KATHERINE STOCKS
Director and
State Court Administrator



JOHN McCORMICK Assistant Court Administrator Judicial Programs and Services

### Judicial Council of the State of Nevada Videoconference

Date and Time of Meeting: Friday, September 17, 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\* (*Tab 1; page 3*)
  - A. June 11, 2021
- IV. Business and Action Items
  - A. National Center for State Courts (NCSC) Strategic Planning Process Presentation (Tab 2; page 5)
    - 1. Presentation and Consultant Information
    - 2. Sample Strategic Plans
      - a. Strategic Plan for the Federal Judiciary
      - b. Justice for the Future (Arizona Judiciary Strategic Plan)
      - c. Oregon Judicial Department Strategic Plan
  - B. Standing Committee Reorganization Discussion (Tab 3; page 17)
- V. Reports of Standing Committees (*Tab 4*; *page 24*)
  - A. Court Administration Committee
  - B. Court Improvement Program
  - C. Judicial Education Committee
  - D. Language Access Committee
  - E. Specialty Court Funding Committee
  - F. Technology Committee (No meeting held within reporting period)
- VI. Reports of Regional Council Meetings (Tab 5; page 32)
  - A. Clark Regional Judicial Council

- B. North Central Judicial Council
- C. Sierra Regional Council (No meeting held within reporting period)
- D. South Central Regional Council
- E. Washoe Regional Council (Verbal report)
- VII. Informational Materials (Tab 6; page 40)
  - A. 2021 JCSN Roster
  - B. 2021 JCSN Calendar
- VIII. Other Items/Discussion
- IX. Future Meetings
  - A. November 19, 2021 at 2:00 p.m.
- 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
- 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.
- <u>Notice of this meeting was posted in the following locations</u>: Nevada Supreme Court website: <u>www.nvcourts.gov</u>; 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: 395 324 300 Participant Passcode: 6783

# **TAB 1**

# **Materials Forthcoming**

# **TAB 2**

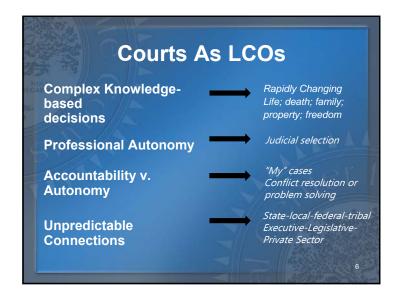




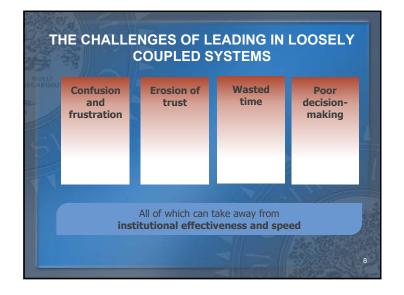




# Loosely Coupled Organization Complex Knowledge-based decisions Professional Autonomy Accountability v. Independence Unpredictable Connections

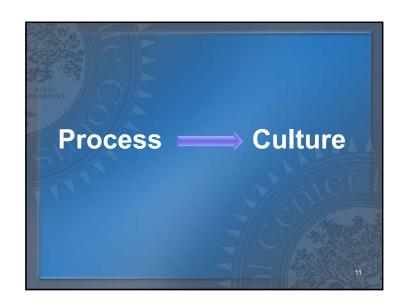


Comparing LCOs				
Higher Ed.	Healthcare	Courts		
Classroom	Operating Room	Courtroom		
University President	Hospital President	Chief Justice		
Provost	Hospital Administrator	State Court Administrator		
Tenured Faculty	Physicians	Judges		
Students/Alumni	Patients	Lawyers/Parties		
		_ //		







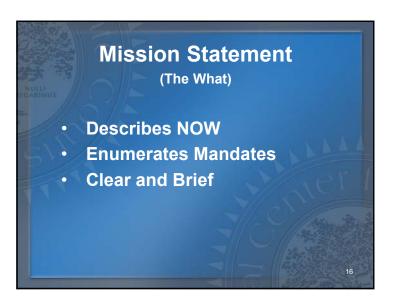












# Mission Statement Checklist Does it reflect the courts' mandates? Does it meet the reasonable expectations of stakeholders & users Does it explain why the courts exist? Can it be realized?









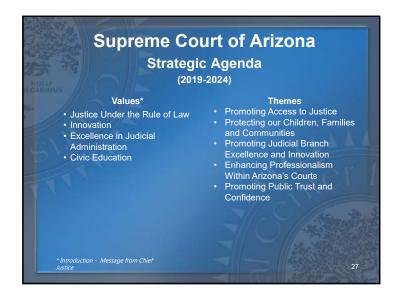


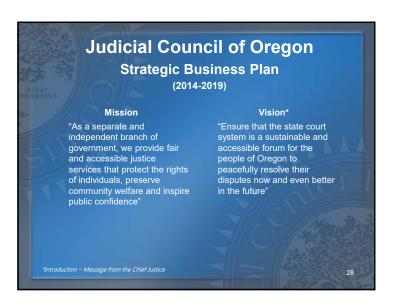
















# Themes/Principles Fundamental issues based upon trends that impact mission Guiding principles/Framework for action Relevant to entire Branch Embraces innovation and improvement – discovered not invented Encourage "pilots"

# - Strategies Create excitement Provide incentives - Create "Buzz" Think Globally - Act Locally Identify Obstacles Mobilize people - Quick Wins Never underestimate resistance to change "Yes" - "But" Communicate; Communicate; Communicate Links to common external threat - common purpose













Strategic
Campaign
Document

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### **CONSULTANT QUALIFICATIONS**

Daniel Hall serves as vice president of the Court Consulting Services Division, oversees consulting work done by NCSC for the nation's state courts. He also works with a consortium of international judicial organizations that has published the International Framework for Court Excellence, and has done consulting work in Australia, Bulgaria, Chile, Costa Rica, Indonesia, Nigeria, Peru, Spain and Singapore. Before joining NCSC, he was the director of planning and analysis for the Colorado Judicial Department, developing nationally recognized staffing models, including weighted caseload systems for court staff, judges and magistrates. He also served as executive director of the State Commission on Judicial Performance, overseeing the methodology used to evaluate judges facing retention elections. He holds a bachelor's degree in sociology and a master's degree in public administration from University of Colorado.

**John Doerner** is a Principal Court Management Consultant with NCSC. He has expertise in financial and managerial positions, including 25 years with the Colorado Judicial Branch. He has developed excellent in-depth knowledge of both the financial and operational components of the judicial system including the trial and appellate courts, probation departments and related agencies. Mr. Doerner possesses a unique combination of educational qualifications and professional certifications, effective communication skills and ability to analyze organizations. His education includes an MBA / Accounting degree by the University of Colorado at Denver, and a Bachelor's degree in Business Administration by the College of St. Francis, Illinois.

Sherry Stwalley is a Court Consultant with the National Center for State Courts. She was previously the Director of Court Services and Legislative Relations for the Colorado State Court Administrator's Office, and previously worked with the Colorado Judicial Branch for over thirty years. Currently Ms. Stwalley directed the Judicial Branch's legislative agenda and supervises a team of nearly 50 professionals as they support Colorado's 22 judicial districts. Ms. Stwalley previously represented the Colorado Supreme Court and State Court Administrator's Office at the Colorado General Assembly and successfully lobbied for the funding of a 400-million-dollar project to construct the Ralph L. Carr Justice Center and Colorado History Museum. Over the span of her career, Ms. Stwalley has been involved in virtually every aspect of trial court administration.

# **TAB 3**

### 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.

- There is hereby created a judicial Creation, composition. 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 4**

KATHERINE STOCKS
Director and
State Court Administrator



JOHN McCORMICK Assistant Court Administrator Judicial Programs and Services

### 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 Terri March, Vice-Chair **Kathy Bennett James Conway Maxine Cortes Derek Boyle Jack Eslinger Cindy Garcia Steve Grierson Grissell Hernandez Nancy Kearns Cindy Marshall Kate Martin** Kristina Mortensen Teresa Naranjo Karen Powell **Tanva Sceirine Toni North Heidi Shaw Alisa Shoults Sue Sevon Bobbie Williams Steve Tuttle Anita Whitehead Bill Zihlmann** 

Since the last report, the JCSN Court Administration Committee met on June 24<sup>th</sup>, 2021.

Ms. Casandra Vanzura, AOC Accountant discussed changes to the revenue report forms by the Controller's Office.

Mr. Hans Jessup, AOC Court Research Analyst reported on possible changes to the USJR Statistical Model. Court Administration Members approved the establishment of a subcommittee//workgroup to address the needed changes to the UJSR Statistical Model pursuant to the passage of AB116 and passed unanimously.

Ms. Bobbie Williams, Court Administrator/ Clerk of the Court for Douglas County, provided an update on NACE (Nevada Association of Court Executives) memberships and their new website rollout.

Chair Stocks directed Ms. Anne-Marie Mayeaux, Program Specialist – Judicial Education, to work with Court Administrators to set up ICM in-person classes for the Fall of 2022.

Ms. Sue Sevon, Court Administrator, Tenth Judicial District Court, discussed the need for a unified grand jury manual, similar to California's Citizen Grand Jury Manual that creates a singular manual to explain the duties and obligations for grand jury proceedings.

The next meeting is scheduled for September 23, 2021 at 3:00 p.m.

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KATHERINE STOCKS
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### 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
Amber Howell
Assemblywoman, Daniele
Monroe-Moreno
Assemblyman, Steve Yeager
Buffy Okuma, Esq.
Erica Pike Turner, Esq.
Fran Maldonado

Hayley Jarolimek
Janice Wolf, Esq.
Jennifer Meredith, Esq.
Jennifer Rains, Esq.
Jhone Ebert
Judge Michael Montero
Judge Paige Dollinger
Judy Tudor
Juvenile Master Kimberly Okezie

Katherine Stocks
Kathryn Roose
Kelly Brandon
Kendra Materasso
Master Alison Testa
Ross Armstrong
Sharon Benson, Esq.
Sheila Parks
Steven Wolfson, Esq.

Since the last JCSN report dated June 11, 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.

- CIP submitted their grant application, which includes the annual self-assessment and five-year strategic plan.
- In partnership with NCJFCJ, CIP hosted the webinar Consultations for Child Welfare Parents, Medication, and Therapy: Who Should Drive the Bus? This was made available to all dependency stakeholders.
- CIP allocated supplemental grant funds to Boosted Diplomas, Clark County DFS, and Washoe County District Attorney's Office to assist with projects impacted by the COVID-19 pandemic.
- CIP disseminated Remote Hearing Study to all Dependency Judges/Masters and CIC leads to assist with determining best practices for essential hearings.
- CIP is providing all Dependency Courts and Child Welfare Agency's with copies of the Family Court Process Guidebook.
- CIP continues to engage dependency court judiciary and stakeholders in educational opportunities that are available through the Supreme Court Distance Education Learning Portal (DELP) to achieve consistency and best practice across the State.
- CIP continues to implement the General Fund supported Juvenile Dependency Mediation Program (JDMP).
- The Annual CIC Summit will be held September 22-24, 2021 at the Atlantis Hotel

### **MEMORANDUM**

TO: Chief Justice Hardesty

**FROM:** Shannon Gildea

**COPY:** Katherine Stocks

John McCormick

**DATE:** August 20, 2021

**SUBJECT:** Court Improvement Program Select Committee Appointments

The Court Improvement Program Select Committee is a standing committee of the Judicial Council of the State of Nevada (JCSN).

The Committee's goal is to improve how the dependency court system deals with children and families in the child welfare system through ongoing collaboration among court, child welfare agency, and other stakeholders to achieve safety, permanency, and well-being for children and families in a fair and timely manner.

Pursuant to the JCSN Bylaws, Article XII, the Court Improvement Program Coordinator recommends the persons reflected on the attached document for appointment by the Chief Justice to serve on the Committee.

Please contact me with any questions.

Attachment

# CIP Select Committee Members

Required Representative	Recommendation	
Chief Justice/Designee	Co-Chairs: Justice Elissa Cadish & Justice	
	Nancy Saitta (Ret.)	
State Court Administrator/Designee	John McCormick	
Urban Judge #1 (dependency cases)	Paige Dollinger	
Urban Judge #2 (dependency cases)	Rebecca Burton	
Rural District Court Judge #1	Michael Montero	
Rural District Court Judge #2	Gary Fairman	
Urban Juvenile Master	Alison Testa	
Rural Juvenile Master	Kimberly Okezie	
Family Court Administrator	Kendra Materasso	
DCFS Director/Designee	Ross Armstrong	
Director Washoe County Social	Amber Howell	
Services/Designee		
Director Clark County Family	Jill Marano	
Services/Designee		
Office of the Attorney General	Sharon Benson	
Public Defenders Office	Jennifer Rains & Jennifer Meredith	
District Attorney's Office	Buffy Okuma/	
Washoe Legal Services or CAP	Janice Wolf	
Representative		
CASA	Sheila Parks	
Foster Parent Representative	Kate Schmidt	
Representative for Nevada Tribes (ICWA)	Fran Maldonado	
Advisory Members (non-voting)		
Chief Deputy D.A.	Brigid Duffy	
Deputy D.A.	Kelly Brandon	
Assembly Persons	Elaine Marzola	
Superintendent of Public Instruction	Jhone Ebert	
DCFS Social Services Chief	Hayley Jarolimek	

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### JUDICIAL COUNCIL OF THE STATE OF NEVADA

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### EDUCATION COMMITTEE REPORT

SEPTEMBER 3, 2021
Prepared by: Anne-Marie Mayeaux, Administrative Assistant, Judicial Education

**COMMITTEE MEMBERS:** 

Chief Judge Linda Marie Bell, Chair Judge Teri Feasel Judge Kevin Higgins Judge Bridget Robb Judge Diana Sullivan Judge John Schlegelmilch

The Education Committee of the Judicial Council of the State of Nevada has conducted business through email and telephone communications due to COVID conditions and restrictions:

- Judge Elizabeth Gonzalez stepped down as Chair due to her retirement plans.
- Chief Judge Linda Marie Bell assumed the positions of Chair and representative for the Eighth Judicial District.
- Chief Judge Kevin Higgins replaced Judge Barbara McCarthy who requested to step down from the committee.
- The committee resumed review of elective education expenditure requests in July with resumption of AOC funding of elective education within existing guidelines.

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### JUDICIAL COUNCIL OF THE STATE OF NEVADA

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# CERTIFIED COURT INTERPRETERS ADVISORY COMMITTEE REPORT

### **COMMITTEE MEMBERS:**

Katherine Stocks, Chair
Sofia Gillman
Brad Lewis
Judge Stephen Bishop
Judge Kevin Higgins
Teresa Naranjo
Ladan Dillon
Alicia Lerud
Judge Vincent Ochoa

Mariteresa Rivera-Rogers, Esq.

Since the last report on November 20, 2019, the JCSN Certified Court Interpreters Advisory Committee met on August 19, 2021. The next meeting scheduled on January 13, 2022 at 10:00 am.

- Chair Stocks opened the meeting discussing the recent legislative changes to Committee leadership from AB212
- Ms. Kimberly Williams, AOC Court Services Analyst provided a report on what the Program has done since resuming operations on July 12<sup>th</sup> 2021.
- Ms. Priscila Venzor, a representative from LACSN made a presentation for the ability for certified or registered court interpreters to volunteer interpreting hours in exchange for Continuing Education Units. The committee discussed concerns and decided to move forward with the idea.
- Mr. Brad Lewis reminded the committee that the Eviction Mediation Program is ongoing and is in need of additional interpreters.

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### JUDICIAL COUNCIL OF THE STATE OF NEVADA

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### SPECIALTY COURT FUNDING AND POLICY COMMITTEE REPORT

### Committee Members:

Justice Lidia Stiglich, Chair	Senior Judge Peter Breen	Judge Harmony Letizia
Judge Tom Armstrong	Judge Cynthia Cruz	Judge Jim Loveless
Chief Judge Linda Bell	Judge Steven Dobrescu	Judge Michael Montero
Judge Stephen Bishop	Judge Richard Hill	Judge Lynne Simons
Senior Judge Archie Blake	Judge Dorothy Holmes	Judge Ryan Sullivan

# Committee Meeting of June 18, 2021 Prepared by James Popovich, Specialty Courts Statewide Coordinator

- ➤ The Committee approved to distribute \$5,407,010 to the specialty courts for fiscal year 2022, appropriated through the administrative assessment revenue funding source. This is the same amount distributed for fiscal year 2020. While this is an increase from fiscal year 2021, the Committee agreed that we need to continue to follow this revenue stream closely during these next couple of years, as the economic recovery from COVID and the shutdowns remains unknown.
- The Peer Review Procedure for specialty courts was approved during the March 2021 Specialty Court Funding and Policy Committee meeting. There are a few steps remaining before the procedure can be operationalized. The Committee approved to use up to \$40,000 from the Team Training budget category to contract with an agency specializing in providing technical assistance and assisting with launching this process.
- ➤ The Committee was provided with and discussed bills that passed during this year's 81<sup>st</sup> Nevada legislative session that could have an impact on specialty courts and behavioral health services the courts utilize and the participants engage in during their specialty court involvement.

# **TAB 5**

KATHERINE STOCKS Director and State Court Administrator



JOHN McCORMICK Assistant Court Administrator Judicial Programs and Services

### JUDICIAL COUNCIL OF THE STATE OF NEVADA

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### **MEETING SUMMARY**

### CLARK REGIONAL JUDICIAL COUNCIL MEETING PLACE AND TIME:

Via Zoom Video Conferencing Thursday, August 16, 2021 at 12:00 p.m.

### I. CALL TO ORDER

Chair, Chief Judge Linda Bell called the meeting to order.

### II. <u>ATTENDANCE</u>

Present via Zoom:

Chair, Chief Judge Linda Bell, Eighth Judicial District Court

Chief Judge Bert Brown, Las Vegas Municipal Court

Presiding Judge Rebecca Burton, Eighth Judicial District Family Court

Judge Eric Johnson, Eighth Judicial District Court

Judge Dawn Thorne, Eighth Judicial District Court

Judge Melisa De La Garza, Las Vegas Justice Court

Court Administrator Steve Grierson, Eighth Judicial District Court

Court Administrator Jessica Gurley, Las Vegas Justice Court

Court Administrator Jack Eslinger, Las Vegas Municipal Court

Court Administrator Karen Powell, Rural Court Administrator

### III. APPROVAL OF MEETING SUMMARY FOR NOVEMBER 12, 2020 AND FEB. 4, 2021

Chair, Chief Judge Bell asked if members had reviewed the meeting summaries and had corrections. No corrections were offered. Motion for approval by Judge Eric Johnson, seconded by Judge Bert Brown. Meeting minutes approved. Judge Burton abstained.

### IV. DISCUSSION ITEMS

### A. Pandemic Check-in

Chair, Chief Judge Bell asked members about their pandemic updates. Judge Bert Brown indicated that the Las Vegas Municipal Court was open but requiring those who enter to wear masks. Judges could approve the removal of masks when speaking at the podium. The Judge must ensure that proper social distancing guidelines are met. Member discussed challenges with those not willing to wear a mask and how to ensure safety for everyone.

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The council discussed challenges with keeping staff safe. Judge De La Garza indicated that the Las Vegas Justice Court is working to make sure people coming to court are properly socially distanced. Facilities are tight so proper distancing and ensuring the wearing of masks is difficult.

Jury trials were discussed. Las Vegas Justice Court is conducting jury trials but not requiring 12 jurors until mandated to do so. Las Vegas Municipal Court is not conducting jury trials as domestic violence offenses are filed under modified municipal code. Chair, Chief Judge Bell discussed the jury process and the agreements that the Eighth Judicial District Court has with the limited jurisdiction courts. Chief Judge Bell also indicated that the recent legislative changes that require 12 jurors on misdemeanor offenses was a surprise and will require significant infrastructure changes for the limited jurisdiction courts. Ms. Powell indicated that there are some trials scheduled in the rural courts, but they are pretty far out and may settle before being conducted. Mr. Grierson discussed the importance of administrators and judges discussing what would or should happen if a juror had a positive COVID test or issue during a jury trial. Mr. Grierson said they had recently gone through this experience and they can be a resource, but that there was a lot of tension and issues that needed to be considered.

Vexatious Litigants were discussed. Members discussed the different litigants between courts. Member discussed coordinating vexatious litigant lists. Mr. Jessup was tasked with gathering lists from the courts in Clark County to create a master list for courts to consider.

Judge Johnson asked for an update on the spending of pandemic relief funding. Chief Judge Bell indicated that courts were providing lists to the Chief Justice of the Nevada Supreme Court of their funding needs.

Mr. Jessup discussed the statistical trends across the state. Civil filings are up, delinquency and dependency filings are down. Limited jurisdictions are seeing decreases in traffic filings. As we open back up and see kids go back to school we should see changes in some of these trends.

### V. FUTURE MEETINGS

Chair, Chief Judge Bell announced the next meeting would occur on Nov. 18, 2021.

### V. ADJOURNMENT

No further discussion was held and the meeting adjourned at 12:32 p.m.

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JOHN MCCORMICK Assistant Court Administrator Judicial Programs and Services

### JUDICIAL COUNCIL OF THE STATE OF NEVADA

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### **SUMMARY**

### NORTH CENTRAL REGIONAL JUDICIAL COUNCIL MEETING

Friday, August 27, 2021 Carlin, NV 10:00 a.m. (PST)

### Members Present:

Judge Michael Montero, Chair

Judge Teri Feasel

Judge Denise Fortune

Judge Bill Gandolfo

Judge Elias Goicochea

Judge Kriston Hill

Judge Jim Loveless

Judge Mason Simons

Judge Randall Soderquist

### Guests Present:

Sr. Judge Pat Calton

Kristina Mortensen

Dee Primeaux

Susan Rodriguez

### AOC Staff Present:

Jamie Gradick, Rural Courts Coordinator

- I. Call to Order
  - Judge Montero, as Council chair, called the meeting to order at 10:30 am.
  - A quorum was present.
- II. Approval of Previous Meeting Summary
  - The summary from the May 28, 2021 meeting was approved.

### III. Business, Action, and Discussion Items

- AOC Updates/Reminders
  - ➤ Ms. Gradick provided attendees with personnel updates:
    - Vicki Elefante has retired from the AOC.
    - Rick Stefani has retired from the AOC; the CIO position is being filled.
    - There is restructuring happening within the AOC. There is now a Special Events Coordinator and a Court Services Supervisor and other positions are being filled.
  - > Judge Montero commented that his court appreciates visits from the AOC.
  - ➤ Ms. Gradick provided attendees with judicial education updates and reminders:
    - The Judicial Leadership Summit is being planned for May 2-6, 2022 and will be held at Harrah's in Lake Tahoe.
    - The NJLJ Winter seminar is set for January 25-28, 2022 and will be held at the Aliante in N. Las Vegas.
    - The judicial education calendar (PDF) is no longer available; all upcoming and currently available education opportunities will be listed on the Judicial Education Unit's website.
  - > Judge Fortune informed attendees that the NJC is requiring all in-person participants be vaccinated.
    - Concern was expressed regarding this policy preventing judges from receiving required education.
    - A suggestion was made that anyone in this situation seek an exception from the NV Supreme Court.
- AB424: 48 Hour Bail Hearing Requirement Discussion
  - ➤ Attendees discussed implementation concerns and processes for meeting the 48-hour requirement.
    - Many rural courts plan to work with other courts in their regions to implement a rotating "on-call" schedule.
    - Concern was expressed regarding limited court staff and resources; some regions may rotate court staff along with the judge but this is not a feasible option for all. Judge Loveless informed attendees that he is cross-training his civil clerks so they will be able to handle the criminal hearings. Discussion was held regarding how to best compensate staff for the additional time; Ms. Mortensen commented that her court has determined that overtime is a better option than comp. time for this. Judge Loveless commented that his court plans to pay overtime for the first year to assess the impact on the budget.
    - Attendees discussed starting this new protocol early to work out the "bugs" prior to the law going into effect.
    - Attendees discussed the need to revamp current jail transfer schedules and the use of Zoom to allow the jails to avoid transferring detainees.
    - Attendees discussed whether senior judges and/or pro tems could handle the bail hearings and, if so, what training would they require.
    - Concern was expressed regarding completing the NPRA prior to the 48-hour bail hearing; process alterations were discussed and whether pretrial services officers (or whomever is completing the tool) will also need to be available on weekends in order to comply. The NPRA tool is not always ready by the 48 hour mark.
    - Attendees discussed the use of administrative release orders.
    - Concern was expressed regarding PD and DA presence at the hearing. Judge Hill commented on the significance of the hearing; both the public defender and the

district attorney should be present. Others commented that this is not likely to happen. A comment was made that the DA has the burden of proof regarding cash bail; if the DA doesn't attend the bail hearing, the judge should OR.

- Attendees agreed to carry this discussion over to the next meeting; it will be a standing agenda item moving forward.
- NRS 178.528: Bail Forfeiture Discussion
  - ➤ Judge Feasel sought input from the group regarding interpretation of NRS 178.528 and when bail can be applied to an unpaid fine.
    - Discussion was held regarding the use of "shall" in the statutory language; the court must apply the bail to any unpaid fines, with the exception of restitution.
    - In the case of restitution, the bail can be applied if the defendant consents.
- AB486: Implementation Discussion
  - ➤ Judge Soderquist and Judge Goicoechea asked for input regarding how other courts in the region are addressing AB486.
    - A comment was made that the CDC moratorium on evictions has been found unconstitutional.
    - Discussion was held regarding an increase in tenants filing motions to stay evictions and when the court should grant the stay under the requirements of AB486; courts are not granting stays if they are filed after the eviction order has been issued.
- Community Service Updates
  - ➤ Judge Calton reported (via email) that he hosted local 3<sup>rd</sup> and 5<sup>th</sup> graders at his court. He gave a presentation, answered questions, and allowed the students to wear his robe and pose for photos on the bench.
  - ➤ Judge Feasel, Judge Goicoechea, and Judge Montero all reported participating in the "Reading and Robes" program for elementary students.
- Informational Documents
  - None
- Other Items/Discussion
  - ➤ Interest was expressed in allowing court administrators/lead court clerks to attend 1-2 of these meetings every year in order to meet with other rural court staff.
    - Depending upon venue, court staff could meet separately from the regional judicial council meeting.
    - Ms. Gradick reminded attendees that travel costs can only be reimbursed for council members; however, the JCSN regional council bylaws allow for court administrators and lead clerks to attend meetings with permission of their respective judges and the council chair.

### IV. Future Meetings

- North Central Regional Judicial Council: November 19, 2021 at 10:00 am in Winnemucca, NV
- Judicial Council of the State of Nevada: September 17, 2021 at 2:00 pm

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK Assistant Court Administrator Judicial Programs and Services

### JUDICIAL COUNCIL OF THE STATE OF NEVADA

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

# SOUTH CENTRAL REGIONAL JUDICIAL COUNCIL MEETING

Monday, June 21, 2021 3:00 p.m. Remote Meeting via BlueJeans (Prepared by Jamie Gradick)

### Judges Present:

Judge Steven Dobrescu, Chair

Judge Stephen Bishop

Judge Lisa Chamlee

Judge Mike Cowley

Judge Kent Jasperson

Judge Danielle Johnson

Judge Jennifer Klapper

Judge William "Gus" Sullivan

### Nevada Supreme Court Staff Present:

Jamie Gradick, Rural Courts Coordinator

### I. Call to Order

• Judge Dobrescu, as chair, called the meeting to order at 3:00 p.m.

### II. Determination of Quorum

• A quorum was present.

### III. Approval of Meeting Summaries

- The summary from the June 17, 2020 meeting was approved.
- The summary from the January 25, 2021 meeting was approved with a minor correction.

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

- AOC Updates
  - ➤ Ms. Gradick informed attendees of recent AOC personalle changes.
    - Evie Lancaster has retired from the AOC's Judicial Education Unit; Anne-Marie Mayeaux has been promoted into the position.

- The Court Interpreter Program Coordinator position is being filled. The position has been posted and the Court anticipates the new coordinator will begin in July.
- Rick Stefani has resigned from the AOC; the position will be filled soon.
- ➤ Ms. Gradick informed attendees that the AOC Grant Program FY22 cycle will be fully funded.
  - Both the TCI and USJR funding streams will be available this cycle.
  - The program was revamped and updated last year so please read through all documentation and policies thoroughly before applying.
  - The application submission period open July 1, 2021 and will close July 31, 2021. All applications must be postmarked by July 31.
  - Attendees briefly discussed what types of projects qualify for funding under the program.
- Ms. Gradick informed attendees that the JCSN full-council has approved revisions to Sections 4 and 5 and the JCSN Bylaws.
  - These sections govern the regional judicial councils.
  - The approved revisions have been included in the meeting material packet for reference.
  - Additional changes may be made to the rest of the Bylaws at a later date.
- SafeNest Batterer's Intervention Program (BIP) Presentation
  - > Due to a scheduling conflict, the presentation was tabled for a future meeting.
- Scheduling Future Meetings
  - ➤ Judge Dobrescu informed attendees that court scheduling conflicts would require a change to the usual South Central Regional Judicial Council meeting schedule.
    - Attendees discussed alternative meeting options. A suggestion was made to hold future meetings remotely.
    - Attendees agreed to move the meeting time from 3:00 pm to 4:00 pm on the Mondays prior to the start of the NJLJ education conferences.
    - Attendees discussed the possibility of adding a remote attendance option to the meetings. Ms. Gradick explained that, because the NJLJ conference venues host these meetings, the remote option would depend upon each venue's resources and willingness to accommodate the request.

### • Other/Discussion

- Attendees discussed outcomes of the 2021 Legislative Session.
  - There is a need for training on changes to traffic statutes.
  - Attendees discussed the timing of changes; the changes become effective January 2023 so hearing on traffic citations may continue until then.
  - The regulations are being adopted in order to allow Brazos time/resources to update the relevant systems but the law does not go into effect until January 2023.
- Attendees discussed pandemic-related funding for the court and were encouraged to send any additional funding needs/ideas to Chief Justice Hardesty as soon as possible.

### V. Future Meetings

- The next South Central Regional Judicial Council meeting: September 20, 2021 @ 3:00 pm
- The next Judicial Council of the State of Nevada meeting: September 17, 2021 @ 2:00 pm
- VI. The meeting adjourned at 3:30 p.m.

# **TAB 6**

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

### Nevada Appellate Courts

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)

### Clark Region

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)

### North Central Region

Judge Mike Montero (Chair) (1/4/21 – 12/31/23) Judge Phillip Leamon (1/4/21 – 12/31/23)

### Sierra Region

Judge Nathan T. Young (Chair) (1/2/20 – 12/31/22) Judge Eileen Herrington (1/2/20 – 12/31/22)

### South Central Region

Judge Steven Dobrescu (Chair) (1/2/19 – 12/31/2021) Judge Gus Sullivan (1/4/21 – 12/31/23)

### Washoe Region

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)

### **Ex-Officio Members**

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

# JUDICIAL COUNCIL OF THE STATE OF NEVADA 2021 CALENDAR OF MEETINGS

REGIONAL MEETINGS	FULL COUNCIL	
JANUARY 2021  1/22, Friday, Sierra – 12:00 p.m., Carson City 1/25, Monday, South Central – 3:00 p.m., Location TBD  FEBRUARY 2021  2/4, Thursday, Clark – 12:00 p.m., Regional Justice Center 2/26, Friday, North Central – 10:00 a.m., Location TBD  MARCH 2021  3/10, Wednesday, Washoe – 12:00 p.m., Reno	MARCH 2021 3/19, Friday, 2:00 p.m. Video-Conference Locations:  Carson City – Supreme Court, AOC Conference Room Las Vegas – Supreme Court, Conference Room A/B Reno – Second Judicial District Court Winnemucca – Sixth Judicial District Court Ely – Seventh Judicial District Court	
APRIL 2021 4/16, Friday, Sierra – 12:00 p.m., Carson City  MAY 2021 5/13, Thursday, Clark – 12:00 p.m., Regional Justice Center 5/28, Friday, North Central – 10:00 a.m., Location TBD  JUNE 2021 6/16, Wednesday, Washoe – 12:00 p.m., Reno 6/21, Monday, South Central – 3:00 p.m., Location TBD	JUNE 2021 6/11, Friday, 3:00 p.m. Video-Conference Locations:  Carson City – Supreme Court, AOC Conference Room Las Vegas – Supreme Court, Conference Room A/B Reno – Second Judicial District Court Winnemucca – Sixth Judicial District Court Ely – Seventh Judicial District Court	
JULY 2021 7/30, Friday, Sierra – 12:00 p.m., Carson City  AUGUST 2021 8/12, Thursday, Clark – 12:00 p.m., Regional Justice Center 8/27, Friday, North Central – 10:00 a.m., Location TBD  SEPTEMBER 2021 9/1, Wednesday, Washoe – 12:00 p.m., Reno 9/20, Monday, South Central – 3:00 p.m., Location TBD	SEPTEMBER 2021 9/17, Friday, 2:00 p.m. Video-Conference Locations:  Carson City – Supreme Court, AOC Conference Room Las Vegas – Supreme Court, Conference Room A/B Reno – Second Judicial District Court Winnemucca – Sixth Judicial District Court Ely – Seventh Judicial District Court	
OCTOBER 2021 10/15, Friday, Sierra – 12:00 p.m., Carson City  NOVEMBER 2021 11/3, Wednesday, Washoe – 12:00 p.m., Reno 11/18, Thursday, Clark – 12:00 p.m., Regional Justice Center 11/19, Friday, North Central – 10:00 a.m., Location TBD	NOVEMBER 2021 11/19, Friday, 2:00 p.m. Video-Conference Locations:  Carson City – Supreme Court, AOC Conference Room  Las Vegas – Supreme Court, Conference Room A/B  Reno – Second Judicial District Court  Winnemucca – Sixth Judicial District Court  Ely – Seventh Judicial District Court	