

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and State Court
Administrator



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JUDICIAL COUNCIL OF THE STATE OF NEVADA

“To unite and promote Nevada’s judiciary as an equal, independent and effective branch of government.”

SUMMARY

Friday, March 18, 2022

Remote via Zoom

2:00 p.m. (PST)

Summary Prepared by: Almeda Harper

Members Present:

Chief Justice Parraguirre
Associate Chief Justice Hardesty
Chief Judge Michael Gibbons
Judge Bert Brown
Judge Steven Dobrescu
Mr. Steven Grierson
Judge Bill Henderson
Chief Judge Kevin Higgins
Judge Eric Johnson
Judge Phillip Leamon
Ms. Alicia Lerud
Judge Mike Montero
Ms. Katherine Stocks
Judge Ryan Toone
Judge Nathan Young
Judge Anne Zimmerman

Guests Present:

Ms. Jessica Gurley
Judge Melissa Saragosa

AOC Staff:

Ms. Almeda Harper
Mr. Paul Embley
Ms. Shannon Gildea
Ms. Jamie Gradick
Ms. Zaide Martinez
Mr. John McCormick
Mr. James Popovich
Ms. Kim Williams

- I. Call to Order
 - Chief Justice Parraguirre, Chair of the Judicial Council of the State of Nevada, called the meeting to order at 2:03 p.m.
 - Ms. Harper called role; a quorum was present.
- II. Public Comment
 - There was no public comment.
- III. Review and Approval of Previous Meeting Summary
 - The summary of the November 19, 2021 meeting was unanimously approved.

IV. Business and Action Items

- Alternative Dispute Resolution/Short Trial Rules
 - ♦ There were competing ADKTs that were combined into one document. Participants from the State Bar, Eighth Judicial District, Second Judicial District, and trial lawyers are working together to resolve differences and produce a final product.
- JCSN Bylaw revisions
 - ♦ Mr. McCormick provided an overview of the changes made.
 - A majority of the changes were modernization of the language and gender inclusive wording.
 - Duties were revised for the State and Regional Councils pursuant to the SCR 8 and 9 amendments previously approved by the Supreme Court.
 - Gaps were filled in election procedures and committee makeup was modified.
 - Two committees were eliminated, Certified Court Interpreters Advisory Committee and Education Committee.
 - The wording on page seven of the amendment was updated to clarify Appellate Courts are not included with the trial courts within the region.
 - Attendance procedures for regional councils were updated to reinforce their importance.
 - Vice-chair elections in regions that have more than one limited jurisdiction representative were clarified.
 - Significant changes were made to the Legislative Committee updating the name and membership to better support the committee.
 - The Education Committee was no longer necessary. The responsibility has been transferred to the Nevada Judges of Limited Jurisdiction Association and the District Judges Association as the ex-officio education committees of the JCSN.
 - Technology Committee membership has been updated to increase participation.
 - The Certified Court Interpreters Advisory Committee was found to be duplicative as a statutorily required committee and does not need to be a standing committee of the Judicial Council.
 - The Specialty Court Funding and Policy Committee and the Court Improvement Program Select Committee received technical changes as they were both recently updated.
 - ♦ Judge Montero commented, if a member of a regional council fails to attend for four meetings, they could be removed from the council and proxies have been eliminated. He is not opposed to these changes but would like to make it clear that judges are not removed from participating in other judicial activities.
 - ♦ Judge Dobrescu added article two, section six requires members be “personally present” which should include virtual attendance. He also stated there should be some provisions made in the absence of a proxy to allow for over scheduling and illnesses.
 - ♦ Chief Judge Parraguirre suggested adding language for excused absences and virtual attendance is acceptable.
 - ♦ Judge Montero made a motion to approve the bylaw revisions with the caveat to ensure to include an adequate excused absence policy and that attending virtually meets requirements.
 - ♦ Mrs. Stocks commented “personally present” was decided on because it could mean in-person, hybrid or remote.
 - ♦ Judge Young asked, who would grant the excused absence?

- ♦ Chief Justice Parraguirre suggested the decision to excuse absences should be left to the Chief Justice.
- ♦ Judge Leamon suggested making some of the language more gender inclusive by changing her/his to their/they to avoid making changes in the future.
- ♦ Judge Montero made a motion to approve the amendments as stated. Judge Young seconded the motion. The amendments were unanimously approved.

V. Reports of Standing Committees

- Court Improvement Program
 - ♦ Ms. Gildea commented the American Bar Association is holding two conferences on April 5-8, 2022 where they will be hosting eight Dependency Court stakeholders.
 - ♦ James Bell Associates will be conducting one of the first, in-depth studies on reasonable efforts. Only four states were selected to participate including Nevada. Once findings have been collected and analyzed, they will be shared and used to inform practice policy and court improvement efforts.
 - ♦ The annual CIP Summit will be held in Reno, NV, September 21 – 23, 2022. The location will be announced as the event date approaches.
- Specialty Court Funding Committee
 - ♦ Mr. Popovich commented the Specialty Court Funding Policy Committee approved contracting with NPC Research to use their proprietary best assessment for peer reviews. Judge Dobrescu and Judge Montero's adult drug courts will be the pilot courts. Training will commence on April 18, 2022, and reviews will take place shortly after.
 - ♦ Administrative assessment revenue continues to remain lower than expected. The court continues to receive DUI fees that sunset in June 2019.
 - ♦ A request for proposal will be released within the next month seeking vendors within the drug testing field to contract with. The AOC would execute a master agreement with agreed upon rates based on volume of tests and any specialty court will be able to use those agreements if needed.
 - ♦ Chief Justice Parraguirre requested additional information on a 2017 Recidivism study by the Department of Health and Human Services (DHHS).
 - Mr. Popovich explained the study was headed by Ms. Jackie Bryant during her employment with the Second Judicial District court. Best practices determined a recidivism study should be done, at a minimum, three years post discharge. A study of all discharges, within the state, between 2017 – 2020 revealed a recidivism rate of 25%. DHHS will soon complete a study on 2018 – 2021 discharges. DHHS is also working on a national study. The national average for recidivism is 25%.
 - Judge Young asked if Mr. Popovich had a comparison of people who may have had similar criminal backgrounds but who did not go through a specialty court and what the difference in their recidivism rates would be.
 - Mr. Popovich stated that information is being looked into for future studies but not available at this time.

VI. Regional Council Meetings

- Clark Regional Judicial Council
 - ♦ Judge Johnson commented each court expressed how they were beginning to prepare for the new 48-hour arraignment rule, especially with weekends and staffing issues. They also discussed the courts latest position with Covid and how it's effecting trials and backlog. They discussed the three major overview areas involved in the strategic plan.

- ♦ Judge Brown added they discussed jury trials and the limited courts getting up to speed.
- ♦ Chief Justice Parraguirre commented the jury trials backlog has made progress as senior judges were assigned to cases to help move them through the court.
- ♦ Judge Johnson commented they have been working on the court's backlog. If there are cases ready for trial, the court will find staff for the trial. Case are being scheduled and moving forward. The court is at 75% - 80 % operating capacity.
- North Central Judicial Council
 - ♦ Judge Montero commented the members present during the last North Central Regional Judicial Council meeting surpassed the number of members present from any other regional council and so, the challenge has been put forth for the other regional councils to step-up their attendance.
 - ♦ 48-hour bail hearings have been a consistent topic of discussion and judges continue to show support in the community by providing community service.
- Sierra Regional Council
 - ♦ Judge Young commented during the last regional council meeting attendance was low and a quorum was not present.

VII. Other Items/Discussion

- Mr. McCormick provided suggested revisions to the JCSN Bylaws for the Council to review.
 - ♦ Judge Young suggested changing “adequate notice” to “adequate explanation”.
- Judge Montero invited all members to an event celebrating National Drug Court Month. The event will be held on Monday, May 23, 2022 to celebrate those in recovery and those who support recovery. For more information, please contact (775) 623-6371.
 - ♦ **Chief Justice Parraguirre requested a reminder to be emailed to the members as the event approaches.**

VIII. Public Comment

- There was no public comment

IX. Adjournment

- There being no further discussion, the meeting was adjourned at 2:50 p.m.