

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

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

Date and Time of Meeting: Friday, March 18, 2022 at 2:00 p.m.

Place of Meeting: Remote Access via Zoom (zoom.com or zoom 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 Quorum
 - C. Opening Remarks
- II. Public Comment
- III. Review and Approval of Previous Meeting Summary*
 - A. November 19, 2021 (*Tab 1; pages 3-7*)
- IV. Business and Action Items
 - A. Alternative Dispute Resolution Update
 - B. JCSN – How to revitalize its role?
 - C. JCSN Bylaw revision* (*Tab 2; pages 8-38*)
- V. Reports of Standing Committees
 - A. Court Administration Committee (*Tab 3; pages 39-41*)
 - B. Court Improvement Program (*Tab 4; pages 42-44*)
 - C. Judicial Education Committee (*committee discontinued due to Bylaw revisions*)
 - D. Language Access Committee (*committee discontinued due to Bylaw revisions*)
 - E. Specialty Court Funding Committee (*Tab 5; pages 45-46*)
 - F. Technology Committee – *No meeting held within reporting period*
- VI. Reports of Regional Council Meetings
 - A. Clark Regional Judicial Council (*Tab 6; pages 47-49*)
 - B. North Central Judicial Council (*Tab 7; pages 50-53*)
 - C. Sierra Regional Judicial Council (*Tab 8; pages 54-57*)
 - D. South Central Regional Judicial Council (*Tab 9; pages 58-60*)
 - E. Washoe Regional Judicial Council (*Tab 10; pages 61-65*)

- VII. Informational Materials
 - A. 2022 JCSN Roster (*Tab 11; page 66-67*)
- VIII. Other Items/Discussion
- IX. Future Meetings
 - June 17, 2022, at 2:00p.m.
 - September 16, 2022, at 2:00 p.m.
 - November 18, 2022, 2:00 p.m.
- X. Public Comment
- XI. Adjournment

Notices

- Action items are noted by * and typically include, 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:
Almeda Harper, (775) 687-9810 – email: aharper@nvcourts.nv.gov
- This meeting is exempt from the Nevada Open Meeting Law (NRS 241.030)
- At the discretion of the Chair, topics related to the administration of justice, judicial personnel, and judicial matters that are of a confidential nature may be closed to the public.
- **Notice of this meeting was posted in the following locations:** Nevada Supreme Court website: www.nvcourts.gov; Carson City: Supreme Court Building, Administrative Office of the Courts, 201 South Carson Street; Las Vegas: Nevada Supreme Court, 408 East Clark Avenue.

Video Conference Platform: Zoom
Teleconference Dial-in: 1-669-900-6833
Meeting ID: 933 3658 3117
Participant Passcode: 390554

TAB 1

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

MEETING SUMMARY

Judicial Council of the State of Nevada

Friday, November 19, 2021

Remote Access via BlueJeans

Summary Prepared by: Almeda Harper

MEMBERS PRESENT:

Chief Justice James Hardesty
Judge Bert Brown
Judge Steven Dobrescu
Chief Judge Scott Freeman
Chief Judge Michael Gibbons
Mr. Steven Grierson
Judge Eileen Herrington
Chief Judge Kevin Higgins
Judge Phillip Leamon
Ms. Alicia Lerud
Judge Mike Montero
Ms. Katherine Stocks
Judge Ryan Toone
Judge Nathan Young

GUESTS/OTHERS PRESENT:

Justice Elissa Cadish
Justice Douglas Herndon
Mr. Joe Tommasino

AOC STAFF PRESENT:

Ms. Shannon Gildea
Ms. Jamie Gradick
Ms. Almeda Harper
Mr. John McCormick
Mr. James Popovich
Ms. Katherine Stocks
Mr. Gianni Troian
Ms. Kim Williams

- I. Call to Order
 - Chief Justice Hardesty, Chair of the Judicial Council of the State of Nevada, called the meeting to order at 2:01 pm.
 - Ms. Harper called roll; a quorum was present.
- II. Public Comment
 - There was no public comment.
- III. Review and approval of Previous Meeting Summary
 - The summary of the September 17, 2021 meeting was unanimously approved
- IV. Business and Action Items
 - Standing committee Reorganization Discussion
 - ♦ There will be a public hearing on December 6, 2021 at 4:00 pm to review ADKT 0587.
 - ♦ Chief Justice Hardesty suggested revisiting this topic after the first of the year, pending the approval of the Bylaw changes, to discuss further changes to standing committees.
 - American Rescue Plan Update
 - ♦ Chief Justice Hardesty provided the following updates;

- \$599,285 approved Cares Act money is to be distributed to various courts for a variety of requests including zoom accounts for court rooms, replacement of JAVS systems, guide and file, air filtration system upgrades, etc.
- \$25,617 approved funding for the sixth judicial district.
- \$120,000 approved funding for live streaming software for the eighth judicial district.
- Requests that do not fit within the treasury guidelines for the Cares Act will be shifted to the American Rescue Plan which the Governor's office is treating as emergency requests by the courts. This may allow an additional \$500,000 in funding.
- **All approved funding needs to be in place by December 6, 2021.**
- American Rescue Plan funding can be approved through the Governor's finance office, the Judiciary does not have to go to IFC for approval.
- **Documentation is necessary to allow the release of Cares Act funds. Please contact Mr. Myler during this process and share this information in upcoming regional meetings.**
- Chief Justice Hardesty thanked Todd Myler and Katherine Stocks for coordinating and securing funding. He also thanked Bailey Bortolin, Deputy Chief of Staff to the Governor, for coordinating with the Court and the Governor's staff.
- During the Governor's last cabinet meeting, it was announced there is a plan to extend significant broadband coverage for the entire state under a statewide plan.
- **If funding has been issued from County American Rescue Plan funds, please forward this information to Mr. Mylar for his records.**
- After March 1, 2022 the process will change, some requests will need to be processed through the legislative budget process.
- **Mr. McComick commented Mr. Myler will be sending out sub-grant documentation. These documents need to be completed and sent back as soon as possible in order to release funding. Please direct questions Mr. Mylar or Mr. McCormick.**
- ♦ Chief Judge Hardesty asked each region if they have or are planning on using County American Rescue Plan funds.
 - Chief Judge Higgins commented the county approved funding for a new jury box and upgrade all JAVS systems.
 - Chief Judge Freeman commented the county has awarded \$2.8 million in funding for technology upgrades and an employee to assist with those upgrades. Approval has been given and vendors have been chosen, yet paperwork is still pending.
 - Mr. Grierson commented two court rooms and jury chairs have been funded by County Cares Act funding. No funding has been received from American Rescue Plan.
 - Judge Montero commented the sixth district has plans to add a jury box in one court room and bring it up to ADA compliance. The planning and funding source hasn't been made official.
 - Judge Dobrescu commented Lincoln County District Court has moved into a new courthouse as of November 2, 2021. There are no outstanding requests for funding.
 - Judge Young commented Douglas County put in a request for a small amount and has not received a response.
- National Center for State Courts (NCSC) Strategic Planning Process Update
 - ♦ Mr. McCormick commented focus group results are back and under review.
 - ♦ The next Strategic Planning Steering Group meeting is planned for January 24-25, 2022 to be held during the Winter Summit to capitalize on having a majority of judges in one place.
- Nevada Specialty Court Funding Guidelines and Criteria Revision (*Please see meeting materials for additional information*)
 - ♦ Mr. Popovich presented the changes made in the most recent committee meeting.
 - ♦ Judge Montero made a motion to approve, Judge Dobrescu seconded the motion. The motion was unanimously approved.

- Specialty Courts Funding Committee Bylaw Revision (*Please see meeting materials for additional information*)
 - ♦ Mr. Popovich presented the changes made in the most recent committee meeting.
 - ♦ Judge Montero made a motion to approve, Judge Dobrescu seconded the motion. The motion was unanimously approved.

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

- Court Administration Committee
 - ♦ Mr. McCormick commented district and limited jurisdiction want to clean up statutes and provide clarification on how restitution is handled. The second judicial district has been having issues collecting restitution on parole and probation.
 - ♦ A workgroup has been convened for AB 116, led by Mr. Jessup.
 - ♦ Judge Montero commented the sixth district has had similar issues regarding restitution and would like to be updated on progress.
 - ♦ Judge Young commented he would also like to be updated on restitution corrections.
 - ♦ Mr. McCormick introduced Justin Bell as the AOC's, newly hired, Grants and Contracts Officer based out of Las Vegas. He will be assisting with grants, contracts, and actively seeking and applying for funding opportunities.
- Court Improvement Program
 - ♦ Ms. Gildea commented all 2021 funding have been expended and approval was granted for 2022 funds which should be similar to 2021 in the amount of \$400,000. A special training for the Clark County judges was recently completed, four of the seven dependency judges attended permanency training.
- Judicial Education Committee – Nothing to report
- Language Access Committee
 - ♦ Mr. McCormick commented this program is getting up-to-speed after a long vacancy in the position.
 - ♦ Ms. Williams requested the title of the Language Access Committee to be changed to Certified Court Interpreter Advisory Committee per the JCSN Bylaws. This will alleviate future confusion in identifying the committee.
 - Mr. McCormick stated standing committees and bylaws will be updated once the changes to SCR 8 and 9 are approved.
- Specialty Court Funding Committee – Nothing additional to report
- Technology Committee – Nothing to report
 - ♦ Chief Justice Hardesty informed the Council a letter from Ms. Stocks will be issued shortly, soliciting input on case management and e-filing systems. An opportunity has become available to access a large amount of American Rescue Plan money to provide and improved case management and e-filing systems throughout the state. Currently 85% of courts do not have e-filing. The letter is a request for ideas, suggestions, and thoughts on what will enhance the court systems. The State of Texas currently uses a very successful system that may be adapted to fit Nevada courts.

VI. Reports of Regional Council Meetings

- Clark Regional Judicial Council did not meet within the reporting period.
- North Central Judicial Council did not meet within the reporting period.
- Sierra Regional Council
 - ♦ Judge Young commented it has been difficult to obtain a quorum due to lack of attendance, though a quorum was obtained at the latest meeting.
 - ♦ A number of judges in the region have participated in community service.
 - ♦ Judge Young will be playing Santa Clause again for the foster children associated with the Division of Child and Family Services.
- South Central Regional Council did not meet within the reporting period.

- Washoe Regional Council
 - ♦ Chief Judge Freeman commented Ms. Harper called the names of all Washoe region judges during roll call which may have been a mistake. He stated, the judges that normally show up to the meeting were in attendance. He was under the impression there was a quorum but could have been mistaken. He did not have any additional comments outside of the meeting summary.

VII. Informational Materials

- 2021 JCSN Roster
- ADKT 0587: S.C.R. 8 and S.C.R. 9 Proposed Revisions – Public Hearing

VIII. Other Items/Discussion

- Chief Judge Hardesty made the following comments;
 - ♦ AB 1 in the special session modified the filing date for judicial offices. The filing period for offices ending in 2022 will be the first two weeks in March rather than January. AB 1 sunsets on December 31, 2022 normal filing will resume in January 2024.
 - ♦ ADKT 0588 is a temporary amendment through the campaign finance rules for the upcoming elections only. The amendment will allow officers, judges, or candidates running for office the opportunity to fundraise starting January 15, 2022. If, on March 17, 2022 at 5:00pm, an opponent has not been established, any unspent dollars would be distributed in accordance with the canons that already apply. The court heard public comment on the proposed amendment on November 18, 2021 and has extended the comment period to November 24, 2021. On November 29, 2021 the court will confer to discuss its actions. Please communicate with your colleagues in your councils about ADKT 0588 in the event they would like to comment.

IX. Future Meetings - TBD

X. Public Comment

- There was no public comment.

XI. Adjournment

- There being no further discussion, the meeting was adjourned at 2:56 pm.

TAB 2

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

MEMORANDUM

TO: Judicial Council of the State of Nevada

FROM: John McCormick, Assistant Court Administrator

DATE: March 8, 2022

SUBJECT: JCSN Bylaw Revisions

On December 23, 2021, the Supreme Court approved amendments to Supreme Court Rules (SCR) 8 and 9 governing Regional Judicial Councils and the Judicial Council of the State of Nevada.

Subsequent to this approval, AOC undertook a review of the existing Judicial Council of the State of Nevada (JCSN) Bylaws in order to conform them to the amended Rules, modernize and make the language more gender-inclusive, revise the duties prescribed for the State and regional councils, fill gaps in election procedures, modify committee make-up and duties, and, in two cases, eliminate existing committees. The following is a summary of the proposed changes which are reflected, in legislative bill drafting style, on the attached draft.

Throughout the document changes are made to update the language and eliminate unnecessary time-related references from previous revisions. Also, language regarding AOC support of the Council is changed to reflect AOC's role in providing administrative and expert staffing support, rather than simply serving as the secretary to the Council. Additionally, an overall attempt to be less prescriptive.

In Article IV- Judicial Regions, on page 7 of the attachment, changes are made to reflect that while the Supreme Court and Court of Appeals have physical locations in both Carson City and Las Vegas, the Appellate Court Justices and Judges are not members of the Sierra or Clark Regional Councils.

Changes to Article V – Regional Judicial Councils, beginning on page 8, are made to strengthen the taking and reporting of attendance at regional meetings as well as conform the language in the Article to reflect the prescribed duties found in SCR 8 § 4 rather than duplicate the language therein. The amendments to this Article also clarify the procedure for determining a vice-chair in the Washoe and Clark Regions that have more than one elected limited jurisdiction representative.

Beginning on page 11, substantial amendments, including a proposed name change to the Legislative Committee, are made Article VI – Legislation and Rules Committee. The majority of the proposed changes conform the Committee structure and membership to reflect the model that has come to work effectively for the Branch for the last several Sessions. The amendments modify the member of the

Committee to be more inclusive of the Branch as a whole and set the terms of discretionary members of Committee to the year preceding a Session, to provide greater utility in bill drafting, and the subsequent Session for continuity of legislative relations. The amendments further clarify the duties of the Committee and the inclusion of governmental relations staff as advisory members of the Committee.

The next proposed amendments to Article VII – Education Committee appear on pages 13 and 14 and are significant. The proposal is to eliminate the existing Committee that is currently charged with making decisions regarding elective education funding approval, which will now be handled by the Manager of Judicial Education and the Assistant Court Administrator, and instead make the education committees of the judges’ associations the ex officio Education Committee of the JCSN to provide advice and recommendations regarding education as necessary.

The amendments to Article VIII – Court Administration Committee (page 15) are proposed by Katherine Stocks, who is the Chair of the Committee, and intended to increase the utility of the Committee.

Article IX – Technology Committee (pages 16 and 17) is subject to proposed amendments, developed in consultation with Paul Embley, to revise the membership of Committee to increase the specific technical expertise of the membership and revise the duties of the Committee.

The next proposed amendment is to eliminate the Certified Court Interpreters Advisory Committee as a standing Committee of the JCSN by deleting Article X. This Committee is statutorily required in [NRS 1.530](#), is advisory in nature, and is Chaired by the State Court Administrator. Thus, including it as Committee of the JCSN is duplicative and blurs the line between Judicial Branch directed initiatives and certification program requirements prescribed by the Legislature. If this amendment is approved, it is the AOC’s intent to develop Bylaws specific to the Committee and operate it pursuant to its statutorily prescribed functions.

The next two Articles (XI and XII), governing the Specialty Court Funding and Policy Committee and the CIP Select Committee contain only technical changes as both these Articles were amended at Council meetings last year.

Finally, amendments are offered on page 25 of the attachment to clarify and update the style of Article XIII – Authority.

Recommendation:

Approve the proposed Bylaw amendments.

Attachment

Supreme Court of Nevada
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JOHN MCCORMICK
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MEMORANDUM

TO: Judicial Council of the State of Nevada Committee Members
FROM: Kimberly Williams, Court Services Analyst
DATE: February 16, 2022
SUBJECT: Support to Approve Bylaw Revisions

The Certified Court Interpreters Advisory Committee was statutorily created by [NRS 1.530](#) in 1995. In December 2013, the Language Access Committee was proposed to the Judicial Council of the State of Nevada (JCSN) as a standing Committee.

The Language Access Committee was created to make recommendations regarding language access program policies and guidelines, review substantive materials as requested, and to develop other opportunities to enhance language access.

From September 2021 through January 2022, extensive review of the workload and overlapping focus of the two committees was completed; the Administrative Office of the Courts has determined that the two committees are duplicative in nature, membership composition is uniform, and the Language Access Committee is no longer serving the purposes for which it was originally convened.

Pursuant to the JCSN Bylaws Section 3, JCSN standing committee Bylaws “may be amended by a simple majority vote of Council members at any meeting, provided that a quorum is present as set forth at Article II, Section 4.”

RECOMMENDATION:

Approve the recommended changes to Bylaws, as presented by the Administrative Office of the Courts Leadership team.

Any language access issues, concerns, or recommendations should be brought to the attention of the [Nevada Access to Justice Commission](#) whose mission is to improve the ability of all Nevadans, particularly those of modest means, to access and utilize Nevada's legal system, by improving the delivery and funding of legal services, programs, pro bono services, and self-help services.

*Reference Materials Provided

Minutes Review

Dates	JCSN Full Council	Certified Court Interpreter Advisory Committee	Language Access Committee
11/15/2013		<p>Discussion on Bylaws revision and creating two committees: Chair Sweet began by saying that the Committee Bylaws have been discussed a couple of times. The resulting proposal was to split the existing Committee into two committees. First the Advisory Committee, which is statutorily created, with membership pursuant to the Nevada Revised Statutes (NRS) and will deal with things such as the alternate interpreter issue that has been assigned from the last Legislative Session. The second committee will be the Language Access Committee, a subcommittee of the Judicial Council of the State of Nevada (JCSN), which will deal with issues of the broader language access theme. Having the Language Access Committee would give a positive first impression if the Department of Justice (DOJ) was to come to Nevada. The Language Access Committee will be expanded in membership to include a representative of the State Bar, a person certified as an interpreter in Nevada, and other appropriate members.</p>	
12/6/2013	<p>Copied directly from JCSN 12.6.13 minutes: Ms. Sweet said that the statutorily created Advisory Committee has specific duties and the JCSN committee wants to broaden those duties beyond the statutory scope. The Advisory Committee will continue as statutorily created. The proposal is to modify the JCSN committee by naming it the Language Access Committee and expand what that committee looks at, as well as expand the membership. The current Advisory Committee members would be invited to participate in both committees, but if they do not want to participate, another representative will be appointed. The Committee will also add a member of the State Bar, a Certified Interpreter for Nevada, an administrator of a justice court, and a justice of the peace from Clark or Washoe County. This is an attempt to even out the membership from the statutory committee. ... The recommendation is to approve the renaming of the JCSN committee to the Language Access Committee and approve recommended changes to the bylaws. A MOTION WAS MADE TO APPROVE THE RECOMMENDATION, SECONDED AND PASSED UNANIMOUSLY. <i>To current, no additional changes to the Bylaws or committee structure has been mentioned. Bylaw changes were <u>never</u> published.</i></p>		
2/7/2014		Program Report, AB365	
3/21/2014			Program Report, Bylaws and Mission Discussion, Form Translations and NV LAP
6/20/2014		Program Report, AB365	
7/11/2014			Program report, Vital Documents Survey, Language Access Planning and Technical Tool
10/17/2014		Program Report, AB365	
11/14/2014			Program Report, Guidelines Amendment, Vital Docs survey, Credential levels, Oral Exam Practice, Remote Interpreting.
6/23/2015			Program report, Vital Documents subcommittee, credentialing levels
9/10/2015			Program Report, Language Link, Remote Interpreting, Vital Trans Subcommittee Report (9.2.15)
10/7/2015		Program Report, Credential Levels discussion	
12/14/2015		Program Report, Credential Levels draft	
2/24/2016		Program Report, Conditionally Approved Guideline draft	
3/17/2016			Program Report, Vital Docs Subcommittee Report (10/21/15), Video Interpreter Project, Court Call Demo, Conditionally approved status
7/14/2016			Program Report, Guidelines for court doc translations, remote interpreting project, conditionally approved interpreter draft
9/22/2016			Program mReport, Translation of Court Docs Draft, Conditionally Approved Interpreters Draft, Remote Interpreting Project, Bills for 2017 Legis,
10/12/2016		Program report, Conditionally approved Guidelines draft, CEU (request to lower req)	
12/14/2016		Program Report, Guidelines Revision Discussion	

2/3/2017		Program Report, Guidelines Revision Discussion	
3/17/2017			Program Report, Remote Interpreting, Legis Bills.
6/16/2017			Program Report, DV form translation, Legis Bills, Rural Courts Interpreter Utilization Survey
8/18/2017		Program Report, Guidelines Revision Discussion	
9/8/2017			Program Report, Oral Exam score policy, Court Doc translation guideline review, CCIP guidelines review
11/3/2017		Program Report, Benchcard for NV judges, Combining Committees: Chair Sweet started the discussion with advising that relevant statutes and bylaws were evaluated prior to this discussion. This evaluation revealed that the Committees could not be combined. She advised she appreciated all of the members' dedication and efforts to participate in the meetings. Chair Sweet said she understood that it could be problematic for members that sit on both committees. She asked if members would prefer that more members be added to the Committees. For instance, instead having just one rural judge there would have two, one for each committee. There could be adjustments made to the members of each Committee.	
12/8/2017			Program Report, Conditionally Approved draft, court forms translation
2/9/2018		Program Report, Open Meetings Presentation, Bench Cards, Proxies for either committee	
7/27/2018		Program Report, Bench Card, Disciplinary Process	
9/7/2018			Program Report, Bench Card Review, Language Access Poster
11/30/2018			Cancelled Maybe: can't find summary or recording.
1/25/2019		Program Report, Bench Cards, Language Access Poster, 2019 Legis session	
3/15/2019			Conditionally Approved discussion, Program Report, 2016 Justice Index Language Access findings, Language Access Posters
8/9/2019			Program Report, 2016 Judicial Index discussion, AB319
9/13/2019		Program Report, AB319 Guidelines Revision	

ARTICLE I
CREATION AND COMPOSITION

Section 1. Creation.

By Order of the Nevada Supreme Court, under Rule 9~~[, which is attached]~~ (*attached*).

Section 2. Composition.

By Order of the Nevada Supreme Court, under Rule 9~~[, which is attached]~~.

Section 3. Secretariat.

The Administrative Office of the Courts (AOC) shall provide ~~[secretariat services]~~
administrative and expert staff support to the Council.

ARTICLE II MEETINGS

Section 1. Mission Statement.

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

Section 2. Purpose.

By Order of the Nevada Supreme Court, under Rule 9~~[, which is attached].~~

Section 3. Regular Meetings; Convening; Who May Call.

The Council shall meet at least once every four months or at the call of the chair. Regular meetings shall be established by the ~~[Council]~~ *chair* and rescheduled as necessary.

Section 4. Notice of Meetings; Agenda.

The ~~[Secretary]~~ *AOC* shall provide written notice~~[, via conventional or electronic means,]~~ to the general membership of all meetings as early as possible but in all cases assure members are notified at least three ~~[(3)]~~ working days prior to the meeting. ~~[The n]~~Notice shall include the time, location, and agenda of the meeting *along with any supporting documentation thereto*.

Section 5. Meetings; Quorum.

A majority of the voting members of the Council shall constitute a quorum to do business; and questions shall be decided by a majority of the members voting thereon, unless otherwise provided by law *or rule*.

Section 6. Attendance; In Person Required.

Any member entitled to vote must do so ~~[in person]~~ *while personally present*, unless authorized to do so via correspondence by other sections of these Bylaws.

Section 7. Open Meetings; Exceptions.

The Council will make reasonable efforts to conduct meetings, or ~~{sub}~~committee meetings, in a format open to the public and in general compliance with the *spirit and overall* intent of NRS Chapter 241 *which is commonly referred to as the Open Meeting Law*. However, the Council or any committee may, at the discretion of the chair, close any meeting to the public to consider matters of a confidential nature¹.

Section 8. Meetings; Rules of Order.

Council and Committee meetings shall be conducted in accordance with Robert's Rules of Order, latest edition.

Section 9. Meetings; Minutes to be Taken.

(1) Minutes shall be taken at all Council meetings and shall be prepared in accordance with Robert's Rules of Order, unless a member requests specific portions be set out in detail. *Such a request must be made to the AOC in writing and provide sufficient justice for the request.*

(2) Minutes must contain the elements ~~{identified in NRS Chapter 241}~~ *customarily included in the minutes of meetings conducted by public bodies*. The ~~{M}~~minutes will be included in the agenda packet of the following meeting for Council members for approval. Before final approval, draft minutes may be disseminated or made available for review pursuant to direction from the chair.

Section 10. Meetings; Presiding Officer.

The chair, ~~{or}~~ co-chair, or ~~{designate}~~ *her or his designee* shall preside at all meetings of the Council.

Section 11. Special Meetings; Who May Call.

The chair may call special meetings of the Council or its ~~{C}~~committees as needed.

¹ *Goldberg v. Eighth Judicial Dist. Court* 93 Nev. 614 (1977)

ARTICLE III

COUNCIL ADMINISTRATION

Section 1. Members; Misfeasance and Absence; Action Taken.

(1) When a member has neglected his or her duties as a member of the Council or is guilty of other misfeasance of office, a motion may be entertained for a vote of the Council to recommend the member be relieved of *her or* his duty. The vote shall be by secret ballot and shall be given by each member present at the meeting. A vote of at least twelve ~~{(12)}~~ will carry the motion. Should there be a quorum of the members present but less than twelve ~~{(12)}~~ members present, by a vote of the majority, the ~~{Secretary}~~ AOC may be directed to hold confidential the results of the secret ballot and to solicit ballots on the motion via correspondence from those members absent, and present the results of such ballot to the members when the next notice of meeting is provided, if not sooner. Members not responding timely via correspondence to the ~~{Secretary's}~~ AOC's request shall have their votes counted as not voting. The ~~{Secretary}~~ AOC shall treat ballots cast via correspondence in similar manner as secret ballots cast at the meeting.

(2) Members are expected to attend all meetings. A member who is unable to attend shall notify the ~~{Secretary}~~ AOC in writing, via conventional or electronic means, as soon as practicable before the meeting. Notice to the ~~{Secretary}~~ AOC shall serve to excuse the member not more than twice during *her or* his term, absent extenuating circumstances. The minutes shall reflect the member as excused. Otherwise~~{,}~~:

(A) Upon two successive absences without required notice of excuse, the ~~{Secretary}~~ AOC shall notify the member that absences have been noted and border upon being excessive.

(B) Upon three absences during a term, the ~~Secretary~~ AOC shall notify the member that *her or* his absences are excessive~~;~~ and include such notice in the distribution of ~~agendas~~ *meeting notices and materials* to other Council members.

(C) Upon four absences during a term, the matter of such absences shall become an agenda item for discussion ~~under New Business~~ *and possible action*, and the Council may take one of the following actions:

(i) By motion, call for issuance of a resolution formally reprimanding the absent member, or

(ii) By motion, call for the absent member to be relieved of *her or* his duty, and, from among the qualified judges of the member's region, select a judge to serve the unexpired term of the member so relieved.

(D) If the fourth absence is apparent and can be verified at the meeting during which the member is ~~fourthly~~ absent *for the fourth time*, the Council may immediately, ~~under agenda item New Business,~~ take action as described in subsections (2)(C)(i) and (2)(C)(ii) of this Article.

(E) These rules shall apply equally to committee meeting *and regional judicial council meeting* attendance, but the Council shall ~~take the necessary actions~~ *consider taking the actions prescribed in this Article*. Committee ~~chairmen~~ *chairs or the AOC* shall include in their Council reports, identification of any members against whom action ~~appears to~~ *may* be necessary.

Section 2. Committees; Appointment Of.

The Council may create, and the chair may appoint, standing committees, special committees, ~~A~~ *ad hoc* committees, or advisory committees which may be necessary for the efficient discharge of

its duties and responsibilities. The Council also may create subcommittees which *may* include citizens, government officials or designees, and~~/or~~ representatives of community organizations.

Section 3. Council Member Representatives; Compensation.

A member shall be reimbursed for *reasonable* expenses incurred to attend meetings at the rates established by ~~ts~~State law *and the Supreme Court Travel Policy*.

Section 4. Council Member; Resignation or Retirement.

When a member resigns or retires from the Council prior to the end of a term, the member shall notify, in writing, ~~[via conventional or electronic means,]~~ the chair of the judicial region in which the member served~~;~~ and shall copy the ~~[Secretary]~~ AOC with such notice. Notice of such vacancy shall be placed on the next regional judicial council agenda. The chair of the judicial region shall fill the vacancy in accordance with Article V, Section 1 of these Bylaws. The term for the member-elect shall run for the remainder of the unexpired term of the member who resigned or retired.

Failing election of a member by the judicial region in accordance with Article V, Section 1 of these Bylaws, the Chief Justice shall appoint a representative to fill the unexpired term of the member who resigned or retired from service.

ARTICLE IV
JUDICIAL REGIONS

Section 1. Creation.

By Order of the Supreme Court, under Rule 7.5 [~~dated January 16, 1979,~~] as amended, there are [~~hereby created~~] five [(5)] judicial regions in the State which shall be comprised as follows:

- (1) Sierra Region shall consist of all courts, except the Supreme Court *and the Court of Appeals*, 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 within the Eighth Judicial District *except the Supreme Court and the Court of Appeals*.

ARTICLE V
REGIONAL JUDICIAL COUNCILS

Section 1. Creation; Composition.

By Order of the Supreme Court, under Rule 8~~[, which is attached]~~ *(attached)*. ~~[The start of the first term of the first regional judicial council is deemed to be the first Monday in January 1979.]~~

Section 2. Meetings; Purpose.

The regional judicial councils may meet as often as once every four months or at the call of the chair to assist in the administration of the court system within that region but no less than once per year. All sitting judges should regularly attend their respective regional judicial council meetings. Council member attendance will be taken at every meeting; regional judicial council meeting attendance ~~[may]~~ *shall* be reported to the Judicial Council of the State of Nevada *on an annual basis for the preceding calendar year at the first Council meeting of the following year*. Court staff may, with the permission of their court, and at the discretion of the regional judicial council chair, attend regional council meetings. The chair reserves the right to close any portion of a meeting to guests in order to allow the council to consider matters of a confidential nature. Any policies or procedural changes thereto submitted to the Supreme Court may be first submitted to the regional judicial council for review and comment.

Section 3. Duties.

Each regional judicial council shall, subject to the direction of the Council, ~~;~~

~~(1) — Coordinate the implementation of, within its region, [all] administrative Rules and Orders of the Supreme Court or the Chief Justice.~~

~~(2) — Be responsible for the representation of the courts of the region to the Council.~~

~~(3) Provide a forum for the communication of information between the courts of the region and the Supreme Court.~~

~~(4) Define, develop, and coordinate programs and projects for the improvement of courts in the region.] undertake actions necessary to carry out the purposes specified in Supreme Court Rule 8 § 4.~~

The chair of each regional judicial council shall:

- (1) Call, attend and lead regional judicial council meetings.
- (2) Represent the chair's regional judicial council at Judicial Council of the State of Nevada meetings.
- (3) Work with *the AOC* [~~Administrative Office of the Courts (AOC) staff~~] to develop meeting agendas and goals.

The vice-chair of each regional judicial council shall:

- (1) Call, attend and lead regional judicial council meetings in the absence of the regional council chair.
- (2) Represent the vice-chair's regional judicial council at Judicial Council of the State of Nevada meetings.
- (3) Work with *the AOC* [~~Administrative Office of the Courts (AOC) staff~~] to develop meeting agendas and goals.

Section 4. Elections.

Each regional judicial council shall elect a chair[person] and a vice-chair[person] in accordance with the election procedures provided in S.C.R. 8. *In regions with more than one limited jurisdiction representative, the vice-chair shall be determined by a vote of the members of regional council at the first meeting after the election or when required due to circumstances. In the event*

of a tie, the chair of the regional council will appoint the vice-chair.

(1) Nominations for election may be made by any judge of the same jurisdictional level; if no nominations are submitted, the currently sitting chair[person] (for general jurisdiction representative positions) or vice-chair[person] (for limited jurisdiction representative positions) will appoint a nominee. *Self-nominations are acceptable.*

(2) In the event that a regional election results in a tie, a run-off election will be held. Should the run-off election result in a tie, the Chief Justice will appoint a chair[person] or vice-chair[person] from the run-off election candidates as necessary.

Section 5. Applicability of Full-Council Bylaws.

To the extent applicable and practical, the provisions governing the full Judicial Council of the State of Nevada ~~will~~ *shall* apply to the regional judicial councils.

ARTICLE VI

~~{LEGISLATION AND RULES}~~ *LEGISLATIVE* COMMITTEE

Section 1. Name; Committee Type.

The ~~{Legislation and Rules}~~ *Legislative* Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

Section 2. Composition.

The ~~{Legislation and Rules}~~ Committee shall consist of a number of members necessary to effectively carry-out the duties of the Committee, with no less than ~~{seven (7)}~~ *five* members who are members of the Council, included in those ~~{seven (7)}~~ *five* members shall be the ~~{e}~~ Chief ~~{j}~~Justice, two district judges, *and* two limited jurisdiction judges ~~{and two court administrators}~~. The Presidents of the Nevada District Judges Association and the Nevada Judges of Limited Jurisdiction Association or their designees ~~{and the State Court Administrator shall be ex-officio members of the Committee}~~ *shall be members of the Committee*. Any Associate Chief Justice~~{s}~~(s) shall be ~~{an ex-officio}~~ *a* member of the Committee. The chair of the Committee shall be the Chief Justice, *or the Chief Justice may designate another Justice to serve in this capacity. The State Court Administrator and at least one urban court administrator and one rural court administrator shall be members of the Committee*. The remaining members of the Committee shall be selected from the courts at large *and appointed by the Chief Justice*. Consideration given to new members must ~~{i}~~ensure appropriate representation from rural and urban ~~{courts}~~ *jurisdictions* and limited and general jurisdiction courts. Members, who are not members by virtue of position, shall serve terms of two years, *consisting of the even numbered year after a Legislative Session and following odd*

numbered year during which a Legislative Session takes place, and may be reappointed *by the Chief Justice* as necessary.

Advisory members may be assigned from non-court entities and advisory groups at the pleasure of the ~~[committee]~~ chair, however, any governmental relations professionals with whom any judicial association or court contracts, *or employs*, shall be included. Advisory members are non-voting members of the committee. *The State Court Administrator may designate one staff member from the AOC to serve as an advisory member, and the AOC shall provide administrative and expert staff support to the Committee.* The ~~[e]~~Committee may create subcommittees ~~[to deal with legislation and court rules that may only impact courts of specific jurisdiction]~~ *at the discretion of the chair.*

Section 3. Duties.

The Committee shall develop, *implement*, and monitor the ~~[Council's]~~ *Judicial Branch's* coordinated legislative strategy ~~[; to propose and review legislation affecting the judiciary as well as review and analyze proposed legislation submitted by the judiciary]~~ *including but not limited to the development and vetting of the bill draft requests afforded to the Supreme Court on behalf of the Judicial Branch by statute.* ~~[To develop and review, for the Council, court rules to be submitted to the Supreme Court for approval.]~~ *The Committee may, at the discretion of the chair, make recommendations regarding court rules and regulatory matters to the Supreme Court, via the Council, as necessary.*

Section 4. Meetings; When Held.

The chair or a majority of the Committee members may call meetings. *During any regular Legislative Session, the Committee may meet weekly.*

ARTICLE VII

EDUCATION COMMITTEE

Section 1. Name; Committee Type; Composition; Duties.

The Education Committees of the Nevada District Judges Association and Nevada Judges of Limited Jurisdiction Association shall be the ex-officio Education Committees for the Council. These Committees will receive administrative and expert staff support from the AOC, and may make recommendations regarding matters related to education for judges and court staff to the Council as necessary. [The Education Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

~~Section 2. Composition.~~

~~The Committee shall consist of no more than 12 members, with no less than five of who are also members of the Council. The chair and vice-chair of the Committee must be members of the Council and will be designated by the full Council. The chairs of the Education Committees of the Nevada Judges of Limited Jurisdiction Association and the Nevada District Judges Association, or their designees, shall be ex-officio, voting members of the Committee. The President of the Nevada Association of Court Executives, or designee, shall also be an ex-officio, voting member of the Committee. The remaining members of the Committee shall be selected from the courts at large with consideration given to ensure appropriate representation from rural and urban courts, limited jurisdiction and district courts. Recommendations for these appointments will be sought from the Presidents of the Nevada Judges of Limited Jurisdiction Association and the Nevada District Judges Association. Consideration may also be given to representation of court clerks and staff. The chief justice, as chair of the Council, officially appoints committee members. Advisory members may be assigned at the pleasure of~~

~~the Committee chair. Advisory members are non-voting members.~~

~~Section 3. Duties.~~

~~Except for existing statutes and Supreme Court Rules, as amended, pertaining to mandatory judicial and legal training and the rules and regulations as set forth by the Nevada State Board of Continuing Legal Education, the Committee shall conduct an ongoing assessment of Nevada's judicial education system in order to make recommendations for improvements to that system.~~

~~Section 4. Meetings; When Held.~~

~~The chair or a majority of the Committee members may call meetings.]~~

ARTICLE VIII

COURT ADMINISTRATION COMMITTEE

Section 1. Name; Committee Type.

The Court Administration Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

Section 2. Composition.

The Committee shall consist of every designated and titled court administrator for any court in the ~~[s]~~State. The chair of the Committee shall be the State Court Administrator and the vice-chair shall be elected from the membership. *The vice-chair shall serve a term of two years and may be reelected.* ~~[The membership will last]~~ *Membership lasts* for the duration of the member's employment as a court administrator.

Non-voting advisory members may be assigned ~~[from non-court entities and advisory groups at the pleasure of]~~ *by* the ~~[e]~~Committee chair.

Section 3. Duties.

The Committee shall study and evaluate any areas of court administration, identify best practices, and make recommendations *for policy and process improvements.* ~~[regarding such topics as]~~ *Areas of study may include, but are not limited to,* human resource management, case flow management, information technology, jury administration, facilities/security management, ~~[; as well as]~~ fiscal administration, intergovernmental relations, and ~~[community and]~~ public relations.

Section 4. Meetings; When Held.

The chair or a majority of ~~[the]~~ Committee members may call meetings. Notice shall be provided to all interested parties *inasmuch as requests for notice are reasonable and proper.*

ARTICLE IX

TECHNOLOGY COMMITTEE

Section 1. Name; Committee Type.

The Technology Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.

Section 2. Composition.

The ~~{Technology}~~ Committee shall consist of ~~{no more than 12 members, and the Chair of the Committee must be a member of the Judicial Council}~~ *a number of members necessary to effectively carry-out the duties of the Committee, with no less than two members, one of which being a district judge and the other being a limited jurisdiction judge, who are members of the Council. The chair of the Committee shall be appointed by the Chief Justice from among the membership of the Committee.* The ~~{e}~~ Committee shall consist of at least one representative from each region; each member shall be a general jurisdiction judge, a limited jurisdiction judge, a court administrator, or a court technology officer. The State Court Administrator or ~~{their}~~ *her or his* designee shall be ~~{an ex-officio}~~ *a* member of the Committee. All non-Council members will serve either a term of two years or three years and may be reappointed for additional terms. The Chief Justice will ~~{officially}~~ appoint members upon recommendation of the Council [~~-.The Chief Justice~~], *and* shall maintain the right to decline recommendations. Advisory members may be assigned from non-court entities and advisory groups at the pleasure of the ~~{Committee C}~~ chair. Advisory members are non-voting members of the Committee. The Committee may appoint such subcommittees as deemed necessary by the chair or a majority of the members in order to assist the Committee in carrying out its duties and making necessary recommendations.

Section 3. Duties.

The Committee shall:

1. Prioritize and make recommendations regarding statewide court technology initiatives, *services, system communication and interoperability*, and programs ~~[-]~~;
2. Evaluate and make recommendations regarding trial court technology services provided by the AOC ~~[-]~~;
3. ~~Determine~~ *Recommend* methods to fund statewide technology programs and services ~~[-]~~ *; and*
4. Promote statewide efforts to modernize and integrate information technology to improve the business of the courts, *and collaboration with justice partners*.

Section 4. Meetings; When Held.

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

[DELETED BY AMEDNMENT]

ARTICLE X

~~CERTIFIED COURT INTERPRETERS ADVISORY COMMITTEE~~

~~Section 1. Name; Committee Type.~~

~~The Certified Court Interpreters Advisory Committee, hereinafter referred to as the "Committee," shall be a standing committee to the Council.~~

~~Section 2. Composition.~~

~~The Certified Court Interpreters Advisory Committee shall consist of no more than 12 members. Two members must be members of the Judicial Council, one from a district court, and one from a limited jurisdiction court. The Court Administrator is the ex-officio chair of the committee. The remaining members are pursuant to NRS 1.510 and 1.520. Upon recommendation of the Court Administrator, other members may be appointed at the discretion of the Chief Justice, including members designated as filling non-voting, advisory positions. Consideration given to new members must insure appropriate representation from rural and urban courts and limited and general jurisdiction courts. Members shall serve a term of three years subject to the discretion of the Chief Justice. Terms will be staggered so approximately one-third of the membership is appointed each year. The chief justice will officially appoint members upon recommendation of the Court Administrator, and all terms will commence on January 1st of the appointing year and end on December 31st of the last year of the term. The Chief Justice shall maintain the right to decline recommendations. Advisory members may be assigned from non-court entities and advisory groups at the pleasure of the Committee chair. Advisory members are non-voting members of the Committee.~~

~~Section 3. Duties.~~

~~The Committee shall:~~

- ~~1. Make recommendations regarding modifications to Certified Court Interpreter program policies, and guidelines; and~~
- ~~2. Review substantive program materials as requested.~~

~~Section 4. Meetings; When Held.~~

~~The Committee shall meet at least three times a year at the call of the chair or a majority of the Committee members.]~~

ARTICLE ~~XI~~ X

SPECIALTY COURT FUNDING AND POLICY COMMITTEE

Section 1. Name; Committee Type.

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

Section 2. Composition.

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

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

Section 3. Duties.

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

Section 4. Meetings; When Held.

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

ARTICLE ~~XII~~ XI

COURT IMPROVEMENT PROGRAM SELECT COMMITTEE

Section 1. Name; Committee Type.

The Court Improvement Program (CIP) for the Protection and Permanency of Dependent Children Select Committee, hereinafter referred to as the “CIP Select Committee” shall be a standing committee to the Council.

Section 2. Composition.

The CIP Select Committee shall consist of no more than 21 members. At least one *Committee* member must be a member of the Council. The Chief Justice, or *her*~~[is]~~ or *his*~~[er]~~ designee, shall be chair of the committee. Representation of members must consist of, but is not limited to, the following:

Chief Justice or designee;

State Court Administrator or designee;

Two ~~(2)~~ family court judges designated to handle child dependency matters;

Two ~~(2)~~ rural district court judges;

Two ~~(2)~~ juvenile masters (one rural and one urban) designated by the district court to hear dependency matters;

One ~~(1)~~ family or rural court administrator;

Director of the Division of Child and Family Services or designee;

Director of Washoe County Human Services Agency or designee;

Director of Clark County Family Services or designee;

One ~~(1)~~ representative from the Office of the Attorney General

One (H) representative from a Public Defender's Office or a Special Public Defender's Office;

One (H) representative from a District Attorney's Office;

One (H) representative from a legal aid provider with experience in child welfare or dependency cases;

One (H) representative from an organization of Court Appointed Special Advocates (CASA);

One (H) representative of foster parents; and

One (H) representative of Nevada Tribes.

One representative of a specialty court program.

Consideration given to new members must ensure appropriate representation from both rural and urban jurisdictions. All members will serve staggered three-year terms and may be reappointed for additional terms. Initial terms may be for less than three years in order to provide for the continuity of the Committee. The Chief Justice will officially appoint members upon recommendation of the Council, and all terms will commence on January 1st of the appointing year and end on December 31st of the last year of the term. The Chief Justice shall maintain the right to decline recommendations. Advisory members may be assigned from non-court entities and advisory groups at the pleasure of the CIP Select Committee chair. Advisory members are non-voting members of the CIP Select Committee.

Section 3. Duties.

The CIP Select Committee shall promote best practices and facilitate the implementation of local and statewide initiatives to improve the operation and efficiency of the child welfare and dependency court systems; to improve outcomes for children and families who enter into the child

welfare and dependency court systems by improving court and agency collaboration , to reduce the amount of time children spend in foster care and reduce the time to permanency for children subject to dependency proceedings; and to achieve systemic improvement of the child welfare and dependency court systems so that all children who have been the victims of abuse and neglect can achieve safety and permanency and enjoy the stability and love of family.

Section 4. Meetings; When Held.

The CIP Select Committee shall meet at least three times a year at the call of the chair or a majority of the CIP Select Committee members.

ARTICLE ~~[XIII]~~ XII

AUTHORITY

Section 1. Authority of Bylaws.

These Bylaws~~[, dated December 1993]~~, and any subsequent amendments, shall have full force and effect upon adoption by a simple majority vote of the Council members. These Bylaws shall be binding until ~~[directed]~~ *ordered* otherwise by the Supreme Court.

Section 2. Hierarchy of Authority.

These Bylaws shall be subordinate to the Constitution, Statutes of Nevada, *Nevada Revised Statutes*, and Rules and Orders of the Supreme Court. These Bylaws shall be superior to all ~~[other in-house rules and regulations]~~ *policies or procedures established by the Council*.

Section 3. Amendments; Vote Required.

(1) These Bylaws may be amended by a simple majority vote of Council members at any meeting, provided that a quorum is present ~~[as set forth at Article II, Section 4]~~.

(2) The ~~[Secretary]~~ *AOC* shall amend these Bylaws as necessary to conform with amendments of Supreme Court Rules governing the Council. The ~~[Secretary]~~ *AOC* shall provide all members with a draft of these Bylaws, inclusive of amendments denoted in the manner as employed by legislative bill drafters, and ~~[shall]~~ place the subject of amendments to the Bylaws on the next agenda for review and ~~[ratification by members]~~ *possible action*. Ratification of amendments, pursuant to changes in Supreme Court Rules, shall become effective upon ~~[an open or secret vote of a majority of the members present]~~ *a simple majority vote of Council members at any meeting, provided that a quorum is present*.

TAB 3

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and
State Court Administrator



JOHN MCCORMICK
Assistant Court Administrator

JUDICIAL COUNCIL OF THE STATE OF NEVADA

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

COURT ADMINISTRATION COMMITTEE REPORT

COMMITTEE MEMBERS:

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

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

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

Since the last report, the JCSN Court Administration Committee met on December 9, 2021.

- Mr. Jessup shared that the AB 116 workgroup had their first meeting, which helped to outline expectations and make certain that the group was up to date on all new laws & legislative changes. The workgroups next meeting was scheduled for December 15th, 2021.
- Mr. Jessup asked the group if he should include certain statistics like pre-trial majors, bail bond usage information, pre-filed cases and various risk assessment tools in his work.
 - Mr. Jessup added that currently the USJR only includes items like the complaint being filed for criminal or for civil/family cases.
 - He continued by asking how the workgroup should log complaints and if they should clarify the unit of count. Some DA's log the entire complaint as one while others log each step of the complaint as separate logged items. Mr. Jessup asked how we can address this issue and create a similar system for logging these complaints.
- Ms. Whitehead asked Mr. Jessup if there are one or two workgroups being spoken of here, one for the USJR Globally and another for the new structure of AB 116?
 - Mr. Jessup responded saying he is only aware of one workgroup, which is for the USJR dictionary.
 - Mr. Jessup also posed the question of whether the USJR group should make recommendations to the Court Administration Committee or would the Court Administration Committee rather work

- through the policy and then have the USJR group come into the process after those decisions are made.
- Ms. Whitehead asked whether there were two separate workgroups or not (AB 116 Workgroup & USJR Dictionary Workgroup)
 - Ms. Williams responded by speaking of the AOC's Trail Court Service Desk that Ms. Whitehead could be confusing for the extra workgroup.
- Mr. McCormick stated that he has a list of everything captured that stayed a misdemeanor v. other charge and will send that out shortly.
 - Ms. Cortes asked if it's the AOCs intent to have those courts using Court view be automatically updated by the AOC.
 - Mr. McCormick responded by saying yes that is the current plan.
 - Ms. Cortes wondered if that will be done by deadline (1 year).
 - Mr. McCormick stated he will confirm the timeline with Rebecca and get back to the group.
 - Mr. McCormick added that AB 116 doesn't change any of the offenses in 485 regarding insurance. He further stated that it doesn't touch 485 at all.
 - Chair Stocks finalized the proposed 2022 meeting dates: March 10th, July 14th, December 8th, December 15th.

The next meeting is scheduled for March 10, 2022 at 3:00pm.

TAB 4

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

JUDICIAL COUNCIL OF THE STATE OF NEVADA

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COURT IMPROVEMENT PROGRAM COMMITTEE REPORT

Prepared by: Shannon Gildea, CIP Coordinator

**Justice Nancy M. Saitta,
(Ret.), Chair
Justice Elissa Cadish,
Co-Chair
Amber Howell
Buffy Okuma
Cindy Pitlock
Fran Maldonado**

**Jane Saint
Janice Wolf, Esq.
Jennifer Merideth
Jennifer Rains
Jennifer Spencer
Judy Tudor
John McCormick
Judge Gary Fairman**

**Judge Michael Montero
Judge Paige Dollinger
Judge Rebecca Burton
Juvenile Master Alison Testa
Juvenile Master Kimberly Okezie
Kate Schmidt
Kendra Materaaso**

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 is hosting a group of 8 dependency court stakeholders who will attend the ABA Conferences on April 5-8th, 2022, in McLean, VA.
 - National Conference on Access to Justice for Children & Families (April 5-6th)
 - National Conference on Parent Representation (April 7-8th)
- Nevada is participating in a Reasonable Efforts Study being funded by both the Office of Planning, Research and Evaluation (OPRE) and the Children’s Bureau.
 - One of the first research studies to explore reasonable efforts in depth
 - Information provided will contribute to a growing body of evidence about what works best in child welfare hearings
 - Findings will be shared widely and used to inform practice, policy, and court improvement efforts
- All Program Improvement Plan (PIP) items associated with Team 3 have been completed and approved by the Children's Bureau.
- CIP created focus groups to further research Termination of Parental Rights (TPR).
 - Reach broader audience, while gaining additional perspectives
- CIP is hosting two, one-day presentations on *Post Traumatic Stress Disorder and Professional Compassion Fatigue* to help address the high Social Worker turnover crisis that was discussed during the October 2021 CIP Select Committee meeting.
 - June 8th, 2022, in Reno, NV. Location TBD
 - June 9th, 2022, in Las Vegas, NV. Location TBD
- The Juvenile Dependency Mediation Program is holding new mediator training, March 28th through April 1st, 2022, in Reno, NV.

- The annual CIC Summit will be held on September 21-23rd in Reno, NV. Location TBD.

Supreme Court Building ♦ 201 South Carson Street, Suite 250 ♦ Carson City, Nevada 89701 ♦ (775) 684-1700 • Fax (775) 684-1723
Supreme Court Building ♦ 408 East Clark Avenue ♦ Las Vegas, Nevada 89101

TAB 5

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

JUDICIAL COUNCIL OF THE STATE OF NEVADA

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

SPECIALTY COURT FUNDING AND POLICY COMMITTEE REPORT

Committee Members:

Justice Lidia Stiglich, Chair
Judge Tom Armstrong
Chief Judge Linda Bell
Judge Stephen Bishop
Senior Judge Archie Blake

Senior Judge Peter Breen
Judge Cynthia Cruz
Judge Steven Dobrescu
Judge Dorothy Holmes
Judge Harmony Letizia

Judge Jim Loveless
Judge Michael Montero
Judge Lynne Simons
Judge Ryan Sullivan
Judge Bitia Yeager

Committee Meeting of December 3, 2021

Prepared by James Popovich, Specialty Courts Statewide Coordinator

- The Committee passed a motion for the Administrative Office of the Courts (AOC) to contract with NPC Research to use their proprietary BeST Assessment for Peer Reviews. In addition to having the BeST Assessment to use, specialty courts will have the technical assistance of NPC Research. Nevada's specialty courts will begin scheduling Peer Reviews in 2022. Many other states use NPC's BeST Assessment for their specialty court programs as well as the Bureau of Justice Administration and the National Drug Court Institute.
- A report was provided to the Committee on the status of the administrative assessment revenue. It remained lower than expected and that there are too many variables, both economically and socially, that may contribute to the unpredictable nature of this revenue source. On another note, the extra DUI fees continued to generate revenue, to everyone's surprise. \$43,000 had been received thus far for fiscal year 2022.
- The Administrative Office of the Courts announced it plans on releasing a Request for Proposal (RFP), seeking drug testing vendors for specialty courts throughout the state to utilize. The AOC will then execute master agreements with one or more testing vendors. The courts will be able to use these agreements, as contracts of convenience, which will have set rates and conditions for drug testing equipment and supplies.

TAB 6

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

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:

Via Zoom Video Conferencing
Tuesday, November 23, 2021 at 12:00 p.m.

I. CALL TO ORDER

II. ATTENDANCE

Chief Judge Linda Bell
Chief Judge Bert Brown
Judge Eric Johnson
Judge Rebecca Burton
Judge Ryan Toone
Judge Melisa De La Garza
Administrator Steve Grierson
Administrator Karen Powell
AOC Staff – Hans Jessup

III. APPROVAL OF MEETING SUMMARY FOR AUGUST 16, 2021

Chief Judge Bell asked members to review the meeting summary. Judge Bert Brown moved to approve, Judge Toone seconded. Meeting summary was approved.

IV. DISCUSSION ITEMS

A. 48-hour Arraignment

Chief Judge Bell discussed the requirement to have an arraignment within 48 hours. Chief Judge Bell asked members if they had plans in place. Judge Bert Brown indicated his staff is preparing a plan to address their needs. Judge Toone indicated that his Municipal Court is ready to go, but the Justice Court requires additional resources and partnership from the County. The Justice Court needs to be staffed on the weekends, as well as representation from the Public Defender and Prosecutor's Office. Chief Judge Bell discussed a grant from the MacArthur Foundation that may be used for the Pretrial Services to assist with this effort. Chief Judge Bell asked if the Justice Courts are going to rotate weekend coverage among Judges. Judge Toone indicated that was still being discussed and worked out.

B. COVID-19 Pandemic Matters

Chief Judge Bell asked members how things are going in the Courts with the pandemic. Judge Brown indicated it is going well with minor issues. Judge Burton indicated that at the Family Court things were going well but that staff and some judges were becoming more relaxed with masking requirements. Judge Toone indicated that like Judge Brown things were going well with occasional minor issues.

Chief Judge Bell asked members if they are having a backlog in cases due to the inability to hold jury trials. Judge Brown, Judge Toone, and Karen Powell indicated that they seem to be doing well. Judge De La Garza indicated that they are addressing the backlog but that they are seeing a jump in the domestic violence filings.

C. Jury Trials

Members discussed their trial setting process. Judge Brown indicated that the city is bidding to have construction on jury boxes and facilities that they hope will be completed in March. Judge De La Garza, indicated they have had two jury trials, but they stack them, but to be resolving prior to trial. Judge Brown asked if some of the Municipal Judges could watch the jury process in preparation for jury trials in the Municipal Court. Judge Toone indicated there are some videos that they could watch as well.

D. Annual Report to be released December 2, 2021.

Members were briefed by Hans Jessup that the Annual Report for the Nevada Judiciary will be released on December 2nd.

E. Judicial Summit – Tuesday May 2-6, 2022.

Chief Judge Bell reminded participants of the Judicial Summit on May 2-6.

F. Recovery Act Funds – Update on applications for funding

Chief Judge Bell and Judge Toone updated members on Recovery Act Funds and the application process. Judge Toone indicated that there has been some progress on getting approvals. Steve Grierson indicated they had received several approvals.

V. **FUTURE MEETINGS**

Mr. Jessup indicated he would send members new meeting dates for 2022 after approval from Chief Judge Bell.

VI. **ADJOURNMENT**

TAB 7

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

JUDICIAL COUNCIL OF THE STATE OF NEVADA

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

SUMMARY

NORTH CENTRAL REGIONAL JUDICIAL COUNCIL MEETING

Friday, February 25, 2022

Elko, NV or

Remotely via Zoom

10:00 a.m. (PST)

Members Present:

Judge Michael Montero, Chair
Judge Kenny Calton
Judge Bill Gandolfo
Judge Elias "Choch" Goicoechea
Judge Kriston Hill
Judge Alvin Kacin
Judge Philip Leamon
Judge Dee Primeaux
Judge Mason Simons
Judge Randall Soderquist
Judge Karen Stephens

Guests Present:

Sr. Judge Max Bunch
Sr. Judge Pat Calton
Ms. Jenny Martin

AOC Staff Present:

Jamie Gradick, Rural Courts Coordinator

- I. Call to Order
 - Judge Montero, as Council chairman, called the meeting to order at 10:05 am.
- II. Attendees introduced themselves; a quorum was present.

III. Approval of Previous Meeting Summary

- The summary from the August 27, 2021 meeting was approved with a minor correction.

IV. Business, Action, and Discussion Items

- AOC Updates/Reminders

- Ms. Gradick informed attendees of recent AOC personnel changes.
 - Mr. Paul Embley is the new Chief Information Officer and comes to the AOC from the National Center for State Courts.
 - Rosemary Luque is the new Administrative Assistant for the Judicial Education Unit.
 - Almeda Harper is a new Court Services Analyst in the Court Services Unit.
- Ms. Gradick informed attendees that the DMV has reached out to the AOC with concerns regarding court reporting requirements under 49 CFR 384.209(c).
 - After researching the issue, it appears that the DMV is holding courts to a 5-day reporting timeframe in order to allow the DMV the remaining 5 days to complete reporting internally. Issues appear to arise from the fact the language of the statute provides for ten days, and courts are not aware that the DMV has “arbitrarily” allotted them only five days to submit convictions before labeling them as “noncompliant”.
 - Other issues seem due to an inaccurate list; the DMS is using a list of reporting courts that includes several courts that are no longer in existence.

Ms. Gradick asked attendees to keep her posted regarding issues or challenges with CL conviction reporting; some courts have reported rejected submissions without any explanation from or communication by the DMV regarding why the reporting was rejected.

- Strategic Planning Summit Update

- Judge Montero provided a brief summary of the Strategic Planning Summit meetings held in Las Vegas on January 24-25, 2022.
- Attendees discussed the possibility of strategic planning efforts leading to unification of the judiciary.
 - If unification becomes a possibility, the rural judicial councils will need to have a voice in the process.
 - Discussion was held regarding benefits of a unified judiciary: HR support, statewide case management systems, statewide form banks, increased resources.
 - Concerns were expressed regarding a loss of authority and an increased fight for resources if the State becomes the primary funding body for all courts at all levels. There is a possibility that smaller, rural courts will be eliminated to save costs.
 - Attendees discussed the preferences for a “hybrid” version of unification
- Judge Montero commented that this issue is something the rural courts should monitor as the Nevada Supreme Court’s Strategic Planning project progresses.
 - Ms. Gradick informed attendees that there will be sessions on the issue at the upcoming Judicial Leadership Summit (May 3-6, 2022 in Lake Tahoe).

- Review of JCSN Membership, Bylaws, and Standing Committees

- Judge Montero informed attendees that, during the Strategic Planning Summit, there was discussion regarding the organization and structure of the JCSN.
- Ms. Gradick informed attendees that the JCSB Bylaws are being significantly revised to address many of the concerns that have been raised.

- Attendees discussed JCSN standing committees versus ADKT-created commissions.
 - Ms. Gradick explained that JCSN standing committees are created through the JCSN; the Bylaws/rules grant the JCSN the ability to form standing subcommittees as necessary.
 - ADKT Commissions are created via the Administrative Docket (ADKT) process and are not governed by the JCSN Bylaws. Commissions can be convened to address a variety of topics/issues as the discretion of the Nevada Supreme Court.
- AB424: 48 Hour Bail Hearing Requirement Discussion
 - Attendees briefly discussed implementation concerns and processes for meeting the 48-hour requirement.
 - Some rural courts plan to work with other courts in their regions to implement a rotating “on-call” schedule; Judge Bishop is currently working on setting this up in his jurisdiction.
 - Some courts are considering hiring additional “hearing officer” staff positions rather than rely on Pro Tem judges for additional coverage needs.
 - The NPRA requirement remains a concern for many courts that do not have access to a pretrial services department. Elko County is still working on a Pretrial Services Program for the justice courts.
- Community Service Updates
 - Judge Simons and Judge Fortune reported participating in the “Reading and Robes” program for elementary students.
 - Judge Hill presented to Carlin High School government students.
 - Judge Simons participated in a “Career Night” and invited local kids into the courthouse for presentations.
 - Judge Montero invited local honors English students to observe his Law and Motion calendar.
- Informational Documents
 - ADKT 0587: Changes to Supreme Court Rules 8 and 9
 - ADKT 0588: Order Approving Amendments to Nevada Code of Judicial Conduct Rules - this changes the filing period to March 2022 for this cycle only; this sunsets in February 2023.
- Other Items/Discussion
 - Judge Hill provided an update on the first meeting of the Commission to Study Best Practices for Virtual Advocacy in Nevada’s Trial Courts.
 - Commission members were asked to collect input from their colleagues; Judge Hill informed attendees that she would be reaching out to them for their input.
 - Attendees commented on the need for uniform rules to govern Zoom appearances.
 - Attendees briefly discussed the access to justice benefits of remote hearings. Virtual advocacy can be beneficial but there need to be rules in place to prevent parties from abusing the process.

V. Future Meetings

- The next South Central Regional Judicial Council meeting: May 2, 2022 @ 4:00 pm.
- The next Judicial Council of the State of Nevada meeting: March 18, 2022 @ 2:00 pm.

VI. The meeting was adjourned at 11:40 am.

TAB 8

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

JUDICIAL COUNCIL OF THE STATE OF NEVADA

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

SUMMARY

SIERRA REGIONAL JUDICIAL COUNCIL MEETING

Friday, January 7, 2022

12:00 noon

Fox Brew Pub, Carson City
(Prepared by Jamie Gradick)

Members Present:

Judge Nathan T. Young, Chair
Judge Leon Aberasturi
Judge Cheri Emm-Smith
Judge Richard Glasson
Judge Thomas Gregory
Judge Eileen Herrington
Judge John Schlegelmilch

Guests Present:

Justice James W. Hardesty
Ms. Bobbie Williams

Administrative Office of the Courts (AOC) Staff Present:

Almeda Harper, Court Services Analyst
Paul Embley, Chief Information Officer

I. Call to Order

- Judge Young, as chair, called the meeting to order at 12:02 pm.

II. Determination of a Quorum

- A quorum was not present.

III. Approval of Meeting Summaries

- Attendees tabled approval of the January 22, 2021, April 16, 2021, and October 15, 2021 meeting summaries until the next meeting.

IV. Business, Action, and Discussion Items

- AOC Updates
 - Ms. Harper informed attendees of recent personnel changes within the AOC that could directly impact the courts.
 - Rosemary Luque has been hired as the new administrative assistant for the Judicial Education Unit.
 - Paul Embley is the new Chief Information Officer for the Nevada Supreme Court, AOC.
- Use of Third-Party Providers for Child Interviews
 - This item was tabled for discussion at a future meeting.
- Community Service Reports/Updates
 - Judge Schlegelmilch reported participation in the Yerington “Parade of Lights” holiday event.
 - Judge Young reported participation in Action Club events, including swearing in the new officers.
- Informational Documents
 - The latest judicial education calendar is available via the AOC website.
 - ADKT 0588 - Order Approving Amendments to Nevada Code of Judicial Conduct Rules
 - ADKT 0587 - Changes to Supreme Court Rules 8 and 9
- Other/Discussion
 - Given the lack of quorum and concern regarding a rise in Covid infection risk, Judge Young tabled most of the agenda items until a future meeting.
 - Mr. Paul Embley and Justice James Hardesty addressed concerns regarding the new AOC-sponsored Case Management System (CMS) project. (*Portions of this discussion were inaudible*)
 - Justice Hardesty commented that the new system will not be “mandated” for the trial courts; it will simply be an AOC-sponsored option for courts to opt into and utilize if it meets their needs.
 - The only requirement is that case management systems comply with USJR reporting.
 - Justice Hardesty commented that the Supreme Court has been in contact with all courts regarding the need to spend America Rescue Plan funds; if respective counties are not able to approve trial court funding requests, the Supreme Court will try to fund projects through state judiciary funds.
 - Judge Young commented on Douglas County courts’ willingness to participate in the process.
 - Mr. Embley informed attendees that the CMS RFP process is underway but the e-filing RFP process is still in the beginning stages and volunteers for that committee are being considered. Attendees briefly discussed timelines for the new system implementation.
 - Attendees briefly discussed which vendors submitted bids.
 - Justice Hardesty provided attendees with a brief update on the Commission to Study the Adjudication of Water Law Cases.
 - Justice Hardesty informed attendees that membership for both ADKT 581 and ADKT 582 commissions has been confirmed. (*Portions of this discussion were inaudible*)

V. Future Meetings

- The next Sierra Regional Judicial Council meeting will be held March 18, 2022 at noon
- The next Judicial Council of the State of Nevada meeting will be March 18, 2022 at 2:00 pm.

VI. Adjournment

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

TAB 9

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

JUDICIAL COUNCIL OF THE STATE OF NEVADA

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SUMMARY

SOUTH CENTRAL REGIONAL JUDICIAL COUNCIL MEETING

Monday, January 24, 2022

4:00 p.m.

Aliante Casino and Hotel

North Las Vegas, NV

(Prepared by Jamie Gradick)

Judges Present:

Judge William "Gus" Sullivan, Vice-Chair

Judge Mike Cowley

Judge Kent Jaspersen

Judge Danielle Johnson

Judge Jennifer Klapper

Nevada Supreme Court Staff Present:

David Gordon, Judicial Education Manager

Jamie Gradick, Rural Courts Coordinator/Court Services Supervisor

I. Call to Order

- Judge Sullivan, as vice-chair, convened the meeting at 4:10 p.m.

II. Determination of Quorum

- A quorum was not present.

III. Approval of Meeting Summary

- Approval of the summary from the June 21, 2021 meeting was tabled for a future meeting.

IV. Business, Action, and Discussion Items

- AOC Updates
 - Ms. Gradick informed attendees of recent AOC personnel changes.
 - Mr. Paul Embley is the new Chief Information Officer and comes to the AOC from the National Center for State Courts.
 - Rosemary Luque is the new Administrative Assistant for the Judicial Education Unit.
 - Almeda Harper is a new Court Services Analyst in the Court Services Unit.

- Ms. Gradick informed attendees that the DMV has reached out to the AOC with concerns regarding court reporting requirements under 49 CFR 384.209(c).
 - After researching the issue, it appears that the DMV is holding courts to a 5-day reporting timeframe in order to allow the DMV the remaining 5 days to complete reporting internally. Issues appear to arise from the fact the language of the statute provides for ten days, and courts are not aware that the DMV has “arbitrarily” allotted them only 5 to submit convictions.
 - Other issues seem due to an inaccurate list; the DMS is using a list of reporting courts that includes several courts that are no longer in existence. Ms. Gradick asked attendees to keep her posted regarding issues or challenges with CL conviction reporting; some courts have reported rejected submissions without any explanation from or communication by the DMV regarding why the reporting was rejected.
 - Attendees discussed the role of the DA; when the offense is pled down, the DA, oftentimes, fails to send the revision to the DMV.
- Practices Regarding Bail and Deceased Defendants Discussion
 - Judge Johnson asked attendees for input regarding how to handle bail when the defendant has posted cash bail but then passes away with no outstanding fines/fees or next of kin. A comment was made that the cash bail becomes” unclaimed property” and goes the Secretary of State.
- Other/Discussion
 - Attendees discussed the process the Department of Indigent Defense (DIDS) uses for selecting indigent defense attorneys in the rural counties.
 - There are two groups; requests are offered to the preferred, primary group, if no lawyer accepts the case, then the case is opened to the back-up group.
 - Attendees expressed concern with the judge no longer having the ability to appoint counsel. The judges know these communities and know which attorneys are best for specific clients.
 - Judge Jasperson informed attendees there is a form clients may use to review or report an appointed attorney if the client isn’t satisfied with the representation.
 - Mr. David Gordon informed attendees that the Judicial Leadership Summit will be held in Lake Tahoe May 3-6, 2022 and provided a brief overview of the agenda and planning efforts.
- Informational Documents
 - ADKT 0587: Changes to Supreme Court Rules 8 and 9
 - ADKT 0588: Order Approving Amendments to Nevada Code of Judicial Conduct Rules - this changes the filing period to March 2022 for this cycle only; this sunsets in February 2023.

V. Future Meetings

- The next South Central Regional Judicial Council meeting: May 2, 2022 @ 4:00 pm
- The next Judicial Council of the State of Nevada meeting: March 18, 2022 @ 2:00 pm

VI. The meeting adjourned at 4:25 p.m.

TAB 10



Meeting Summary

Washoe Regional Judicial Council

Wednesday, February 16, 2022

Remote access via Zoom

Summary Prepared by: Almeda Harper

MEMBERS PRESENT:

Chief Judge Lynn Simons
Judge Derek Dreling
Judge Shirle Eiting
Chief Judge Kevin Higgins
Chief Judge Shelly O'Neill
Chief Judge Scott Pearson
Judge James Spoo
Judge Connie Steinheimer

GUESTS/OTHERS PRESENT:

Mr. James Conway
Ms. Alicia Lerud
Mr. Steve Tuttle
Ms. Anita Whitehead

AOC STAFF PRESENT:

Mr. Paul Embley
Ms. Almeda Harper

- I. Call to Order
Chief Judge Simons, Chair of the Washoe Regional Judicial Council, called the meeting to order at 12:00 p.m.
- II. Roll Call and Determination of Quorum Status
Ms. Almeda Harper called roll; a quorum was not present. Chief Judge Simons elected to proceed with the meeting, saving any voting tasks for the next meeting.
- III. Update of Meeting Summary from November 3, 2021
There being no quorum present, approval of the summary will be tabled for the next meeting.
- IV. AOC Update was provided by Ms. Almeda Harper
 - a. Personnel Update
 - Paul Embley has been hired as the new Chief Information Officer.
 - Emily Kuhlman has been hired as the new Director of Human Resources.
 - Rosemary Luque has been hired as an Administrative Assistant for Judicial Education.
 - b. Certified Court Interpreter Program Spring Exams
 - The spring exams for the Carson and Reno area will be held in April 2022. See meeting materials for registration forms.
- V. Discussion Items
 - a. Court Updates
 - Second Judicial District Court
 - ♦ Chief Judge Simons commented the court staff have been working on a new administrative order regarding masks. Information will be issuing soon regarding jury

selection, the number of people in the building, and new case assignments. Ongoing topics of discussion have been pre-trial services and 48-hour bail. The court has been trying to reduce the number of people going through the building. Transporting is only being done on individual dockets. Dockets for custody cases will continue to be virtual and sentencing dockets will be in-person.

- Reno Justice Court
 - ♦ Chief Judge Pearson commented the court is open and transporting and there is no significant backlog. The court will be working with attorneys to finish the backlog on felony cases.
 - Chief Judge Simons added they will be paneling a grand jury and proceeding with indictments soon.
 - Reno Municipal Court
 - ♦ Chief Judge O'Neill commented the court is still operating in hybrid sessions with two judges in and two judges out. They have not yet had a jury trial and are working on accommodations in preparation for the first jury trial scheduled for June. The court will be in full session as of February 28th. Veterans Treatment Specialty Court will resume on March 1st. They are still trying to do traffic offenses and working on better accommodations for people who can't make court appearances.
 - ♦ Mr. Tuttle commented the zoom traffic hearings will continue after opening full time as the public seemed to appreciate the virtual option.
 - Chief Judge Simons asked how many employees the courts have,
 - Reno Municipal Court reported 50 employees
 - Reno Justice Court reported 57 employees
 - Washoe County District Court reported 175 employees
 - Sparks Justice Court
 - ♦ Chief Judge Higgins commented working on opening fully, there is still room for some remote meetings, such as traffic hearings. They are working towards compliance with the recent legislative updates. A fourth JP position in Sparks will be on the ballot this year. They are in the process of ordering a larger, portable courtroom that will accommodate a 12-person jury.
 - Sparks Municipal Court
 - ♦ Chief Judge Spoo commented they are perfecting the domestic violence jury trial procedures. The new courtroom will be able to accommodate 12 jurors. They are beginning to process the civil infraction process and hope to have it running before the end of the year.
 - Wadsworth Justice Court
 - ♦ The representative was not available for comment at this time.
 - Incline Village Justice Court
 - ♦ The representative was not available for comment at this time.
- b. AB424 Update
- Ms. Lerud commented that the region is working toward implementation of AB424, and those conversations are ongoing. Everyone in attendance is familiar with the recent updates.
- c. Other Discussion Items
- Chief Judge Pearson commented pending gross misdemeanors were down 10%. Pending felonies were 35% higher than pre-pandemic numbers.
 - Chief Judge Simons commented P & P staffing has been asking for continuances on sentencing because they cannot complete the pre-sentence investigation report on time. The process has been challenging as there is no consistent procedure for requesting continuances. Some cases will be extended and hopefully issues will be resolved soon.
 - Mr. Conway requested an update on Lakes Crossing terminating their contract for competency evaluations.

- ♦ Chief Judge Simons commented she and Ms. Lerud have been working with the staff at Lakes Crossing to sort out details. Courts should be issuing competency evaluations instead of public defenders. The next step would be to determine what court staff would be in charge of administering the evaluations. She also requested a list of doctors, some of whom are located in Las Vegas. A standard fee for doctors will be arranged. Chief Judge Simons is trying to avoid situations where defense attorneys select a specific person to perform the evaluations by either using a list to determine the order in which a doctor is chosen or, creating a lottery system using Excel. Chief Judge Simons also requested the last recommendations should have a standard format to ensure ease of access.
- ♦ Judge O'Neill and Mr. Conway agreed with the recommendations.
- ♦ Judge Pearson requested creating a way of notifying staff when recommendations are finished or available.
 - Mr. Tuttle commented the limited jurisdiction courts record their findings in a shared database.
- ♦ Chief Judge Simons asked whether defendants keep the same number they start off with in the case management system?
 - Ms. Lerud stated they do not.
- ♦ Judge Pearson commented it may be beneficial to revisit the municipal court notification process to determine if the district court can be incorporated. This would ensure updated information is available when the defendants are deemed competent again.
- ♦ **Chief Judge Simons will work with IT to develop a cross referencing process and requests suggestions from court administrators and judges.**
- ♦ Ms. Whitehead commented the justice and municipal courts use a spreadsheet located in the pre-trial share drive. The drive also contains an MOU stating evaluations are made available to reference if needed. The pre-trial drive is secured, insuring privacy. The only information listed is requesting person, party involved, charges, and outcome. The original evaluation must be obtained through the individual court.
 - Judge O'Neill commented the time it takes to get an evaluation has been very concerning. The goal is within 10 days.
- Mr. Conway commented he has been working on appointment of conflict counsel. There has been an issue with having a limited number of conflict attorneys who are willing to take cases. The main issues being:
 - ♦ The hourly rate is not very high and should be increased from \$100 per hour to \$125.
 - ♦ Not enough attorneys on the panel. The model plan does not require attorneys to take a set number of cases.
 - ♦ The model plan does not have a contingency plan when a conflict counsel can't be found. Co-counsel has been allowed in special cases.
 - Chief Judge Simons added she is currently dealing with this issue. There are a few people who previously worked with the district attorney and are currently at civil firms, taking conflict counsel cases.
 - ♦ Chief Judge Higgins commented he received orders to appoint a conflict counsel. He would appoint the public defender and they would conflict it. He then went to the associate public defender, who would also conflict the case. Will conversations include submitting orders for appointment to the courts?
 - Mr. Conway commented at times a conflict attorney would be assigned but would withdraw, going against the model plan. To counter this, the court would create an order stating the attorney shall remain on the case until further.
 - Chief Judge Simons has been provided with a copy of the orders on these types of cases.
- ♦ Judge Pearson commented Mr. Picker believed the courts bear some responsibility by granting too many young hearings, overburdening the conflict groups. Statistics show

seven cases have been granted in the past three years. Judge Pearson does not agree with Mr. Picker stating, this has not been an issue. Judge Pearson also stated child molestation cases are undesirable and there is no record stating why attorneys haven't been assigned to these cases. He has asked Mr. Picker to provide the status on these attorneys.

- ♦ Ms. Whitehead asked if Reno justice court finds there is a delay in the public defender conflicting off? At times the public defender will attend a few hearings and just before the trial they would conflict off.
 - Judge Pearson commented this does not usually occur. It is possible, in preparing for a trial, the attorney realized there are other witnesses they weren't aware of that they previously represented or weren't disclosed by the state.

VI. Informational Materials

- a. Chief Judge Simons asked judges to urge their colleagues to attend regional meetings in the future.
- b. Chief Judge Higgins reminded everyone to mark their calendars for the Nevada Judicial Leadership Summit, located at Harrah's in Lake Tahoe, May 3 – 6, 2022.
- c. Judge Pearson commented the district attorney and public defendant's office has asked courts to "dark side" everything for their new case management system during the week of the summit, May 2 – 6, 2022.

VII. Future Meetings

- a. The next Judicial Council of the State of Nevada will be held on March 18, 2022, at 2:00 p.m.
- b. The next Washoe Regional Judicial Council will be held on May 18, 2022, at 12:00 p.m.

VIII. There being no further discussion, the meeting was adjourned at 12:40 p.m.

TAB 11

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

<i>Nevada Appellate Courts</i>
Chief Justice Ron Parraguirre (Chair) (1/3/22 – 12/31/22) Associate Chief Justice James Hardesty (Vice Chair) (1/3/22 – 12/31/22) Chief Judge Michael Gibbons (1/3/22 – 12/31/22)
<i>Clark Region</i>
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)
<i>North Central Region</i>
Judge Mike Montero (Chair) (1/4/21 – 12/31/23) Judge Phillip Leamon (1/4/21 – 12/31/23)
<i>Sierra Region</i>
Judge Nathan T. Young (Chair) (1/2/20 – 12/31/22) Judge Eileen Herrington (1/2/20 – 12/31/22)
<i>South Central Region</i>
Judge Steven Dobrescu (Chair) (1/3/22 – 12/31/2024) Judge Gus Sullivan (1/4/21 – 12/31/23)
<i>Washoe Region</i>
Chief Judge Lynne Simons (Chair) (1/3/22 – 12/31/23) Chief Judge Kevin Higgins (1/2/20 – 12/31/22) Judge Dorothy Nash Holmes (1/4/21 – 12/31/23)
<i>Ex-Officio Members</i>
Chief Judge Scott Freeman, President, Nevada District Judges Association (5/21 – 5/22) Judge Anne Zimmerman, President, Nevada Judges of Limited Jurisdiction (2/1/22 – 2/1/23) Alicia Lerud, Court Administrator, Second Judicial District Steven Grierson, Court Administrator, Eighth Judicial District Katherine Stocks, State Court Administrator, Administrative Office of the Courts