



ANNUAL REPORT OF THE NEVADA JUDICIARY

Fiscal Year 1999-2000



The Work of Nevada's Courts - July 1, 1999, to June 30, 2000

SUPREME COURT OF NEVADA

Administrative Office Of The Courts
201 South Carson Street, Carson City, Nevada 89701



SUPREME COURT OF NEVADA

ROBERT E. ROSE, Chief Justice

CLIFF YOUNG, Justice

MIRIAM SHEARING, Justice

A. WILLIAM MAUPIN, Justice

DEBORAH A. AGOSTI, Justice

MYRON E. LEAVITT, Justice

NANCY A. BECKER, Justice

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Photograph on previous page:

(seated, from left)

Justice Cliff Young, Justice Deborah A. Agosti, Justice Nancy A. Becker, Chief Justice Robert E. Rose

(standing, from left)

Justice A. William Maupin, Justice Myron E. Leavitt, Justice Miriam Shearing

The Nevada Supreme Court seals in this Annual Report were illustrated by Sheffield Abella, based on the seal hanging in the Supreme Court in Carson City. The courtroom seal (shown on page 29) was designed and sculpted by Eugene Daub .

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A Message From The Chief Justice

It is a productive time for the Judicial Branch of government in Nevada - an era of progress and professionalism destined to serve the state well into the millennium.

The continuing growth across much of Nevada has challenged the judicial system, but with the help of the Nevada Legislature and the dedication, cooperation and plain hard work of our judges and their staffs we are meeting that challenge. The past few years have brought statewide advances to the judicial system and given taxpayers more bang for the buck. Many of our latest achievements are included in this annual report.

There is now more accountability required from the courts because of rules passed by the Supreme Court - such as the Strong Chief Judge systems in Clark and Washoe Counties and a rule mandating the collection and reporting of judicial statistics from every court at every level. These statistics show how the Nevada courts are handling the public's business and provide a great management tool for fine tuning the judicial system.

The Supreme Court has continued to recognize that domestic violence is a major problem. We have directed that standardized forms be used in processing these cases to ensure consistency. The Supreme Court also joined with the Attorney General in sponsoring a Court Monitoring Project to assess how domestic violence cases are being processed by our courts.

The collegiality and effectiveness of the courts and all judges continue to improve as we work more closely together. A new chapter was written with the Summit 2000 Judicial Leadership Conference at Lake Tahoe in May. This conference was the first time in modern history that judges at every level in the judicial system gathered to discuss our overlapping problems and matters of mutual interest.

At the Supreme Court, there has been the addition of two new justices - bringing the total to seven and allowing cases to be heard by three-justice panels. This has reduced our backlog of cases and given justices more time to spend on our increasingly complex cases. The consensus of the legal community is that the quality of our decisions has improved and the law of the land is clearer for attorneys, trial judges and citizens.

Nevada now has a law school to support the legal community - the William S. Boyd School of Law at the University of Nevada, Las Vegas. This year the law school sponsored a conference including judges, legislators and representatives of the executive branch. We talked through current concerns and shared ideas for the future to ensure that Nevada has the best possible court system.

While the future of Nevada's judicial system is bright, we are not complacent.

At the dawn of the new millennium, we are on-track and moving forward.

A handwritten signature in black ink, reading "Robert E. Rose". The signature is stylized and fluid.

Chief Justice Robert E. Rose



A Report From The Administrative Office Of The Courts

Fiscal year 1999-2000 was an exciting year for the Administrative Office of the Courts (AOC), full of new ventures and accomplishments. The highlight was the establishment of the Supreme Court-ordered, legislatively mandated Uniform System for Judicial Records (USJR) program for statewide court statistical reporting. The USJR produces the statistical data for this report. Other notable achievements in fiscal year 1999-2000 included:

- Implementation of several integrated justice system projects throughout the state
- Participation on a Supreme Court appointed committee that develops standardized domestic violence forms to be used by law enforcement and courts statewide
- Continuation of our Court Improvement Project, a federally funded endeavor to help move children effectively and efficiently through our courts
- Implementation of a statewide Judicial Collections Task Force for the purpose of identifying ways to improve the collection of court-imposed fines, fees, forfeitures and administrative assessments
- Planning the first-ever, statewide education conference for judges from all courts in the state, held in May 2000
- Assisting the State Judicial Council in defining a new, more enhanced role for itself in the judiciary

Our Planning & Analysis Division was in its third full year of operation in fiscal year 1999-2000, working with the courts and judges to collect and publish statewide court workload statistics for the first time. There were those who thought the USJR would never happen. A 1995 Legislative audit stated “there is no assurance that a uniform system (for judicial records) will ever be achieved.” But now the USJR exists and, although not yet complete, is already producing meaningful information about Nevada’s courts, as evidenced by this report. We are proud of the fact that every one of Nevada’s 91 trial courts contributed data for this first USJR report.

Automating our trial courts was another major focus for the AOC in fiscal year 1999-2000. Most of the rural courts needed technology, but have no technical staff to help them. In fiscal year 1999-2000 the AOC, with the Supreme Court’s approval, began its “NVCourts” project to connect the rural courts electronically. At the same time, the AOC began to develop its highly successful federal grant proposal function to obtain additional funds for these projects.

The AOC will continue to publish an annual, expanded report on Nevada’s judiciary. Each year, more statistical information will be added to enable the reader to gain a better understanding and appreciation of our statewide court system.

Thanks to the vision of the Supreme Court justices, strong collaboration with and cooperation of the trial courts and the dedication of our AOC employees, fiscal year 1999-2000 was a full and rewarding year for the AOC and the court system. I hope you find this report informative.

A handwritten signature in black ink that reads "Karen Kavanau". The signature is written in a cursive, flowing style.

Karen Kavanau
State Court Administrator
Supreme Court of Nevada



The Nevada Judicial System

The Nevada Judiciary is one of the three branches of government - as co-equal and independent as the Executive and Legislative branches - with the responsibility for providing impartial, efficient and accessible dispute resolution in legal matters brought before it.

The judicial system consists of one appellate court and three divisions of trial courts:

- SUPREME COURT
- DISTRICT COURTS
- JUSTICE COURTS
- MUNICIPAL COURTS

The **SUPREME COURT** is the state's highest court and its primary responsibility is to review and rule on appeals from District Court cases. The court determines if legal errors were committed that require reversal of a verdict or judgment or if evidence was sufficient to support a trial court's action. The Supreme Court is the ultimate judicial authority in the state and its decisions interpreting the law and defining statutes have become the "law of the land."

However, the Supreme Court's authority goes far beyond that. The seven justices also oversee Nevada's entire legal system. The Court issues rules governing everything from court procedures to the ethical and professional conduct of judges. To help in that responsibility, the Supreme Court can create committees or commissions to study the judicial system and make recommendations for improvements - something that has been done on several occasions in recent years.

The Court's authority also extends over Nevada's lawyers. Establishing rules governing the admission of new lawyers and the imposition of discipline for attorneys who violate professional standards of conduct are included in the Court's oversight.

The justices also sit as Commissioners on the state's Board of Pardons to determine if sentences for convicted criminals should be changed. Other members of the Board include the Governor and Attorney General.

The **DISTRICT COURTS** comprise the second level of the judiciary, with the most authority of any of the trial courts. These are the courts where major criminal and civil trials are conducted - where citizens can get their "day in court" before a jury of their peers. The district judges also decide a

variety of complex legal disputes that do not require jury trials, including appeals from Justice and Municipal Court cases. The District Courts are constitutionally authorized and the judges have statewide jurisdiction. Judges' salaries are paid by the state, however, the financial responsibility for providing actual court facilities and support staffs falls on the county governments where the judges sit.

Although there are 17 counties in Nevada, the vast majority of the population is centered in just two. Nevada's two largest cities - Las Vegas and Henderson - are located in Clark County at the southern tip of the state. Washoe County in the northwest is home to the third largest city - Reno. In many of the remaining counties, wide-open spaces separate small communities that also need the services of the district judges. As a result, five of Nevada's nine Judicial Districts cover multiple counties to best utilize the judges' time and taxpayer resources. A map illustrating the Judicial Districts is on Page 11.

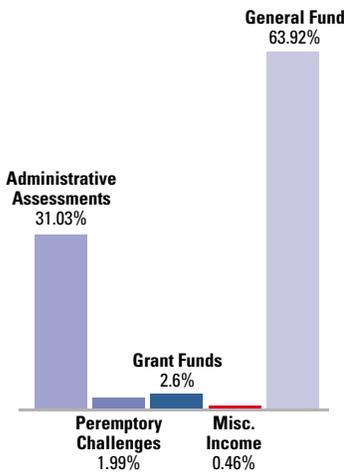
The **JUSTICE COURTS** have responsibility over a wide variety of cases. The judges must handle felony arraignments and conduct preliminary hearings to determine if sufficient evidence exists to hold criminal defendants for trial. They also must preside over small claims disputes, evictions and minor civil matters. Justice Courts, which are county courts, also handle many cases of misdemeanor crimes and traffic matters, but usually do not do so if the offenses occur within the city limits of incorporated communities (those cases are the responsibility of the Municipal Courts). In small communities that are not incorporated, the justices of the peace preside over all lower court cases. Funding

for the Justice Courts comes from the county governments and the majority of funds collected by the courts flow back to that governmental entity. In rural Nevada, many Justice Courts have part-time judges.

The **MUNICIPAL COURTS** handle cases involving violations of traffic and misdemeanor ordinances that occur within the city limits of incorporated municipalities. Municipal Courts also have limited jurisdiction in civil cases under NRS 5.050. These are city-funded courts and most of the funds collected by them go into the municipalities' general funds. In rural Nevada, many of the municipal judges work part-time.

NEVADA JUDICIARY

Where the court system received its \$21,001,031 in funding



GENERAL FUND

63.92%

Provided by the State Legislature

ADMINISTRATIVE ASSESSMENTS

31.03%

Fees charged to defendants in criminal cases.

PEREMPTORY CHALLENGES

1.99%

Fees paid by lawyers and litigants to exclude particular judges in civil cases

GRANT FUNDS

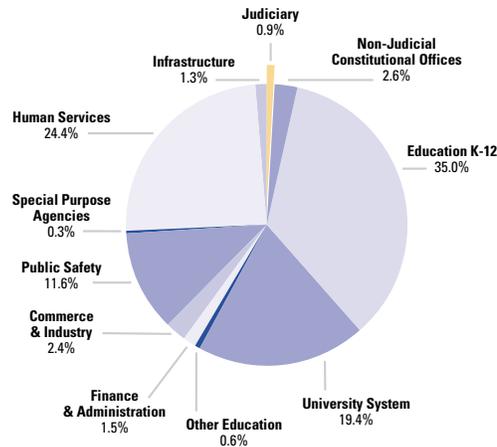
2.6%

MISCELLANEOUS INCOME

0.46%

Nevada General Fund Appropriations

Approved By The Nevada Legislature, 1999-2001 Biennium



The Nevada Court System – Structure & Function

Supreme Court Of Nevada

The state's highest court. **Seven justices** sitting in 3-judge panels or as the full court in the most important matters.

Responsibility: Court of last resort. Decide all appeals of civil and criminal cases from the District Courts. Supervise the entire judicial system in Nevada as well as the State Bar Association.

Caseload: 1,940 new cases filed in fiscal year 1999-2000.

Avenue of Appeal

District Courts

Fifty-one judges

Responsibility: Court of general jurisdiction. Preside over cases of felony and gross misdemeanor crimes, civil matters above \$7,500 and family law issues, including juvenile crimes, abuse and neglect. Conduct jury and non-jury trials. Rule on legal issues. Hear appeals of Justice and Municipal Court cases.

Caseload: 94,884 cases.

Avenue of Appeal

Justice Courts

Sixty-nine judgeships*

Responsibility: Court of limited jurisdiction. Preside over preliminary matters in felony and gross misdemeanor cases. Preside over misdemeanor and traffic cases, civil matters up to \$7,500, and landlord-tenant disputes. Issue temporary protective orders and warrants.

Caseload: 161,101 non-traffic cases, 406,551 traffic cases.

Municipal Courts

Twenty-nine judgeships*

Responsibility: Court of limited jurisdiction. Preside over misdemeanor and traffic cases in incorporated communities and some civil matters under NRS 5.050.

Caseload: 69,663 non-traffic cases, 253,078 traffic cases.

Clerk Of The Court

Responsible for all Supreme Court files and documents. Manages the court's caseload and dockets, coordinates public hearings and releasing court decisions. Janette Bloom is Clerk of the Court.

Law Library

Houses law books and other documents in its facility at the Supreme Court in Carson City. The library is used not only by the court's law clerks, but also by the general public. Susan Southwick is the Law Librarian.

Administrative Office Of The Courts

Performs all administrative functions for the Supreme Court and provides support services in such areas as training and technology to the trial courts. Karen Kavanau is the State Court Administrator.

* Many of these positions are part-time, and 11 Justices of the Peace are also Municipal Court Judges.

From Humble Beginnings . . .



The first Supreme Court building - 1937

Before Nevada was a state and even before the Nevada Territory had been carved out of the Utah Territory, a judicial system was put into place to handle the myriad of legal disputes inevitable in the old west. But it would be decades before the first courthouse would be built.

The first Territorial Supreme Court likely met at the same location the District Court held sessions - in a livery stable in Genoa, according to Ron James in his book *Temples of Justice*. From there, the court held sessions in a series of rented locations, including a mill and hotels in Carson City.

In 1871, the Supreme Court was provided space in the newly completed Capitol building, but it was not until 1937 that a separate Supreme Court building and Library finally was constructed to give the justices a home of their own.

The 21,000 square-foot building served well until the state and the high court's workload began to grow in earnest in the 1960s. Staff members were added and the court was expanded from three to five justices in 1967 to deal with the increased workload the population boom brought.

Yet it was not until 1992 that the current 120,000 square-foot building was completed at a cost of \$17 million (\$141.00 per square foot) - compared to the \$163,000 (\$7.71 per square foot) it required to build the Art Deco 1937 building.

Nevada's Courts Began In Turmoil

The beginning of a formal court system in the early days of the Nevada Territory is what might have been expected in a territory that grew out of the tumultuous times of the gold rush. Much of Nevada's early history was defined by its mining heritage - wild and colorful towns filled with characters looking for quick riches and the excitement the west offered. Camps sprang up and sometimes turned into towns like Virginia City with its Comstock Lode. Disputes over mining rights and a variety of other legal matters naturally followed.

Nevada's first territorial court system was created in 1861 and a three-justice Supreme Court was appointed by President Abraham Lincoln, with the same three also serving as district judges. Ironically, as the Supreme Court, they heard appeals on their own decisions.

But none of the three justices lasted in their jobs until Nevada won statehood on October 31, 1864. A high court decision that went against powerful mining interests resulted in relentless charges of corruption by mine owners and local newspapers - primarily the *Territorial Enterprise* and its reporter at the time, Mark Twain, who was writing as "Josh," a simple miner.

The allegations resulted in the three justices resigning in disgust in August 1864. During their tenure, they had produced 88 decisions.

With statehood, the first official Supreme Court justices were elected on November 8, 1864 - James F. Lewis, Henry Oscar Beatty and Cornelius M. Brosnan. In 1867, Brosnan died. The next year Beatty resigned and ultimately returned to California.

His son, William Henry Beatty, had been elected in 1864 as a judge in the Seventh Judicial District and followed in his father's footsteps to win a seat on the Supreme Court in 1874 - becoming the first district judge to move up to the high court. But six years later he was defeated as the Republican candidate for re-election and moved to California, where he served as Chief Justice of the California Supreme Court from 1888 until his death in 1914.

Nevada Territory is created from the western portion of the Utah Territory. Three Supreme Court justices are appointed by President Abraham Lincoln. The justices doubled as district judges, sometimes deciding appeals from their own rulings.

Eighty-eight decisions are authored by the territorial Supreme Court despite allegations of corruption from mining interests and local newspapers - primarily the *Territorial Enterprise*. None of the three completed the four-year terms.

Nevada becomes a state on October 31, 1864. Three new Supreme Court justices are elected, taking office December 5, 1864. Under the Constitution, the court could expand to five members when necessary.

1861

1864

A Continued Era of Progress

Drug And Other Specialty Courts

Drug Courts in Nevada have been in operation for the past few years from one end of the state to the other, taking an aggressive but realistic stance against those who have committed drug crimes or whose crimes are directly related to drug use. Intensive rehabilitation is coupled with drug testing - all under the patriarchal eye of the Drug Court judge.

The programs offer participants the opportunity to avoid jail or prison if they address their drug-driven, destructive behavior. Statistics show that about 80 percent successfully complete the year-long programs and can start their lives anew. Where there are juvenile drug courts, offenders have been turned back before their behavior carried them into the adult justice system. Dozens of babies have been born drug-free because the Drug Court programs worked to ensure their mothers did not indulge in narcotics during pregnancy.

Innovative Programs

During fiscal year 1999-2000, steps were taken for an innovative expansion of Drug Court programs that operate in Clark and Washoe Counties.

In both counties, a joint effort of the Judicial Branch and Governor Kenny Guinn has created **Early Release Drug Court** programs for state prison inmates who were incarcerated for non-violent, drug-related crimes. Statistically, 80 percent of those inmates will again commit crimes and return to the criminal justice system. Governor Guinn and the judges believe that recidivist rate is unacceptable. The early release programs based in Reno and Las Vegas will permit those inmates to be paroled from prison up to two years early providing they enter the drug court programs to address their underlying problems. They also must have jobs, consent to frequent drug tests and attend counseling sessions. The hope is that instead of an 80 percent recidivist rate, the programs can have the same 80 percent success rate of the current Drug Courts.

In Washoe County, the **Alcohol & Other Drug Court** was established in July 1999 at Sparks Municipal Court by Judge Larry Sage. The program strives to address the underlying causes of criminal behavior before the cases escalate to the felony level. The Alcohol & Other Drug Court not only focuses on drug dependent defendants, but also the alcohol-related problems of first and second offense drunken drivers. Judge Sage reports that nearly 90 percent

of domestic battery cases and nearly 60 percent of all non-traffic cases are alcohol related.

Child Abuse Drug Court

In addition to the traditional Drug Courts that address the problems of adult and juvenile law-breakers, the Family Court in Clark County has a Drug Court to deal with people who abused or neglected their children. The intent is to break the cycle of abuse and drug-related crimes by addicted parents and re-establish a positive family unit.

Truancy Court

A juvenile Truancy Court Program was launched in 1999 in Clark County's Juvenile Court to provide intervention for youngsters who have demonstrated through repeated trancies that they are at risk of dropping out of school. The Truancy Court is operated in cooperation with Family and Youth Services and the Clark County School District.



The current home of the Supreme Court

It was not until 1992 that the current 120,000 square-foot building was completed at a cost of \$17 million (\$141.00 per square foot) - compared to the \$163,000 (\$7.71 per square foot) it required to build the 21,000 square-foot Art Deco 1937 building.

The position of Supreme Court justice becomes a non-partisan post.

The Supreme Court expands to five justices. John Mowbray and Cameron Batjer are appointed.

The Nevada Constitution is amended to allow further expansion of the Supreme Court and for the division of the court into panels.

The Supreme Court expands to seven justices. Judges Myron Leavitt and Nancy Becker are elected. Northern and Southern panels of three justices each are created. The seven justices sit *en banc* in Carson City when it is necessary that the entire court decide a precedent-setting case.

1915

1967

1976

1999



THE SUPREME COURT OF NEVADA

CHIEF JUSTICE ROBERT E. ROSE



Chief Justice Robert E. (Bob) Rose's job as a Nevada Supreme Court law clerk in 1964 inspired him to pursue a judicial career that eventually led him back to the high court in 1988 - although the path passed through other public service jobs. After the high

court clerkship, the New York University School of Law graduate practiced law in Reno before he was elected Washoe County District Attorney in 1970. Four years later he was elected Nevada Lieutenant Governor. In 1979, he returned to the fulltime practice of law - although this time in Las Vegas.

His career path turned back to the judiciary in 1986 when he was appointed to the Eighth Judicial District Court bench. He only spent two years there before a vacancy occurred at the Supreme Court and provided him with the opportunity to fulfill a dream that began nearly a quarter century before. He won the election and was re-elected in 1994. In 2000, Chief Justice Rose was unchallenged for re-election to a third six-year term that will expire in 2007.

Twice serving as Chief Justice - 1993-1994 and 1999-2000 - he built a reputation in the legal community and on the court as a reformer. During his years, Chief Justice Rose promoted the creation of the Court's blue ribbon Judicial Assessment Commission to conduct a broad study of the judicial system and recommend improvements. Chief Justice Rose also pushed the Supreme Court to adopt rules that require all courts to keep reliable uniform statistics to more efficiently manage their pending caseloads.

JUSTICE CLIFF YOUNG



Justice Cliff Young is the most senior judge on the bench. He was elected in 1984 following a legislative career that included spending 4 years in Washington, D.C., as a U.S. Congressman and 14 years as a Nevada State Senator. He was inducted into the

Nevada State Senate Hall of Fame in 1995. Re-elected to the Nevada Supreme Court in 1990 and 1996, his current term expires in January 2003.

A Lovelock, Nevada, native who graduated from Harvard Law School in 1949, Justice Young also spent 35 years practicing law in the private sector in Reno. At the same time, much of his energy went into a variety of community service organizations. Justice Young was the first Nevadan to serve as president of the National Wildlife Federation, an organization with 4.5 million members. He also donated time to the Nevada Area Council of the Boy Scouts of America, the Desert Research Institute, the Reno YMCA and the Nevada Cancer Association, among others.

Justice Young is a founding member of the Nevada Judicial

Historical Society and authored a study of the Justice Courts in Nevada entitled *From Kings' Courts to Justice Courts*.

In 1988, the Federal Building and United States Courthouse in Reno was named in his honor.

During World War II, Justice Young served as an officer in the 103rd Infantry Division and saw action in France, Germany and Austria.

JUSTICE MIRIAM SHEARING



Justice Miriam Shearing's judicial career has provided nearly a quarter century of "firsts" for women in Nevada. In 1976, the Cornell University and Boston College Law School graduate became the first woman elected as justice of the peace in Las Vegas.

By then she already had practiced law in Las Vegas for seven years. In 1982, she became the first woman elected as a District Court judge in Nevada, serving a decade on the Clark County bench with three of those years spent as juvenile judge. During that time she was president of the Nevada Council of Juvenile and Family Court Judges.

Justice Shearing became the first woman on the Nevada Supreme Court with her election in 1992 and served as Chief Justice in 1997 - again the first woman to hold that position. Re-elected in 1998, her current term ends in January 2005.

As a district judge, Justice Shearing served as chief judge and was elected president of the Nevada District Judges Association. Justice Shearing received the Distinguished Jurist Award by the Nevada Judges Association and the Chris Schaller Award by WECAN for "dedication to children" because of her work to prevent child abuse.

She also won the Professional Mother of the Year Award and was named Woman of the Year in Law by the Women's Council of the Las Vegas Chamber of Commerce.

JUSTICE A. WILLIAM MAUPIN



By the time Justice A. William Maupin was appointed to the District Court bench in Clark County in 1993, his legal career had already spanned 22 years in both the public and private sectors. While he handled murder cases as a public defender, he eventually focused on major civil litigation as a partner in the law firm of Thorndal, Backus, Maupin and Armstrong. Justice Maupin was retained as a district judge by popular election in 1994 and elected to the Supreme Court in 1996. His term ends in January 2003.

A graduate of the University of Nevada, Reno and University of Arizona Law School, Justice Maupin dedicated much of his professional life to improving the justice system. He was chairman

of the Nevada Supreme Court committee on Alternate Dispute Resolution from 1992 to 1996, and is considered to have been a driving force behind the judicial system's successful arbitration program. He served four years on the board of governors of the State Bar of Nevada and was chairman of a Supreme Court study committee to review judicial elections. In 1986-1987, he served as president of the Defense Trial Lawyer's of Nevada and on the boards of directors of Nevada Legal Services and Clark County Legal Services.

In 1997, Justice Maupin was honored with the Roger D. Foley Professionalism Award and was named in Who's Who in America.

JUSTICE DEBORAH A. AGOSTI



In 1985, Justice Deborah Agosti was named "One of America's 100 Young Women of Promise" by *Good Housekeeping Magazine*. With her election to the Nevada Supreme Court in 1998, she fulfilled that prediction. Justice Agosti

already had become the first woman to sit as justice of the peace in Reno when she was elected to that seat in 1982. That was followed two years later by her election as a district judge in Washoe County - a post she held for 14 years. Before that election, no woman had ever served as a district judge in Washoe County. She was re-elected twice without opposition. Her Supreme Court term expires in January 2005.

A graduate of the University of Toledo College of Law in Ohio, Justice Agosti's legal career in Nevada began in 1977 when she was the Senior Staff Attorney for the Senior Citizens Legal Assistance Program in Reno. She moved on to serve as Washoe County Deputy District Attorney before embarking on her judicial career.

In 1993, Justice Agosti traveled to Russia with five other judges from around the United States to teach Russian judges the fundamentals of the American jury trial system. The same year she was named Outstanding Woman Lawyer by the Northern Nevada Women Lawyers Association. She was named District Judge of the Year in 1997 by the Nevada District Judges Association.

Justice Agosti is a faculty member at the National Judicial College and past president of the Nevada District Judges Association. She is the proud mother of two fine young men.

JUSTICE MYRON E. LEAVITT



Justice Myron E. Leavitt is a Las Vegas native who has had one of the most diverse careers of any justice - from a stint as sports editor for the *Las Vegas Review-Journal* as a young man to his current position as a justice on the highest court in the state. In

between, there were elections to positions at most levels of local and state government intertwined with 28 years in the private practice of law. He also found time to coach sports teams for his 11 children. Five of them are now lawyers and one, Michelle Fitzpatrick, is a Municipal Court judge in Las Vegas.

Justice Leavitt began his elective career in the judiciary - as Las Vegas Township Justice of the Peace in 1961-1962 - then turned to local and state politics. He served on the Clark County Commission and Las Vegas City Council before winning election in 1978 as Nevada Lieutenant Governor. He returned to the judiciary in 1984 when he was appointed to the District Court bench in Clark County. Justice Leavitt twice served as chief judge, where he earned a reputation as an effective and progressive leader. He also served as president of the Nevada District Judges Association. In 1998, he won election to the Nevada Supreme Court when the court was expanded from five to seven members. He was unopposed for re-election in 2000 to a term that expires in January 2007.

Justice Leavitt attended the University of Nevada, Reno on an athletic scholarship and graduated with a degree in journalism before attending the University of Utah College of Law.

JUSTICE NANCY A. BECKER



Justice Nancy Becker is a native Las Vegas and the youngest of the seven members of the Supreme Court. And, like the other justices, she brought a wealth of experience and a long list of accomplishments with her to the high court.

She was the top student in her class at United States International University in San Diego and then attended George Washington University National Law Center, where she earned her law degree in 1979 while working for then-U.S. Senator Howard Cannon. Her return to Nevada and a job at the Las Vegas City Attorney's Office ignited a desire to become a judge. Her election in 1987 to a seat on the Las Vegas Municipal Court bench made her the first woman to preside in that city court.

In 1989, she was named to a vacant seat at the Eighth Judicial District Court, making her the first woman appointed as a district judge in Nevada. She was unopposed in the 1990 and 1996 elections and served as chief judge in 1993 and 1994. As district judge, she was one of the driving forces for the new Regional Justice Center under construction in downtown Las Vegas, consolidating the four levels of courts in one building.

In 1993, Justice Becker was named Jurist of the Year by the Clark County Bar Association. She has also been named one of the National Top Ten Women of the Year by the American Businesswomen's Association and is a recipient of the Liberty Bell Award from the American Bar Association.



Judge Sally Loehrer

Nevada District Judges Association

The Nevada District Judges Association (NDJA) represents the 51 judges in the nine Judicial Districts. Its purpose is to maintain and strengthen the District Courts through education, mutual response and aid among the district judges and to promote the common good through the exchange of information.

Nevada District Judges Association Officers

	1999-2000	2000-2001
President	Sally Loehrer, Las Vegas	Janet Berry, Reno
Vice President	Janet Berry, Reno	Dianne Steel, Las Vegas
Secretary	Dianne Steel, Las Vegas	Dan Papez, Ely
Permanent Treasurer	David Gamble, Gardnerville	David Gamble, Gardnerville
Director at Large	Dan Papez, Ely	James Hardesty, Reno

The NDJA, with the Administrative Office of the Courts, organizes an annual conference with educational programs that allow the District Court judges to fulfill the continuing education standards that are required

each year by the Nevada Supreme Court. At this annual meeting, traditionally held in the Spring, the NDJA elects its five person governing board and develops strategic plans for the upcoming year

Educational Awards

At the NDJA's 2000 annual conference, District Judges Janet Berry of Reno and John McGroarty of Las Vegas were honored as the first district judges to achieve 1,000 hours of continuing judicial education. The judges were awarded statues of Themis, the Goddess of Law and Justice, for their "Outstanding Achievement in Judicial Education."

Retirement and Salary Issues

In fiscal year 1999-2000, the association's Comprehensive Benefits Committee helped develop a new retirement proposal that was presented to a Legislative Interim Study Committee considering changes in the Judicial Retirement plan for District Court judges and Supreme Court justices. Currently, about half of them are enrolled in the Judicial Retirement program. The other half are in the Public Employees Retirement System (PERS)

because they came to the bench from other public service jobs and had accrued retirement credits under PERS. The two retirement plans have different requirements and different terms of service before benefits can be collected.



Judge Janet Berry

The NDJA recommended provisions that would unify the two systems while leaving the Judicial Retirement program intact. Many of the NDJA's suggestions were adopted for presentation to the 2001 Legislature.

The NDJA will be seeking a salary increase from the 2001 Legislature, to take effect in January 2003. It would be the first pay raise for district judges since 1997.

The Nevada Constitution states that judges cannot receive increases in salary during their terms of office. Since the terms of 44 of the 51 District Court judges expire in January 2003, the Legislature must address the compensation issue at the 2001 session or most judges could not receive a pay raise until 2009.

Growth of the Judiciary

Three judgeships will be added in 2001 because of significant increases in the Family Court caseload in Clark County. Workload increases also will bring one new judgeship each to the Third and Fifth Judicial Districts. The NDJA voted to support the addition of five more District Court judges for Clark County in the 2001 Legislature.

Judicial District Court Caseload

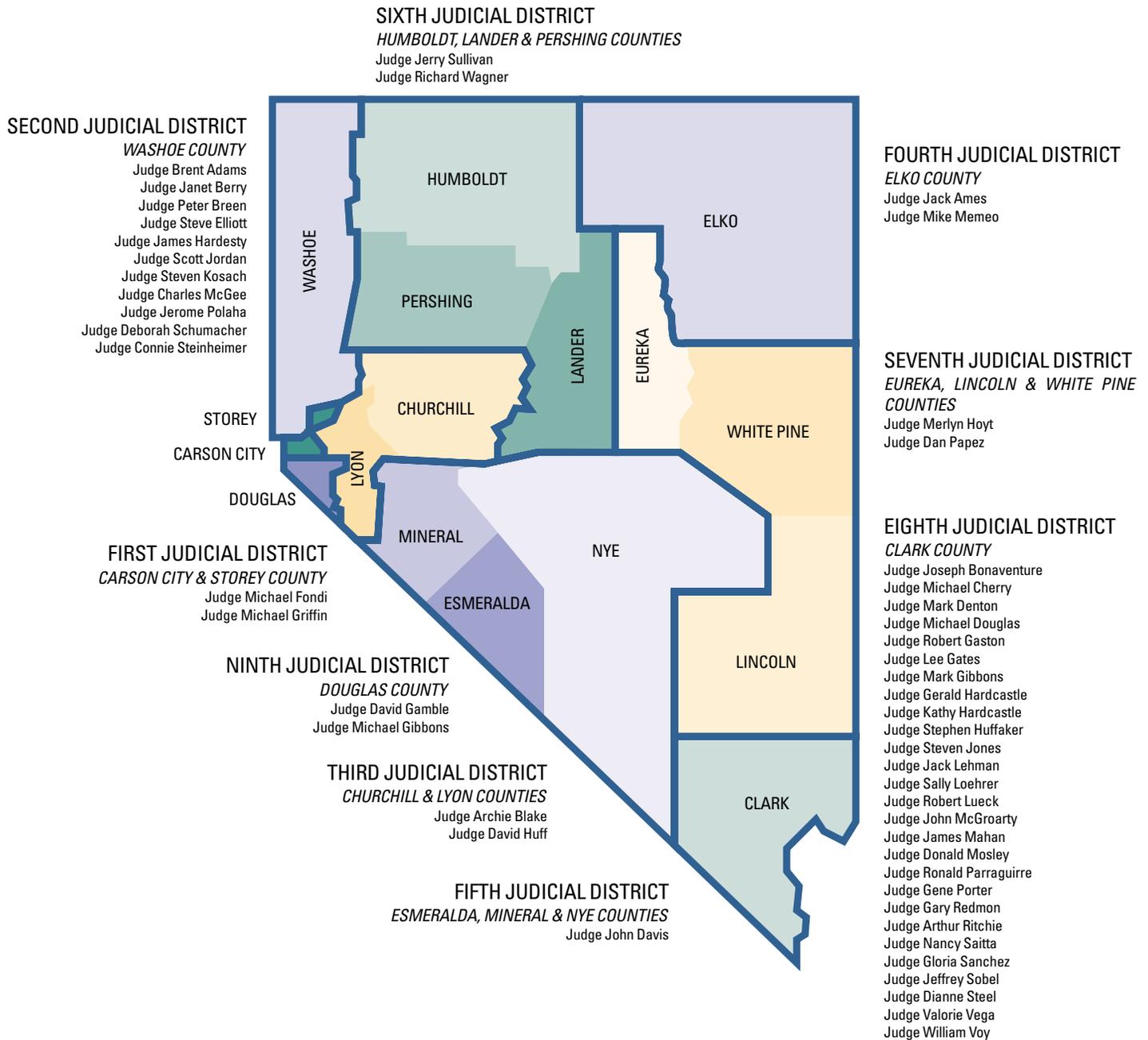
Court	Judicial positions	Population as of 7-1-99	Cases filed	Avg. cases per judge
First Judicial District	2	56,290	3,289	1,645
Second Judicial District	11	323,670	15,100	1,373
Third Judicial District	2	59,460	4,202	2,101
Fourth Judicial District	2	50,620	2,699	1,350
Fifth Judicial District	1	42,420	1,841	1,841
Sixth Judicial District	2	32,370	1,812	906
Seventh Judicial District	2	17,330	642	321
Eighth Judicial District	27	1,343,540	63,578	2,355
Ninth Judicial District	2	42,590	1,721	861
Totals	51	1,968,290	94,884	1,860



Nevada's District Courts

JUDICIAL DISTRICTS & JUDGES

(as of June 30, 2000)



In Nevada, the 17 counties are divided into 9 Judicial Districts. The sparse populations in some rural counties resulted in their being combined into Judicial Districts. The District Judges elected in those areas must travel from county to county - like circuit judges of old - to preside over court cases and trials.

In more populated counties, the Judicial Districts follow county boundaries. Judges usually preside over cases only in their Judicial Districts. However, with authority statewide, district judges can sit as visiting judges in other Judicial Districts whenever it is necessary.

Generally, cases are heard in the county seats, but a constitutional amendment and legislative action now offers the opportunity for trials to be conducted anywhere within a county. Nye County, the state's largest, has already taken advantage of this because the population center is in Pahrump, more than 100 miles from the county seat of Tonopah.



Nevada Judges Association

The Nevada Judges Association (NJA) represents courts of limited jurisdiction - Justice and Municipal Courts - and has a membership as unique and diverse as the state itself.

While many NJA members have backgrounds as lawyers and work in the packed courtrooms of Nevada's urban centers, others serve in courts where the judges need not be attorneys. Many rural judges serve only part-time.

The purpose of the NJA is "to maintain and strengthen all of Nevada's courts of initial jurisdiction by promoting and providing education for judges, procedural improvements in the courts and improved public confidence and respect in courts and judges."

The current NJA president is Smith Valley Justice of the Peace Frances White, who is also Yerington Municipal Judge. Both are part-time posts. Judge White succeeded Carson City Justice of the Peace and Municipal Judge Robey Willis as head of the lower court association in January 2000.

Judge White is excited about the advances she has seen being implemented in the judicial system that directly affect NJA members. The improvements in communication between all levels of the judiciary have helped organize and guide many of the lower courts. Many of the rural courts have felt somewhat isolated until now.



Nevada Judges Association Officers

	1999-2000	2000-2001
President	Robey Willis, Carson City	Frances White, Smith Valley
President-elect	Frances White, Smith Valley	Ron Dodd, Mesquite
1st Vice President	Ron Dodd, Mesquite	Max Bunch, Battle Mountain
2nd Vice President	Douglas Smith, Las Vegas	Daniel Ward, Fallon
Secretary	Daniel Ward, Fallon	Annette Daniels, Virginia City
Treasurer	Barbara Nethery, Carlin	Barbara Nethery, Carlin

Conferences, such as the Judicial Leadership Conference at Lake Tahoe in May 2000, have helped the lower court judges network more effectively with their colleagues and move toward becoming a cohesive group. The interaction between the Supreme Court justices, the district judges and the lower court judges at the Judicial Leadership Conference can only lead to an improved court system.

NJA conferences currently are the primary source of judicial education for the members. Judge White praised the quality of the educational programs that have been arranged at the NJA conferences by the Education Committee and the Administrative Office of the Courts.

The Five Busiest Justice Courts

Justice Court	Population as of 7/1/99	Judicial Positions	Non-traffic cases filed	Cases filed per judge*	Total Traffic violations
Las Vegas	983,750	7	87,919	12,559	220,665
Reno	213,660	5	25,329	5,066	26,308
North Las Vegas	136,760	1	4,850	4,850	833
Sparks	94,353	2	7,119	3,560	9,111
Carson City	52,620	2	6,639	3,320	15,297

The Five Busiest Municipal Courts

Municipal Court	Population as of 7/1/99	Judicial Positions	Non-traffic cases filed	Cases filed per judge*	Total Traffic violations
Las Vegas	465,050	6	47,783	7,964	156,935
North Las Vegas	117,250	1	5,895	5,895	33,249
Henderson	177,030	2	4,006	2,003	20,732
Reno	176,910	4	6,420	1,605	17,209
Sparks	64,210	2	2,471	1,236	15,129

*Traffic violations may be resolved by payment of fines and not require judicial time, therefore, are not included in "cases filed per judge."



Judges Must Maintain High Standards

Being a judge involves more than just winning an election, grabbing a gavel and donning a black robe. A high standard of performance is expected from judges throughout the state and to help ensure that they have the necessary skills, the Nevada Supreme Court requires annual education.

“Continuing Legal Education” (CLE) keeps judges abreast of such things as changes in the law, ethical requirements and innovations in courtroom techniques. CLE course content often differs to correspond with the needs and duties of judges at different levels.

Educating the judges actually begins shortly after they take the bench. Each new judge is required by the Supreme Court to attend comprehensive training on basic law and judicial techniques at the National Judicial College in Reno. It must be completed within a year of taking the bench and is supplemented with CLE courses during their years of public service.

CLE courses in basic law and courtroom procedures have proven to be particularly important at the Municipal Court and Justice Court levels because many of the rural communities and counties in Nevada do not require those judges to be lawyers. In most urban centers, however, municipal judges and justices of the peace must be attorneys under Nevada law. All District Court judges and Supreme Court justices are required to be attorneys.

Judges honored in fiscal year 1999-2000 for attaining more than 1,000 hours of Judicial Education:

Janet Berry	Washoe District Court
Seymore Brown	Las Vegas Municipal Court
Annette Daniels	Virginia City Justice Court
Jay Dilworth	Reno Municipal Court
Eugene Gates, Jr.	Mina Justice Court
Sarah (Pete) Getker	Meadow Valley Justice Court
Edward Johnson	Dayton Justice Court
Marjean Kidner	Wells Justice Court & Municipal Court
Eloise McDaniel	Beowawe Justice Court
John McGroarty	Clark District Court
Ronald Niman	Ely Justice Court
W. E. Teurman	Fallon Municipal Court
Larma Volk	Sparks Justice Court
Margaret Whittaker	Pahrump Justice Court

Judicial Milestones

JULY 1999 - BERT BROWN joined the Municipal Court in Las Vegas following his election to the seat that became vacant when Judge Valorie Vega was appointed to the Eighth Judicial District Court.

AUGUST 1999 - Goodsprings Justice of the Peace JANET C. SMITH retired after 12 years on the bench of the court that serves the rural areas in southwest Clark County. The Clark County Commission replaced her the same month with the appointment of DAWN HAVILAND.

SEPTEMBER 1999 - Las Vegas Municipal Court Judge RONALD PARRAGUIRRE was appointed to fill the seat vacated on the Eighth Judicial District Court in June when Judge Joseph Pavlikowski retired. At the time, Judge Pavlikowski was the most senior district judge in Nevada, having served 28 years. Judge Parraguirre had served eight years as municipal judge.

OCTOBER 1999 - Clark County Deputy Public Defender JESSIE WALSH was appointed to the Las Vegas Municipal Court bench to replace Judge Ronald Parraguirre, who had been appointed a month earlier to the Eighth Judicial District Court.

- GENE WAMBOLT was appointed justice of the peace in Union Township (Winnemucca) to replace Judge OREN MC DONALD, who resigned in August.

MAY 2000 - Henderson Justice of the Peace KENT DAWSON was confirmed by the U.S. Senate for one of two newly created U.S. District Court seats in Nevada. U.S. Magistrate Roger Hunt was confirmed for the second seat.

JUNE 2000 - First Judicial District Judge MICHAEL FONDI announced his retirement from the post he has held for more than 23 years. His resignation was effective in August. Judge Fondi spent 37 years in public service, previously serving as Carson City District Attorney and in Governor Grant Sawyer’s administration.

- Las Vegas Municipal Court Judge SEYMORE BROWN, 70, died just 2 weeks after retiring from the seat he had held for 27 years. Before taking the bench, Judge Brown spent 14 years as a police officer with the Las Vegas Police Department. As a judge, he initiated the video arraignment system in the city court and created the “John School” for men caught soliciting prostitutes.
- Deputy Attorney General ELIZABETH (BETSY) KOLKOSKI was appointed to fill Judge Seymore Brown’s vacancy on the Las Vegas Municipal Court Bench. Kolkoski was an attorney in the Division of Aging Services for the Attorney General’s Office.



Clark County Justice Center Combines Courts

After decades of patchwork on Clark County's aging courthouse, construction was begun on a **Regional Justice Center** that will be the new home for the Las Vegas Justice Courts and the District Courts that handle civil and criminal cases. Joining those courts will be the Las Vegas Municipal Courts and the southern office of the Nevada Supreme Court. Several of the six Municipal Court judges have operated for years in pre-fabricated, makeshift courtrooms on the edge of City Hall. At the same time, the Supreme Court has been renting space for offices and a tiny courtroom near the current Clark County courthouse.

Consolidation of most of the judicial services in Las Vegas into one building for the public's convenience was the goal for the \$123 million facility, located two blocks south of the current courthouse. Construction is scheduled to be completed in the Spring of 2002. The facility is being funded in large part by a bond issue passed by voters in 1996. Only the Family Division of the Eighth Judicial District Court will remain at a separate location.

Even before construction began, the Regional Justice Center was honored with the American Institute of Architects Award of Merit for its design features. The Tate & Snyder designed facility was the only courthouse in the United States to win a national design award in 1999.

Technology Changing The Courts

Fiscal year 1999-2000 was a year of technological change for Nevada's judicial system. For the first half of the year it also was a time of worry - as it was for most other governmental entities and private businesses. After all, it was Y2K and safeguards were needed against the possibility of doom and gloom. For a court system with responsibility over people's lives and property, ensuring there would be no Y2K disaster was paramount.

Technological steps were taken during the year to make the judicial system more accessible and accountable. The **Eighth Judicial District Court** opened the door of Internet access through Clark County's website and became a major resource for those involved with the court system, or those just curious about it.

Detailed information is available about court cases, services and programs. Users also can download a variety of legal forms from the website.

Clark County Justice Courts also finalized its website in fiscal year 1999-2000 and opened it in late Summer 2000 to provide easy access to case and calendar information.

The **Reno Justice Court** improved efficiency by establishing a web-based program to relay information to the **Second Judicial District Court** about cases that have been "bound over" for trial. The link allows cases to be calendared more quickly and that can reduce the time a defendant must spend in custody.

In the Spring of 2000, Las Vegas Justice of the Peace Jennifer Togliatti launched a **video arraignment program**, using cameras and monitors to link her courtroom with defendants held in the Clark County Detention Center and their lawyers. The system, which prevents the need to transport prisoners from the jail facility to court, is expected to be utilized by other justices of the peace when the county's new Regional Justice Center is completed in 2002.

A similar system was successfully pioneered by **Las Vegas Municipal Court** several years ago.

Through the Administrative Office of the Courts, a **Multi-County Integrated Justice Information System** is being implemented in Carson City and Storey, Churchill and Lyon Counties to streamline the collection and sharing of information in criminal cases. The project, under the executive leadership of First Judicial District Judge Michael Griffin, is a collaborative effort of the courts, district attorneys' offices and law enforcement agencies. It will eliminate the need to re-enter the same information each time a defendant takes another step through the justice system.

The Administrative Office of the Courts also is coordinating the **Nevada Rural Courts System** to acquire a case management system for more than 30 of the state's smaller courts that have insufficient resources to implement computer technology on their own.

Websites for the Eighth Judicial District Court and the Justice Courts in Las Vegas and Henderson can be accessed through the Clark County website: co.clark.nv.us



SUMMIT 2000 - A Judicial First

The first judicial conference of the new millennium - appropriately nicknamed SUMMIT 2000 - was a historic occasion for Nevada.

This conference was the first time that judges from every level of the judiciary - Supreme Court, District Court, Justice Court and Municipal Court - attended the same conference to discuss their accomplishments in addition to their mutual problems and concerns.

In all, 103 of the state's 145 judges gathered for four days at Lake Tahoe in May for the conference entitled Judicial Leadership 2000: An Independent Judiciary in an Interdependent World.

Summit 2000 was actually a combined conference of the Nevada Judges Association, composed of Justice and Municipal Court judges, and the Nevada District Judges Association. This unique session was expanded to include the Supreme Court justices, court administrators and court clerks.

Chief Justice Rose called it a reflection of the growth and professionalism in the court system in general and of a more effective and open Supreme Court.

During sessions at Summit 2000:

- The judges discussed how to deal with pro se litigants - those who exercise their right to represent themselves in court cases at virtually every level, including death penalty murder cases.
- The judges advocated a greater role for themselves in how the judiciary operates - previously the exclusive job of the Nevada Supreme Court - by voting to endorse changes in the Nevada Judicial Council. The judges endorsed changes in the Council's composition to allow a better balance of limited and general jurisdiction judges from across the state. While the new Council would have a greater role in policy decisions about the judiciary's operation, the Supreme Court would continue to have ultimate authority in some matters. A final plan will have to be approved by the high court.
- Along with the educational and planning sessions, the judges heard from several nationally known speakers including: Christina Crawford, the author of *Mommie Dearest*, talking about curbing family violence; Fox Television news analyst and syndicated columnist Susan Estrich giving insights into politics and the judicial system; and former Tennessee Supreme Court Justice Penny White discussing judicial independence.

Domestic Violence Forms Can Save Lives

As the criminal justice system has opened its doors more and more to the victims of domestic violence, the inherent problems that follow any such expansion have bubbled to the surface. Major stumbling blocks included such seemingly simple things as gathering information from victims and translating it into the necessary court orders on forms easily recognizable by law enforcement.

But that is no longer the case. On June 7, 2000, the Supreme Court voted unanimously for a rule standardizing a series of forms involving protective orders in domestic violence cases to ensure uniform recognition - particularly by law enforcement personnel in other states.

Prior to that, forms and court orders differed across Nevada, sometimes confusing law officers and prompting them to question the validity of the orders. A Supreme Court committee determined the problem was particularly serious in communities bordering other states when officers in those adjoining states were being asked to honor the Nevada documents. As a result, the court orders sometimes were not being served and enforced. Victims were not being protected. Perpetrators were not held accountable.

The Supreme Court knew the stakes were high because of the potential for domestic violence to escalate. In Carson City alone, about 40 percent of homicides are domestic violence related, according to the office of the state's Domestic Violence Ombudsman. Thus, the justices created the study committee to standardize the forms that will be used to process the thousands of protective orders sought each year in Nevada.

The seven forms mandated for use were recommended following a two-year project conducted by the Supreme Court committee chaired by Second Judicial District Judge Scott Jordan and Susan Meuschke, executive director of the Nevada Network Against Domestic Violence.

Nevada Looks At Business Courts

Fiscal year 1999-2000 saw the Nevada Supreme Court take steps toward the creation of **Business Courts** as part of the District Court system in Clark and Washoe Counties. A task force of judges and business leaders appointed by the Supreme Court favored the approach as a way of promoting a positive business climate needed to attract corporations to Nevada and to diversify our economy.

Business Courts are intended to focus on complex civil cases requiring expeditious resolution to prevent corporations and businesses from risking financial ruin while involved in ongoing litigation. Chief Justice Bob Rose predicted that a Business Court could resolve disputes in perhaps three to six months while the current court system can take four or five years.

Chief Justice Rose said a Business Court would focus on corporate power struggles, shareholder disputes and litigation over trade secrets. The judges also handle a variety of other business-related cases. Implementation of the Business Court is a priority for the court system and the 2001 Nevada Legislature.

While the Business Courts would have a narrow focus, the Chief Justice emphasizes their creation will not be at the expense of other types of cases nor consume disproportional judicial assets.

Only seven other states have implemented Business Courts. Nevada would be the first state west of the Mississippi to have such courts.

Judicial Assessment Commission

The Supreme Court's Judicial Assessment Commission - still carrying the Rose Commission nickname it was given in 1994 for its sponsor, Chief Justice Bob Rose - was resurrected in fiscal year 1999-2000 to take a fresh look at a judicial system that had experienced plenty of change during the previous five years.

The Commission's assignment has always been simple: make recommendations for needed changes without regard for politics or special interests. While many of the commission members were connected to the legal community and familiar with the current system, many others were not. Chosen for their skills, business knowledge or community involvement, they brought a fresh perspective to the Commission.

The Commission was divided into four task forces: *Access to and Quality of Justice*, *Court Administration*, *Criminal Justice*, and *Special Court Structures*.

Recommendations made by the original Rose Commission led to the passage of new laws by the Legislature and new rules by the Nevada Supreme Court, already making the court system at every level work better for the people.

Implemented 1994 recommendations included:

- Truth in sentencing laws to keep prisoners behind bars
- Establishing Strong Chief Judge systems in the state's urban District Courts
- The statewide collection of judicial statistics
- Creating a Division of Planning & Analysis at the Administrative Office of the Courts
- Expanding Drug Court programs

The fiscal year 1999-2000 Rose Commission fine-tuned many of its prior recommendations, reaffirming its position on sometimes politically sensitive issues - such as the appointment rather than election of judges (the so-called *Nevada Plan*), consolidation of the Municipal and Justice Courts under state funding, and re-categorizing minor traffic offenses and "neighborhood disputes" from misdemeanor crimes to civil infractions.

The Rose Commission also renewed its 1994 call to reduce the penalty for possession and use of small quantities of marijuana from a felony to a misdemeanor or gross misdemeanor. Passage of the controversial law was supported in newspaper editorials.

Other fiscal year 1999-2000 recommendations:

- Prompt lawyers to donate 20 hours of their time or \$500 to help people too poor to afford legal representation
- Expand the rights of citizens to represent themselves in all types of court cases
- Work toward the electronic filing of court documents to eliminate the paper-dependent system currently in place
- Ensure the Judicial Branch receives its statutory share of administrative assessments
- Revise bail laws to give courts and jailers more control and minimize jail overcrowding
- Create a "blended" system to deal with serious juvenile offenders that would let them be processed in adult courts but rehabilitated in the juvenile system

COMMISSION CHAIRMAN

CHIEF JUSTICE BOB ROSE

TASK FORCE CHAIRPERSONS

DR. BILL BERLINER
Access to & Quality of Justice

JUDGE NANCY OESTERLE
Criminal Justice

ANNA PETERSON
Court Administration

LARRY HYDE, Esq.
Special Court Structure

Creative Court Programs

Self Help Center Completes Its First Year

Clark County's **Family Law Self-Help Center** completed its first year of operation in April 2000, providing user-friendly assistance to several thousand citizens a month who cannot afford or choose not to hire attorneys in Family Court cases. During that first year, the staff of five distributed packets of legal forms and provided free notary services and other assistance. There were 21,505 walk-in customers and 12,407 telephone customers.

Children's Attorneys Project

In November 1999, the **Children's Attorneys Project** was established in the Clark County Juvenile Court to provide attorneys for youngsters - particularly in abuse and neglect cases. Providing a lawyer to represent a child's interests in court can expedite permanent and safe placement, whether that is in or out of the home.

The project is coordinated through the Court Appointed Special Advocate (CASA) program, which has operated for years to provide specially trained volunteers and personnel to advocate for the rights and safety of children in a variety of Family Court cases.

First Offender Prostitution Program

Las Vegas Municipal Court utilizes a program aimed at reducing prostitution and related sexually transmitted diseases by educating first time offenders who are caught soliciting prostitutes. The one-day, eight-hour program emphasizes the effects of prostitution on neighborhoods, businesses, the women involved and children.

Enforcement Of Domestic Violence Court Orders

In September 1999, Reno Municipal Court began a grant-funded project to enforce court orders in domestic violence cases - putting teeth in the judges' sentences. A court marshal was hired specifically to locate violators with outstanding arrest warrants. He has managed to serve more than 40 percent of the warrants despite the transient nature of many who pass through the courts.

Once issued, the warrants undergo expedited processing and the court marshal goes into action. Although the **Warrant Service Program** is still young and only has one officer, hundreds of violent offenders have been jailed.

Courtesy Letters In Small Claims Cases

Austin Justice Court is sending courtesy letters to defendants in small claims matters before the cases are filed. The defendants are informed of the impending litigation and given an opportunity to settle out of court to avoid court costs. Justice of the Peace James Andersen said about 60 percent of these cases are resolved without court intervention. He emphasizes that this has kept minor disputes from escalating into "Hatfield and McCoy" feuds in the rural community. The letters are sent with the consent of plaintiffs.

Options To Jail Provided In Misdemeanors

The East Fork Justice Court has an **Alternative Sentencing** program aimed at diverting misdemeanor offenders from jail sentences by providing services that will help them address the problems that brought them to court. The program can provide direct supervision of offenders, residential confinement, drug testing, and psychological counseling to curb substance abuse and anger management.

Pooling Staff Saves Money

Reno Justice Court has pooled its court reporters and judicial secretaries, saving taxpayers tens of thousands of dollars annually. Three full-time court reporters and two secretaries are shared by the five justices of the peace. The chief judge, with many administrative duties, does not carry a regular calendar but does fill in for judges who are on vacation, at training sessions or off the bench because of other court-related business.

Alternatives to Trial

While jury trials are generally considered to be the traditional way to resolve court cases, they are neither the quickest nor the most economical. The reality is that the vast majority of civil and criminal cases are resolved through negotiated settlements.

In many civil cases, a full trial is not necessarily the answer. It is expensive for litigants and time consuming for the courts. The Supreme Court has responded by initiating alternatives - such as the mandatory arbitration program and, as of June 2000, the "Short Trial" system.

■ In Clark and Washoe Counties, civil cases involving claims of less than \$40,000 are subject to mandatory but **non-binding arbitration** in an effort to obtain a prompt and equitable resolution short of a full trial. In Douglas County and Carson City, the figure is less than \$25,000. Arbitration laws allow dissatisfied litigants to proceed to trial.

■ **Voluntary arbitration** programs to circumvent courtroom litigation are available in other Nevada counties.

■ When cases involving \$40,000 or less reach the point of a jury trial, the new **Short Trial** system is one of the options. These one-day trials are decided by four-member juries and many of the usual legal requirements of a trial are relaxed. Presentations by each side are limited to three hours and judgments are generally limited to \$40,000 per plaintiff.

■ In many courts, judges work to help those embroiled in legal disputes resolve their cases expeditiously and avoid the costs of prolonged civil litigation. In **Washoe County District Court**, judges meet with lawyers and clients at an early stage in active lawsuits to determine a course of action and set a firm trial date. The approach, which can get cases to the trial in less than a year, has won praise from the National Center for State Courts.