

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

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AMENDED MEETING NOTICE AND AGENDA

Name of Organization:
Supreme Court Permanent Guardianship Commission

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

Place of Meeting:

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

AGENDA

- I. Call to Order
 - a. Call of Roll and Determination of Quorum
 - b. Approval of Meeting Summaries from April 25, 2018, and May 16, 2018. *See attachment.*
 - c. Opening Remarks
- II. Public Comment

Because of time considerations, the period for public comment by each speaker may be limited to 3 minutes, and speakers are urged to avoid repetition of comments made by previous speakers
- III. Updated Statistical Report, as of June 30, 2018, from 2nd & 8th Judicial District Court Compliance Officers
 - a. Presentation by Sabrina Sweet, Mallory Nelson, and Riley Wilson.
 - b. Adding bond/blocked accounts as a Milestone and data for cases in which bond was waived and why.
 - c. Data on number of contested matters.

- d. Update on Second Judicial District Court's case initiation policy involving substitute guardians.
- e. Update from Judge Gloria Sturman on whether cases filed under Patient's Bill of Rights Statute would be heard in general jurisdiction or family court. *See attached 4/20/18 memo* (this was carried over from 4/25/18 agenda item IV(a)(ix)).

IV. Status Report from Kate McCloskey, Guardianship Compliance Manager

V. Administrative Docket 507 – General discussion and update on Commission's First Interim Report, filed May 30, 2018, and July 18, 2018, Public Hearing *See attached Report including Attachments A and B*¹

VI. Area of Rules to be Completed by Rules Subcommittee

- a. Rules set forth in August 2, 2017, ADKT 517 Order that still need to be addressed.
 - 1. Rules outlining the duties of an attorney for a proposed protected person or protected person.
 - 2. Rules outlining the duties of a guardian ad litem for a proposed protected person or protected person.
 - 3. Procedures or rules to require mediation in all contested guardianship proceedings.
 - 4. Rules to evaluate Court supervision of guardianships including training, staffing, scheduling, and caseload limits.
 - 5. Rules to designate training and caseloads for professional guardians, both private and public.
 - 6. Uniform statewide rules for the processing of guardianship proceedings in all Nevada District Courts.
 - 7. Rules requiring a court to make specific findings if the court does not order a bond or blocked account.
 - 8. Rules regarding NRS 159.057, which would require the Court to create and maintain a separate case for each individual protected person regardless of whether the petition was filed for two or more protected persons.
 - 9. Rules for the qualifications of non-attorney guardian ad litem or advocate.
- b. Status Report from Rules Subcommittee Co-Chairs John Michaelson and Dania Reid.

VII. General Discussion re Possible Amendments of 2017 Legislation

- a. 5/24/18 Email from and discussion by Cassandra Jones, Esq., re adverse effects of 2017 Guardianship Legislation on Protected Persons.
- b. 7/5/18 Letter from Mushkin • Cica • Coppedge re Guardianship Commission Report. *See attachment.*
- c. Concerns of Washoe and Clark County Public Guardians. *See attachment.*

¹ Link to Attachment C - Statewide Guardianship Forms:
<https://nvcourts.gov/AOC/Templates/Documents.aspx?folderID=17270>

- d. Minor Guardianship Statutes: Possible creation of uniform procedures to transfer minor guardianships into Nevada from other states.²
- e. NRS 159.0145: Possible clarification of the difference between a citation and a notice.³

VIII. General Discussion of Potential 2019 Legislative Amendments

- a. Consideration and Comparison of ABA proposed amendments to Uniform Guardianship Act. *See attached 2/1/18 email w/attachment from Judge Gloria Sturman re ABA proposed amendments to Uniform Guardianship Act.*

IX. Public Comment

Because of time considerations, the period for public comment by each speaker may be limited to 3 minutes, and speakers are urged to avoid repetition of comments made by previous speakers.

X. Adjournment

² There is nothing in the new minor guardianship statutes regarding transferring a minor guardianship into Nevada from another state. There are uniform procedures for transferring adults into Nevada but not for minors. Sabrina Sweet has indicated that guardians in Washoe County have to wait six months after establishing residency before they can petition the court for a new guardianship. After the NV guardianship is approved, then they have to go back and petition the other state to terminate. From discussion by the Forms Subcommittee on 3/13/18.

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