

October 14, 2022

Chief Justice Ron Parraguirre
Nevada Supreme Court
201 South Carson Street, Suite 201
Carson City, NV 89701

Associate Chief Justice James Hardesty
Nevada Supreme Court
201 South Carson Street, Suite 201
Carson City, NV 89701

Jamie Gradick, Rural Courts Coordinator
Nevada Supreme Court
Administrative Office of the Courts
201 South Carson Street, Suite 250
Carson City, NV 89701

Re: Recommendations to ADKT 0582 Commission Regarding Diversity, Equity and Inclusion

Dear Chief Justice Parraguirre and Associate Chief Justice Hardesty:

Following are my recommendations summarized in the conclusion of my presentation to the ADKT 0582 Commission on August 12, 2022, "*Gender Equity, Terms of Office, and Process for Appointment of Commissioners for the Nevada Commission on Judicial Discipline.*" These recommendations have been updated from those made in my letter of September 8, 2022 based on comments made at the September 23, 2022 ADKT 0582 Commission meeting and subsequent conversations with several members of the Commission. Per your prior request, these recommendations have been prepared in proposal form in anticipation of being voted upon by the ADKT 0582 Commission, potentially at our November 1, 2022 meeting.

- 1) The ADKT 0582 Commission makes a finding that it is in the interest of fairness to the public and to judges who are subject to the processes of the Nevada Commission on Judicial Discipline that the Commission's members represent the diversity, including gender diversity, of the citizens of the State of Nevada and the judges who appear before it.

- 2) The ADKT 0582 Commission recommends that the Nevada Commission on Judicial Discipline (NCJD) amend the Procedural Rules of the NCJD, pursuant to Rule 36, to include a rule stating the following: “When a Commissioner’s term is expiring, or when a vacancy occurs on the Commission, the Executive Director will inform the appointing authority in writing and/or via electronic communication of the expiration/vacancy. The Executive Director may not advise, recommend, or request that the appointing authority appoint a specific person (including the incumbent) to fill the expiring term/vacancy.”
- 3) The ADKT 0582 Commission recommends that the Nevada Commission on Judicial Discipline adopt a written policy providing that, at the time a term expiration/vacancy on the Commission is announced to the appointing authority, the Executive Director inform the appointing authority in writing that the Commission seeks members who reflect the diversity, including gender diversity, of the people of the State of Nevada, the State Bar of Nevada, and the Nevada Judiciary.
- 4) The ADKT 0582 Commission recommends to the Nevada Governor, the Board of Governors of State Bar of Nevada, and the Nevada Supreme Court, when informed by the Executive Director of the Nevada Commission on Judicial Discipline that a Commissioner’s term is expiring or that a vacancy has occurred, that the appointing entity advertise the vacancy through their own established modes of communicating with members of the public, the State Bar of Nevada, and members of the Nevada Judiciary (organization website advertisement, state and local bar association newsletters, e-mail, etc.) prior to making the appointment. In addition, the ADKT Commission recommends that all appointing authorities explicitly seek candidates with one or more of the following qualifications: (1) prior experience as a member of one or more professional disciplinary boards; (2) experience as an advocate representing parties before one or more professional disciplinary boards; (3) experience representing one or more professional disciplinary boards; or (4) experience and training in professional ethics.

I am available to answer any questions that you may have about these proposals at judge.riggs@washoecourts.us, or (775) 328-3189. Thank you and the ADKT 0582 Commission members for your consideration.

Sincerely,

Tammy M. Riggs
District Judge
Second Judicial District Court, Department 3