

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
State Court Administrator



JOHN MCCORMICK
Assistant Court Administrator

AMENDED
MEETING NOTICE AND AGENDA

Organization: Commission on Judicial Selection
Eighth Judicial District, Department XXVII

Date and Time: Friday, February 16, 2024, at 8:30 am

Venue: The Commission will convene in the Supreme Court Courtroom of Las Vegas
Additional public viewing is available through YouTube.

Supreme Court YouTube	Supreme Court
https://tinyurl.com/Nevada-Supreme-Court-YouTube	Las Vegas
	Courtroom
	408 E. Clark Street

AGENDA

1. Call to Order
2. Roll Call and Determination of Quorum Pursuant to Rule 4.F.
3. Public Comment Pursuant to Rule 4.C.ii.
4. Approval of Meeting Summaries from January 22, 2024 and February 6, 2024* (Tabs 1 and 2)
8:45 a.m.
5. Interviews for Eighth Judicial District Department XXVII**
 - a. 08:45 a.m. Alexandra McLeod
 - b. 09:15 a.m. Robert Allen Stephens
 - c. 09:45 a.m. -Break-
 - d. 09:55 a.m. Tracy Hibbetts
 - e. 10:25 a.m. Timothy Thomas
 - f. 10:55 a.m. -Recess-
 - g. 1:30 p.m. David Clayson
 - h. 2:00 p.m. Martina Bauhaus
 - i. 2:30 p.m. -Break-
 - j. 2:40 p.m. Erica Mendoza

3:10 p.m.

6. Executive Session Pursuant to Rule 3.E

7. Selection of Department XXVII Nominees Pursuant to Rule 9.D*

8. Adjournment

* Denotes items which the Commission may take action.

Accommodation: We are pleased to make reasonable accommodation for the members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Administrative Office of the Courts, in writing to mbautista@nvcourts.nv.gov or call Margarita Bautista at (775) 684-1710.

** There is a presumption that the Commission will conduct its interviews, deliberations and voting in public session, except where it is deemed necessary or appropriate to enter into an executive session because of the sensitive nature of matters or information to be discussed. Executive sessions may take place only to discuss applicants' individual or relative qualifications, or for conducting a portion of an interview. An executive session shall occur upon a motion made by a Commissioner and approved by a majority of the members present.

Notice: Commission Rule 4.B. public notice of meeting was provided at least three working days prior to the meeting. Notice of this meeting was posted on the Supreme Court Website www.nvcourts.gov.

Tab 1

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
State Court Administrator



JOHN McCORMICK
Assistant Court Administrator

MEETING SUMMARY

Organization: **COMMISSION ON JUDICIAL SELECTION**

Date and Time: Monday, January 22, 2024, at 3:00 p.m.

Venue: Zoom Meeting

Commissioners Present

Chair, Chief Justice Elissa Cadish
Vice-Chair Gregory Kamer Esq.
Ms. Claudia Aguayo Esq.
Ms. Donna Bath
Ms. Justina Caviglia Esq.
Mr. Andrew Diss
Mr. Peter Guzman
Mr. Joel Locke Esq.
Mr. Mateo Portelli

Guests Present

Taylor Avery, Las Vegas Review Journal
Casey Quinn, Attorney
Melanie Thomas, Attorney

Commission Staff Present

Ms. Margarita Bautista

AGENDA

1. Call to Order

Chair Cadish convened the meeting at 3:03 p.m.

Chair Cadish welcomed Mr. Peter Guzman to the Commission as a permanent member and thanked him for his previous service as a temporary member.

Chair Cadish welcomed Claudia Aguayo to the Commission as a temporary member, appointed by the State Bar.

Chair Cadish welcomed Mateo Portelli to the Commission as a temporary member appointed by the Governor.

2. Roll Call and Determination of Quorum Pursuant to Rule 4.F.

Sec'y Stocks took roll, and a quorum was present.

3. Public Comment Pursuant to Rule 4.C.ii.

There was no public comment.

4. Approval of Meeting Summary from December 7, 2023*

Com'r Guzman made a motion to approve the minutes with no corrections.

Com'r Portelli and Com'r Caviglia seconded the motion.

- The motion passed unanimously.

5. Appointment of Vice-Chair Pursuant to Rule 4.E.*

Chair Cadish entertained a motion to nominate a vice-chair.

Com'r Diss made a motion to nominate Com'r Kamer as Vice-Chair.

Com'r Guzman seconded the motion.

Com'r Kamer stated he would appreciate being able to stay as Vice-Chair during his last year on the Commission. He noted the strength of the Commission and appreciated the nomination.

- The motion passed unanimously.

6. Eighth Judicial District Department XXVII

a. Application Process*

Chair Cadish stated that normally for this agenda item, the Commission would be provided with a draft agenda for interviews to approve and asked to provide disclosures on any potential conflict of interest with any of the candidates. Chair Cadish stated that this vacancy has a different process due to the erroneous inclusion of Department 27 in the judicial candidate filing period that ran from January 2-12. Chair Cadish stated the Las Vegas Review Journal reported that Clark County inadvertently allowed two candidates to file for the Department 27 seat. Chair Cadish further stated that under statute, a judicial vacancy must be declared by the Governor and Department 27 was declared vacant on January 17, 2024, five days after the close of the judicial candidate filing period.

Chair Cadish opened the floor to discussion.

Vice-Chair Kamer stated that the process is not perfect, can be complicated, and it is the duty of the Commission to identify candidates who will be retained after appointment. Vice-Chair Kamer noted that the two individuals that thought they filed properly were in attendance at today's meeting.

Vice-Chair Kamer proposed a motion to reopen the application process to all qualified attorneys providing enough time to complete the application and the necessary steps.

Com'r Locke agreed with Vice-Chair Kamer and proposed February 5, 2024, as the filing deadline and to keep the proposed interview date of February 16, 2024.

Com'r Portelli agreed with the proposed motion and asked for clarification if the additional applicants being interviewed would be interviewed on the same date of February 16, 2024.

Chair Cadish noted that was the intent.

Vice-Chair Kamer stated that the total number of applicants may require additional interview dates.

Com'r Guzman asked for clarification on the interview dates as he had other dates down for interviews as well as if the date is a fair amount of time for the whole process as he had heard from the community that it might not be.

Vice-Chair Kamer asked for clarification on what Com'r Guzman had heard.

Com'r Guzman stated that he received a couple phone calls about the process appearing rushed and his understanding is that the Commission wants to ensure the process is transparent.

Vice-Chair Kamer stated that the rules of the Commission are clear and that the purpose is to give as many people as possible access to interviews. He further stated that the appointee will have to run for the seat with a large hill to climb because of the compressed time schedule prior to the general election in November. Vice-Chair Kamer asked Chair Cadish about her thoughts as a former applicant.

Chair Cadish stated that two weeks are sufficient to get the applications submitted. She further stated that the determination is based on sufficiency.

Com'r Diss stated that the application period was about four weeks and an additional two weeks could be sufficient. He further stated that the application may need to include instructions that the applicants cannot fundraise until the special filing period closes.

Chair Cadish asked that there be clarification for the applicants pertaining to fundraising in the application instructions.

Com'r Aguayo stated that her understanding of the proposed motion was to reopen the application, making the application open until noon on Tuesday, February 6, 2024.

Vice-Chair Kamer stated that was the intent of his motion.

Com'r Locke seconded the motion.

- The motion passed unanimously.

Chair Cadish stated that notice would go out in the afternoon pertaining to the reopening of the application.

b. Next Meeting Date

Chair Cadish proposed Friday, February 6, 2024, at 4:00 p.m. for the applicant review meeting.

Chair Cadish opened the floor for another session of public comment.

Mr. Casey Quinn provided public comment noting that "he appreciates what the Commission is doing to make this process clearer." He further stated that the two candidates have taken an alternative approach to

that of Clark County regarding the erroneous acceptance of judicial candidate filings for Department 27. He further stated that he and the other candidate have requested a decision directly from the Secretary of State because it was the Secretary of State that provided notice of acceptance.

7. Adjournment

Chair Cadish adjourned the meeting at 3:40 p.m.

Tab 2

Supreme Court of Nevada
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State Court Administrator



JOHN MCCORMICK
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MEETING SUMMARY

Organization: **COMMISSION ON JUDICIAL SELECTION**

Date and Time: Tuesday, February 6, 2024, at 4:00 p.m.

Venue: Zoom Meeting

Commissioners Present

Chair, Chief Justice Elissa Cadish
Vice-Chair Gregory Kamer Esq.
Ms. Claudia Aguayo, Esq.
Ms. Donna Bath
Ms. Justina Caviglia Esq.
Mr. Andrew Diss
Mr. Peter Guzman
Mr. Joel Locke Esq.

Guests Present

None

Commission Staff Present

Ms. Margarita Bautista

Commissioners Excused

Mr. Mateo Portelli

AGENDA

1. Call to Order

Chair Cadish called the meeting to order at 4:03pm.

Chair Cadish stated the Commission was meeting to review the list of applicants since reopening the application period for an additional two weeks. Additional applications were accepted from Monday, January 22, 2024, through noon February 6, 2024. The Commission received one additional application for a total of 8 applicants.

Chair Cadish also stated the purpose of the meeting was to give Commissioners an opportunity to review the proposed interview schedule, ask questions regarding the interview and applicant review process, and to provide an opportunity for disclosures under Commission Rule 2.

2. Roll Call and Determination of Quorum Pursuant to Rule 4.F.

Sec'y Stocks took roll, and a quorum was present.

3. Public Comment Pursuant to Rule 4.C.ii.

There was no public comment.

4. Eighth Judicial District Department XXVII Interview Schedule

Chair Cadish stated that the Commission would review and approve the meeting summaries from January 22nd and February 6th at the next meeting on February 16, 2024.

Chair Cadish asked Commissioners whether they had any questions regarding the draft interview agenda including the large gap in time.

Com'r Guzman thanked the Commission for accommodating his luncheon.

Chair Cadish reviewed the proposed agenda for February 16, 2024, with the first interview beginning at 8:15am and the last interview at 2:40pm with the executive session following immediately thereafter.

08:15 a.m.	Steven Morris
08:45 a.m.	Alexandra McLeod
09:15 a.m.	-Break-
09:25 a.m.	Robert Allen Stephens
09:55 a.m.	Tracy Hibbetts
10:25 a.m.	Timothy Thomas
10:55 a.m.	-Recess-
1:30 p.m.	David Clayson
2:00 p.m.	Martina Bauhaus
2:30 p.m.	-Break-
2:40 p.m.	Erica Mendoza

Chair Cadish asked if any commissioner had any concerns with the proposed interview schedule and received no response. Chair Cadish stated that the interview schedule would proceed as proposed.

Chair Cadish asked commissioners for disclosures under Commission Rule 2.

Chair Cadish, stated that most of the applicants appeared in front of her as a district judge in Clark County. Chair Cadish stated she knows Ms. McLeod through events held by Southern Nevada Association of Women Attorneys (SNAWA) or other professional association gatherings. She further disclosed that Mr. Stevens and Ms. Hibbets were assigned to district attorney and public defender tracks respectively, appearing before her department at Clark County some nine years ago. Chair Cadish summarized her disclosures, stating she has no close business or friendship relationships among the applicants.

Com'r Guzman disclosed that the Latin Chamber of Commerce has an endorsement process during elections, interviewing judicial candidates. However, he stated he is personally not involved. Com'r Guzman summarized his disclosures, stating he has no close business or friendship relationships among the applicants.

Com'r Aguayo disclosed that she knows Ms. Hibbetts and Ms. McLeod from professional attorney associations such as SNAWA. Ms. Aguayo stated she worked professionally with Ms. Bauhaus. Com'r Aguayo summarized her disclosures, stating she has no close business or friendship relationships among the applicants.

Vice-Chair Kamer noted that he knows the applicants from professional attorney associations.

Chair Cadish asked the commission if anyone felt that a commissioner should be disqualified.

- The Commission proceeded without concern of a conflict of interest.

Chair Cadish asked for questions about the applicant review process and upcoming interviews. Chair Cadish had a few technical questions related to the process of applicant material distribution.

Sec'y Stocks clarified that materials are provided via Microsoft Teams to commissioners and one hardcopy binder is provided containing documents that cannot be stored in an electronic format.

5. Adjournment

The meeting adjourned at 4:18pm.