

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and State Court
Administrator



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Judicial Programs and Services

MEETING SUMMARY

Name of Organization: Judicial Council of the State of Nevada

Date and Time of Meeting: Friday, June 11, 2021, 2:00 p.m.

Place of Meeting: Remote Access via BlueJeans

MEMBERS PRESENT:

Chief Justice James Hardesty
Chief Judge Michael Gibbons
Judge Bert Brown
Judge Steve Dobrescu
Chief Judge Scott Freeman
Steve Grierson
Judge Eileen Herrington
Judge Kevin Higgins
Judge Dorothy Nash Holmes
Judge Eric Johnson
Judge Phillip Leamon
Judge Mike Montero
Katherine Stocks
Judge Ryan Toone

AOC STAFF:

Vicki Elefante
John McCormick

- I. Call to Order
 - Chief Justice Hardesty, Chair of the Judicial Council of the State of Nevada, called the meeting to order at 2:00 pm.
- II. Call of the Roll and Determination of Quorum Status
 - Ms. Elefante called roll; a quorum was present.
- III. Public Comment
 - There was no public comment.
- IV. Approval of Previous Meeting Summary
 - The summary of the March 19, 2021 meeting was approved.
 - ♦ Judge Holmes made a motion to approve; Judge Johnson seconded the motion. The motion was unanimously approved.
- V. Business and Action Items
 - Bylaw Amendment for the Court Improvement Program Select Committee

- ♦ Mr. McCormick provided a brief overview of the Court Improvement Program (CIP) Select Committee and the proposed bylaw amendment.
 - The Committee functions as the governing committee of the CIP program; it has been operating as an “ad hoc” committee of the JCSN.
 - The proposed bylaw amendment would formalize the Committee as a standing committee if the JCSN.
 - Mr. McCormick recommended approval of the amendment.
- ♦ With no further discussion, Judge Higgins made a motion to approve the bylaw to formalize the CIP Committee consistent with the draft included in the meeting materials. Judge Montero seconded the motion. The motion was unanimously approved.
- JCSN Full-Council Bylaw Amendments
 - ♦ Chief Justice Hardesty commented that allowing proxies to attend discourages members from attending these meetings and representing the regional judicial councils they were elected to represent. As such, Chief Justice Hardesty has requested that the JCSN bylaws be revised to require that members be present at these meetings to vote.
 - Judge Dobrescu commented that proxy usage is appropriate when not abused.
 - Attendees discussed the convenience of holding the JCSN meeting virtually; the remote format supports the elimination of proxies. Chief Justice Hardesty commented that he anticipates these meetings will continue to be held remotely, at least as long as he is acting as Council chair.
 - Judge Holmes asked for clarification regarding Council membership. Chief Justice Hardesty explained that the membership composition is determined by the JCSN bylaws. Ms. Elefante explained membership composition:
 - the chief judge of the 2nd Judicial District,
 - the chief judge of the 8th Judicial District,
 - the limited jurisdiction judges in the 2nd and 8th judicial districts each elect a representative from their peers.
 - Judge Toone suggested removing the language regarding proxy compensation from the second sentence of section 3; Mr. McCormick will make the changes pending final approval of the amendments.
 - Judge Montero made a motion to adopt the bylaw amendments are presented in the meeting materials. Judge Dobrescu seconded the motion.
 - Ms. Elefante conducted a rollcall vote; members present approved the motion unanimously.
- American Rescue Plan Request
 - ♦ Chief Justice Hardesty provided attendees with an update on progress since the previous meeting.
 - After seeking input from Nevada’s courts, the Supreme Court submitted an amended list to the Governor’s Office and the LCB.
 - The Governor has informed the Supreme Court that courts should request funding from their primary funding bodies (county/city) first and then, if those requests are denied, the courts can submit the request, with supporting explanation, to the Governor’s Office and the LCB.
 - Attendees briefly discussed funding timelines and limitations on funding expenditures.
 - Chief Justice Hardesty is confident that all requests meet funding expenditure requirements.
 - Chief Justice Hardesty directed attendees to reach out to their respective county/city clerk/treasurer offices with funding questions and offered to attend funding request presentations/meetings to support the courts’ requests.

- Chief Justice Hardesty informed attendees that, at this point, his understanding is that the Legislature will hold a special session to address allocation and management of the State of Nevada funds.
- Chief Justice Hardesty asked attendees to share this information with their colleagues.
- ♦ Chief Justice Hardesty directed attendees to seek support from local bar representatives regarding funding requests.
 - Attendees briefly discussed the “game changing” nature of the requests being made and the need for the legal community to get involved and demonstrate support for the courts’ requests.
 - Brief discussion was held regarding the need for direct judiciary input into the project selection process.

VI. Reports of Committees

- Ms. Katherine Stocks provided a report on the Court Administration Committee.
 - ♦ The Committee is working on a preliminary study on jury utilization. Hans Jessup is completing the preliminary report and will have it ready for the Court to review soon.
 - ♦ The Committee has been discussing legislative items of interest.
 - ♦ Chief Justice Hardesty commented that, during session, discussions were held regarding gaining access to DETR’s information (names and contact info) for persons seeking unemployment compensation. This info would be used for purposes of courts’ jury lists.
 - During session, DETR raised an amendment to SB75 that would end its requirement of providing this information.
 - Ultimately, after negotiations, the bill was amended to require names to be supplied as long as DER was in receipt of an administrative subpoena issued by a court competent to issue such subpoenas.
 - Chief Justice Hardesty has filed an administrative subpoena with the Nevada Supreme Court. The subpoena has been provided to DETR; the required names and information should be provided to the courts by July 1.
 - Courts do not need to individually submit administrative subpoenas to DETR.
 - Please let the Nevada Supreme Court know if your jury commissioners are not receiving this information.
- Mr. John McCormick provided a brief update on the Court Improvement Program.
 - ♦ There is a new contract administrator for the dependency mediation program.
 - ♦ Currently working with the grant subcommittee to utilize the supplemental funding that CIP received as part of the federal pandemic relief legislation.
- The Judicial Education Committee has not met. However, Chief Justice Hardesty reported that Governor has signed the relevant budgets; the funds that were previously cut have been restored.
 - ♦ In terms of judicial education, this means conferences/seminars will be held in person and travel will be funded per policy.
 - ♦ The Judicial Leadership Summit will occur in May of 2022 and will replace the District Judges’ Association conference and the summer NJLJ seminar.
 - Justice Cadish and Justice Stiglich will serve as co-chairs of the planning committee for this event.
- Mr. McCormick reported that the Language Access Committee has not met but the Certified Court Interpreter Coordinator position will be filled as of July 12 and the program will “relaunch” in its full capacity.
 - ♦ Chief Justice Hardesty suggested that the mission, goals, and purposes of the Language Access Committee be “revisited” and aligned with the efforts of Access to Justice Committee in order to avoid duplicating efforts.
- There was no report on the Specialty Court Funding Committee.
- There was no report on the Technology Committee.

- ♦ Chief Justice Hardesty reported that Rick Stefani has retired from the AOC. The search for a new CIO is ongoing.
- ♦ The NCSC's IT group has completed an assessment of the AOC's IT department; a report is forthcoming and will contain beneficial information for court IT operations across the state.

VII. Reports of Regional Council Meetings

- There was no report from the Clark Regional Judicial Council.
- Judge Montero and Judge Leamon reported on the North Central Regional Judicial Council.
 - ♦ The meeting is accurately reflected in the provided summary.
 - ♦ Judge Leamon expressed excitement regarding the possibility of remote DV batterers counseling.
- Judge Herrington provided a brief update on the Sierra Regional Judicial Council; the Council plans to meet in person at its next meeting.
- There was no report from the South Central Regional Judicial Council; the Council is scheduled to meet June 21.
- There was no report from the Washoe Regional Judicial Council; the Council is scheduled to meet on June 16.

VIII. Informational Materials

- Chief Justice Hardesty informed attendees that there are three issues on the administrative docket for presentation to the Nevada Supreme Court at a public hearing on June 28.
 - ♦ ADKT 580: Commission on Nevada Rules of Appellate Procedure
 - ♦ ADKT 581: Commission to Study Best Practices for Virtual Advocacy in Nevada's Courts
 - ♦ ADKT 582: Commission to Study the Statutes and Rules of the Commission on Judicial Discipline and Update, as Necessary, the Nevada Code of Judicial Conduct

IX. Additional Discussion Items

- Chief Justice Hardesty informed attendees that the Nevada Supreme Court and the AOC have applied for grant funding for the development of a strategic plan for Nevada's judiciary and legal system.
 - ♦ The NCSC would work with Nevada's judiciary and legal community to develop a Nevada-specific strategic plan.

X. Future Meetings

- September 17, 2021 at 2:00 pm
- November 19, 2021 at 2:00 pm

XI. Public Comment

- There was no public comment.

XII. Adjournment

- There being no further discussion, the meeting was adjourned.