

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

February 24, 2023

2:00 p.m.

Summary prepared by: Almeda Harper

Members Present

Chief Justice Lidia Stiglich, Chair
Judge Steven Dobrescu
Judge Shirle Eiting
Judge Kelley Giordani
Judge Tom Gregory
Steven Grierson
Chief Judge Kevin Higgins
Alicia Lerud
Judge Victor Miller
Judge Mike Montero
Judge John Schlegelmilch
Chief Judge Lynne Simons
Judge Randall Soderquist
Katherine Stocks
Judge Dawn Throne
Judge Ryan Toone
Chief Judge Jerry Wiese

Guests Present

J. Wilson
Jessica Gurley
Joe Tommasino
Cody Drews

Absent

Associate Chief Elissa Cadish, Vice Chair
Judge Eileen Herrington
Judge Gus Sullivan

AOC Staff

Angelina Arnold
Paul Embly
David Gordon
Stephanie Gouveia
Jamie Gradick
Almeda Harper
Hans Jessup
Brandi Jinkerson
Sheldon Steele

Absent Excused

Chief Judge Michael Gibbons
Judge Gloria Sturman

- I. Call to Order
 - Chief Justice Stiglich called the meeting to order at 2:00 p.m.
 - 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 meeting summary for September 16, 2022, was unanimously approved.
- IV. Business and Action Items
 - Juvenile Records Request by the Department of Public Services for Gun Backgrounds
 - ♦ Judge Schlegelmilch explained that requests are being sent directly to the court clerk but felt the clerk does not have the authority to release confidential documents.
 - Mr. McCormick recently mentioned to DPS that 62H needs to be addressed but has not received a response. He offered to reach out to DPS for details.
 - Ms. Stocks commented that DPS has decided not to pursue federal funds related to improving data collection under the Bipartisan Safer Communities Act.
 - The State of the Judiciary will be held on Tuesday, March 14, 2023. The Chair asked the members of the Council to provide information showcasing the Judicial Branch in a positive light to be included in her speech.

V. Reports of Standing Committees

- Court Administration Committee
 - ♦ Ms. Stocks commented that the summary from August was short due to a demo on the civil traffic portal before user testing took place. There has been a more recent meeting during which the Committee discussed details of the legislative session.
- Court Improvement Program Select Committee
 - ♦ Ms. Martinez provided a quick overview of the most recent achievements of the committee. Judge Gibson replaced Judge Burton as a member. The committee released three studies relating to their efforts which are available on the CIP webpage. They have executed a data agreement with DCFS that has been in the works for a few years. They submitted seventy-four orders for the *Child Welfare Law and Practice* book (aka The Red Book). The Committee started its JCAMP project which provides judicial, court, and attorney measures to help improve child welfare court practices. They also awarded seven Community Improvement Councils Timely Permanency & Termination of Parental Rights subgrants.
- Specialty Court Funding Committee
 - ♦ Ms. Gouveia commented that Justice Bell has been appointed as co-chair. The committee's first peer reviews have been scheduled for May and June to visit the sixth and seventh districts. Fiscal year 24 budgets are being reviewed. The National Conference will be held in June 2023. They are working with a specialty court in East Fork to provide additional resources to prevent the program from closing. The Committee is also looking into a fidelity monitor.

VI. Report of Regional Council Meetings

- Clark Regional Judicial Council
 - ♦ Judge Wiese directed the members to the meeting materials as he did not have any additional comments to share.
- North Central Judicial Council
 - ♦ Judge Montero commented that the council met that morning and discussed details for the State of the Judiciary highlights which Ms. Gradick will forward to the chair.
 - Chief Justice Stiglich commented that if anyone would like to attend the State of the Judiciary, they should contact their legislator and attend with them to ensure a seat is available.
- Sierra Regional Judicial Council
 - ♦ Judge Schlegelmilch commented that their last meeting was not very well attended, and they are working on improving attendance.
- South Central Regional Judicial Council
 - ♦ Judge Dobrescu commented that the council is working on utilizing Zoom for future meetings to improve attendance. The members put together a list of highlights for the State of the Judiciary.
- Washoe Regional Judicial Council
 - ♦ Chief Judge Simons commented that the main concern for the Washoe Region has been mental competency. Judge Walker has overseen the competency court. The purpose was to assign one person for consistent rulings and to reach out to the justice and municipal courts for collaboration. The Washoe Public Defender resigned this week. The County Commission will be filling the position based on recommendations from County Administration. She believes Ms. Evelyn Grosenick will be the acting Public Defender.

VII. Informational Materials

- Dismissal – Fines and Fees
 - ♦ Ms. Jinkerson explained that while performing docket testing, she discovered that when a court set a singular sentence condition to pay their fines and fees. Once that sentence condition was satisfied, the courts dismissed the case. In researching with the AOC's legal counsel, it was

decided that under NRS 176.059, §3, the money should be returned to the defendant. Please refer to the memo provided in the meeting materials for additional information.

- 2022 Attendance Records for the Judicial and Regional Councils
 - ♦ Mr. McCormick explained that the 2022 Bylaw revisions stated the attendance for the Judicial Council and the Regional Councils will be reported to the Judicial Council at the beginning of 2023.
 - Judge Toon commented that the current rules cause a problem in the larger regions. It is difficult to get a quorum with a large number of members.

VIII. Other Items/Discussion

- Chief Judge Simons commented that there are certain situations in specialty courts where there should be a dismissal, but the case has outstanding restitution or other cases. In addition to fines and fees, she felt Ms. Jinkerson presented two topics. One is, if fees are collected, they must be returned. The second is, how should the courts proceed if fees have been assessed at adjudication, and not everything has been paid. Usually, specialty court cases are paid. Some are not paid because they are on probation and do not participate in specialty courts. They are supposed to apply for economic hardship findings, but the court does not receive updates on this. This has become a larger issue with restitution numbers.

IX. Future Meetings

- May 12, 2023, at 2:00 p.m.
- August 18, 2023, at 2:00 p.m.
- December 1, 2023, at 2:00 p.m.

X. Adjournment

- There being no further comment, the meeting was adjourned at 2:35 p.m.