

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS  
Director and State Court  
Administrator



JOHN MCCORMICK  
Assistant Court Administrator

**AGENDA AND MEETING NOTICE**

**Judicial Council of the State of Nevada  
Videoconference**

**Date and Time of Meeting:** Friday, November 19, 2021 at 2:00 p.m.

**Place of Meeting:** Remote Access via BlueJeans (BlueJeans.com or BlueJeans app, see “Notices” for access information)

**All participants attending via teleconference should mute their lines when not speaking; it is highly recommended that teleconference attendees use a landline and handset in order to reduce background noise.**

**AGENDA**

- I. Call to Order
  - A. Call of Roll
  - B. Determination of a Quorum
  - C. Opening Remarks
- II. Public Comment
- III. Review and Approval of Previous Meeting Summary\*
  - A. September 17, 2021 (*Tab 1; pages 4-7*)
- IV. Business and Action Items
  - A. Standing Committee Reorganization Discussion (*Tab 2; pages 9-14*)
  - B. American Rescue Plan Update
  - C. National Center for State Courts (NCSC) Strategic Planning Process Update
  - D. Nevada Specialty Court Funding Guidelines and Criteria Revision\* (*Tab 3; pages 16-38*)
  - E. Specialty Courts Funding Committee Bylaw Revision\* (*Tab 4; pages 40-42*)
- V. Reports of Standing Committees
  - A. Court Administration Committee (*Tab 5; page 44*)
  - B. Court Improvement Program (*Tab 6; page 46*)
  - C. Judicial Education Committee - *Nothing to report*
  - D. Language Access Committee - *Nothing to report*
  - E. Specialty Court Funding Committee - *Nothing additional to report*
  - F. Technology Committee - *Nothing to report*
- VI. Reports of Regional Council Meetings
  - A. Clark Regional Judicial Council - *No meeting held within reporting period*
  - B. North Central Judicial Council - *No meeting held within reporting period*
  - C. Sierra Regional Council (*Tab 7; pages 48-50*)

- D. South Central Regional Council - *No meeting held within reporting period*
- E. Washoe Regional Council (**Tab 8; pages 52-54**)

VII. Informational Materials

- A. 2021 JCSN Roster (**Tab 9; page 56**)
- B. ADKT 0587: S.C.R. 8 and S.C.R. 9 Proposed Revisions - Public Hearing (**Tab 10; pages 58-61**)

VIII. Other Items/Discussion

IX. Future Meetings

- A. TBD

X. Public Comment

XI. Adjournment

**Notices**

- Action items are noted by \* and typically include review, approval, denial, and/or postponement of specific items. Certain items may be referred to a subcommittee for additional review and action.
- Agenda items may be taken out of order at the discretion of the Chair in order to accommodate persons appearing before the Commission and/or to aid in the time efficiency of the meeting.
- If members of the public participate in the meeting, they must identify themselves when requested. Public comment is welcomed by the Commission but may be limited at the discretion of the Chair.
- The Commission is pleased to provide reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If assistance is required, please notify Commission staff by phone or by email no later than two working days prior to the meeting, as follows: Jamie Gradick, (775) 687-9808 - email: [jgradick@nvcourts.nv.gov](mailto:jgradick@nvcourts.nv.gov)
- This meeting is exempt from the Nevada Open Meeting Law (NRS 241.030)
- At the discretion of the Chair, topics related to the administration of justice, judicial personnel, and judicial matters that are of a confidential nature may be closed to the public.
- **Notice of this meeting was posted in the following locations:** Nevada Supreme Court website: [www.nvcourts.gov](http://www.nvcourts.gov); Carson City: Supreme Court Building, Administrative Office of the Courts, 201 South Carson Street; Las Vegas: Nevada Supreme Court, 408 East Clark Avenue.

Teleconference Dial-in: 408-419-1715 or 408-915-6290  
Meeting ID: 561 818 916  
Participant Passcode: 8994

Please Note: Those attending via mobile device must use the BlueJeans application to access the meeting.

# TAB 1

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS  
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Administrator



JOHN MCCORMICK  
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**MEETING SUMMARY**

**Judicial Council of the State of Nevada**

Friday, September 17, 2021, 2:00 p.m.

Remote Access via BlueJeans

*Summary Prepared by: Almeda Harper*

**MEMBERS PRESENT:**

Chief Justice James Hardesty  
Chief Judge Michael Gibbons  
Chief Judge Linda Bell  
Judge Stephen Bishop  
Judge Bert Brown  
Judge Steve Dobrescu  
Chief Judge Scott Freeman  
Mr. Steve Grierson  
Judge Kevin Higgins  
Judge Dorothy Nash Holmes  
Judge Eric Johnson  
Judge Phillip Leamon  
Ms. Alicia Lerud  
Judge Mike Montero  
Ms. Katherine Stocks  
Judge Ryan Toone  
Judge Nathan Young

**GUESTS/OTHERS PRESENT:**

Justice Elissa Cadish  
Mr. John Doerner  
Mr. Daniel Hall  
Justice Douglas Herndon  
Justice Kristina Pickering  
Justice Lidia Stiglich  
Ms. Sherry Stwalley

**AOC STAFF PRESENT:**

Mr. David Gordon  
Ms. Jamie Gradick  
Ms. Almeda Harper  
Mr. Hans Jessup  
Mr. James Popovich  
Ms. Kim Williams

- 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. Gradick called roll; a quorum was present.
- III.** Public Comment
  - There was no public comment.
- IV.** Approval of Previous Meeting Summary
  - The summary of the June 11, 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**

- National Center for State Courts (NCSC) Strategic Planning Process Presentation (*Please see meeting materials for additional information.*)
  - ♦ Ms. Katherine Stocks introduced the staff from the NCSC.
    - Daniel Hall, vice president of the court Consulting Services Division
    - John Doerner, Principal Court Management Consultant with NCSC
    - Sherry Stwalley, Court Consultant with the National Center for State Courts
  - ♦ Dan Hall and Sherry Stwalley conducted the Presentation, additional comments as follows:
    - Slide 3: Planning is the way to capture and harness the energy and create a sense of urgency to move the organization.
    - Slide 4: In Dan’s experience, managing courts or judges is like herding cats.
    - Slide 8: All these things can take away from the effectiveness of the institution.
    - Slide 11: Recommends a three year plan vs. a five year plan.
    - Slide 12: Fairness is usually the highest value in LCOs.
    - Slide 13: The roll of leadership in LCOs is to guide and protect.
    - Slide 20: Values reflect beliefs, ideals, and standards of operation. They shape expectations of plan and organization.
    - Slide 22: Where they will spend the most time. Drives strategies.
    - End: The International Framework survey questions are organized around the following components. The intent of the questions is not to get a score, it is to see where the key areas are and to find commonalities.
      - court leadership
      - court management,
      - workforce
      - infrastructure and proceedings
      - processes
      - court user engagement
      - affordability and accessibility of court services
      - public trust and confidence.
  - ♦ Ms. Katherine Stocks will announce, at the Court Administration Subcommittee, the surveys will be coming out and email addresses will be compiled. Please encourage staff to respond. The survey information will be categorized by the employee’s role in the court, allowing them to see what a Judge’s opinion may be vs. a court administrator or a clerk’s opinion.
  - ♦ Chief Justice Hardesty informed attendees that the assessment should take about nine months. The goal is to have a draft available for the Judicial Leadership Summit in May 2022. Justice Stiglich and Justice Cadish have been appointed to chair the committee for that event. The strategic plan draft will be one of the focal points of the conference.
  - ♦ Justice Cadish comments that the summit will be held on the week of May 2-6, 2022.
  - ♦ Justice Stiglich asks all participants to complete surveys directly and honestly to get the best results for the strategic plan.
- Standing Committee Reorganization Discussion
  - ♦ Chief Justice Hardesty tabled this item for discussion at the next meeting and asked attendees to consider which standing committees are still necessary, which should be revised, and which, if any, should be removed.

**VI. Reports of Standing Committees** (*Please see meeting materials for additional information.*)

- Ms. Katherine Stocks provided a report on the Court Administration Committee.
- Ms. Shannon Gildea provided a written report on the Court Improvement Program. Ms. Katherine Stocks fielded questions in Ms. Gildea’s absence.
  - ♦ Chief Justice Hardesty commented on the formation of CIP, where its membership comes from, and its relationship to the Children’s Commission.

- ♦ Chief Justice Hardesty directed attendees to Ms. Gildea’s committee membership recommendations and asked for questions, comments, objections. If none, appointment would be granted.
  - Judge Montero praised the opportunities CIP offers and commented that it creates a foundation for local CIP group and helps shape policy and structure in area of dependency cases.
- ♦ Upon no further comment from the committee, Chief Justice Hardesty approved the recommendations of Ms. Gildea and appointed the committee members as presented.
- Chief Judge Bell provided a report on the Judicial Education Committee.
  - ♦ Chief Justice Hardesty stated some of the money available for judicial education opportunities was restored in the budget. He encourages staff to look at those opportunities and please make this known to the rest of the judiciary.
- Ms. Katherine Stocks reported on the Language Access Committee.
  - ♦ The in-person training and written exam were administered in the prior week at the courthouse.
  - ♦ The next training will be held in Las Vegas in October.
  - ♦ Chief Justice Hardesty was encouraged by the committee revitalization and increase in certificates. The work of the committee is appreciated.
- Mr. James Popovich prepared and reviewed the Specialty Court Funding Committee report.
  - ♦ Judge Montero commented that September is National Recovery month and is grateful for National updates Mr. Popovich has provided in the past.
  - ♦ Chief Justice Hardesty asked for information regarding judicial assignments within the Western Region
    - Justice Stiglich commented it is not widely known yet that Judge Peter Breen and Judge Archie Blake will be retiring in summer 2022.
- There was no report provided on the Technology Committee.
  - ♦ Chief Justice Hardesty mentioned the new staff appointment in the IT department. The AOC will be more proactive in reaching out to field courts’ IT departments for information on how the Supreme Court and the AOC can assist and support field IT staff.
  - ♦ Ms. Katherine Stocks introduced Mr. Gianni Troian as the Chief Information Officer, giving a brief description of his background and work history. She also thanked Ms. Silvia Alfonso who served as the interim CIO while the position was vacant.

**VII. Reports of Regional Council Meetings** *(Please see meeting materials for additional information.)*

- A report was provided for Clark Regional Judicial Council. No additional comment was given.
- A report was provided for North Central Regional Judicial Council. No additional comment was given.
- There was no report provided for Sierra Regional Judicial Council as no meeting was held during the reporting period.
- A report was provided for South Central Regional Judicial Council. No additional comment was given.
- Judge Freeman provided a verbal report for Washoe Regional Judicial Council
  - ♦ Met on June 16, 2021. All courts reported in-person operations resuming to some degree.
  - ♦ All courts reported planning to hold in-person jury trials.
  - ♦ District court resumed in-person jury trials as of April 2021.
  - ♦ Courts of limited jurisdiction reported they were preparing to hold jury trials in domestic battery cases.
  - ♦ Incline Village reported an increase of case load due to increased Tahoe activity resulting from the pandemic. Judge Tiras is allowing remote work so out-of-towners may pay fines, fees, or tickets.

- Chief Judge Scott Freeman reported on the Criminal Jury Instructions Work Group, which was paused during the summer due to COVID. The next meeting is scheduled for October 2021. Projected release of the final volume is December with intent to publish in January 2022.

**VIII. Informational Materials** *(Please see meeting materials for additional information.)*

- JCSN Membership List
- JCSN 2021 Calendar of Meetings

**IX. Additional Discussion Items**

- Chief Justice Hardesty informed attendees funding was solicited from the Governor's office for the American Rescue Plan. He is hopeful action will be seen within the next few weeks. The Governor's office has been collecting information from citizens regarding division and appropriation of the funds.
  - ♦ If a court/township has changes they would like to amend, please contact Mr. Myler or Ms. Stocks right away.
  - ♦ Courts should reach out to county commissioners and city council to determine the amount of funds being allocated to local jurisdiction under the American Rescue Plan; funding requests need to be made locally before seeking funding from the Nevada Supreme Court.

**X. Future Meetings**

- 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 at 3:15 pm.

# TAB 2



## **PART II. GOVERNMENT OF THE COURT SYSTEM**

### **Rule 7.5. Judicial regions.**

Rule 7.5. Judicial regions. There shall be five judicial regions in the state which shall be comprised as follows:

1. Sierra region shall consist of all courts, except the Nevada appellate courts, within the first, third, ninth, and tenth judicial districts;

2. The Washoe region shall consist of all courts within the second judicial district;

3. The North Central region shall consist of all courts within the fourth, sixth, and eleventh judicial districts;

4. The South Central region shall consist of all courts within the fifth and seventh judicial districts;

5. The Clark region shall consist of all courts, except the Nevada appellate courts, within the eighth judicial district.

[Added; effective February 15, 1979; amended effective July 30, 2015.]

### **Rule 8. Regional Judicial Councils.**

Rule 8. Regional Judicial Councils.

1. Composition, terms. Effective January 1, 2001, and superseding former Supreme Court Rule 8, there is hereby created a regional judicial council in each region. Each regional judicial council shall be composed of the individual judges whose courts are geographically located within the region. The regional councils shall be represented on the state judicial council by one district judge, who shall be chair, and one limited jurisdiction judge, each of whom shall be elected by a majority of his or her respective colleagues in the region for a term of three years; except in the judicial districts required to elect a chief judge pursuant to NRS 3.025, that chief judge, or the chief

judge's designate, shall be the district judge member concurrent with his or her term as chief judge.

(a) The Clark regional judicial council shall be represented by:

(1) Two additional district judges to be elected by a majority of the district judges in the region. Of the two additional district judges, one must be from the criminal/civil division and one from the family division.

(2) One additional limited jurisdiction judge to be elected by a majority of the limited jurisdiction judges in the region.

(b) The Washoe regional judicial council shall be represented by one additional limited jurisdiction judge to be elected by a majority of the limited jurisdiction judges in the region. Of the two limited jurisdiction judges, one must be a justice of the peace and one must be a municipal judge.

2. Election. Elections for regional judicial council representative shall be conducted as necessitated by prospective expiration of terms. Elections may be conducted in person, via mail, or via electronic means through the administrative office of the courts within sufficient time to ensure that the results of the necessary elections can be certified to the chief justice on or before the first business day in January in which any new term begins.

3. Meetings. The regional judicial councils shall meet at least once every four months, or at the call of the chair.

4. Purpose. Each regional judicial council shall, subject to the direction of the chief justice, rule or order of the supreme court:

(a) Coordinate the implementation of, within its region, all administrative rules and orders of the supreme court or the chief justice.

(b) Provide a forum for the communication of information between the courts of the region and the supreme court.

(c) Define, develop and coordinate programs and projects for the improvement of courts in the region.

5. Voting authority. Each judge in the region has one vote on regional judicial council matters at regional council meetings.

[As amended; effective December 13, 2012.]

**Rule 9. Judicial Council of the State of Nevada.**

Rule 9. Judicial Council of the State of Nevada.

1. Creation, composition. There is hereby created a judicial council of the State of Nevada which shall supersede the council established by former Supreme Court Rule 9 and it shall be composed of the members of each regional judicial council, the chief justice, who shall serve as chair, and the vice-chief justice. The chief judge of the Nevada Court of Appeals, or the chief judge's designee, shall be a member of the judicial council. If not otherwise a member, the presidents of the Nevada District Judges Association and Nevada Judges of Limited Jurisdiction Association shall each be an ex-officio member to provide additional information to the judicial council of the State of Nevada on behalf of their respective associations. If otherwise a member, the presidents of the Nevada District Judges Association and the Nevada Judges of Limited Jurisdiction Association shall appoint a voting designate to represent their respective association. The state court administrator, Clark region district court administrator and Washoe region district court administrator shall each be a non-voting, ex-officio member of the judicial council of the State of Nevada. All members of the council are voting members except the three court administrators.

2. Meetings. The judicial council of the State of Nevada shall meet at least once every four months.

3. Purpose. The judicial council of the State of Nevada shall, at a minimum:

(a) Develop and recommend to the supreme court policies for the administration of the judiciary.

(b) Consider issues forwarded to it by the supreme court and/or chief justice.

(c) Review and approve proposed legislation affecting the courts submitted by the Nevada District Judges Association, the Nevada Judges of Limited Jurisdiction Association, and the various courts that make up the Nevada judicial branch.

(d) Recommend legislation and/or rules affecting the courts to the supreme court.

(e) Establish committees to develop minimum standards, to be recommended to the supreme court for, at a minimum:

(1) Judicial administrative performance;

(2) Education and training for judges;

(3) Education and training for court support staff;

(4) Court facilities;

(5) Court security;

(6) Court technology;

(7) Court staffing;

(8) Resolving intra-court discrepancies submitted to the council by one or more courts;

(9) Resolving discrepancies between the courts and outside organizations submitted to the council by a court or by the outside organization.

Such committees exist at the will of the council and may be convened, suspended, reconvened, or eliminated at the direction of the council at any time. Other committees may also be established to consider and make recommendations regarding other issues of concern to the Nevada judiciary.

(f) Develop recommendations to be approved by the supreme court for the improvement of Nevada's courts and the statewide court system.

(g) Review and recommend changes as needed to the annual report on the judiciary published by the administrative office of the courts.

(h) In coordination with the administrative office of the courts, seek and accept federal and private funding for the improvement of Nevada's courts and statewide court system.

(i) Establish procedures to be followed by the council to achieve its purpose.

4. Support. The administrative office of the courts shall provide support services to the council including, at a minimum:

(a) Developing and publishing regional judicial council and council of the State of Nevada agendas.

(b) Recording and publishing the council of the State of Nevada's meeting minutes.

[As amended; effective June 8, 2015.]

**Rule 9.5. List of vexatious litigants.**

Rule 9.5. List of vexatious litigants.

1. Purpose and procedure. The administrative office of the courts shall maintain for use by the judicial council and the courts of the state a list of litigants that have been declared as vexatious by any court, at any level of jurisdiction, throughout the state:

(a) Each court shall, upon entering an order declaring a litigant to be vexatious, submit a copy of the order to the director of the administrative office of courts or his or her designee.

(b) The director or designee shall enter the name of the litigant identified in the aforementioned order on a list of vexatious litigants and post the list in such a place so that it will be readily accessible to the various courts. The director or designee shall maintain the list in good order.

(c) If a court takes any action that affects the status of a litigant declared vexatious, the court shall forward record of that action to the director or designee forthwith for amendment of the list.

[Added; effective December 13, 2012.]

# TAB 3

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

**MEMORANDUM**

**TO:** Judicial Council of the State of Nevada

**FROM:** James Popovich, Specialty Courts Statewide Coordinator

**DATE:** November 2, 2021

**SUBJECT:** Nevada Specialty Court Funding Guidelines and Criteria Proposed Revisions

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The attached Nevada Specialty Court Funding Guidelines and Criteria were created in 2015 to ensure the specialty courts in Nevada had a comprehensive road map to help guide existing programs as well as those looking to launch a new program with the newly acquired state general fund appropriation. While the various categories throughout this document remain unchanged, there have been some updates and refinements reflected in the proposed revisions.

Below is a list of some of the key changes along with a brief explanation:

Best Practice Standards – The National Association of Drug Court Professionals’ (NADCP) 10 Best Practice Standards were added to the best practice section. These are the current standards put forth by NADCP in 2013 and 2015. They provided a more in-depth explanation of the previously released 10 Key Components.

Nevada Revised Statutes – The statutes providing authority for specialty courts have been revised in recent legislative sessions and updated accordingly.

Program Fees – Participants in Felony Drug Courts were required to pay a minimum of \$1,300 towards their program. This was changed to \$750, due to the increasing number of participants not having the ability to pay this amount.

Funding Priorities – Changes made to this category include: no limit on how much can be spent on personnel; basic needs category added with a \$5,000 limit; and, housing with and without a case manager categories limit changed from \$20,000 to 30% of total award.

Unspent Funding – Carry-Forward Balances - Language added that general fund reversion checks sent back to the AOC must be received no later than August 15<sup>th</sup> each year.

The recommendation is for the Council to vote on approving the proposed revisions.

*See attachment (22 pages)*



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# NEVADA SPECIALTY COURT FUNDING GUIDELINES AND CRITERIA

As established by the  
Specialty Court Funding and Policy Committee

Approved by the  
Judicial Council of the State of Nevada  
~~October 23, 2015~~ November 19, 2021

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*Distributed by:*

*The Administrative Office of the Courts*

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## **General Provisions**

### *What Are Specialty Courts*

Nevada Revised Statute (NRS) 176.0613 defines a Specialty Court program as, ~~“A program established by a court to facilitate testing, treatment, and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffers from a mental illness or abuses alcohol or drugs. Such a program includes, without limitation, a program established pursuant to NRS 176A.250 or 453.580.”~~ “A program established by a court to facilitate testing, treatment and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffer from a mental illness or uses alcohol or other substances. Such a program includes, without limitation, a program established pursuant to NRS 176A.230, 176A.250 or 176A.280.

Nevada has classified its specialty court programs into two categories, existing and new. Below are the definitions of these categories:

An *existing program* is defined as a program that currently meets adopted guidelines and criteria, receives NRS 176.0613 funds, any legislatively approved general fund Appropriation, ~~or~~ is self-funded, or receives grant funding that may expire in the next 12 months. An existing program must be currently operational and must have contracts with providers.

A *new program* is defined as a program that is not currently operational and does not have a contract with a provider.

### *Purpose*

This manual identifies the requirements for funding of a specialty court program using NRS 176.0613, 176.059, and 178.518 funds or any legislatively approved general fund appropriation. Any program requesting funding through the Supreme Court, Administrative Office of the Courts, for a specialty court program will be required to follow the guidelines disclosed within this document.

## **Best Practices KEY COMPONENTS**

Nevada abides by the “Defining Drug Courts: The Key Components” that were developed by the Bureau of Justice Assistance in collaboration with the National Association of Drug Court Professionals (NADCP). Nevada also abides by the National Association of Drug Court Professionals Best Practice Standards. All programs must follow the literature on the Key Components and NADCP Best Practice Standards.

In order to be recognized as a specialty court, you must adhere to the Key Components and NADCP Best Practice Standards. The Key Components and NADCP Best Practice Standards have been adopted by the committee and are used nationally. They are the basic elements components of a successful drug court. All specialty court programs applying for funding shall be substantially compliant with the following guidelines.

### *10 Key Components*

- ***Key Component 1 = Drug courts integrate alcohol and other drug treatment services with justice system case processing.*** The mission of drug courts is to stop the abuse of alcohol and other drugs and related criminal activity. Drug courts promote recovery through a coordinated response to offenders depending on alcohol and other drugs. Realization of these goals requires

a team approach, including cooperation and collaboration of the judges, prosecutors, defense counsel, probation authorities, other corrections personnel, law enforcement, pretrial services agencies, TASC programs, evaluators, an array of local service providers, and the greater community.

- **Key Component 2 = Non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.** Because the purpose is to facilitate an individual's progress in treatment, the prosecutor and defense counsel must shed their traditional adversarial courtroom relationship and work together as a team. Once a defendant is accepted into the drug court program, the team's focus is on the participant's recovery and law-abiding behavior – not on the merits of the pending case.

- **Key Component 3 = Eligible participants are identified early and promptly placed within the drug court program.** Judicial action, taken promptly after arrest, capitalizes on the crisis nature of the arrest and booking process. Rapid and effective action also increases public confidence in the criminal justice system.

- **Key Component 4 = Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.** The origins and patterns of AOD problems are complex and unique to each individual. They are influenced by a variety of accumulated social and cultural experiences. If treatment for AOD is to be effective, it must also call on the resources of primary health and mental health care and make use of social and other support services.

- **Key Component 5 = Abstinence is monitored by frequent alcohol and other drug testing.** Frequent court-ordered AOD testing is essential. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress. AOD testing is central to the drug court's monitoring of participant compliance. AOD testing results are objective measures of treatment effectiveness, as well as a source of important information for periodic review of treatment progress.

- **Key Component 6 = A coordinated strategy governs drug court responses to participants' compliance.** An established principle of AOD treatment is that addiction is a chronic, relapsing condition. A pattern of decreasing frequency of use before sustained abstinence from alcohol and other drugs is common. Becoming sober or drug free is a learning experience, and each relapse to AOD use may teach something about the recovery process. A participant's progress through the drug court experience is measured by his or her compliance with the treatment regimen. Cessation of drug use is the ultimate goal of drug court treatment. There is a value in recognizing incremental progress toward the goal, such as showing up at all required court appearances, regularly arriving at the treatment program on time, attending and fully participating in the treatment sessions, cooperating with treatment staff, and submitting to regular AOD testing. Drug courts must reward cooperation as well as respond to noncompliance. Small rewards for incremental successes have an important effect on a participant's sense of purpose and accomplishment. Praise from the drug court judge for regular attendance or for a period of clean drug tests, encouragement from the treatment staff or the judge at particularly difficult times, and ceremonies in which tokens of accomplishment are awarded in open court for completing a particular phase of treatment are all small but very important rewards that bolster confidence and give inspiration to continue.

- **Key Component 7 = Ongoing judicial interaction with each drug court participant is essential.** The judge is the leader of the drug court team, linking participants to AOD treatment and to the criminal justice system. This active, supervising relationship, maintained throughout treatment, increases the likelihood that a participant will remain in treatment and improves the chances for sobriety and law-abiding behavior. Ongoing judicial supervision also communicates to participants that someone in authority cares about them and is closely watching what they do. Drug courts require judges to step beyond their traditionally independent and objective arbiter roles and develop new expertise. The structure of the drug court allows for early and frequent judicial intervention. A drug court judge must be prepared to encourage appropriate behavior and to discourage and penalize inappropriate behavior.
  
- **Key Component 8 = Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.** Fundamental to the effective operation of drug courts are coordinated management, monitoring, and evaluation systems. The design and operation of an effective drug court program result from thorough initial planning, clearly defined program goals, and inherent flexibility to make modifications as necessary. The goals of the program should be described concretely and in measurable terms to provide accountability to funding agencies and policymakers. Program management provides the information needed for day-to-day operations and for planning, monitoring, and evaluation. Program monitoring provides oversight and periodic measurements of the program’s performance against its stated goals and objectives.
  
- **Key Component 9 = Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.** Periodic education and training ensures that the drug court’s goals and objectives, as well as policies and procedures, are understood not only by the drug court leaders and senior managers, but also by those indirectly involved in the program. Education and training programs also help maintain a high level of professionalism, provide a forum for solidifying relationships among criminal justice and AOD treatment personnel, and promote a spirit of commitment and collaboration.
  
- **Key Component 10 = Forging partnerships among drug courts, public agencies, and community-based organizations generate local support and enhance drug court program effectiveness.** Because of its unique position in the criminal justice system a drug court is especially well suited to develop coalitions among private community-based organizations, public criminal justice agencies, and AOD treatment delivery systems. Forming such coalitions expands the continuum of services available to drug court participants and informs the community about drug court concepts.

### NADCP Best Practice Standards

#### I. Target Population

Eligibility and exclusion criteria for the Drug Court are predicated on empirical evidence indicating which types of offenders can be treated safely and effectively in Drug Courts. Candidates are evaluated for admission to the Drug Court using evidence-based assessment tools and procedures.

#### II. Historically Disadvantaged Groups

Citizens who have historically experienced sustained discrimination or reduced social

opportunities because of their race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status receive the same opportunities as other citizens to participate and succeed in the Drug Court.

### III. Roles and Responsibilities of the Judge

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The Drug Court judge stays abreast of current law and research on best practices in Drug Courts, participates regularly in team meetings, interacts frequently and respectfully with participants, and gives due consideration to the input of other team members.

### IV. Incentives, Sanctions, and Therapeutic Adjustments

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Consequences for participants' behavior are predictable, fair, consistent, and administered in accordance with evidence-based principles of effective behavior modification.

### V. Substance Abuse Treatment

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Participants receive substance abuse treatment based on a standardized assessment of their treatment needs. Substance abuse treatment is not provided to reward desired behaviors, punish infractions, or serve other nonclinically indicated goals. Treatment providers are trained and supervised to deliver a continuum of evidence-based interventions that are documented in treatment manuals.

### VI Complimentary Treatment and Social Services

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Participants receive complementary treatment and social services for conditions that co- occur with substance abuse and are likely to interfere with their compliance in Drug Court, increase criminal recidivism, or diminish treatment gains.

### VII Drug and Alcohol Testing

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Drug and alcohol testing provides an accurate, timely, and comprehensive assessment of unauthorized substance use throughout participants' enrollment in the Drug Court.

### VIII Multidisciplinary Team

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A dedicated multidisciplinary team of professionals manages the day-to-day operations of the Drug Court, including reviewing participant progress during pre-court staff meetings and status hearings, contributing observations and recommendations within team members' respective areas of expertise, and delivering or overseeing the delivery of legal, treatment and supervision services.

### IX Census and Caseloads

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The Drug Court serves as many eligible individuals as practicable while maintaining continuous

fidelity to best practice standards.

## X Monitoring and Evaluation

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▪—The Drug Court routinely monitors its adherence to best practice standards and employs scientifically valid and reliable procedures to evaluate its effectiveness.

### **Program Criteria**

All applications for funding of a Specialty Court program shall substantially meet the following minimum program criteria in order to be considered for funding.

#### *Judicial Interaction*

The judge is the judicial officer of the specialty court and must be involved in all aspects of the specialty court program. The judge shall serve as the leader of the specialty court team and shall maintain an active role in the drug court process, including drug court staffing, conducting regular status hearings, and provide incentives and impose sanctions. The National Association of Drug Court Professionals Adult Drug Court Best Practice Standards, Volume I, Pages 20-25 identifies the judges' role as staying abreast of current law and research on best practices in specialty courts, participates regularly in team meetings, interacts frequently and respectfully with participants, and gives due consideration to the input of other team members. The best practice standard is:

- Professional Training
- Consistent Docket
- Judicial Demeanor
- Frequency of Status Hearings (No less than every two weeks during the first phase.)
- Judicial Decision Making
- Length of Term (The judge presides over the specialty court for no less than two consecutive years.)
- Participation in Pre-Court Staff Meetings
- Length of Court Interactions (Minimum of approximately three minutes with each participant.)

#### *Separate Routine Court Docket*

The specialty court program must have a separate and routine court docket that is presided over by the designated judicial officer of the specialty court. The frequency of court hearings is dependent upon the phase. The National Drug Court Institute (NDCI) identifies the reason to have phases is for structure, recovery process, and incremental progress. The specialty court should consider the following as the routine court docket:

Phase 1 .....	Weekly Court appearances
Phase 2 .....	Bi-weekly Court appearances
Phase 3 .....	Monthly Court appearances
Phase 4 .....	Monthly Court appearances
Phase 5 .....	Monthly Court appearances

#### *Multidisciplinary Team*

Each specialty court program requires a team. A team shall be a group of professionals who are primarily responsible for the day-to-day operations of the program. The team is led by the judge and is responsible for the monitoring, supervision, and treatment of participants. The team may



include, but is not limited to the judicial officer, defense counsel, prosecutor, probation, pretrial services, law enforcement, specialty court coordinator, and treatment providers. All participants and participating entities should be represented on the team. The National Association of Drug Court Professionals Adult Drug Court Best Practice Standards, Volume II, Pages 38-50 recommends the multidisciplinary team to have the following characteristics:

- Team Composition
- Pre-Court Staff Meetings
- Status Hearings
- Team Communication and Decision Making
- Sharing Information
- Team Training

### Substance Abuse Testing

An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress; therefore, frequent court-ordered alcohol and drug testing is essential. Substance abuse testing shall be used as a tool to support recovery. Each specialty court program must monitor abstinence through frequent and random alcohol and drug testing. The method of testing should be scientifically valid, therapeutically beneficial, and legally defensible. The recommend method is observed urinalysis however Courts may use other methods such as the saliva, ankle monitors, portable breathalyzer, hair, and sweat patches. The National Drug Court Institute (NDCI) recommends no less than twice weekly throughout the entire program.

All participants are required to submit to random drug screens. Drug testing confirmation may be required if the participant denies use or a sanction is to be imposed. If a lab confirms a positive drug test, the participant must pay the cost of the confirmation.

### Treatment Services

Treatment services are a vital component of the success of a specialty court program. Treatment services should be individualized to each participant's needs. The treatment provider should assess the participant and develop a treatment plan through after care. Each specialty court program must provide aftercare/discharge planning to participants. The plan should address areas of addiction, social skills, work skills, relationship issues, and living a healthy and sober life. Interventions may include individual, group, family counseling, parenting classes, detoxification, residential care (Mental Health Courts only) and 28-day inpatient residential treatment for programs that have a contract.

Specialty court participants must attend regular counseling sessions. Counseling sessions may vary depending upon the type of addiction and the length of time the participant has been enrolled in the program. Staff delivering services must be appropriately licensed and operating within the scope of their practice. Alcohol and Drug Counselors must be certified or licensed per NRS 641C and NAC 641C.

### Sanctions and Incentives

The specialty court model is based on behavior modification, rewarding positive behavior and sanctioning criminal behavior or program violations. Research has shown that for sanctions to be effective they should be certain, immediate, fair, and appropriate for the consequence.

Sanctions could include, but are not limited to the following:

- Verbal warning in Court
- Letters of apology
- Community Service
- Life skill assignments
- Fines
- Jail

- Essay assignment
- Increased Supervision
- Termination from program
- Jury box observation
- Curfew
- Journaling

Small rewards for incremental successes have an important effect on a participant’s sense of purpose and accomplishments therefore incentives are used to encourage participants to work toward and maintain sobriety. Incentives could include, but are not limited to the following:

- Verbal praise
- Reduced Supervision
- Late curfews
- Travel privileges
- Recognition in Court
- Written commendations
- Small tangible rewards (gift certificates \$5-\$15 value)

Each specialty court program should develop policies and procedures for sanctions and incentives that are consistent with science-based practices.

Program Fees

All participants in a specialty court program that is funded entirely or in part by funding through NRS 176.061(3) or any legislative-approved funding appropriated through the Supreme Court, Administrative Office of the Courts, are required to contribute to the total costs of the program in a manner and method determined by the Court.

The reimbursement shall be collected in a manner and method which shall be determined by the specialty court and documented in the program and procedures manual and may be designated a participant fee. This reimbursement includes payments made directly to service providers by the participant client and payments made to the Court. To be compliant, collections of reimbursements must be 60% or greater. Any participant fees collected by the Court shall be rolled back in the program to help subsidize the costs of the program. The fee schedule shall meet the following standards.

Type of Program	Program Fees
Felony Drug Courts	The reimbursement from the participant shall be a minimum of <del>\$1,300</del> <u>\$750</u> and shall not exceed a total sum of <u>\$2,300</u> .
Felony DUI Courts	The reimbursement from the participant shall be a minimum of <u>\$750</u> and shall not exceed the total cost of the program (NRS 484C.360).
Mental Health Courts, Family <u>Treatment Drug</u> Courts, Juvenile Courts, Veterans Courts, Homeless Courts	Owing to the nature of these courts, the reimbursement from the participant shall be left to the discretion of the judge.
Misdemeanor Courts, unless otherwise exempt	The reimbursement from the participant shall be a minimum of <u>\$100</u> and shall not exceed the total cost of the program.

Case Management System

The Drug Court Case Management (DCCM) system (~~DCCM~~) is Nevada’s specialty court case management system. This system is a tool that facilitates the daily operations of specialty courts and allows for programs to self-evaluate. The Supreme Court, Administrative Office of the Courts, will use DCCM to collect data pursuant to Nevada Revised Statutes. The system is a web-based, menu-driven application accessible through

~~most web browsers and is most compatible with Google Chrome. Internet Explorer 6.0 or above, The software and~~ is organized around a series of screens associated with a ~~participant's client's~~ case. DCCM is designed to manage all ~~participant client~~ information from initial intake to program completion and beyond (for recidivism studies, for example). The system stores ~~participant client~~-level data and produces summary information needed by judges and court staff to facilitate drug court decision making. All users of the system shall sign a confidentiality form. The confidentiality form should be retained by the Court.

Courts that receive funding for a specialty court from NRS 176.0613, 176.059, 178.518 or any legislatively approved general fund appropriation are required to use DCCM. Programs are required to use the following modules that are on the client menu in DCCM.

- Initial Eligibility
- Substance Abuse Testing
- Employment History
- Ancillary Services
- Community Service
- Funding Source
- Personal Demographics
- Medical History specifically pregnancy status
- Criminal History
- Incentives/Sanctions
- Interlock
- Journal
- Service/Veteran Information
- Treatment
- Fees
- Discharge
- Other modules at Court's discretion, local assessments, medical history, school information.

### **Funding Priorities**

Pursuant to NRS 176.0613, money appropriated to a court for the provision of specialty court programs must be used to pay for the treatment and testing of persons who participate in the program and to improve the operations of the specialty court. This includes acquiring necessary capital goods, personnel to oversee the specialty court program, training and education, studying the management and operation of the program, conducting audits of the program, supplementing the funds used to pay for judges to oversee a specialty court program, or acquiring or using appropriate technology.

In compliance with NRS 176.0613, below in order are the recommended funding priorities and definitions.

1. ~~Pay for the Treatment, and Testing, and Housing of persons-participants, who participate in the program.~~ This category includes:
  - ◆ *Counseling Services*
  - ◆ *Housing for Mental Health Courts*
  - ◆ *Drug Testing Supplies*
  - ◆ *In-Patient Residential (28-day) must have a contract with a provider*
  - ◆ *Drug Testing Equipment*
  - ◆ *Electronic Monitoring*
2. ~~Providing for P~~ersonnel Staff involved with overseeing and or working directly as a team member to staff and oversee the specialty court program. This category includes personnel who are dedicated 100 percent to the specialty court program and paid by the program. This excludes the judge and positions paid by the city/county. Personnel is considered to be an employee who aides in testing, assists ~~participants clients~~ with life skills, provides probation type services to ~~participants clients~~, and may include personnel that provides clinical treatment to ~~participants clients~~. Also included in

this category are part-time -contract personnel. ~~Please note effective July 1, 2011, personnel (full or part-time) will be limited to 25 percent of the total allocation. Personnel funded prior to July 1, 2011, will continue to be funded. This stipulation only applies to personnel hired on or after July 1, 2011. Please note that there is no limit on how much funding may be used per court to pay for personnel who are not already paid for through city/county funds; however, funding must first be used on professional services such as counseling, drug testing, and housing for participants.~~

3. Training and Education- Funds ranging in the amount of \$40,000-\$50,000 will be withheld by the Supreme Court to provide training and education opportunities in-state or out-of-state for personnel who are team members of a specialty court. This category may include ~~j~~Judges, ~~d~~District ~~a~~Attorneys, ~~p~~Public ~~d~~Defenders, law enforcement, counselors, and coordinators. The majority of this funding will used for the National Association of Drug Court Professionals (NADCP) Annual Conference.
4. Operating expenses- Fund a maximum of \$1,200 per year per program to assist with operating expenses such as paper, certificates, and office supplies.
5. Incentives- Fund a maximum of \$2,500 per year per program to assist with incentives. Incentives include tokens, books, cookies, pizza, ~~haircuts~~, and gift certificates. When providing gift certificates, the value range is \$5-\$15 per the National Drug Court Institute's (NDCI) The Drug Court Judicial Benchbook.
6. Basic Needs Fund a maximum of \$5,000 per year per program. Assistance with clothing, haircuts, hygiene products. Products and services must be for participant only.
7. Housing with case/house manager on-site ~~for all other specialty courts.~~—Maximum 30% of total program award, per year. ~~\$20,000 per fiscal year.~~
8. Housing; (apartments, motel, weekly room rates) Maximum 30% of total program award, per year. ~~\$10,000 per fiscal year.~~
9. Acquiring necessary capital goods- Defined as including office buildings, equipment, and machinery.
10. Acquiring or using appropriate technology- Defined as technology that is designed with special consideration, for example, case management system.
11. Studying the management and operation of the program- Defined as a program evaluation completed by a consultant or contract person who specializes in specialty court program evaluation.
12. Supplementing the funds used to pay for judges to oversee a specialty court program- Defined as funding for a Judge to oversee a specialty court.
13. Conducting audits of the program- Defined as financial and program audits of a specialty court. Note: Financial auditing of NRS 176.0613 and legislatively-approved state general funds will be conducted by an AOC auditor. The AOC Specialty Courts Statewide Coordinator Program Analyst will conduct a program audit ensuring the 10-Key components and NADCP's Best Practice Standards are being followed. Expenses from this category would include travel.

### Unspent Funding - Carry-Forward Balances

Unspent funding - carry-forward balances are not authorized. Unspent funding-carry forward balances reported on the 4<sup>th</sup> quarter financial status report will be deducted from the following fiscal year's quarters two through four allocation. Unspent funding from legislatively-approved general funds must be sent back and received by the AOC NO LATER THAN AUGUST 15<sup>TH</sup> EACH YEAR, and reflected in the distribution amounts of the second through fourth quarters.

## **Committee**

### Structure

The Specialty Court Funding and Policy Committee shall consist of no more than 20 members. The Chair of the Committee must be a Supreme Court Justice. The Vice Chair may either be a Supreme Court Justice, District Court Judge, or Justice of the Peace. The committee is comprised of 17 members. The Chair and Vice-Chair are Justices of the Supreme Court. The remaining members are one general/limited jurisdiction judge from each region except Clark. Clark will have two general jurisdiction and two limited jurisdiction judges. Senior judges may serve. Additionally, there will be three at-large members consisting of one general jurisdiction judge, one limited jurisdiction judge, and one judge from any region and jurisdiction. At-large members may be judges who do not conduct a specialty court program, and will be appointed by the Chair and Vice-Chair of the Committee. At-large members will be selected by the Chair, and ratified by the Chief Justice. The committee will have an equal number of general and limited jurisdiction representatives.

There will also be up to four non-voting members who are specialty court program coordinators or program administrators. These members will be selected by the chief justice upon recommendation of the specialty court program coordinators and program administrators in three regions consisting of the Clark Region, the Washoe Region, and the Rural Region. The Rural Region shall be comprised of the all the courts in the Sierra, North Central, and South Central regions. The Rural Region will have two coordinators serving as members while the Clark and Washoe regions will have one member. These members will serve terms consistent with those of the other members of the Committee save that the initial terms of the specialty court coordinator or administrator members shall begin July 1, 2019, and the initial three members shall serve from then until December 31, 2019, before commencing regular

### Eligible Candidates

All judges, including senior judges, are eligible to serve on the committee.

### Terms

All members will serve 3-year terms. Terms will be staggered and begin on January 1 and conclude December 31 of the third year (e.g., January 1, 2021~~09~~ – December 31, 2023~~11~~.) Members are eligible to serve multiple terms.

### Nomination to Serve

Prior to the expiration date of the respective member, the AOC will distribute by e-mail a nomination form. The nomination form will be distributed to all judges within the same jurisdiction, in the respective region. The judges within the region and with the same jurisdiction level will nominate a judge to serve. Prior to nominating a judge to serve, the judge should ascertain their interest in serving. Self-nominations are acceptable.

Election

All nominations and voting will be conducted by e-mail. An official ballot identifying all nominated judges will be e-mailed to all the judges in the region and with the same jurisdiction level for the nomination of the member. To assure no duplicate votes are received, control numbers will be printed on the top of each official ballot. Votes will be kept in strict confidence by the AOC.

When a member’s term expires, all judges within the respective region and jurisdiction level may vote (general jurisdiction judges vote for general jurisdiction representatives and limited jurisdiction judges vote for limited jurisdiction representatives within their respective region). At-large representatives may be determined by the Chair of the Committee. Participation is encouraged; however, 100% participation in a region is not required to determine an election outcome. In the case of a tie, a “run off” election will be held between the tied candidates.

<u>Election Timeline</u>	
Nomination forms <u>e</u> mailed: .....	mid October
Nominations due to AOC: .....	late October
Ballots <u>e</u> mailed: .....	early November
Ballots due to AOC:.....	late November
Results certified to Chair of the Committee.....	early December
New Committee members notified via email .....	early January

**Funding Process**

NRS 176.0613 articulates that the Office of Court Administrator shall allocate the money credited to the State General Fund to assist courts with the funding or establishment of specialty court programs. Special funding such as a general fund appropriation will follow the same funding process.

How to Apply

The AOC will distribute an “Application for Funding of a Specialty Court Program.” The application needs to be completed and returned to the AOC by the due date.

When to Apply

An “Application for Funding of a Specialty Court Program” will be distributed to all Nevada judges and court administrators. The application will be distributed in October each calendar year no later than August 15 of each calendar year and must be submitted to the AOC by the due date, usually six weeks after being distributed. September. The same application will be used for both administrative assessment revenue and general fund appropriation requests. distributed in July or August is for funding for the following fiscal year (e.g., application submitted in August 2015 (FY16) is for funding for FY17.) Existing programs and new programs requesting funds need to apply during this open application period.

~~Any other type of funding such as legislative general fund appropriations may have different application submission dates.~~

### Application

The application consists of three sections. Section One is the Application Cover Sheet, Budget Worksheet, Budget Narrative, Program Design, Treatment Provider Contracts, and Program Handbook. Section Two is the Funding Priorities, Minimum Program Criteria, and Evaluation/Reporting Requirements. Section Three is the Application Data Dictionary. All programs, whether new or existing, must complete the entire application unless other specific instructions are provided.

After the application is submitted to the AOC, the Specialty Courts ~~Statewide Coordinator Program Analyst~~ or Review Committee will review each application to ensure the program applying meets the minimum criteria. In addition, he/she will review the Budget Worksheet in detail to ensure accuracy of the budget. The Budget Narrative must coincide with the Budget Worksheet. The Specialty Courts ~~Statewide Coordinator Program Analyst~~ may contact a court at any time and inquire into the details to support the Budget Worksheet.

### Funding Recommendation

The Specialty Courts ~~Statewide Coordinator Program Analyst~~ will make two or three funding recommendations to the Specialty Court Funding and Policy Committee. Funding recommendations will be based on available revenue, taking into consideration the approved funding priorities. The funding recommendations will be presented to the committee at the ~~March~~ December meeting or at the call of the Chairs. The committee will approve a funding recommendation with final approval at the next Judicial Council of the State of Nevada (JCSN) meeting.

### Award

Funds will be awarded for a 12-month period and will be based on a fiscal year. Awards may be subject to change depending upon available funding. Any funds awarded must not be used to supplant county or federal funds allocated for the operation of an existing program.

### Award Notification

All courts will be notified of their award after final approval from JCSN, usually in December or January of the prior fiscal year. The notification will include the total award and how the funds are to be expended. If a program wants to modify the allocation, they must submit a Budget Revision to the AOC Specialty Court Program Analyst. The total amount on the Budget Revision cannot exceed the allocation awarded.

## **Program Audit/Compliance**

### Audit

All programs are subject to a financial status audit. The financial status audit will be performed by the Administrative Office of the Courts Auditors. The audit will consist of a review of the financial status reports to ensure the programs financial audit is consistent with the Minimum Criteria and Funding Priorities as outlined in this document. Programs selected for the audit will need to provide receipts and revenue verification in accordance with the financial status reports and will need to respond to questions from the auditors related to the financial information. The AOC Specialty Courts ~~Statewide Coordinator Program Analyst~~ will provide the auditor with the financial status reports, receipts and the grant application for the fiscal year ~~that~~ at the ey program is being audited for.

### Compliance

All programs are subject to a compliance review to ensure the program is complying with the award application and the Nevada Specialty Court Funding Guidelines and Criteria. The review will be conducted by the Specialty Courts Statewide Coordinator Program Analyst or a review committee ensuring that the 10-key components and the NADCP Best Practice Standards of a drug court are being followed and the program is in compliance with the Minimum Criteria as outlined in this document. The Specialty Courts Statewide Coordinator Program Analyst may ask additional questions as they pertain to the program and specifically to the award application.

### **Reporting Requirements**

Courts awarded funds are required to submit statistical and financial reports. Each program must complete the reports quarterly and reports are due one month after the end of the quarter.

### Financial Status Reports

The financial status report assists the Administrative Office of the Courts (AOC) in tracking costs associated with Specialty Court programs and to help maintain adequate financial records of each program. All revenue (~~client~~/participant payments, appropriations received from cities or counties, federal grants, and other funds received) and expenditure costs (approved expenditures only) for the program should be recorded on these reports. Receipts for all expenditures must be attached to the quarterly financial status report. The financial status report revenue and expenditures must balance. In addition, funds that were not expended within the quarter or the fiscal year must be accounted for and recorded as unspent Supreme Court/AOC funding balance forward from prior quarters.

### Statistical Reports

The statistical report was designed to assist in the collection of statewide data statistics and provide continuity within our programs. Statistical information collected will be in accordance with the Nevada Revised Statutes.

### **Quarterly Allocation**

Courts who were approved to receive an allocation will receive 25 percent of the total allocation on a quarterly basis during these months of the fiscal year: July, October, January, and April.

### **Budget Revisions**

A budget revision form authorizes programs to move monies from one approved category to another after the allocation has been approved. This form needs to be completed every time a program wishes to redistribute funds from one approved category to another.

### **Funding Authority**

➤ **NRS 176.0613 Additional administrative assessment for misdemeanor: Authorization; collection; distribution; limitations on use. [Effective July 1, 2020.]**

1. The justices or judges of the justice or municipal courts shall impose, in addition to an administrative assessment imposed pursuant to NRS 176.059, 176.0611 and 176.0623, an administrative assessment for the provision of specialty court programs.

2. Except as otherwise provided in subsection 3, when a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor, including the violation of any municipal ordinance, the justice or judge shall include in the sentence the sum of \$7 as an administrative assessment for



the provision of specialty court programs and render a judgment against the defendant for the assessment. If a defendant is sentenced to perform community service in lieu of a fine, the sentence must include the administrative assessment required pursuant to this subsection.

3. The provisions of subsection 2 do not apply to:

(a) An ordinance regulating metered parking; or

(b) An ordinance which is specifically designated as imposing a civil penalty or liability pursuant to NRS 244.3575 or 268.019.

4. The money collected for an administrative assessment for the provision of specialty court programs must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for such an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the bail pursuant to this subsection must be disbursed pursuant to subsection 6 or 7. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment the defendant has paid and the justice or judge shall not recalculate the administrative assessment.

5. If the justice or judge permits the fine and administrative assessment for the provision of specialty court programs to be paid in installments, the payments must be applied in the following order:

(a) To pay the unpaid balance of an administrative assessment imposed pursuant to NRS 176.059;

(b) To pay the unpaid balance of an administrative assessment for the provision of court facilities pursuant to NRS 176.0611;

(c) To pay the unpaid balance of an administrative assessment for the provision of specialty court programs;

(d) To pay the unpaid balance of an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis pursuant to NRS 176.0623; and

(e) To pay the fine.

6. The money collected for an administrative assessment for the provision of specialty court programs in municipal court must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. On or before the 15th day of that month, the city treasurer shall deposit the money received for each administrative assessment with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator.

7. The money collected for an administrative assessment for the provision of specialty court programs in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. On or before the 15th day of that month, the county treasurer shall deposit the money received for each administrative assessment with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator.

8. The Office of Court Administrator shall allocate the money credited to the State General Fund pursuant to subsections 6 and 7 to courts to assist with the funding or establishment of specialty court programs.

9. Money that is apportioned to a court from administrative assessments for the provision of specialty court programs must be used by the court to:

(a) Pay for the treatment and testing of persons who participate in the program; and

(b) Improve the operations of the specialty court program by any combination of:

(1) Acquiring necessary capital goods;

(2) Providing for personnel to staff and oversee the specialty court program;

(3) Providing training and education to personnel;

(4) Studying the management and operation of the program;

(5) Conducting audits of the program;

(6) Supplementing the funds used to pay for judges to oversee a specialty court program; or

(7) Acquiring or using appropriate technology.

10. As used in this section:

(a) “Office of Court Administrator” means the Office of Court Administrator created pursuant to NRS 1.320; and

(b) “Specialty court program” means a program established by a court to facilitate testing, treatment and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffer from a mental illness or uses alcohol or other substances. Such a program includes, without limitation, a program established pursuant to NRS 176A.230, 176A.250 or 176A.280.

(Added to NRS by 2003, 2096; A 2007, 1418; 2009, 101; 2013, 1066, 1990, 3686; 2015, 2955; 2017, 2905; 2019, 4382, effective July 1, 2020)

**➤ NRS 176.059 Administrative assessment for misdemeanor: Collection; distribution; limitations on use. [Effective July 1, 2021.]**

1. Except as otherwise provided in subsection 2, when a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor, including the violation of any municipal ordinance, the justice or judge shall include in the sentence the sum prescribed by the following schedule as an administrative assessment and render a judgment against the defendant for the assessment:

<u>Fine</u>	<u>Assessment</u>
<u>\$5 to \$49.....</u>	<u>\$30</u>
<u>50 to 59.....</u>	<u>45</u>
<u>60 to 69.....</u>	<u>50</u>
<u>70 to 79.....</u>	<u>55</u>
<u>80 to 89.....</u>	<u>60</u>
<u>90 to 99.....</u>	<u>65</u>
<u>100 to 199.....</u>	<u>75</u>
<u>200 to 299.....</u>	<u>85</u>
<u>300 to 399.....</u>	<u>95</u>
<u>400 to 499.....</u>	<u>105</u>
<u>500 to 1,000.....</u>	<u>120</u>

If the justice or judge sentences the defendant to perform community service in lieu of a fine, the justice or judge shall include in the sentence the amount of the administrative assessment that corresponds with the fine for which the defendant would have been responsible as prescribed by the schedule in this subsection.

2. The provisions of subsection 1 do not apply to:

(a) An ordinance regulating metered parking; or

(b) An ordinance which is specifically designated as imposing a civil penalty or liability pursuant to NRS 244.3575 or 268.019.

3. The money collected for an administrative assessment must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for an administrative assessment must be stated separately on the court’s docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the amount posted for bail pursuant to this subsection must be disbursed in the manner set forth in subsection 5 or 6. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment the defendant has paid and the justice or judge shall not recalculate the administrative assessment.

4. If the justice or judge permits the fine and administrative assessment to be paid in installments, the payments must be first applied to the unpaid balance of the administrative assessment. The city treasurer shall distribute partially collected administrative assessments in accordance with the requirements of subsection 5. The county treasurer shall distribute partially collected administrative assessments in accordance with the requirements of subsection 6.

5. The money collected for administrative assessments in municipal court must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. The city treasurer shall distribute, on or before the 15th day of that month, the money received in the following amounts for each assessment received:

(a) Two dollars to the county treasurer for credit to a special account in the county general fund for the use of the county's juvenile court or for services to juvenile offenders. Any money remaining in the special account after 2 fiscal years must be deposited in the county general fund if it has not been committed for expenditure. The county treasurer shall provide, upon request by a juvenile court, monthly reports of the revenue credited to and expenditures made from the special account.

(b) Seven dollars for credit to a special revenue fund for the use of the municipal courts. Any money remaining in the special revenue fund after 2 fiscal years must be deposited in the municipal general fund if it has not been committed for expenditure. The city treasurer shall provide, upon request by a municipal court, monthly reports of the revenue credited to and expenditures made from the special revenue fund.

(c) Five dollars to the State Controller for credit to the State General Fund.

(d) The remainder of each assessment to the State Controller for credit to a special account in the State General Fund for distribution as provided in subsection 8.

6. The money collected for administrative assessments in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. The county treasurer shall distribute, on or before the 15th day of that month, the money received in the following amounts for each assessment received:

(a) Two dollars for credit to a special account in the county general fund for the use of the county's juvenile court or for services to juvenile offenders. Any money remaining in the special account after 2 fiscal years must be deposited in the county general fund if it has not been committed for expenditure. The county treasurer shall provide, upon request by a juvenile court, monthly reports of the revenue credited to and expenditures made from the special account.

(b) Seven dollars for credit to a special revenue fund for the use of the justice courts. Any money remaining in the special revenue fund after 2 fiscal years must be deposited in the county general fund if it has not been committed for expenditure. The county treasurer shall provide, upon request by a justice court, monthly reports of the revenue credited to and expenditures made from the special revenue fund.

(c) Five dollars to the State Controller for credit to the State General Fund.

(d) The remainder of each assessment to the State Controller for credit to a special account in the State General Fund for distribution as provided in subsection 8.

7. The money apportioned to a juvenile court, a justice court or a municipal court pursuant to this section must be used, in addition to providing services to juvenile offenders in the juvenile court, to improve the operations of the court, or to acquire appropriate advanced technology or the use of such technology, or both. Money used to improve the operations of the court may include expenditures for:

(a) Training and education of personnel;

(b) Acquisition of capital goods;

(c) Management and operational studies; or

(d) Audits.

8. Of the total amount deposited in the State General Fund pursuant to paragraph (d) of subsection 5 and paragraph (d) of subsection 6, the State Controller shall distribute the money received to the following public agencies in the following manner:

(a) Not less than 51 percent to the Office of Court Administrator for allocation as follows:

(1) Thirty-six and one-half percent of the amount distributed to the Office of Court Administrator for:

(I) The administration of the courts;

(II) The development of a uniform system for judicial records; and

(III) Continuing judicial education.

(2) Forty-eight percent of the amount distributed to the Office of Court Administrator for the Supreme Court.

(3) Three and one-half percent of the amount distributed to the Office of Court Administrator for the payment for the services of retired justices, retired judges of the Court of Appeals and retired district judges.

(4) Twelve percent of the amount distributed to the Office of Court Administrator for the provision of specialty court programs.

(b) Not more than 49 percent must be used to the extent of legislative authorization for the support of:

(1) The Central Repository for Nevada Records of Criminal History;

(2) The Peace Officers' Standards and Training Commission;

(3) The operation by the Department of Public Safety of a computerized interoperative system for information related to law enforcement;

(4) The Fund for the Compensation of Victims of Crime;

(5) The Advisory Council for Prosecuting Attorneys; and

(6) Programs within the Office of the Attorney General related to victims of domestic violence.

9. Any money deposited in the State General Fund pursuant to paragraph (d) of subsection 5 and paragraph (d) of subsection 6 that is not distributed or used pursuant to paragraph (b) of subsection 8 must be transferred to the uncommitted balance of the State General Fund.

10. As used in this section:

(a) "Juvenile court" has the meaning ascribed to it in NRS 62A.180.

(b) "Office of Court Administrator" means the Office of Court Administrator created pursuant to NRS 1.320.

(Added to NRS by 1983, 907; A 1985, 907; 1987, 1417; 1989, 1058, 1980; 1991, 1554, 2181; 1993, 604, 867; 1995, 2453; 1997, 1508; 1999, 2426; 2001, 375, 2353, 2919; 2003, 1118, 1461, 2098; 2007, 40, 1413, 1741; 2009, 979; 2010, 26th Special Session, 81; 2013, 1753; 2019, 3301, effective July 1, 2021)

➤ **NRS 178.518 Payment of forfeited deposits to county treasurer or State Controller.** Money collected pursuant to NRS 178.506 to 178.516, inclusive, which was collected:

1. From a person who was charged with a misdemeanor must be paid over to the county treasurer.

2. From a person who was charged with a gross misdemeanor or a felony must be paid over to the State Controller for deposit in the State General Fund for distribution in the following manner:

(a) Ninety percent for credit to the Fund for the Compensation of Victims of Crime; and

(b) Ten percent for credit to the special account established pursuant to NRS 176.0613 to assist with funding and establishing specialty court programs.

(Added to NRS by 1967, 1453; A 1981, 1672; 2001, 2922; 2003, 2105)

### *NRS 176.0613*

~~**NRS 176.0613 Additional administrative assessment for misdemeanor: Authorization; collection; distribution; limitations on use.**~~

~~1. — The justices or judges of the justice or municipal courts shall impose, in addition to an administrative assessment imposed pursuant to NRS 176.059 and 176.0611, an administrative assessment for the provision of specialty court programs.~~

~~2. — Except as otherwise provided in subsection 3, when a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor, including the violation of any municipal ordinance, the justice or judge shall include in the sentence the sum of \$7 as an administrative assessment for the provision of specialty court programs and render a judgment against the defendant for the assessment. If a defendant is sentenced to perform community service in lieu of a fine, the sentence must include the administrative assessment required pursuant to this subsection.~~

~~3. — The provisions of subsection 2 do not apply to:~~

~~(a) — An ordinance regulating metered parking; or~~

~~An ordinance which is specifically designated as imposing a civil penalty or liability pursuant to NRS 244.3575 or 268.019~~

~~4. — The money collected for an administrative assessment for the provision of specialty court programs must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for such an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the bail pursuant to this subsection must be disbursed pursuant to subsection 6 or 7. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment he has paid and the justice or judge shall not recalculate the administrative assessment.~~

~~5. — If the justice or judge permits the fine and administrative assessment for the provision of specialty court programs to be paid in installments, the payments must be applied in the following order:~~

~~(a) — To pay the unpaid balance of an administrative assessment imposed pursuant to [NRS 176.059](#);~~

~~(b) — To pay the unpaid balance of an administrative assessment for the provision of court facilities pursuant to [NRS 176.0611](#);~~

~~(c) — To pay the unpaid balance of an administrative assessment for the provision of specialty court programs; and~~

~~(d) — To pay the fine.~~

~~6. — The money collected for an administrative assessment for the provision of specialty court programs in municipal court must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. On or before the 15th day of that month, the city treasurer shall deposit the money received for each administrative assessment with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator.~~

~~7. — The money collected for an administrative assessment for the provision of specialty court programs in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. On or before the 15th day of that month, the county treasurer shall deposit the money received for each administrative assessment with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator.~~

~~8. — The Office of Court Administrator shall allocate the money credited to the State General Fund pursuant to subsections 6 and 7 to courts to assist with the funding or establishment of specialty court programs.~~

~~9. — Money that is apportioned to a court from administrative assessments for the provision of specialty court programs must be used by the court to:~~

~~(a) — Pay for the treatment and testing of persons who participate in the program; and~~

~~(b) — Improve the operations of the specialty court program by any combination of:~~

~~(1) — Acquiring necessary capital goods;~~

~~(2) — Providing for personnel to staff and oversee the specialty court program;~~

~~(3) — Providing training and education to personnel;~~

~~(4) — Studying the management and operation of the program;~~

~~(5) — Conducting audits of the program;~~

~~(6) — Supplementing the funds used to pay for judges to oversee a specialty court program; or~~

~~(7) — Acquiring or using appropriate technology.~~

~~10. — As used in this section:~~

~~(a) — “Office of Court Administrator” means the Office of Court Administrator created pursuant to NRS 1.320; and~~

~~(b) — “Specialty court program” means a program established by a court to facilitate testing, treatment and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffer from a mental illness or abuses alcohol or drugs. Such a program includes, without limitation, a program established pursuant to NRS 176A.250 or 453.580.~~

~~(Added to NRS by 2003, 2096; A 2007, 1418)~~

# TAB 4

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

**MEMORANDUM**

**TO:** Judicial Council of the State of Nevada

**FROM:** James Popovich, Specialty Courts Statewide Coordinator

**DATE:** November 2, 2021

**SUBJECT:** JCSN Specialty Court Funding and Policy Committee Bylaws Proposed Revisions

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The attached bylaws for the Specialty Court Funding and Policy Committee contain some revisions pertaining to the composition of the Committee. Historically, it was required that the Vice Chair of the Committee be a Supreme Court Justice. In order to allow for the opportunity for a sitting judge to assist the Committee Chair with the responsibilities associated with overseeing the various aspects of the Committee, it is proposed that the Vice Chair may either be a Supreme Court Justice, District Court Judge, Justice of the Peace, or Municipal Court Judge.

It is also proposed that there be up to four non-voting members who are specialty court coordinators to serve as regional representatives. The current bylaws state there will be three. The fourth seat will be occupied by a second rural region coordinator. Clark and Washoe regions will remain unchanged with one coordinator each.

The recommendation is for the Council to vote on approving the proposed revisions.

*See attachment (2 pages)*



## ARTICLE XI

### SPECIALTY COURT FUNDING AND POLICY COMMITTEE

#### Section 1. Name; Committee Type.

The Specialty Court Funding and Policy Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

#### Section 2. Composition.

The Specialty Court Funding and Policy Committee shall consist of no more than 20 members. The Chair ~~and Vice-Chair~~ of the Committee must be a Supreme Court Justice. The Vice Chair may either be a Supreme Court Justice, District Court Judge, Justice of the Peace, or Municipal Court Judge. The ~~C~~committee will consist of one general jurisdiction judge and one limited jurisdiction judge from each region except Clark. The Clark Region will have two general jurisdiction judges and two limited jurisdiction judges. Additionally, there will be three at-large members consisting of one general jurisdiction judge, one limited jurisdiction judge, and one judge from any region and jurisdiction. At-large members may be judges who do not conduct a specialty court program, and will be appointed by the Chair and Vice-Chair of the Committee. Judges who currently preside as a specialty court judge will have priority. Senior judges who participate in specialty court activities are eligible to serve on this ~~C~~committee. There will also be up to three four non-voting members who are specialty court program coordinators or program administrators. These members will be selected by the chief justice upon recommendation of the specialty court program coordinators and program administrators in three regions consisting of the Clark Region, the Washoe Region, and the Rural Region. The Rural Region shall be comprised of the all the courts in the Sierra, North Central, and South Central regions. The Rural Region ~~which~~ will have two coordinators serving as members while the Clark and Washoe regions will have one member.

~~shall be comprised of the all the courts in the Sierra, North Central, and South Central regions.~~

These members will serve terms consistent with those of the other members of the Committee save that the initial terms of the specialty court coordinator or administrator members shall begin July 1, 2019, and the initial three members shall serve from then until December 31, 2019, before commencing regular two year terms on January 1, 2020. The chief justice will officially appoint members upon recommendation of the Regional Councils, and all terms will commence on January 1st of the appointing year and end on December 31st of the last year of the term. The chief justice shall maintain the right to decline recommendations. Members will serve for a term of 2 years. Terms commencing February 10, 2006, will be staggered so approximately half the membership will be appointed each year. Resignation or retirement appointments will be made by a nomination ballot and election within the region.

### **Section 3. Duties.**

The Committee shall establish an application procedure and required documentation for requesting of specialty court funds, develop funding criteria and best practices, develop reporting requirements for recipients who receive funds, collect specialty court data and information to aid in funding, and monitor courts on use of funding and compliance with funding criteria and best practices. The committee, at the discretion of the chair, may appoint ad hoc or other subcommittees necessary to further these duties or improve specialty court programs within this State.

### **Section 4. Meetings; When Held.**

The Chair or a majority of the Committee members may call meetings.

# TAB 5

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS  
Director and  
State Court Administrator



JOHN MCCORMICK  
Assistant Court Administrator

**JUDICIAL COUNCIL OF THE STATE OF NEVADA**

*"To unite and promote Nevada's judiciary as an equal, independent and effective branch of government."*

**COURT ADMINISTRATION  
COMMITTEE REPORT**

COMMITTEE MEMBERS:

**Katherine Stocks, Chair**  
**Derek Boyle**  
**Jack Eslinger**  
**Grissell Hernandez**  
**Kate Martin**  
**Toni North**  
**Sue Sevon**  
**Steve Tuttle**  
**Erin Tellez**

**Terri March, Vice-Chair**  
**James Conway**  
**Cindy Garcia**  
**Nancy Kearns**  
**Kristina Mortensen**  
**Karen Powell**  
**Heidi Shaw**  
**Anita Whitehead**

**Kathy Bennett**  
**Maxine Cortes**  
**Steve Grierson**  
**Cindy Marshall**  
**Teresa Naranjo**  
**Tanya Sceirine**  
**Alisa Shoults**  
**Bobbie Williams**

Since the last report, the JCSN Court Administration Committee met on September 23, 2021.

Chair Stocks discussed the NCSC Strategic Campaign and how the court administrators would be asked to provide email addresses/names of all their employees. The survey went out to all court employees and was due by October 7<sup>th</sup>, 2021. It consisted of questions that are meant to enhance the effectiveness of the courts.

Chair Stocks also stated that NCSC will be creating several focus groups to discuss the survey results and any prominent themes.

Mr. Jessup proposed a list of AB116 workgroup members that scheduled to be voted on during this meeting. However, Chair Stocks noted that many individuals still wished to join the workgroup so the vote was tabled until the December 9<sup>th</sup>, 2021 meeting.

Ms. Whitehead said that her court has been receiving back restitution and extradition payments from the DMV for interlocking devices. Ms. Shoults said that her court has received them also and have been attaching the conviction to the order when it was sent to the DMV.

Ms. Lerud asked if other courts were receiving back restitution and extradition payments that were rejected by Parole and Probation. Other court administrators stated they had received them as well.

The next meeting is scheduled for December 9, 2021 at 3:00pm.

# TAB 6

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS  
Director and State Court  
Administrator



JOHN MCCORMICK  
Assistant Court Administrator

**JUDICIAL COUNCIL OF THE STATE OF NEVADA**

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**COURT IMPROVEMENT PROGRAM COMMITTEE REPORT**

*Prepared by: Shannon Gildea, CIP Coordinator*

**Justice Nancy M. Saitta,  
(Ret), Chair  
Justice Elissa Cadish,  
Co-Chair  
Amber Howell  
Assemblywoman, Elaine  
Marzola  
Brigid Duffy  
Buffy Okuma, Esq.  
Fran Maldonado**

**Janice Wolf, Esq.  
Jennifer Merideth  
Jennifer Rains  
Jill Marano  
Jhone Ebert  
John McCormick  
Judge Gary Fairman  
Judge Michael Montero  
Judge Paige Dollinger  
Judge Rebecca Burton**

**Juvenile Master Alison Testa  
Juvenile Master Kimberly Okezie  
Kandrea Higgins  
Kate Schmidt  
Kelly Brandon  
Kendra Materasso  
Ross Armstrong  
Sharon Benson, Esq.  
Sheila Parks**

Since the last JCSN report dated September 17, 2021, the Court Improvement Program (CIP) continues to focus on three primary strategies: improving timeliness to permanency for children; increasing judicial, attorney, and stakeholder knowledge and expertise; and building systemic capacity through continual quality improvement (CQI) and data exchange.

- The Annual CIC Summit was held September 22-24<sup>th</sup> at the Atlantis in Reno, NV.
- FY2020 Grant funds were approved to assist the Child Abuse and Neglect Prevention Task Force’s (CANPTF) day program, Project Safe & Growing with opening a 2<sup>nd</sup> classroom for children 3-6 years of age who have been the victim of maltreatment and/or been exposed to domestic and/or community violence.
- CIP exhausted the remaining balance of the FY2020 grant funds.
- CIP received approval from the Children’s Bureau regarding the annual self-assessment and 5-year strategic plan that was submitted in June, resulting in grant funds for FY22. The amount has yet to be determined.
- CIP continues to coordinate training opportunities for dependency court stakeholders and have confirmed 33 court stakeholders have completed the Permanency Training that was the result of the Program Improvement Plan’s (PIP) Team 3 efforts.

# TAB 7

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS  
Director and State Court  
Administrator



JOHN MCCORMICK  
Assistant Court Administrator

**JUDICIAL COUNCIL OF THE STATE OF NEVADA**

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**SUMMARY**

**SIERRA REGIONAL JUDICIAL COUNCIL MEETING**

Friday, October 15, 2021

12:00 noon

Remote Meeting via BlueJeans

*(Prepared by Jamie Gradick)*

**Members Present:**

Judge Nathan T. Young, Chair  
Judge Leon Aberasturi  
Judge Tom Armstrong  
Judge Richard Glasson  
Judge Thomas Gregory  
Judge Eileen Herrington  
Judge James Todd Russell  
Judge John Schlegelmilch

**Guests Present:**

Ms. Maxine Cortes

**Administrative Office of the Courts (AOC) Staff Present:**

Jamie Gradick, Rural Courts Coordinator  
Katherine Stocks, Court Administrator

**I. Call to Order**

- Judge Young, as chair, called the meeting to order at 12:07 pm.

**II. Determination of Quorum**

- A quorum was not present.

**III. Approval of Meeting Summaries**

- Attendees tabled approval of the January 22, 2021 and April 16, 2021 meeting summaries until the next meeting.

**IV. Business, Action, and Discussion Items**

Supreme Court Building ♦ 201 South Carson Street, Suite 250 ♦ Carson City, Nevada 89701 ♦ (775) 684-1700 • Fax (775) 684-1723

Supreme Court Building ♦ 408 East Clark Avenue ♦ Las Vegas, Nevada 89101



- AOC Updates
  - Ms. Gradick informed attendees of recent personnel changes within the AOC that could directly impact the courts.
    - Rick Stefani retired from the AOC in July; Gianni Troian is the new CIO.
    - The AOC has hired a new Court Services Analyst: Almeda Harper. Ms. Harper will be staffing JCSN and other NV Supreme Court commissions and projects as necessary.
    - Kimberly Williams became the Certified Court Interpreter Program coordinator in July. As the program has been without a coordinator for over a year, Ms. Williams is addressing the certification backlog and is currently holding certification workshops and testing
      - ♦ Judge Schlegelmilch asked for an updated list of certified interpreters and inquired as to whether there are Chinese certified interpreters available; Ms. Gradick will ask Ms. Williams to follow-up with Judge Schlegelmilch with this information.
    - Judge Young informed attendees that Ms. Gradick has been promoted to Court Services Supervisor, within the AOC.
  - Ms. Gradick informed attendees that the AB 196 Courthouse Lactation Room Installation Grant is now available.
    - The AOC is administering the grant; the grant submission period opened Oct. 1 and closes Oct. 29.
    - If your court intends to claim an exception from the requirements of the grant; please submit the grant exception form available on the grant webpage via the AOC’s website.
  - Ms. Stocks provided attendee with a brief overview of the NCSC Strategic Planning Project.
    - The survey has been distributed to all courts and court staff; it was designed to allow for input into the judiciary as a whole, but can also provide input on a court-specific level.
    - Ms. Stocks commented that a goal of the survey, and of this process overall, is to determine what more the AOC can do to support the courts. For example, a family court training coordinator for the rural district courts may be something that court wish to have access to.
- Regional Judicial Council Meeting Format/Venue Discussion
  - Attendees expressed an interest in continuing to hold these meetings in person, if possible.
  - Attendees discussed venue availability and challenges; most venues are requiring deposits or cannot accommodate the council in terms of privacy and size.
    - Judge Glasson informed attendees that he reserves a meeting room at Casino Fandango for his mediations; he will forward his point of contact to Ms. Gradick.
- Community Service Reports/Updates
  - Judge Schlegelmilch participated in the Fourth of July “Kids’ Fun Day”.
  - Judge Young participated in the Action Club’s prom.
  - Judge Glasson supervised the “Sled of Shame” trail clean-up on behalf of Tahoe Justice Court.
  - The First Judicial District Court and the Carson City Justice/Municipal Courts participated in the “National Night Out”.
  - Judge Russell informed attendees that the First Judicial District Court held an active

shooter training.

- Informational Documents
  - The latest judicial education calendar is available via the AOC website.
- Other/Discussion
  - Judge Young commented on the lack of quorum in these meetings and asked attendees to encourage colleagues to attend these meetings.
  - Judge Schlegelmilch informed attendees that he serves on the Commission to Study the Adjudication of Water Law Cases and offered to convey any input from the Council to the Commission.
    - Attendees briefly discussed the Commission’s progress; Judge Schlegelmilch commented that, while many issues have been discussed, it is still too early for the Commission to be developing a set proposal or recommendation.
  - Judge Aberasturi commented on the case backlog in the 8<sup>th</sup> Judicial District Court and asked whether the other district judges in the state would be tasked with hearing some of the backlogged cases.
    - Discussion was held regarding the use of senior judges and utilizing remote hearing options.
    - Ms. Stocks commented on the priority of senior judge appointments and informed attendees that the AOC has hired a Senior Judge Program Coordinator for the 8<sup>th</sup> Judicial District.
  - Judge Young provided attendees with a brief update on the Jury Instructions Work Group; instructions are almost complete. The next steps will be editing and then publication.

V. Future Meetings

- Sierra Regional Judicial Council 2022 meeting dates are yet to be determined. Additional information will be provided as it becomes available.
- The next Judicial Council of the State of Nevada meeting will be November 19, 2021 at 2:00 pm.

VI. Adjournment

- Judge Young adjourned the meeting at 12:40 pm.

# TAB 8

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS  
Director and State Court  
Administrator



JOHN MCCORMICK  
Assistant Court Administrator

**Meeting Summary**

**Washoe Regional Judicial Council**

Wednesday, November 3, 2021

Remote Access via BlueJeans

*Summary Prepared by: Almeda Harper*

**MEMEBERS PRESENT:**

Chief Judge Scott Freeman  
Chief Judge Derek Dreiling  
Chief Judge Kevin Higgins  
Judge Scott Pearson  
Judge Tammy Riggs

**GUESTS/OTHERS PRESENT:**

Alicia Lerud  
Steve Tuttle

**AOC STAFF PRESENT:**

Ms. Jamie Gradick  
Ms. Almeda Harper

- I.** Call to order
  - a) Chief Judge Freeman, Chair of the Washoe Regional Judicial Council, called the meeting to order at 12:10pm.
- II.** Call of the Roll and Determination of Quorum Status
  - a) Ms. Almeda Harper called roll; a quorum was not present; however, Chief Judge Freeman elected to proceed with the meeting.
    - Ms. Jamie Gradick explained the membership requirements of Regional Councils as opposed to the Judicial Council of the State of Nevada.
- III.** Update of Meeting Summary
  - a) Ms. Almeda Harper explained that the meeting summary for June 16, 2021 was not available for approval.
- IV.** AOC Update

Ms. Harper introduced herself as a new employee of the AOC, under the supervision of Jamie Gradick, and provided the following updates:

  - a) AOC Personnel Update
    - A new position has been created, Court Services Supervisor, and has been filled by Jamie Gradick.
    - Gianni Triani is the new Chief Information Officer. Rick Stefani retired in July.
    - Vickie Elfante retired in July.
    - Law Librarian, Jason Sowards, has taken another position. Ben Fuller has been hired to fill the position as of November 1, 2021.
    - Kim Williams has been promoted to Court Interpreters Program Coordinator.
  - b) AB 196 Courthouse Lactation Room Installation Grant

- A webpage has been added to the Nevada Judiciary webpage including instructions and forms.
- A second funding cycle may be available at the end of the fiscal year.
- c) National Center for State Courts (NCSC) Strategic Planning Process Update
  - A reminder was given to ensure all judicial employees complete the survey sent out on October 11, 2021.
  - An update on the strategic planning process will be available at the November 19 JCSN full-council meeting.

## V. Discussion Items

### a) Court Updates

- Second Judicial District court
  - ♦ Chief Judge Freeman commented the court continues to maintain hybrid operations. Jury trials, sentencing hearings, bench trials, and other evidentiary hearings are being held in person at the discretion of the court and at the request of the parties involved. Other hearing types continue to be held virtually due to Covid restrictions. The development of a timeline to resume grand jury proceedings is still in progress.
  - ♦ Chief Judge Freeman also stated this will be his last meeting as Chief Judge as his term will end at the end of the year. He will not be running for another term as Chief.
- Reno Justice Court
  - ♦ Chief Judge Dreiling commented the Reno Justice Court will return to in person operations as of February 1, 2022. Zoom appointments will be allowed by special request. The technical aspects of holding hearings virtually is not feasible with the current workload. Employees will be tested weekly for Covid.
  - ♦ Approval was obtained to hire a part time position to assist with traffic, small claims, and workplace TPO's.
  - ♦ A new jury box will be installed in court room E to accommodate a 12 person jury. Court room A will undergo a remodel including a larger jury box as well.
  - ♦ Judge Pearson stated the court has adopted time standards which may be difficult to adhere to considering the backlog from Covid.
- Reno Municipal Court
  - ♦ Mr. Tuttle commented they are continuing to allow some hearings virtually. Trials and a majority of specialty court hearings will be held in person.
  - ♦ Current discussions include conversion to a 12-person jury and how to prepare for the latest legislative changes.
- Sparks Justice Court
  - ♦ Chief Judge Higgins commented recent improvements with the jail and communication has alleviated the need to move inmates for attorney meetings.
  - ♦ Trials and preliminary hearings are being held in person unless otherwise requested virtually.
  - ♦ Recently acquired federal funds are being used to convert the hearing room into a jury room. The process is proving to be time consuming and a 12 person jury box may not be obtained for some time.
  - ♦ Chief Judge Higgins commented the latest Legislative changes are unclear and requested a list of changes.
  - ♦ There will be an in-person conference in January 2022 involving the lower court judges.
- Sparks Municipal Court – nothing to report.
- Wadsworth Justice Court – nothing to report.
- Incline Village Justice Court – nothing to report.
- b) AB 424 Initial Hearing Timelines – this item was not discussed.
- c) ADKT 587 – this item was not discussed.

**VI.** Future Meetings

- a) The next Judicial Council of the State of Nevada will be held on November 19, 2021.
- b) The 2022 Washoe Regional Judicial Council schedule is yet to be determined.

**VII.** Adjournment

- a) There being no further discussion, the meeting was adjourned at 12:30 pm.

DRAFT

# TAB 9

**Judicial Council of the State of Nevada – Full Council  
Membership List**

<b><i>Nevada Appellate Courts</i></b>
Chief Justice James Hardesty (Chair) (1/4/21 – 12/30/21) Justice Ron Parraguirre (Vice Chair) (1/4/21 – 12/30/21) Chief Judge Michael Gibbons (1/4/21 – 12/30/21)
<b><i>Clark Region</i></b>
Chief Judge Linda Bell (Chair) (7/1/18 – 06/30/22) Judge Bert Brown (1/2/20 – 12/31/22) Judge Bill Henderson (1/2/20 – 12/31/22) Judge Eric Johnson (1/2/20 – 12/31/22) Judge Ryan Toone (1/4/21 – 12/31/23)
<b><i>North Central Region</i></b>
Judge Mike Montero (Chair) (1/4/21 – 12/31/23) Judge Phillip Leamon (1/4/21 – 12/31/23)
<b><i>Sierra Region</i></b>
Judge Nathan T. Young (Chair) (1/2/20 – 12/31/22) Judge Eileen Herrington (1/2/20 – 12/31/22)
<b><i>South Central Region</i></b>
Judge Steven Dobrescu (Chair) (1/2/19 – 12/31/2021) Judge Gus Sullivan (1/4/21 – 12/31/23)
<b><i>Washoe Region</i></b>
Chief Judge Scott Freeman (Chair) (11/20/19 – 12/31/21) Chief Judge Kevin Higgins (1/2/20 – 12/31/22) Judge Dorothy Nash Holmes (1/4/21 – 12/31/23)
<b><i>Ex-Officio Members</i></b>
Chief Judge Scott Freeman, Nevada District Judges Association (5/21 – 5/22) Judge Stephen Bishop, President, Nevada Judges of Limited Jurisdiction (2/1/21 – 2/1/22) Alicia Lerud, Acting Court Administrator, Second Judicial District Steven Grierson, Court Administrator, Eighth Judicial District Katherine Stocks, State Court Administrator, Administrative Office of the Courts



# TAB 10

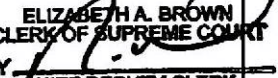
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: AMENDMENT OF SUPREME  
COURT RULES 8 AND 9 REGARDING  
REGIONAL JUDICIAL COUNCILS  
AND THE JUDICIAL COUNCIL OF  
THE STATE OF NEVADA.

ADKT 0587

FILED

OCT 27 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

*ORDER SCHEDULING PUBLIC HEARING*

On October 22, 2021, Katherine Stocks, Director and State Court Administrator for the Administrative Office of the Courts, filed a petition seeking to amend Supreme Court Rules 8 and 9 regarding Regional Judicial Councils and the Judicial Council of the State of Nevada. The proposed amendments are attached as Exhibit A.

The Nevada Supreme Court will conduct a public hearing on the petition on Monday, December 6, 2021, at 4:00 p.m. in the Nevada Supreme Court Courtroom, 408 East Clark Avenue, Las Vegas, Nevada. The hearing will be videoconferenced to the Nevada Supreme Court Courtroom, 201 South Carson Street, Carson City, Nevada.

Further, this court invites written comment from the bench, bar, and public regarding the proposed amendments. Comments may be submitted electronically or in hard-copy format to: Elizabeth A. Brown, Clerk of the Supreme Court, 201 South Carson Street, Carson City, Nevada 89701 or [nvscclerk@nvcourts.nv.gov](mailto:nvscclerk@nvcourts.nv.gov) by 5:00 p.m., November 30, 2021. Persons interested in participating in the hearing must notify the Clerk no later than November 30, 2021.

Dated this 27<sup>TH</sup> day of October, 2021.

  
\_\_\_\_\_, C. J.  
Hardesty

21-30989

cc: Judicial Council Members  
Ann Morgan, President, State Bar of Nevada  
Kimberly Farmer, Executive Director, State Bar of Nevada  
All District Court Judges  
All Justice Court Judges  
All Municipal Court Judges  
Clark County Bar Association  
Washoe County Bar Association  
First Judicial District Bar Association  
Elko County Bar Association  
Douglas County Bar Association  
Administrative Office of the Courts

## Exhibit A

### Rule 8. Regional Judicial Councils.

1. **Composition, terms.** Effective January 1, 2001, and superseding former Supreme Court Rule 8, there is hereby created a regional judicial council in each region. Each regional judicial council shall be composed of the individual judges whose courts are geographically located within the region. The regional councils shall be represented on the state judicial council by one district judge, who shall be chair, and one limited jurisdiction judge, each of whom shall be elected by a majority of his or her respective colleagues in the region for a term of three years; except in the judicial districts required to elect a chief judge pursuant to NRS 3.025, that chief judge, or the chief judge's designate, shall be the district judge member concurrent with his or her term as chief judge.

(a) The Clark regional judicial council shall be represented by:

(1) Two additional district judges to be elected by a majority of the district judges in the region. Of the two additional district judges, one must be from the criminal/civil division and one from the family division. *The chief judge may designate one of these two judges to serve as the chair of the Clark regional judicial council.*

(2) One additional limited jurisdiction judge to be elected by a majority of the limited jurisdiction judges in the region.

(b) The Washoe regional judicial council shall be represented by one additional limited jurisdiction judge to be elected by a majority of the limited jurisdiction judges in the region. Of the two limited jurisdiction judges, one must be a justice of the peace and one must be a municipal judge. *The chief judge may designate the additional district judge representative to serve as the chair of the Washoe regional judicial council.*

2. **Election.** Elections for regional judicial council representative shall be conducted as necessitated by prospective expiration of terms. Elections may be conducted in person, via mail, or via electronic means through the administrative office of the courts within sufficient time to ensure that the results of the necessary elections can be certified to the chief justice on or before the first ~~{business day}~~ *Monday after the first Sunday* in January in which any new term begins.

3. **Meetings.** The regional judicial councils shall meet at least ~~{once every four months}~~ *three times per calendar year, or more frequently* at the call of the chair.

4. **Purpose.** Each regional judicial council shall, subject to the direction of the chief justice, rule or order of the supreme court:

(a) Coordinate the implementation of, within its region, ~~{all}~~ administrative rules and orders of the supreme court or the chief justice.

(b) Provide a forum for the communication of information between the courts of the region and the supreme court.

(c) Define, develop and coordinate programs and projects for the improvement of courts in the region.

(d) *Undertake such other actions and activities as deemed necessary by the members of the region for the improvement of the individual courts and the court system within that region.*

5. **Voting authority.** Each judge in the region has one vote on regional judicial council matters at regional council meetings.

### Rule 9. Judicial Council of the State of Nevada.

1. **Creation, composition.** There is hereby created a judicial council of the State of Nevada which shall supersede the council established by former Supreme Court Rule 9 and it shall be composed of the members of each regional judicial council, the chief justice, who shall serve as chair, and the ~~{vice chief}~~ *associate* chief justice. The chief judge of the Nevada Court of Appeals, or the chief judge's designee, shall be a member of the judicial council. If not otherwise a member, the presidents of the Nevada District Judges Association and Nevada Judges of Limited Jurisdiction Association shall each be an ex-officio member ~~{to provide additional information to the judicial council of the State of Nevada on behalf of their respective associations}~~. If otherwise a member, the presidents of the Nevada District Judges Association and the Nevada Judges of Limited Jurisdiction Association shall appoint a voting designate to represent their respective association. The state court administrator, Clark region district court administrator and Washoe region district court administrator shall each be an ~~{non-voting}~~ ex-officio member of the judicial council of the State of Nevada. All members of the council are voting members ~~{except the three court administrators}~~.

2. **Meetings.** The judicial council of the State of Nevada shall meet at least ~~{once every four months}~~ *three times per calendar year or more frequently at the call of the chair.*

3. **Purpose.** The judicial council of the State of Nevada shall, at a minimum:

(a) ~~{Develop and recommend}~~ *Make recommendations* to the supreme court *regarding policies and procedures* for the administration of the judiciary.

(b) Consider issues forwarded to it by the supreme court ~~and~~ or chief justice.

(c) Review and approve proposed legislation affecting the courts submitted by the Nevada District Judges Association, the Nevada Judges of Limited Jurisdiction Association, ~~and~~ or the various courts that make up the Nevada judicial branch.

(d) Recommend legislation and ~~for~~ rules affecting the courts to the supreme court.

(e) Establish *subcommittees* to ~~develop minimum standards, to be recommended~~ study and make recommendations to the supreme court ~~for, at a minimum~~ regarding topics such as, but not limited to:

- (1) Judicial ~~administrative performance~~ and court administration;
- (2) Education and training for judges;
- (3) Education and training for court ~~support~~ staff;
- (4) Court facilities;
- (5) Court security;
- (6) Court technology;
- (7) Court staffing; and
- (8) *Court data and statistical reporting.*

~~Resolving intra-court discrepancies submitted to the council by one or more courts;~~

~~(9) Resolving discrepancies between the courts and outside organizations submitted to the council by a court or by the outside organization.~~

Such *subcommittees* exist at the will of the council and may be convened, suspended, reconvened, or eliminated at the direction of the council at any time. Other committees may also be established to consider and make recommendations regarding other issues of concern to the Nevada judiciary.

(f) Develop recommendations to be approved by the supreme court for the improvement of Nevada's courts and the statewide court system.

~~(g) Review and recommend changes as needed to the annual report on the judiciary published by the administrative office of the courts.~~

~~(h)~~ In coordination with the administrative office of the courts, seek and accept federal, *state* ~~and~~ or private funding for the improvement of Nevada's courts and statewide court system.

~~(i)~~ *(h)* Establish *bylaws, policies and procedures* to be followed by the council to achieve its purpose.

4. **Support.** The administrative office of the courts shall provide support services to the council including, at a minimum:

- (a) Developing and publishing regional judicial council and council of the State of Nevada agendas.
- (b) Recording and publishing the council of the State of Nevada's meeting minutes.
- (c) *Providing expert staff support and research to the regional and state councils.*