. She does not remember him and does not remember the International Abduction when he took the child to Canada without a Court order with no legal reason. Father was told (allegedly) by CPS to get a Court order if he had concerns about the safety of the

child but instead took the law into his own hands and was convicted of a kidnapping related crime.

The child is fully integrated with a life with her Mother and Mother's fiancé. There is a bonding that has taken place over many years and there likely will be an adoption down the road. Father chose not to explore that issue at Trial.

There is no evidence that Father has submitted that shows he has a bond with the child (he has none) or that the termination of his parental rights would cause the child any mental, developmental, or emotional harm. *See In re Parental Rights as to N.D.O. v. State of NV*, 121 Nev. 379, 115 P.3d 223 (2005).

In this case, the Court can make the necessary findings based on exhibits and Trial testimony. It is Mother's position that she has submitted substantial evidence of Father's parental fault (abandonment and token efforts) and that the termination would be in the minor child's best interest (solid family bonds, Mother and the child have a stable environment, Mother is working, the child is thriving, the child is happy, and no concerns were raised by the child at the FMC Child Interview in 2018). As such, Father's parental rights should be terminated.

DATED this 2nd of October 2019.

By: **/S/ Jason P. Stoffel, Esq.**

Jason P. Stoffel, Esq.

State Bar of Nevada No. 8898

Attorney for Petitioner