

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, C or N

Candidates may only choose one department and may not withdraw to apply for another department within this selection period

By

Stephanie McDonald



Personal Information

1.	Full Name	Stephanie Jane McDonald
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.	Stephanie Jane Hamrick (maiden name): birth – 1999 and again 2003 – 2013. Stephanie Jane Goertzen: 1999 – 2003 (married name until divorce).
3.	How long have you been a continuous resident of Nevada?	Since 2001
4.	City and county of residence	Las Vegas, Clark County, Nevada
5.	Age	48

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	Legal Aid Center of Southern Nevada
Phone	702-386-1070
Physical Address & Website	725 E. Charleston Blvd, Las Vegas, NV 89104 www.lacsn.org
Date(s) of Employment	September 2013 – present
Supervisor's Name and Title	Barbara Buckley, Executive Director
Your Title	Directing Attorney, Family Law Self-Help Center
Describe Your Key Duties	<ul style="list-style-type: none"> • Manage all operation for the Family Law Self-Help center that serves over 75,000 self-represented litigants in the Family Division of the 8th Judicial District Court each year. • I oversee all legal materials and information provided to the public so they can understand and access the court system if they are unable to hire an attorney. • I supervise a staff of 11 in providing services in person, online, and by phone.
Reason for Leaving	N/A

Previous Employer	Judge Mathew Harter, Dept. N, 8 th Judicial District Court
Phone	N/A
Address & Website	601 N. Pecos, Las Vegas, NV 89101 www.clarkcountycourts.us
Date(s) of Employment	July 2011 - September 2013
Supervisor's Name and Title	Judge Mathew Harter, District Court Judge
Your Title	Law Clerk
Describe Your Key Duties	<ul style="list-style-type: none"> • Analyzed case files and wrote comprehensive case briefs, including recommendations to the judge regarding how to proceed on each case. • Researched pertinent areas of state and federal law as needed. • Reviewed all orders and decrees submitted to ensure compliance with Nevada Revised Statutes, Nevada Administrative Code, and Eighth Judicial District Court Rules. • Assisted attorneys and self-represented litigants with procedural questions.
Reason for Leaving	Accepted position to manage the Family Law Self-Help Center.

Previous Employer	Legal Aid Center of Southern Nevada
Phone	702-386-1070
Address & Website	725 E. Charleston Blvd, Las Vegas, NV 89104 www.lacsn.org
Date(s) of Employment	July 2010 - July 2011
Supervisor's Name and Title	Barbara Buckley, Executive Director
Your Title	Bankruptcy Attorney
Describe Your Key Duties	<ul style="list-style-type: none"> • Counseled self-represented litigants appearing in bankruptcy court regarding procedure, legal issues, and likely outcomes based on individual facts. • Reviewed applications for pro bono bankruptcy services and recommended meritorious cases for placement. • Represented Chapter 7 debtors in all aspects of their bankruptcy case.
Reason for Leaving	I missed working in family law and returned to clerk for Judge Harter when the opportunity arose again.

Previous Employer	Judge Mathew Harter, Dept. N, 8 th Judicial District Court
Phone	N/A
Address & Website	601 N. Pecos, Las Vegas, NV 89101 www.clarkcountycourts.us

Date(s) of Employment	December 2008 - July 2010
Supervisor's Name and Title	Judge Mathew Harter, District Court Judge
Your Title	Law Clerk
Describe Your Key Duties	<ul style="list-style-type: none"> Analyzed case files and wrote comprehensive case briefs, including recommendations to the judge regarding how to proceed on each case. Researched pertinent areas of state and federal law as needed. Reviewed all orders and decrees submitted to ensure compliance with Nevada Revised Statutes, Nevada Administrative Code, and Eighth Judicial District Court Rules. Assisted attorneys and self-represented litigants with procedural questions.
Reason for Leaving	Accepted a position at Legal Aid Center.

Current or Last Employer	Smith Forsberg, Attorneys at Law
Phone	702-425-3705
Physical Address & Website	64 N. Pecos Rd. Suite 100, Henderson, NV 89074 www.radfordsmith.com/
Date(s) of Employment	August 2008 - October 2008
Supervisor's Name and Title	Radford Smith, Managing Attorney
Your Title	Attorney
Describe Your Key Duties	<ul style="list-style-type: none"> Represented clients in divorce, custody, paternity, and adoption cases. Composed pleadings, motions, and supplementary documents for filing with District Court. Researched and wrote appellate briefs for cases on appeal with the Nevada Supreme Court.
Reason for Leaving	The staff was laid off due to the economic downturn; the managing attorney returned to solo practice.

Current or Last Employer	Judge Sandra Pomrenze, Dept. E, 8 th Judicial District Court
Phone	N/A
Physical Address & Website	601 N. Pecos, Las Vegas, NV 89101 www.clarkcountycourts.us
Date(s) of Employment	August 2007 - August 2008
Supervisor's Name and Title	Judge Sandra Pomrenze, District Court Judge
Your Title	Law Clerk
Describe Your Key Duties	<ul style="list-style-type: none"> Briefed and advised judge on family law motions. Reviewed all orders and decrees submitted for signature.

	<ul style="list-style-type: none"> Assisted attorneys and self-represented litigants with procedural questions.
Reason for Leaving	Accepted position in private practice.

Current or Last Employer	Lewis Brisbois Bisgaard & Smith, LLP
Phone	702-893-3383
Physical Address & Website	2300 West Sahara Avenue, Suite 900, Box 28, Las Vegas, NV 89102 https://lewisbrisbois.com/
Date(s) of Employment	May 2006 - August 2006
Supervisor's Name and Title	Michael Edwards, Partner
Your Title	Law Clerk
Describe Your Key Duties	<ul style="list-style-type: none"> Provided legal research for the products liability working group. Drafted motions, oppositions, and replies for various cases in Nevada state and federal court.
Reason for Leaving	This was a summer clerkship; I declined the offer of full employment after law school as I wanted to pursue my interest in family law.

Current or Last Employer	Boyd School of Law
Phone	702-895-2406
Physical Address & Website	4505 S Maryland Pkwy Las Vegas, NV 89154 https://law.unlv.edu/
Date(s) of Employment	January 2005 – April 2005
Supervisor's Name and Title	Professor Robert Corrales
Your Title	Research Assistant
Describe Your Key Duties	<ul style="list-style-type: none"> Researched legislative history regarding the military's "don't ask don't tell" policy. Reviewed and synthesized recent cases.
Reason for Leaving	This was a temporary semester position.

Current or Last Employer	MGM Grand
Phone	877-880-0880
Physical Address &	3799 S Las Vegas Blvd., Las Vegas, NV 89109

Website	https://mgmgrand.mgmresorts.com/en.html
Date(s) of Employment	March 2002 – April 2006
Supervisor's Name and Title	Glynnis Sherwood, Manager
Your Title	Wedding Planner
Describe Your Key Duties	<ul style="list-style-type: none"> • Provided customer service and sales for wedding chapel. • Directed wedding rehearsals and orchestrated wedding day coordination.
Reason for Leaving	Reduced hours to attend law school in Fall 2004, then left to focus exclusively on law school studies.

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.

Willamette University
 900 State St, Salem, OR 97301
 Attended Aug. 1992 - May 1996
 Graduated with Bachelor of Arts, Sociology, *cum laude*, May 1996.

Parkrose High School
 12003 NE Shaver St, Portland, OR 97220
 Attended Sept. 1988 - June 1992
 Graduated with Honors Diploma, June 1992

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

High School

Mock Trial (4 years), co-captain of State Championship Team 1992.
 National Honor Society (3 years), President 1991-1992
 Band (4 years), Drum Major 1990-1992

College

Alpha Chi Omega (4 years); served as Vice President – Chapter Standards and Scholarship Chair.
 Bush Elementary Mentoring and Tutoring Program; volunteered as mentor to disadvantaged youth.
 Girl Scouts, CHOICE Leadership Mentor; volunteered as mentor to teenage girls.

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.

William S. Boyd School of Law, UNLV
4505 S Maryland Pkwy, Las Vegas, NV 89154
Graduated with Juris Doctor, *summa cum laude*, June 2007
Rank: 2 of 159

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.

During my first year of law school, I worked as a research assistant to Professor Robert Correales as he was writing an article to submit for publication.

The summer after my second year, I worked as a law clerk for Lewis Brisbois Bisgaard & Smith. This was full-time, temporary employment during the summer.

I worked part-time for my prior employer as a wedding planner for MGM Grand for the first two years of law school. I opted to leave that part-time employment so I could focus on my final year of law school.

The details of these periods of employment are listed in my employment history in question 6.

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

Nevada Law Journal, 2005-2007; Lead Articles Editor 2006-2007
Child Welfare Clinic, Student Attorney, 2006
Public Interest Law Association, Member, 2005-2007
Judicial Extern to Hon. Jessie Walsh, Summer 2005

Academic Honors:

- CALI Award for top grade in Family Law, Child Welfare Clinic, Criminal Procedure II, Federal Income Tax, & Lawyering Process I, II & III
- Dean's Honor List: Spring 2005, Fall 2005, Spring 2006, Fall 2006, Spring 2007.
- Full Academic Scholarship

Law Practice

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

2007

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.

My work has been 100% focused on litigation matters in family court for the past 5 years.

16. Estimate percentage of time spent on:

Legal Discipline	Percentage of Practice
Domestic/family	95%
Juvenile matters	5%
Trial court civil	0%
Appellate civil	0%
Trial court criminal	0%
Appellate criminal	0%
Administrative litigation	0%
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?

None; I have not provided direct representation in the past five years.

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.

None; I have not provided direct representation in the past five years.

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

Eighth Judicial District Court, Clark County, Nevada.

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>Phoukeo Dej-Oudom v Jason Dej-Oudom</i> , 2016. T-16-172196-T and D-16-533962-D
Court and presiding judge and all counsel: Eighth Judicial District Court, Nevada Judge William Potter (D-16-533962-D) Hearing Master Amy Mastin (T-16-172196-T) Parties appeared <i>Pro Se</i>
Importance of the case to you and the case's impact on you: Plaintiff was a mother of three filing for a divorce and domestic violence protection order against her husband. She filed her divorce case with the assistance of self-help center staff in late May 2016, and filed for a protection order through the Violence Intervention Program in early June 2016. At the time, protection orders were handled through one office and general domestic matters through the self-help center that I oversaw. Her protection order was denied and her divorce case was pending in the very early stages. Just weeks later, she and her three children were killed by the husband. This tragic case made me see the family court processes in regard to <i>pro se</i> litigants experiencing domestic violence in a completely different manner. That this victim had to seek the assistance of two different centers for two different cases despite the issues being inter-connected was maddening, and I wondered how my center and my staff could have better helped someone in such great need. This inspired some new thoughts about how domestic violence could and should be addressed in the context of a general domestic matter. When court administration later sought to reimagine the Violence Intervention Program, I quickly agreed to merge its operations into the self-help center so that litigants could seek assistance in one place. I arranged for intensive staff training and the presence of a domestic violence advocate on site to better serve domestic violence victims in an effort to prevent a case like this from ever happening again.
Your role in the case: Self-Help Center Directing Attorney

Case 2
Case name and date: <i>In re Adoption of two minors</i> , 2016.
Court and presiding judge and all counsel:

<p>Eighth Judicial District Court, Nevada Judge Bryce Duckworth Parties appeared <i>Pro Se</i></p>
<p>Importance of the case to you and the case's impact on you: A parent and stepparent visited the self-help center looking for information on how the stepparent could adopt the two minor children. The stepparent had been raising the children for years and the biological parent was not interested in a relationship with the children. Adoptions are not typically an area that litigants are able to do on their own, but I had recently received approval from court administration to develop self-help forms and instructional material for that area. Litigants were attempting to do the process on their own and failing due to the lack of accurate guidance. This family sought my assistance shortly after the forms were finalized, and they were the first to utilize our new materials. The adoption went through smoothly and successfully, and the newly-created family of four visited me immediately after their court hearing to thank me for helping them through the various steps.</p>
<p>Your role in the case: Self-Help Center Directing Attorney, assisting <i>pro se</i> litigants</p>

<p>Case 3</p>
<p>Case name and date: <i>Fernandez v. Fernandez</i>, 126 Nev. 28 (2010).</p>
<p>Court and presiding judge and all counsel: Nevada Supreme Court Decided by Justice Pickering, Justice Parraguirre, and Justice Douglas Counsel for Appellant: Radford Smith Counsel for Respondent: Lemons Grundy & Eisenberg and Ecker & Kainen</p>
<p>Importance of the case to you and the case's impact on you: While working for Radford Smith, this appeal consumed the bulk of my time. This was an appeal regarding whether a stipulated child support agreement could be modified despite the parties stipulating that the amount would be non-modifiable. This case gave me the opportunity to analyze a case from its complete trial court treatment through the appellate briefing process, and gave me an appreciation for ensuring family law cases are handled thoroughly and accurately in the first instance. I was no longer with the firm when briefs were submitted and the final decision was reached, but was proud that my work led to the case being reversed and remanded years later when the final decision was announced.</p>
<p>Your role in the case: Associate Attorney who assisted in research and drafting appellant's brief</p>

<p>Case 4</p>
<p>Case name and date: <i>In re Joint Petition of Goertzen</i>, 2003.</p>
<p>Court and presiding judge and all counsel:</p>

<p>Eighth Judicial District Court, Nevada Judge Lisa Kent Parties appeared <i>Pro Se</i></p>
<p>Importance of the case to you and the case's impact on you: This was my personal divorce case years before I entered the legal profession. Without any legal training, I was faced with the daunting task of filing and completing a case without the assistance of counsel. A simple divorce with no children, no assets, and no debts was made far more complicated than I imagined possible once I realized the maze of forms and procedures I had to master. This case certainly impacted my personal life, but in the larger picture set the stage for my desire to help people understand and navigate the family court legal system when they are not able to hire an attorney. Those undergoing family crises are not interested in learning complicated court procedures just to resolve a very personal family matter. I am proud to say that the materials and instructions provided to today's self-represented litigant in family court are simpler and easier to understand than they were when I was pursuing the process.</p>
<p>Your role in the case: <i>Pro Se</i> Litigant</p>

<p>Case 5</p>
<p>Case name and date: <i>Gideon v. Wainwright</i>, 372 U.S. 335 (1963).</p>
<p>Court and presiding judge and all counsel: Supreme Court, Justice Black Abe Fortas for petitioner. Bruce R. Jacob for respondent.</p>
<p>Importance of the case to you and the case's impact on you: This was the introductory case my law school class read and discussed during our orientation weekend. Every lawyer knows it well, but its premise resurfaces often in my work with self-represented litigants. There has been a frequent call for "Civil <i>Gideon</i>" in the self-help landscape since it is well understood that self-represented litigants are not as successful in pursuing their cases no matter how much education we provide. They will never be trained lawyers who understand the nuances of the law or the myriad of rules that need to be followed at a moment's notice. While a civil <i>Gideon</i> world is certainly far off, it is a goal that I hope the judicial system can move towards.</p>
<p>Your role in the case: None.</p>

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.

No

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

The large majority of my professional career has been dedicated to public interest law and serving those who would have extreme difficulty accessing the court and pursuing their rights without guidance.

I have worked for Legal Aid Center of Southern Nevada for a combined 10 years. During that time, I served as a Bankruptcy Facilitator where I assisted *pro se* litigants navigating bankruptcy court, and for the past 9 years, I have managed the Self-Help Center at the Family Court in the 8th Judicial District. My job entails making the court processes understandable to those without the means to hire an attorney, which amounts to roughly 75,000 people per year.

In my tenure, I have led the charge on many fronts to increase the public's access to the court. This has involved ensuring that forms and processes are explained in a clear but legally accurate manner, providing input on proposed legislation and local rule changes so that the average layperson will not face unnecessary barriers, and participating in numerous public outreach events such as ask-a-lawyer events, a name change clinic, a criminal records sealing clinic, homeless outreach events, and being available for legal issues in the aftermath of 1 October at the victim assistance center.

My dedication to public service has also led me to participate in a number of statewide commissions, including chairing or co-chairing various subcommittees on the Guardianship Commission, Nevada Protection Order Forms Committee, and the Access to Justice Commission.

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.

Nevada State Bar, Family Law Section, Member
Clark County Bar Association, Member
Self-Represented Litigation Network, Member

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 requirements. Courses attended in the past five years:

Substance Abuse in the Legal Community, 2/27/2018
Bench/Bar Meeting, 4/5/2018
Legal Services & The Legislature: Advocacy Training, 11/29/2018
#BestInterest (Child Custody Factors and Analysis), 4/26/2019

Substance Abuse Disorder & the Duty to Report Impaired Attorneys, 7/18/2019
Bench Bar Meeting, 2/6/2020
The Six Steps to Creating an Ethical & Efficient Family Law Firm, 5/27/2020
Revised Court Procedures During COVID-19 Pandemic, 6/2/2020
Nevada Family Law Case Law Update, 6/17/2020
POWER ACT - DV Cases in a COVID World, 8/27/2020
Drug & Alcohol Abuse: The 800-Pound Gorilla in the Room, 12/2/2020
2020 Family Law Conference, Part 1, 12/8/2020
Frightening Financial Transactions & How to Avoid Them, Production 2, 12/11/2020
Disease of Addiction & Mental Health Awareness, 3/18/2021
Ethical Landmines in Today's World & How to Avoid Them, 6/17/2021
2021 Legislative Overview: Statutory Changes in Legal Aid Practice, 8/12/2021
Corporations & Partnerships: A Lawyer's Road Map to Business Litigation, 8/19/2021
It's Not Me, It's Them: Blindspot Bias in the Juvenile Justice and Family Court, 10/8/2021
Sovereign Citizen Information Event with LVMPD, 10/21/2021
Representing High-Risk Victims/Survivors in Family Court, 10/28/2021
Nevada Adoption Law Briefing, 12/14/2021
Landlord Tenant Law in Nevada and the COVID 19 Impact, 12/16/2021
Bench Bar Meeting, 4/7/2022
Wellness 101, 5/4/2022
EDCR 5 Update: New Rules Approved, 5/20/2022
Bench Bar, 6/23/2022
Bench Bar, 8/18/2022
Lawyering From a Trauma-Informed Perspective 2022: Best Practices for Nonprofit and Pro
Bono Legal Service Providers, 10/24/2022
Bench Bar, 11/3/2022
Ethics Unbound & Unmasked, 11/10/2022
Confidentiality of and Public Access to Civil Proceedings and Records: What Might Be
Protected and What Must Be Disclosed, 12/1/2022
Financial Wellness, 12/14/2022

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

Yes, my employer maintains professional liability insurance for all attorneys.

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.

My early career after completing my undergraduate degree was focused on social work. I first worked as an AmeriCorps member in Oregon immediately after graduating college in

1996. In that position, I developed an entirely new program within the child and family services division that paired families at risk of abuse and neglect with volunteer mentors from the community. The program's purpose was to provide community support to at-risk families in an effort to eliminate incidents of child abuse or neglect. Upon completing my one-year term of service with AmeriCorps, I worked for Volunteers of America, Oregon in various capacities with their child and family services departments. My work centered within the Family Nursery program which provided respite care to at-risk families with children under age 5, parenting classes, and home visits to provide individualized support to families. I worked in the social services field from 1996-2000.

Desiring a change of pace, I transitioned to the world of wedding planning in 2000 where I remained until entering law school in 2004.

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:
- the nature of the business
 - the nature of your duties
 - the extent of your involvement in the administration or management of the business
 - the terms of your service
 - the percentage of your ownership

No.

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.

None.

Civic Professional & Community Involvement

29. Have you ever held an elective or appointive public office in this or any other state?

No

Have you been a candidate for such an office?

No

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

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

Nevada Access to Justice Commission, Domestic Forms Subcommittee (2016-17). Upon completing forms for this comprehensive project, I built the new statewide website to house the forms and all instructional content at <https://selfhelp.nvcourts.gov/>.

Nevada Guardianship Commission, Forms Subcommittee (2017-18).

Nevada Protection Order Forms Commission, Co-Chair (2019-2020).

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

I co-presented a webinar entitled “Animal-Related relief in Protection from Domestic Abuse Orders” in February 2022. This was presented in cooperating with the National Council of Juvenile and Family Court Judge and the Animal Legal Defense Fund.

I also co-presented a CLE entitled “Paternity & Custody in Nevada” in partnership with Judge Mathew Harter and the Legal Aid Center of Southern Nevada in May 2014.

On many occasions, I have returned to Boyd School of Law to provide trainings and supervision for law students in the various community programs they provide.

- I spent one year as the supervising attorney for law students teaching the community education bankruptcy class. This involved making sure the students understood the law so they could teach it to the public, supervising their presentations, and debriefing and providing additional training to them as needed.
- This past year the Immigrant Rights Coalition volunteered to provide a Spanish Forms Clinic where bilingual law students could assist non-native English speakers in filling out court forms. I provided two trainings to different groups of law students so they would understand the various kinds of legal issues that might be presented so the students would be comfortable with the material prior to interacting with the public.
- The Student Bar Association also held a name change clinic in Spring 2022, and I volunteered my time to supervise the law students as they worked with members of the public.

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

None.

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

Carl W. Tobias Excellence in Writing Award, Nevada Law Journal, 2007.
Boyd School of Law Outstanding Student, Community Service Program, Summer 2005.

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.

Stephanie Hamrick, *Is Looting Ever Justified? An Analysis of Looting Laws and the Applicability of the Necessity Defense During Natural Disasters and States of Emergency*, 7 NEV. L.J. 182 (2007).

Stephanie McDonald, *Self-Help Center Adapts to Virtual Environment to Help Self-Represented Litigants*, Nevada Lawyer, October 2020.

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 enjoy spending time with friends and family, particularly if it involves traveling to a beach of any kind.

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.

No

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.

No

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.

N/A

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).

Attached.

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.

The vast majority of litigants in the family division of the 8th Judicial District Court are not represented by counsel. It is estimated that roughly 70% of cases involve at least one self-represented litigant since many cannot afford an attorney.

I have dedicated my legal career to serving this population. Private attorneys have nobly served thousands of individual clients at family court, while I have served hundreds of thousands of self-represented litigants who would not have been able to access the court at all without the efforts of myself and my team. A familiarity with self-represented litigants and a compassion for the unique barriers they face is essential to any member of the family court bench.

I believe I would bring a perspective to the family bench that would be of great service both for litigants appearing in court and in addressing systemic improvements to better serve this group.

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.

Since I have not provided direct client representation in the past five years, I do not have a writing sample directly on point but am attaching a short memorandum regarding e-signature rules and e-filing issues. I would invite the selection committee to review the content at www.familylawselfhelpcenter.org as I am 100% responsible for the explanations of the law and instructional materials presented there.

Personal Statement

This application is not one I thought I would ever write, and is quite possibly unlike any the selection committee has seen in its many years. I have not followed the standard path in law or in life, and I believe the unexpected twists and turns have led me to exactly where I was always meant to be.

I am a proud graduate of the William S. Boyd school of law and have been practicing law in Las Vegas for the past 15 years. This is largely an accident. Although I had decided early in life that I wanted to be an attorney, I abandoned that idea during college when I discovered my passion was to help those less fortunate. I was fascinated learning about societal constructs and how people operated within them. I abandoned the idea of law school, choosing to instead go into social work where I believed I could change the world.

I embarked on a career in child and family services, first as an AmeriCorps member and then for a nonprofit. The answers to people's problems seemed so clear to me, but I could never understand why they would not listen and follow my advice. I decided the world was changing too slow for my tastes and took yet another unexpected life turn: I became a wedding planner and quickly discovered engaged couples were just as much trouble as my social work clients.

With my 30th birthday looming and a divorce already under my belt, the idea of law school resurfaced. I didn't really want to go to law school, I just felt I needed to prove to myself that it could have been a possibility if I had chosen it. I secretly took the LSAT to satisfy my curiosity with no intention of pursuing the matter further. But then I scored well and decided to apply to only one law school for fun. When the Boyd School of Law presented me with an offer

I couldn't refuse, I half-reluctantly accepted. I was not convinced that the law was truly my path but knew I would regret not finding out.

Attending law school was one of the most unexpectedly positive pivotal moments of my life. I spent the first part of law school trying to follow what I believed to be the standard path to success: litigation and BigLaw. But the social worker in me could not quite get on board and by the end of law school, I knew that I belonged in family law.

While others recoil at the thought of practicing family law, I find it to be the most fascinating and challenging area to work in. Family court decisions affect the most personal of life's problems that people can unexpectedly find themselves facing. Family court litigants depend on a cast of complete strangers to help them navigate trauma and loss. It is imperative that these strangers thoughtfully and wisely guide litigants with the goal of hopefully finding peace and a new beginning.

Having practiced in family law for 14 of my 15 years, I am not naïve enough to believe that every situation can be resolved in a manner that brings instant peace or personal satisfaction. The emotional pain that family court litigants must process is often beyond the power of the court to address. However, I do believe the court system and those within it must do their absolute best to bring about quick resolution so that people can go on with their lives rather than get trapped in an ongoing litigation battle.

My experience has allowed me to work in private litigation with the highest-end clients and in the self-help center with the most disadvantaged. Their expectations of the family court system are not terribly different. Their disinterest in navigating a maze of laws and processes is also not terribly different. They expect swift and fair resolution. Even if the ruling is not what

they desired, they are often better able to bear the outcome so long as they feel they were truly heard and treated fairly. This principle would guide me if I were ultimately selected to assume the Department N seat.

Anyone who knows me or knew Judge Mathew Harter will know that this application is deeply personal to me. Judge Harter hired me as his first law clerk when he took the bench in 2009. I worked for him for nearly four years over two different periods, and we remained friends and colleagues long after; an incredible feat considering we held opposite views on just about everything. We had a relationship of mutual respect and admiration despite our differences, which ultimately helped us both to see things from a bigger point of view.

It was he who first encouraged me to consider the bench and he who revisited the subject with me when vacancies occurred. I never felt like the time was right, and his response was always “OK, maybe someday.” It feels like someday has arrived.

His sudden passing has been devastating, and the prospect of filling his seat is daunting. This is yet another unexpected turn I was not prepared for. It is also another moment that I know I cannot allow to pass. This application may not bear the hallmarks of the typical judicial applicant, but it reflects me, my journey, and my desire to continue positively affecting the lives of those in family court.

If selected, my intent is not to blindly mirror Judge Harter’s judicial approach. Rather, my intent is to honor his legacy by being the kind of judge who will consider cases carefully, treat people respectfully, and move cases to finality efficiently. I sincerely hope if someone else is chosen, they will honor those precepts as well.

MEMO

TO: Nevada Supreme Court

FROM: Stephanie McDonald, Directing Attorney, Family Law Self-Help Center

DATE: March 23, 2020

RE: E-Signatures and E-Filing in 8th Judicial District and Justice Courts (Las Vegas area)

Introduction

Roughly four years ago, the Self-Help Center directors approached local District Court and Justice Court administration requesting a change to the rules to allow electronic signatures for self-represented litigants (“SRLs”). This was prompted by the availability of Tyler Technologies’ Odyssey Guide & File to the Clark County Courts.

Guide & File allows SRLs to complete electronic interviews, generate forms, and either print hard copies of the forms or submit the forms electronically to the court with electronic signatures affixed. It operates akin to TurboTax and other programs that create potentially complicated forms based on a simple question-and-answer format that the average layman can understand. Upon user approval, the forms can be electronically submitted for filing.

Although e-filing rules had been adopted to allow SRLs access to e-filing systems, additional state and local rules at the time required that “original” signatures be scanned and uploaded with each SRL filing signed under penalty of perjury. These rules prevented e-filing for most SRLs since their documents are generally signed under penalty of perjury. Only SRLs with the ability to print a form, sign it, scan it, and upload it to the e-filing system could take advantage. These skills are beyond the technological ability of most SRLs.

While self-help centers continued to build and create interviews to simplify the form completion process for SRLs, users could not take advantage of the esign and efile feature. Users were required to print out forms and file them in person, by mail, or figure out how to scan and upload the forms into an electronic filing portal.

Points and Authorities

Efforts to amend any local rules to allow esignatures and e-filing were unsuccessful. It was not until the adoption of ADKT 0522 that esignatures and e-filing finally became a potential reality.

A. Nevada Electronic Filing and Conversion Rules

ADKT 0522, entered on December 31, 2018, amended Nevada Electronic Filing Rule 11 to exclude the language requiring documents signed under penalty of perjury to be scanned and submitted with the "original" signatures. While the ADKT does not include redlined changes to the NV Electronic Filing Rules, here are the redlines for clarification:

(b) Documents ~~under penalty of perjury or~~ requiring signature of notary public.

(1) Documents required by law to include ~~a signature under penalty of perjury, or~~ the signature of a notary public may be submitted electronically, provided that the ~~declarant or~~ notary public has signed a printed form of the document. The printed document bearing the original signatures must be scanned and ~~electronically~~ submitted for filing in a format that accurately reproduces the original signatures and contents of the document.

This rule change at last allowed for electronic signatures for SRLs statewide in District Court.

B. Eighth Judicial District Court Rules & Implementation

The Eighth Judicial District Court Rules of Practice has included rules for electronic filing for quite some time, but also included the prohibitive rule requiring original signatures to be reproduced on any document signed under penalty of perjury. ADKT 0545 amended the local rules to adopt the state's electronic signature rules, and took effect January 1, 2020.

With the adoption of ADKT 0522, the self-help center directors began actively working with Tyler Technologies to implement the esign and efile features for District Court matters. Several family law interviews were modified to allow for esignatures and efilings, with significant testing taking place during the summer of 2019. By August of 2019, interviews were ready to release to the public. Requests for permission to go live were stalled, as the court wanted to see more testing and wanted more department heads to review and sign off on the release. Approvals never came despite multiple requests for status updates.

C. Las Vegas Justice Court Rules & Implementation

Justice Court does not follow the Nevada Electronic Filing Rules, and instead follows its own local rules. Local Rule of Practice for the Justice Court of Las Vegas Township 16 states that all parties not represented by an attorney must have their documents notarized or signed with an unsworn declaration pursuant to Nevada Revised Statute 53.045. The unsworn declaration in NRS 53.045 provides that the declarant make a statement "under penalty of perjury" that their statements are true and correct. Las Vegas Justice Court Administrative Order 15-06(a)(2) further provides, "When a document to be filed electronically requires a signature under penalty of perjury, or the signature of a notary public, the declarant or notary public shall sign a printed form of the document. The printed document bearing the original signatures must be scanned and electronically submitted for filing in a format that accurately produces the original signatures and contents of the document."

In short, LVJCLR 16 provides that pro se litigants must sign documents with an unsworn declaration pursuant to NRS 53.045, and NRS 53.045 provides that the unsworn declaration is signed by the declarant under penalty of perjury. Administrative Order 15-06(a)(2) requires that documents signed under penalty of perjury require that the printed signature bearing the original signatures be scanned and electronically submitted for filing. Justice Court has continued to follow these rules.

Electronic Filing Barriers

The lack of approvals to implement esignatures have left SRLs with two options: (1) print out completed forms and add their “wet” signature to the document, then scan that page with the wet signature back in for e-filing; or (2) print out the completed forms, add their wet signature to the document, then physically go to the clerk’s office to file over the counter. Option (1) creates additional steps for the filer and requires the user to have access to a scanner. Guide & File does not have the capacity to simply add a signature page with the wet signature back into the packet in the correct order. Option (2) which entails physical filing is the option most commonly used at both Self-Help Centers. While the typewritten documents have been helpful to both the judges and the clerks in ensuring the forms are complete, this option has not decreased the number of filers who must wait in line at the clerk’s office to file hard copies of documents.

Electronic Filing Capabilities

Electronic filing is available to SRLs, however, they must use the same portal that law offices use. National recommendations contemplate a simpler e-filing portal for SRLs who may not be as familiar with filing codes and filing procedures as attorneys and their staff. To date, there have been no efforts to create a SRL-only filing portal that might encourage the average SRL to efile.

The Guide and File program has the following capabilities that are not currently in use:

1. The ability to electronically sign documents.
2. The ability to electronically file documents.
3. The ability to generate matching orders that could be submitted through Odyssey for judicial review and approval.

Items 1 and 2 are being rapidly implemented by the Eighth Judicial District in response to COVID-19 despite earlier reluctance to permit them. This requires coordination with Tyler Technologies, who is inundated with similar requests from numerous courts. Item 3 was never authorized for consideration and implementation, but the self-help centers will be strongly recommending it be implemented as well. Now that Admin Order 20-10 requires SRLs to submit all proposed orders in electronic format, we are exploring how quickly this feature can be incorporated into the Guide and File interviews. Non-technologically proficient SRLs will largely be left without the ability to submit orders without this feature.

Justice Court has not acted on any of the above availabilities.

Current Electronic Filing Status

There are over 100,000 SRLs served between the Civil Law Self-Help Center and the Family Law Self-Help Center every year. Technologically-savvy SRLs have had the ability to electronically file documents in District Court for some time so long as they can navigate the rules of filing. Electronic filing is also available in Justice Court. We are unaware of any data that would indicate how many SRLs have registered for electronic filing. Anecdotally, the large majority of SRLs who have required self-help services are still filing their forms in person at the clerk’s offices.

During 2019, self-help centers had 20 different Guide and File interviews available, and 7,416 SRLs completed interviews through the program. Each of those completed interviews represents someone who could have electronically filed documents easily through the program. Instead, most of those users had to file their documents in person or by mail.

The full list of available interviews can be found at <https://nevada.tylerhost.net/SRL/srl/>. Many of the family law interviews are currently deactivated because they are undergoing updates to comply with the new child support regulations. They are nearly ready to reactivate, ideally with the esign and efile tools incorporated.

With rapidly evolving court operations in response to COVID-19, significant efforts are now underway in the Eighth Judicial District Court to make esignatures and efilings available to litigants completing the family law interviews. The most critical interviews (such as protection orders) are being prioritized. However, the process to integrate interviews so they are compatible for efilings is time-consuming. Tyler staff are working as quickly as they can, but understandably, are receiving similar requests for expedited service all around the country.

Esignatures and efilings remain unavailable for the Justice Court interviews, though Justice Court is now exploring whether these might be viable under the current state of affairs.

Conclusion

Many advances have taken place regarding allowing esignatures over the last few years, but there are still barriers that prohibit a seamless electronic filing environment for self-represented litigants. District Court is now accelerating projects to allow for efilings through the Tyler Guide and File program, but we are waiting on news from Justice Court. The closures of the courthouses to in-person services will render many thousands unable to access the court without quick progress in allowing esignatures in Justice Court and smoother efilings in both courts.