

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

Kristine Brewer



Personal Information

1.	Full Name	Kristine Brewer-Blau
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.	Kristine Brewer is my maiden name. Kristine Brewer-Blau is my married name. I added Blau after marriage in approximately March 2010. I use Kristine Brewer as my professional name.
3.	How long have you been a continuous resident of Nevada?	November 2000.
4.	City and county of residence	Las Vegas, Clark County
5.	Age	52

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, Inc.
Phone	(702) 386-1070
Physical Address & Website	725 East Charleston Boulevard, Las Vegas, Nevada, 89104 www.lacsn.org
Date(s) of Employment	January 31, 2019 – Present
Supervisor's Name and Title	Barbara Buckley, Managing Director April Green, Family Justice Project
Your Title	Staff Attorney
Describe Your Key Duties	The cases I handle are exclusively family law cases including but not limited to: custody, divorce, and temporary orders of protection. I am responsible for carrying the cases from consultation through decision. I have the responsibility of setting my own appointments, calendar, etc. I draft my own correspondence, pleadings, motions, etc.
Reason for Leaving	Presently Employed

Previous Employer	Bonanza Legal Group
Phone	(702) 405-1576
Address & Website	3591 East Bonanza Road, Las Vegas, Nevada 89110 www.bonanzalegal.com
Date(s) of Employment	October 2017 – January 2019

Supervisor's Name and Title	Marshal Willick, Esq. Owner / Attorney
Your Title	Attorney
Describe Your Key Duties	The cases I handle are exclusively family law cases including but not limited to: custody, divorce, and temporary orders of protection. I am responsible for carrying the cases from consultation through decision. I have the responsibility of setting my own appointments, calendar, etc. I draft my own correspondence, pleadings, motions, etc.
Reason for Leaving	Wanted to work for Legal Aid.

Previous Employer	Self-Employed
Phone	(702) 380-8119
Address & Website	1404 South Jones Boulevard Las Vegas, Nevada 89146
Date(s) of Employment	July 2019 – October 2019
Supervisor's Name and Title	Kristine Brewer
Your Title	Attorney
Describe Your Key Duties	
Reason for Leaving	

Previous Employer	Jimmerson Law Firm
Phone	(702) 388-7171
Address & Website	415 South Sixth Street Suite 100, Las Vegas, Nevada 89101 www.jimmersonlawfirm.com
Date(s) of Employment	June 2016 – June 2017
Supervisor's Name and Title	James J. Jimmerson, Esq. Owner
Your Title	Attorney
Describe Your Key Duties	I worked on several high net worth cases. There was intense motion practice and discovery practice.
Reason for Leaving	Returned to the opportunity of self-employment.

Previous Employer	Brewer Blau Law Group
Phone	No existing phone number
Address & Website	No existing address No existing website

Date(s) of Employment	January 2009 – June 2016
Supervisor's Name and Title	Kristine Brewer, Esq. and Robert Blau Co-Owners and Partners
Your Title	Partner/Attorney
Describe Your Key Duties	All the responsibilities of running a small business and practicing law.
Reason for Leaving	Wanted to gain different family law experience.

Previous Employer	Law Offices of Douglas R. Johnson
Phone	No existing phone number
Address & Website	No existing address No existing website
Date(s) of Employment	August 2008 – October 2008
Supervisor's Name and Title	Douglas R. Johnson, Esq. Owner / Attorney
Your Title	Attorney
Describe Your Key Duties	Draft motions for summary judgment, written discovery, motions to compel and objections to hearing master's recommendations. Summarize depositions. Legal Research. Draft Memorandums. Client Consultations. Court Appearances.
Reason for Leaving	Insurance Defense was not the right fit for me.

Previous Employer	Lin & Associates
Phone	No existing phone number
Address & Website	No existing address No existing website
Date(s) of Employment	November 2006 – August 2008
Supervisor's Name and Title	Francis F. Lin Owner / Attorney
Your Title	Attorney
Describe Your Key Duties	Lead Counsel for family law cases including Temporary Protective Orders, Guardianship, annulments, divorce and custody. My duties and responsibilities included taking a case from the initial consultation to the final decision including all steps necessary steps in between including but not limited to complaints, answers, counterclaims, replies, motions for temporary orders, discovery, motions to compel discovery, depositions, settlement conference and evidentiary hearings.
Reason for Leaving	I wanted to explore practicing an area of law different from family law.

Previous Employer	John S. Rogers & Associates
Phone	No existing phone number

Address & Website	No existing address No existing website
Date(s) of Employment	April 2006 – November 2006
Supervisor's Name and Title	John S. Rogers, Esq. Owner / Attorney
Your Title	Attorney
Describe Your Key Duties	Attend bail hearings, arraignments, and preliminary hearings. Negotiate criminal plea agreements. Prepare civil case for short track program. Work a couple of Plaintiff's personal injury suits, real estate suits, probate and a special need's trust. Carry case load of family cases including custody and divorce. Handle family law cases from initial consultation through decision. Strategize the family law cases.
Reason for Leaving	Managing attorney, John S. Rogers, had several bar complaints. None of said complaints included me.

Previous Employer	Gayle Nathan, APLC
Phone	No existing phone number
Address & Website	No existing address No existing website
Date(s) of Employment	December 2004 – April 2006
Supervisor's Name and Title	Gayle Nathan, Esq. Owner / Attorney
Your Title	Attorney
Describe Your Key Duties	Experience in family law (child custody, child support, putative parental rights, termination of parental rights, juvenile abuse and neglect) including but not limited to: drafting complaints, answers, counterclaims, replies, motions for temporary support, written discovery, depositions, motions to compel discovery, motion hearings, and second chair evidentiary hearings.
Reason for Leaving	Sought more financial lucrative employment.

Previous Employer	Faux & Associates
Phone	No existing phone number
Address & Website	No existing address No existing website
Date(s) of Employment	January 2009 – June 2016
Supervisor's Name and Title	Kurt C. Faux, Owner / Attorney
Your Title	Law Clerk
Describe Your Key Duties	Focused on matters regarding surety/insurance and ERISA. Duties included legal research, drafting legal memorandums, organizing files, client communication and shadow attorneys during depositions, client consultations, and motion hearings.
Reason for Leaving	

Previous Employer	Starbucks at Gold Key Shopping Center
Phone	No existing phone number
Address & Website	No existing address No existing website
Date(s) of Employment	April 2001 – July 2005
Supervisor's Name and Title	Do Not Recall Store Manager
Your Title	Barista
Describe Your Key Duties	Open café. Make coffee, specialty espresso drinks, iced teas, and other specialty beverages. Organize pastries. Clean store. Organize store. Serve customers.
Reason for Leaving	Wanted to focus on being a first-year attorney.

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.

Bonanza High School,
6665 Del Rey Avenue
Las Vegas, Nevada 89146
Attended September 1984 – June 1988
Received high school diploma June 1988

University of Nevada Las Vegas
4505 South Maryland Parkway
Las Vegas, Nevada 89154
Attended September 1988 – June 1992
Took some time off in 1990 and 1991
Left September 1992 – June 1994 to attend the University of Utah
Attended September 1994 – July 1996
Received Political Science B.A.

University of Utah
Utah Admissions
201 South 1460 East, Room 250 S
Salt Lake City, Utah 84112
Attended September 1992 – June 1994
Left to return to Las Vegas to conserve money for law school

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

In high school, I was on the swim team my freshman year. It was a privilege to be part of the relay that set a high school state record. I received my letter in swimming my freshman year.

During my senior year, I served as student body treasurer.

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.

Thomas Jefferson School of Law
701 B Street, #110
San Diego, California 92101

I received by J.D. May 2000

Summer 1999, I attended law school in Vienna Austria through Loyola University in New Orleans.

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.

I worked at the Thomas Jefferson School of Law library located at my law school. I was employed during my second and third year of law school which was approximately 1998 - 2000. My duties were to ensure that the materials in the library were checked out, returned, keep count of patrons using the facilities, and close the facility. I usually worked Tuesday, Saturday, and Sunday. My hours were 5 pm to 11 pm.

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

I was a member of La Raza during my second year of law school.

I served as student body vice-president, during my second year.

These experiences gave me the opportunity to interact with students and faculty other than my own section. I had the privilege to participate in and organize social activities, community service outreach, and guest speakers.

Law Practice

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

2004

13. Name states (other than Nevada) where you are or were admitted to practice law and your year of admission.

Not Applicable.

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.

100% of my work has involved litigation matters.

16. Estimate percentage of time spent on:

Legal Discipline	Percentage of Practice
Domestic/family	95%
Juvenile matters	5%
Trial court civil	
Appellate civil	
Trial court criminal	
Appellate criminal	
Administrative litigation	
Other: Please describe	

17. In the past five years, what percentage of your litigation matters involved cases set for jury trials vs. non-jury trials?

In the last five years, 100% of my litigation matters have involved non-jury trials.

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.

In the last five years, I have tried zero jury cases to decision.

In the last five years, I have tried approximately 23 non-jury cases to decision.

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

In the last five years. I have practiced law in the Eighth Judicial Court, Clark County, Family Division.

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: D-09-405727-D Samuel E. Colbert vs. Denise C. Nobel-Colbert linked to cases: T-09-114689-T and January 2009
Court and presiding judge and all counsel: Department: P The Honorable Sandra Pomrenze Randy Richards, Esq. John T. Kelleher, Esq.
Importance of the case to you and the case's impact on you:
Your role in the case: I was lead counsel for Samuel E. Colbert, Plaintiff

Case 2
Case name and date: D-19-585068-D Ayo A Olanipekun, Plaintiff vs. Phebe A Adeosun, Defendant File Date: 03/01/2019
Court and presiding judge and all counsel: Department: L The Honorable David Gibson, Jr. Department: Q The Honorable Bryce C. Duckworth Opposing Counsel: James E. Smith, Esq.
Importance of the case to you and the case's impact on you: This is one of the first cases that I worked on at Legal Aid. The parties were both immigrants to the United States. The parties shared a young minor child who had recently been diagnosed as being on the autism spectrum. Defendant reported that the minor child required constant supervision and redirection. She was working to become self-sufficient by getting a nursing degree, nursing license, and work permit. Defendant sought spousal support to bridge the financial gap until she would be financially self sufficient. Opposing counsel and I were able to negotiate and settle the custody and visitation aspects of the divorce case. June 18, 2019, an evidentiary hearing was held regarding division of assets, debts, and spousal support. The Honorable David Gibson, Jr. presided. The Court heard the parties' testimony regarding their finances, how they would like the assets and debts divided, and spousal support. The Court made findings and orders. Ultimately, the Court Ordered Plaintiff to pay Defendant \$500.00 per month as and for spousal support for the term of two years.

After the case was finalized, my client came to my office to thank me for representing her. She was happy with the results. She wanted to take a picture with me, which was a first for me in my career. Prior to the Evidentiary Hearing, I explained that Nevada has no spousal support formula and that the Court could ultimately award no spousal support. At this final meeting, the Defendant reflected on this prior conversation. She said, "See Ms. Brewer, it doesn't hurt to ask. The worst that could have happened is the Judge would have said no. We asked. The Judge said, 'Yes.'"

This exchange confirmed to me that it is our responsibility as counsel to seek every possible reasonable type of relief for our client. Most of all, "It never hurts to ask."

Your role in the case:

I was lead counsel for Phebe A Adeosun, Defendant.

Case 3

Case name and date:

D-10-430714-C | Melissa Ann Matuska, Plaintiff. vs. Scott Vasaitis, Defendant.

File Date: 05/27/2010

Court and presiding judge and all counsel:

Department D: The Honorable Robert Teuton

Department C: The Honorable Rebecca Burton and several senior judges

Department X The Honorable Heidi Almase

Importance of the case to you and the case's impact on you:

I had this case for approximately six years.

One takeaway from the case included the reminder that a Court order needs to be crafted by the Court in a way that both parties can succeed in following the order. There were several orders in this case that were difficult to following. One example is that the Court ordered telephonic visitation twice a day with a pre-K child with special needs was not just difficult for the custodial parent to follow, but impossible.

Another takeaway is that Courts need to make the appropriate findings of facts and conclusions of law when rendering decisions.

Your role in the case:

Co-Counsel with Robert Blau for Melissa Ann Matuska, Plaintiff.

Case 4

Case name and date:

Court and presiding judge and all counsel:

Importance of the case to you and the case's impact on you:

Your role in the case:

Case 5
Case name and date: D-21-638095-C Jason Peters, Plaintiff. vs. Tabitha Kulish, Defendant File Date: 11/17/2021
Court and presiding judge and all counsel: Department: I The Honorable Soonhee Bailey Department: H The Honorable T. Arthur Ritchie Opposing Counsel: Andrew Kynaston, Esq.
Importance of the case to you and the case's impact on you: I entered this case 04/25/2022. There were temporary custody orders as well as a Temporary Protection Order to protect Defendant from Plaintiff. One of the first tasks that I performed was to defend my client in a videotaped deposition. This case began after Plaintiff was arrested for committing domestic violence against Defendant as for committing child abuse against the 11 month old they share in common. As previously mentioned, a Temporary Order of Protection was granted. Plaintiff faced criminal charges for his behavior against Defendant. The Court made temporary custody orders granting Plaintiff supervised visitation. Less than 48 hours before the Temporary Protection Order was scheduled to expire, Plaintiff violated the Order. An Extension of the Temporary Protection Order was sought and granted by the TPO Commissioner. Due to the facts and circumstances of the case, the Evidentiary hearing was continued to permit the parties the opportunity to obtain the necessary evidence. The Honorable T. Arthur Ritchie presided over two half days of trial. The Court took testimony regarding legal custody, physical custody, and visitation schedule. After closing arguments the Court found that Defendant had proven by clear and convincing evidence that Plaintiff had committed domestic violence against the Defendant and that Plaintiff had not overcome the rebuttabl presumption in the best evidence statute. The Judge granted Plaintiff two daytime visitations with the minor child at issue with no overnights. As the Judge read his decision, the Defendant wept with relief. While in the Courtroom, she whispered to me, "Thank you for keeping our daughter safe."
Your role in the case: I was lead counsel for Tabitha Kulish, Defendant.

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.

Yes

In November 2008, I successfully completed the Florida Supreme Court 40 hour mediation course. Between 2010 and 2015, I volunteered to mediate at least two pro bono cases per year for low-income litigants. Approximately, 90% of the cases that I mediated were custody cases.

I enjoyed acting as a mediator. Often, the litigants needed assistance fashioning visitation plans, holiday/vacation visitation plans, pick-ups and drop-offs. Usually, the litigants' points of views regarding custody and visitation issues were not too far apart. It was rewarding to assist the litigants recognize the common ground that they shared. What I noticed, is that more often than not the parties needed someone to listen to their concerns and assist them to act as co-parents to fashion parenting agreements that they believed were in the best interest of their children.

Participating in mediations with litigants is a great reminder to listen to the litigants.

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

I volunteered with Nevada Legal Services prior to being an attorney in 2003.

Since becoming an attorney, when my managing partner permitted or when I was self-employed, I normally kept one active pro-bono case.

Ask-A-Lawyer is a program that I have volunteered with regularly since 2005. It is rewarding to assist those with legal questions and watch their faces go from confused and sad to hopeful.

I do volunteer Ask-A-Lawyer with SafeNest to assist victims of domestic violence.

I teach/supervise the Divorce class and Paternity/Custody Class at UNLV approximately 6 times a year for the past four years.

I have mentored approximately 10 young people, unofficially, in the past 10 years.

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.

2011 – 2016 Member of the Nevada Family Law Executive Council. I served as the secretary from 2013-2014.

2022 Clark County Bar Association, Member of the Service Committee

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?

2018 CLE courses

Addiction in the Legal Field Presented by Kristine Kuzemka, Esq
Advanced Family Law – Part 1
Advanced Family Law – Part 2
Advanced Family Law – Part 3
Advanced Family Law – Part 4
Advanced Family Law – Part 5

2019 CLE courses

Addiction 101: A Primer for Substance Use Disorders (Oct. NV Lawyer)
30th Annual Family Law Conference
Family Law Bench/Bar Meeting
#BestInterest
New Lawyers: Things They Didn't Tell You in Law School, Production 2
Support Modification & Enforcement
Motions for Relocation in Nevada
Family Law Bench/Bar Meeting
Legislative Changes Affecting Family Law
Litigation Toolbox
Navigating the Intersection Between Family Court Presumptions & Criminal Legislative
Changes Affecting Family Law

2020 CLE courses

Decriminalizing Domestic Violence
Trauma & Self Care
Drug and Alcohol Abuse: The 800-Pound Gorilla in the Room
Tech Torture, Twitter & Tricky Traps: Ethical Issues in New Technology
Documentary: Raise Hell: The Life & Times of Molly Ivins
2020 Pro Bono Credits

2021 CLE courses

Virtual Virtuoso
Thin Walls, Smart Homes, Zoom Towns, & Data Breaches: 21 Things Lawyers Should Know
Family Law Appeals 2021
Creative Custody & Visitation Schedules
2021 Legislative Overview: Statutory Changes in Legal Aid Practice A
Power Act – Impact of Domestic Violence in Child Dependency Hearings
Court Ordered Education Decision Makers, Individualized Education Placement
Intro to Representing Children in Abuse & Neglect Cases, 2021
SFundamental Techniques for Advanced Representation
Basics of Family Law
Your Organization Has Made a Commitment to Anti-Racism, Now What

Ethics Trivia Challenge: Ethics Considerations for Pro Bono
Representing High-Risk Victims/Survivors in Family Court
2021 Pro Bono Credits
Bar Exam Survey Participation

2022 CLE courses

Presumptions in Cases with Domestic Violence and Child Abuse: NRS 432.157 and 432B.555
Hearings
Top 10 Cases to Know in Child Abuse & Neglect Cases
How to Avoid Pitfalls in Discovery Disputes
Family Law Bench/Bar Meeting
Family Law Bench/Bar Meeting
Lawyering from a Trauma-Informed Perspective 2022: Best Practices for Nonprofit and Pro
Bono Legal Services
Family Law Bench/Bar Meeting
Critical Race Theory on Civil Rights and Criminalization
Regulatory Update: The Current State of Crypto
Common Ethics Issues Faced by In-House Counsel
Substance Abuse in the Legal Profession: Prevention, Detection, and Treatment
Presenting and Objecting to Evidence Presented at Trial
2022 Pro Bono Credits

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

I work for Legal Aid Center of Southern Nevada, Inc. My employer has Professional Liability Insurance.

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.

I have had no business interests before or since becoming an attorney except Brewer Blau Law Group.

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:

- a. the nature of the business
- b. the nature of your duties
- c. the extent of your involvement in the administration or management of the business
- d. the terms of your service
- e. the percentage of your ownership

Not Applicable

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?'

Yes

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

2014 I ran for Department B in the primary election. I came in fourth.

2022 I ran for Department A in the general election. I came in second.

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

To the best of my recollection, not applicable at this time.

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

During my tenure at Legal Aid, I have had the opportunity to be involved with approximately five presentations regarding domestic violence.

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

To the best of my recollection, not applicable at this time.

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

Recognition for serving as a truancy officer Judge in 2014 and 2015.

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.

I co-authored the *Blanco vs. Blanco* amicus brief.

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 my husband; we love to travel together. I enjoy cross-stitching and different types of crafts. The book club that I belong to has brought me great joy. Walking my nearly 13 year old dog Scooter several times a day for the past 12 years has kept me healthy.

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.

Yes

I have had between five and 10 misdemeanor traffic violations over the last 30 years. I attended the hearings, completed traffic school as ordered, and paid the fines in a timely manner. Cases were ultimately closed.

These traffic citations were all misdemeanors and I handled them in a timely manner. None of the infractions ever went to warrant.

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.

Yes

In 1990 -1991, I was involved in an abusive dating relationship in which I was a victim of domestic violence. During this time, I was unable to concentrate on my education. My grades suffered. As a consequence, I was placed on academic probation. I left the abusive relationship, entered counseling, and was able to return to return to my education.

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?

Yes.

If so, please describe the circumstances where you may be required to recuse or disqualify yourself.

My husband, Robert Blau, is a family law attorney. It would be a direct conflict for me to hear any case where my husband was counsel or any other attorney in his firm as my husband is a partner. It would be appropriate for me to place my husband and any attorney at his firm on a permanent recusal list to prevent this type of conflict.

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.

Not Applicable.

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).

Please see 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.

I have lived in Las Vegas since 1972, except for my time spent at the University of Utah and Thomas Jefferson School of Law.

Recently, I was at a mixer and talking to other attendees. I was chatting with a nice group of people who were talking about their life's passion. One said, "Skiing." Another said, "My family." When it came to me, without hesitation I said, "Child custody."

I care deeply about the children and parents in Clark County. It would be my sincere honor to serve our community.

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.

Please see attached.

Brief Autobiography of Kristine Brewer

I was born on October 8th, 1970 in Holy Cross Hospital in Salt Lake City, Utah. My parents, Keith and Jeannie Brewer, both seniors at the University of Utah, were delighted to have a healthy baby girl. My mother was majoring in English education and my father was studying business.

As told to me by my mother:

I was cheerful, eager to learn, and had a hearty appetite. At 18 months, I knew many words and could communicate basic things to my parents. My brother Rhett was born in July of 1972. He proved to be a delightful companion and a good friend. We moved with our parents to Las Vegas, Nevada where Dad had found a job with Valley Bank in their computer department.

Rhett and I attended the Little Scholar preschool while Mother began substitute teaching and Dad worked at the bank. We especially enjoyed learning about dinosaurs.

Children entering kindergarten had to be five years old by September 30th to qualify to attend classes each year. Because my birthday was eight days over the deadline, my mother arranged for me to take the GATE (Gifted and Talented Education) test. Passing the test qualified me for early entrance into kindergarten and placed me in the gifted program.

I loved going to school, associating with other children, playing on the playground, and learning new things. In first grade I did a project on dinosaurs. Naturally, I consulted with Rhett who was four at that time. He was even more fascinated with the prehistoric beasts than I was. My teacher, Mrs. Hemming, at Red Rock Elementary, agreed to allow Rhett to join me in my class presentation. Everyone chuckled at the authoritative way he described pachycephalosaur with his extraordinarily thick skull. Mother recorded our presentation on her handy tape recorder—and she claims to still have the tape. Many years later our family applauded loudly as Rhett received a Ph.D. degree in chemical engineering from Cal Tech. His curiosity about the world stimulated mine.

Rhett and I began swimming lessons as preschoolers at the YMCA and later swam often at the Garside Jr. High community pool in our neighborhood. Our neighbors, the Goodmans, told us about the fun they were having on a community swim team. My dad checked it out and soon Rhett (age 5) and I (age 7) were signed up on the Sandpipers swim team. We spent most of the next 10 years swimming 4-5 days a week for about two hours each practice. After the first year, I won an award for the most improved swimmer in the novice group. A few years later, my three youngest siblings: Lance, Ryan and Kira also swam with the team.

We joined the Las Vegas Gold team in about 1983. We worked hard, but had little success as a team at the local and out of state swim meets. In the 1984 an American swimmer, Rowdy Gaines won 3 gold medals at the Olympics. He was not able to compete in 1980 because President Carter refused to allow our athletes to participate in those games. But Rowdy kept training and almost duplicated his earlier times in the 1984 Olympics.

In about 1985, Rowdy was hired as the coach of our swim team. He infused new energy and an example of excellence me and our other swimmers. I saw how he persevered through adversity and disappointments and I was determined to do the same in my life. Many life lessons came from enduring the pain of long workouts and gaining confidence and my times improved.

As a freshman at Bonanza High School, I joined the swim team. Three girls who I had known on the Sandpiper team also joined. Friendships rekindled as we worked together to improve our individual skills and work as a team. Relays were my favorite events because of the team work involved. I worked to my capacity to bring success to my team. That year we set the state record for the 200 yard freestyle relay. I was awarded all-zone and all-state honors for my swimming that year. It was fun to get a letterman jacket with the swimmer emblem on it.

In the summer of 1979, my dad bought a beautiful ski boat. We spent many Saturday and vacation days at Lake Mead—always hoping for the lightest wind possible. First I learned to ride a tunnel board behind the boat—cutting the wake, getting stronger, and going faster and faster. My swimming muscles came into play. The next year I learned to stay up and maneuver on two skis. Then Rhett started riding his new slalom ski after only three tries. I just had to do it too. Nothing like a little sibling inspiration and competition.

The ski was just right for his 75 pounds, but at eleven years old, it was small for me. My dad advised me not to be frustrated by the size of the ski. I proceeded with confidence, knowing I had built some muscles from swimming “miles” of my favorite stroke, the butterfly. After five failures to lift up out of the water, my dad advised me to rest saying that the strain would tax most swimmers. I insisted on trying again. After several more failures to “get up,” he again advised me to quit for the time being. Again I pressed him to allow me a few more tries. And suddenly, on the next “hit it,” I lifted up like a bird taking to the air. What a feeling of exhilaration! I skied about 50 feet that first time. And on the next ride, I flew about half the distance of a typical run. Before the ski day ended I was sailing in and out of our favorite coves. My dad was both surprised and impressed. He said that from seeing my tireless effort that day, he knew I would be able to face future adversities with the same kind of perseverance.

I learned to work at an early age. My mother taught me many housekeeping skills including cooking, cleaning, and ironing. By the time I was nine, I felt confident cooking several different meals. She often paid me by the piece for ironing, which taught me about basic employment and remuneration. When I was eight, Mother began a master’s degree program at UNLV in marriage and family counseling. Dad was usually home, but occasionally I was left with my younger siblings. At times, Mother would call me between classes and ask me to prepare a meal with items she had on hand and I would often have it prepared and sometimes even served before she returned home. I was usually cheerful (well, mostly) and grew through the responsibility and trust I was developing.

In addition to ironing, baby sitting (also for neighbors) and cooking, I had other jobs in my youth. I helped out at my dad’s 7 Eleven store in the summer of 1983 when I was twelve. My first real job was working as a secretary for the neighbor’s business. I taught swim lessons for beginners at the Skalak Swim School. And after becoming a certified life guard, I worked the summer of 1986 at Wet ‘N Wild. During senior year, I worked 20 hours a week for a local bookkeeping, tax, and credit repair business. And with all that, I still enjoyed socializing with friends and shopping for stylish clothes. For many years I sewed cross stitch and bead projects in my spare time.

Mother had arranged for me to take piano lessons. Frankly, I much preferred a grueling swim workout to practicing the piano. But, I plunked on and played in my first and last piano recital when I was eleven. Though I did not continue with lessons, I enjoyed listening to the classical and modern music my mother played on the piano, and now I have a great desire to own a piano and improve my elementary skills.

I had many opportunities for community service through membership in the Girl Scouts, the National Honor Society (in junior high school), and my church. I enjoyed helping people who were in need. Today I donate to the Women's Shelter and Shade Tree to improve the lives of women and children in troubled situations. I look for opportunities to donate toys and school supplies to children.

It was a privilege to serve as treasurer for Bonanza High School during my senior year. That was my first experience at running for an office.

I qualified to participate in the Close Up program that included visiting Washington, D.C. for a week where I met students from other states, saw historical and government sites and attended seminars on our federal government.

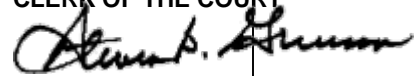
My growing up years were full of wonderful experiences. The sad part was that my parents had differences they couldn't resolve and so there were periods of separation, divorce, and reconciliation that gave me some of my greatest challenges and the blessing to have empathy for children going through similar difficulties in their lives.

I believe these experiences in my formative years made me who I am today and I am grateful. I was able to make it through the ups and downs of college and law school because of my upbringing.

One of the most important days in my life was July 8, 2005. It is the day I met my future husband. It was a random meeting at Green Valley Ranch on a Friday night in Henderson, Nevada. A boy from New York met a girl from Utah. We were married on February 17, 2010. We decided to elope. We called on the Honorable Bill Henderson to perform the nuptials and he obliged. During lunchtime we were wed in Department R. We will never forget.

My husband and I wanted to have children. However, nature and the medical world informed me I was too old at 39. We spent our life savings attempting to adopt a child, however, it was not meant to be.

I believe that I have been able to serve, love, and assist the children living in Clark County through my work as a family law attorney. This profession has enriched my life beyond measure. I wish to continue to serve the children and families in our community by being a Family Court Judge.



1 **MOT**
2 **KRISTINE BREWER, ESQ.**
3 Nevada State Bar No.: 8387
4 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.**
5 725 E. Charleston Blvd.
6 Las Vegas NV 89104
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8 (702) 386-1070 ext. 1504
9 kbrewer@lacs.org
10 Attorneys for Plaintiff

7 **DISTRICT COURT**
8 **FAMILY DIVISION**
9 **CLARK COUNTY, NEVADA**

9 MALORIE ELIZABETH ORR,)
10 Plaintiff,) Case No.: D-19-600849-D
11)
12 vs.) Dept. No.: X
13)
14 DEVON LEE BRADLEY,) Date of Hearing:
15) Time of Hearing:
16 Defendant.)
17) **ORAL ARGUMENT REQUEST:**
18) X Yes _____ No
19)
20)

18 **NOTICE: YOU MAY FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE**
19 **CLERK OF THE COURT AND PROVIDE THE UNDERSIGNED WITH A COPY OF**
20 **YOUR RESPONSE WITHIN 14 DAYS OF YOUR RECEIPT OF THIS MOTION.**
21 **FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT**
22 **WITHIN 14 DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE**
23 **REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT A HEARING**
24 **PRIOR TO THE SCHEDULED HEARING DATE.**


23 **MOTION TO MODIFY VISITATION SCHEDULE AND ENTER A**
24 **HOLIDAY AND VACATION SCHEDULE**
25 **AND ALL OTHER RELATED RELIEF**

26 COMES NOW Plaintiff, MALORIE ELIZABETH ORR, by and through
27 counsel, Kristine Brewer, Esq., of LEGAL AID CENTER OF SOUTHERN
28 NEVADA, INC. and hereby files this *Motion*.

1 This *Motion* is made pursuant to the Memorandum of Points and Authorities,
2 the Declaration of KRISTINE BREWER, ESQ., which will be supplemented with
3 the Declaration of MALORIE ELIZABETH ORR, as soon as it is available and any
4 oral arguments allowed at the time of the hearing.

5 DATED this 26th day of July, 2021.

6
7 **LEGAL AID CENTER OF SOUTHERN**
8 **NEVADA, INC.**

9
10 By 
11 **KRISTINE BREWER, ESQ.**
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I.

POINTS AND AUTHORITIES

STATEMENT OF FACTS/PROCEDURAL HISTORY

Plaintiff, MALORIE ELIZABETH ORR (hereinafter “Malorie”) and Defendant, Devon Lee Bradley, (hereinafter “Devon”) were married on January 15, 2015. There is one minor child of the marriage to wit: AARON BRADLEY (hereinafter “Aaron”) born April 15, 2015.

Malorie attempted to resolve the visitation schedule with Devon before filing the instant motion.

Rule 5.501. Requirement to attempt resolution. (a) Except as otherwise provided herein or by other rule, statute, or court order, before any family division matter motion is filed, the movant must attempt to resolve the issues in dispute with the other party. (b) A party filing a motion in which no attempt was made to resolve the issues in dispute with the other party shall include a statement within the motion of what provision, futility, or impracticability prevented an attempt at resolution in advance of filing. (c) Failure to comply with this rule may result in imposition of sanctions if the court concludes that the issues would have been resolved if an attempt at resolution had been made before filing.¹

Malorie was informed that Aaron missed logging in during the school year on several occasions during Devon’s time. Aaron like most children had a difficult time distance learning last year in Kindergarten. To catch up, Bartlett enrolled Aaron in summer school, which was in person. Devon was informed about summer school. Devon failed to take Aaron to one day of summer school during his parenting time.

Malorie expressed her concerned to Devon by Talking Parent about Aaron’s attendance. Devon ignored her.

¹ See EDCR 5.501.

1 Malorie believes it is in Aaron's best interest to continue attending Bartlett
2 Elementary, which is the school for which her residence is zoned. She believes a
3 change in the visitation schedule is necessary to set Aaron up for academic success.

4 **Current**

5 Malorie's address is 1705 Talon Avenue, Henderson NV 89074. Devon's
6 address is 4926 Drifting Pebble St, North Las Vegas, NV 89081.

7 Google Maps shows that the distance between the party's respective
8 residences is approximately 26 miles and that the estimated drive time is
9 approximately 40 minutes. If Devon is driving Aaron to school during his week,
10 that is two round trips everyday which is over 100 miles and almost three hours a
11 day. For Aaron, the minor child, he was be in the car for over 50 miles a day for
12 almost one and a half hours.

13 When Malorie and Devon decided to do a week on and a week off custodial
14 schedule it seemed the best option. Now that Aaron is attending school full time in
15 person Malorie has serious concerns that Devon will not cooperate to get Aaron to
16 school as demonstrated by his recent behavior of not taking Aaron to school.
17 Malorie believes that Aaron needs to have a steady situation during the school week
18 to give him the best chance at success.

19 **Proposed visitation schedule:**

20 During the school year, Devon's visitation should be revised to beginning
21 Friday after school until Monday when school resumes. If school is not in session
22 then Devon's visitation will be Friday at 3:30 p.m. until Monday at 8:00 a.m. That
23 Devon will pick-up Aaron after school on Friday and return him to school on
24 Monday morning. If school is not in session, then the exchange will be by text and
25 seat belt for the receiving parent.

26 **Holiday visitation:**

27 The parties did not enter into a Holiday and Vacation schedule. Thus, this
28 issue needs to be addressed.

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II.

ARGUMENT

A. That it is in Aaron’s best interest that the visitation schedule be changed.

NRS 125C.0045 states in pertinent part as follows:

1. In any action for determining the custody of a minor child, the court may, except as otherwise provided in this section and NRS 125C.0601 to 125C.0693, inclusive, and chapter 130 of NRS:

(a) During the pendency of the action, at the final hearing or at any time thereafter during the minority of the child, make such an order for the custody, care, education, maintenance and support of the minor child as appears in his or her best interest; and

(b) At any time modify or vacate its order, even if custody was determined pursuant to an action for divorce and the divorce was obtained by default without an appearance in the action by one of the parties.

↪ The party seeking such an order shall submit to the jurisdiction of the court for the purposes of this subsection. The court may make such an order upon the application of one of the parties or the legal guardian of the minor.

NRS 125C.003 states in pertinent part as follows:

1. A court may award primary physical custody to a parent if the court determines that joint physical custody is not in the best interest of a child. An award of joint physical custody is presumed not to be in the best interest of the child if:

(a) The court determines by substantial evidence that a parent is unable to adequately care for a minor child for at least 146 days of the year;

We take this opportunity to clarify that our decision in Rivero was intended to provide consistency in child custody determinations, but it was never meant to abrogate the court's focus on the child's best interest. Thus, Rivero's 40-percent guideline should not be so rigidly applied that it would preclude joint physical custody when the court has determined in the exercise of its broad discretion that such a custodial designation is in the child's best interest. See *Ellis v. Carucci*, 123 Nev. 145, 149, 161 P.3d SUPREME COURT OF NEVADA 8 (0) 1947A 91gD9 239, 241 (2007) (providing that the district court has broad discretionary powers when resolving issues of child custody). Considering the child's best interest is especially important in a case such as this where the district court has determined that one parent has the child almost 40 percent of the time and the timeshare allows

1 the child frequent associations with both parents. See NRS 125.460(1) (providing
2 that Nevada's policy is to "ensure that minor children have frequent associations
3 and a continuing relationship with both parents after the parents. . . have dissolved
4 their marriage"). Further, when a party is seeking a modification to the custodial
5 designation solely to receive a decrease in his or her child support obligation, it is
6 vital that the district court consider whether such modification is in the child's best
7 interest. See, e.g., *River*^o, 125 Nev. at 431, 216 P.3d at 228²

8 Notice and a hearing is required to modify visitation.³

9 Matters of custody and support of minor children rest in the sound discretion
10 of the trial court.⁴

11 The parties have a trial scheduled for September 24, 2021 to determine which
12 school the child should attend. Malorie believes that she will be able to demonstrate
13 the relevant factors and will prevail at trial.⁵

14 The proposed schedule maintains joint physical custody as Devon will have
15 156 overnights per year not including holiday and vacation visitation. This
16 proposed schedule maintains joint physical custody pursuant to Nevada Statute and
17 case law.

18 Malorie believes it is in the minor child's best interest to adjust the visitation
19 schedule to give Aaron the stability he deserves for his education.

20 ///

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22 ///

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26 ² See *Bluestein vs. Bluestein*. 131 Nev., Advanced Opinion 14.

27 ³ *Wallace vs. Wallace*, 922 P. 2d 541, 112 Nev. 1015 - Nev: Supreme Court, 1996

28 ⁴ *Culbertson v. Culbertson*, 91 Nev. 230, 233, 533 P.2d 768, 770 (1975).

⁵ *Arcella vs. Arcella*, 133 Nev., Advance Opinion 104.

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2
3 **CONCLUSION**
4

5 Based on the foregoing, Plaintiff respectfully requests that this Court grant
6 this motion and for any other relief this Court deems just and equitable.

- 7 1. That the Court change the visitation schedule;
8 2. That the Court enter a holiday and vacation schedule; and
9 3. And all other further relevant relief.

10 DATED this 26th day of July, 2021.
11

12 **LEGAL AID CENTER OF SOUTHERN**
13 **NEVADA, INC.**

14
15 By



16 **KRISTINE BREWER, ESQ.**
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23 Attorneys for Plaintiff
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28

1 **DECLARATION OF KRISTINE BREWER, ESQ.**

2
3 1. **I, KRISTINE BREWER, ESQ.**, do solemnly swear under penalty of
4 perjury, pursuant to NRS 53.045 that these assertions are true:

5 2. That I am the attorney of record for the Plaintiff in the above-entitled
6 action and have personal knowledge and am competent to testify concerning the
7 facts herein as provided by my client.

8 3. That I have read the above and foregoing *Motion* and hereby testify
9 that the facts and statements contained thereon are true and correct to the best of my
10 knowledge and belief based on the facts provided by my client.

11 4. The factual averments contained in the preceding filing are
12 incorporated herein as if set forth in full as provided by my client.

13 ///

14 ///

15 ///

1 5. That Plaintiff's Declaration in Support of Motion will be filed as soon
2 as it is available.

3
4
5 **I declare under penalty of perjury by virtue of the laws of the State of**
6 **Nevada (NRS § 53.045⁶ and 28 § U.S.C. 1746⁷), that the foregoing is true**
7 **and correct. I have authorized my electronic signature pursuant to**
8 **Administrative Order 20-10⁸ attached as Exhibit 1.**

9 DATED this 26th day of July, 2021.

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11
12 By 
13 KRISTINE BREWER, ESQ.

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18 ⁶ Use of unsworn declaration in lieu of affidavit or other sworn declaration; exception. Any matter whose existence or truth may be established
19 by an affidavit or other sworn declaration may be established with the same effect by an unsworn declaration of its existence or truth signed by the
20 declarant under penalty of perjury, and dated, in substantially the following form:

21 1. If executed in this State: "I declare under penalty of perjury that the foregoing is true and correct."

22 Executed on.....

23 2. Except as otherwise provided in [NRS 53.250](#) to [53.390](#), inclusive, if executed outside this State: "I declare under penalty of
24 perjury under the law of the State of Nevada that the foregoing is true and correct."

25 Executed on.....

26
27 ⁷ Wherever, under any law of the United [States](#) or under any rule, regulation, order, or requirement
28 made pursuant to law, any matter is required or permitted to be supported, evidenced, established,
or proved by the sworn declaration, verification, certificate, statement, oath, or affidavit, in
writing of the person making the same (other than a deposition, or an oath of office, or an oath
required to be taken before a specified official other than a notary public), such matter may, with
like force and effect, be supported, evidenced, established, or proved by the unsworn declaration,
certificate, verification, or statement, in writing of such person which is subscribed by him, as
true under penalty of perjury, and dated, in substantially the following form: (1) If executed
without the United [States](#): "I declare (or certify, verify, or [state](#)) under penalty of perjury under
the laws of the United [States](#) of America that the foregoing is true and correct. Executed on (date).
(Signature)". (2) If executed within the United [States](#), its territories, possessions, or
commonwealths: "I declare (or certify, verify, or [state](#)) under penalty of perjury that the foregoing
is true and correct. Executed on (date). (Signature)".

⁸ **V. Original Signature Requirements.** With the exception of documents requiring the signature of a notary, all requirements for original
signatures are suspended. All documents filed with the court may be electronically signed as provided in Nevada Electronic Filing and
Conversion Rules, Rules 11(a). All documents requiring the signature of another person may be electronically signed without original signatures;
however, the party submitting the document must obtain email verification of the other person's agreement to sign electronically and submit the
email with the signed documents.

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

MALORIE ELIZABETH ORR

Plaintiff/Petitioner

v.

DEVON LEE BRADLEY

Defendant/Respondent

Case No. D-19-600849-D

Dept. X

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

- \$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-
- \$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
- The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
 - The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
 - The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
 - Other Excluded Motion (must specify) _____.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- \$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
- The Motion/Opposition is being filed in a case that was not initiated by joint petition.
 - The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
- OR-
- \$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
- OR-
- \$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:

\$0 **\$25** **\$57** **\$82** **\$129** **\$154**

Party filing Motion/Opposition: KRISTINE BREWER, ESQ. Date 07/26/2021

Signature of Party or Preparer

