

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

MEETING SUMMARY

Commission to Study Best Practices for Virtual Advocacy in Nevada's Courts

July 11, 2023

10:00 a.m.

Summary prepared by: Seth Easley

Members Present:

Justice Douglas Herndon (Co-chair)
Justice Patricia Lee (Co-chair)
Evelyn Grosenick
Darin Imlay
Christopher Lalli
Alicia Lerud
Christopher Long
Jennifer Noble
Professor Joseph Regalia

Guests Present:

Celinda Galindo Hull
JoNell Thomas
Nick Tomassetti

AOC Staff Present:

Mr. Seth Easley
Ms. Jamie Gradick
Ms. Almeda Harper

- I. Call to Order
 - Justice Herndon called the meeting to order at 10:20 a.m.
 - Ms. Gradick called roll; a quorum was not present.
 - Justice Herndon welcomed Justice Lee, Justice Parraguirre, and Washoe County Public Defender Evelyn Grosenick to the Commission.
 - Justice Herndon stated the reason that the commission had not had a meeting since December 2022 was because of the 2023 Legislative Session and the workload some may have experienced during.
 - Justice Herndon reported that the Commission's work is coming to fruition with all the workgroups having created proposed rules.
- II. Public Comment
 - There was no public comment.
- III. Review and Approval of Previous Meeting Summaries
 - The summaries for the April 15, 2022 and December 2, 2022 meetings were tabled for a future meeting.
- IV. Review of Subcommittee Reports
 - This item was tabled for discussion for a future meeting.
- V. Discussion on Next Steps

- Justice Herndon informed attendees that he wanted to find a unified and consistent format into which the workgroups could plug their proposals. A template that would suit the commission's needs has been difficult to locate; other jurisdictions produced similar proposals in the form of administrative orders.
- Justice Herndon stated that he would create a form that the workgroups could use to format their proposals. He will try to have the form completed and sent to the workgroups in the next couple of weeks so they may begin formatting their proposals before the next meeting with the goal of having everything finalized by October.

VI. Other Items/Discussion

- Justice Lee asked if there was anything being discussed to address impediments facing pro-bono representation in the rurales and stated that lawyers want to be able to represent clients in the rural jurisdictions.
 - ♦ Justice Herndon stated that he didn't know that what they worked on in the last year was particularly regarding pro-bono as opposed to any case, pro-bono or not. He explained that the recommendations were presumptive and offered the example of one being able to request to appear virtually if a hearing is presumptively in-person. He explained that judges will always be in the courtroom and there will always be the ability to ask the court to make a presumptively virtual hearing in-person.
 - ♦ Justice Herndon acknowledged that the issue of getting representation to certain rural areas had been a problem even before Covid-19. He stated that he believes infrastructure is part of the issue and recognized that the commission's limited jurisdiction members would be in a better position to speak on that issue.
 - ♦ Justice Herndon suggested that Justice Lee oversee the Subcommittee on Uniform Rules for Limited Jurisdiction Courts.
 - Justice Lee responded that she would be happy to oversee any part of it. She added that she believes there would be greater participation of attorneys representing those who can't afford representation in the rural jurisdictions if they were presumptively allowed to appear remotely for hearings if it is outside of their jurisdiction. Especially since pro-bono cases already pose a financial burden to firms.
 - ♦ Justice Herndon asked Ms. Gradick if there was any representation from Legal Aid on the commission. Ms. Gradick confirmed that there was not. He then asked if Justice Lee would look into getting someone from Legal Aid involved in the commission to which she agreed.
 - Justice Herndon requested that Justice Lee inform Ms. Gradick and himself once a Legal Aid representative is identified for appointment to the Commission.
- Ms. Thomas asked if there was anything that occurred during the Legislative Session that addressed increasing broadband access to the rural areas.
 - ♦ Justice Herndon replied that he knew Governor Sisolak began something to increase broadband access throughout the state but was unsure of what the legislature may have done in that regard. He added that this may have had less to do with internet but rather some courtrooms not being set up to facilitate hearings during Covid-19 and that most areas were able to address that in some fashion. He acknowledged that Judge Bishop would be better suited to answer this question.
 - ♦ Ms. Lerud stated that she believed there to be a significant amount of "American Rescue Plan" (ARPA) funds going towards increasing broadband access in the rural areas. and informed attendees that Washoe County is using some of that federal funding to increase broadband access in Gerlach and the surrounding areas.
 - ♦ Justice Herndon asked if that was part of something that was discussed during the Legislative Session or if it was entirely separate.
 - Ms. Lerud answered that she believed it to be separate funding although that does not necessarily mean discussions of this topic did not occur during the Legislative Session.
 - ♦ Justice Herndon stated that they would ask for input from the limited jurisdictions in the meeting's follow-up email.

VII. Next Meeting

- The next meeting is TBD in late August.
 - ♦ In hopes of increased attendance at the next meeting, the meeting survey will include several potential dates over a 2-week period.

VIII. Adjournment

- There being no further comment, the meeting was adjourned at 10:50 a.m.