

COMMISSION ON JUDICIAL SELECTION APPLICATION
EIGHTH JUDICIAL DISTRICT
DEPARTMENT C

Replace the highlighted spaces on this page with the vacancy you seek to fill

VII, XXIX, C or N

Candidates may only choose one department.

By

(Louis C. Schneider, Esq.)



L. Schneider

Personal Information

1	Full Name	Louis Craig Schneider
2	Have you ever used or been known by any other legal name (including a maiden name)? If so, state name and reason for the name change and years used.	No
3	How long have you been a continuous resident of Nevada?	23 years, since 1999
4	City and county of residence	Henderson, Clark County
5	Age	62

Employment History

6. Please start with your current employment or most recent employment, self-employment, and periods of unemployment for the last 20 years preceding the filing of this Application.

Current or Last Employer	Self
Phone	702-435-2121
Physical Address & Website	430 S. 7 th Street, LV, NV 89101 no website
Date(s) of Employment	2005-present
Supervisor's Name and Title	
Your Title	Attorney
Describe Your Key Duties	Consult with client regarding criminal and family law cases. Negotiate with District Attorneys and opposing counsel for terms on criminal and family matters; prepare for trial in both areas; gather and prepare exhibits; attend court hearings; advise clients of progress and manage expectations.
Reason for Leaving	

L. Schneider

Previous Employer	Clark County District Attorney's Office
Phone	702-671-2500
Address & Website	200 Lewis Ave, LV, NV 89101; no website
Date(s) of Employment	2005 (only for 1 month, maybe 2)
Supervisor's Name and Title	William Kephart, Chief DA
Your Title	Deputy District Attorney
Describe Your Key Duties	Attend hearing on Arraignment Calendar for track; prosecute criminal actions: felonies, misdemeanor infractions and traffic violations; negotiate with defense counsel fair and equitable resolutions
Reason for Leaving	Wasn't for me; struggled with just prosecuting cases versus weighing guilt over innocence

Previous Employer	Preferred Capital Corporation
Phone	
Address & Website	Tahoe City, CA, Lake Tahoe
Date(s) of Employment	2001-2002
Supervisor's Name and Title	
Your Title	Chairman of the Board and CEO/Owner
Describe Your Key Duties	Ran the entire company and worked with two full time attorneys
Reason for Leaving	Sold the company for debt

L. Schneider

Previous Employer	
Phone	
Address & Website	
Date(s) of Employment	
Supervisor's Name and Title	
Your Title	
Describe Your Key Duties	
Reason for Leaving	

Educational Background

7. List names and addresses of high schools, colleges and graduate schools (other than law school) attended; dates of attendance; certificates or degrees awarded; reason for leaving.
High School: Lincoln Sudbury Regional High School; graduated high school; University of Massachuset; graduated with a Bachelor degree in science
8. Describe significant high school and college activities including extracurricular activities, positions of leadership, special projects that contributed to the learning experience.
Nothing significant in high school; played Lacrosse in both high school and college
9. List names and addresses of law schools attended; degree and date awarded; your rank in your graduating class; if more than one law school attended, explain reason for change.
UNLV - William S. Boyd School of Law; 4505 S. Maryland Parkway, LV, NV 89154; received Juris Doctor 2005; graduated top 50% of class
10. Indicate whether you were employed during law school, whether the employment was full-time or part-time, the nature of your employment, the name(s) of your employer(s), and dates of employment.
Was not employed during law school as was a full time father to a son who is now a practicing attorney in Clark County.
11. Describe significant law school activities including offices held, other leadership positions, clinics participated in, and extracurricular activities.
After the bar exam, I volunteered at the Juvenile District Attorney's office where I ran their Drug Court program and worked on 432B abuse and neglect cases for six months.

L. Schneider

Law
Practice

12. State the year you were admitted to the Nevada Bar. **2005**

13. Name states (other than Nevada) where you are or were admitted to practice law and your year of admission. **Federal Court Omaha, 2015, NE; Newark, NJ, 2012; AZ, 2011 admissions by motion**

14. Have you ever been suspended, disbarred, or voluntarily resigned from the practice of law in Nevada or any other state? If so, describe the circumstance, dates, and locations.
No

15. Estimate what percentage of your work over the last five years has involved litigation matters, distinguishing between trial and appellate courts. For judges, answer questions 16-20 for the five years directly preceding your appointment or election to the bench.
60% family; >10% criminal trial; >2% Appellate

16. Estimate percentage of time spent on:

Legal Discipline	Percentage of Practice
Domestic/family	80%
Juvenile matters	10%
Trial court civil	0%
Appellate civil	0%
Trial court criminal	>2%
Appellate criminal	>1%
Administrative litigation	>1% *excluded DMV
Other: Please describe	0%

17. In the past five years, what percentage of your litigation matters involved cases set for jury trials vs. non-jury trials?
Jury trials approximately 10% vs Non-jury trial approximately 30%

L. Schneider

18. Give the approximate number of jury cases tried to a conclusion during the past five years with you as lead counsel. Give the approximate number of non-jury cases tried to a decision in the same period. **Approximately 35 - 40 cases**

19. List courts and counties in any state where you have practiced in the past five years.
District Court, Justice Court in Clark County; Omaha District of Nebraska; Reno-Sparks Indian Colony Tribal Court; Douglas County District Court; Lamaru Justice Center, Santa Ana, CA

20. List by case name and date the five cases of most significance to you (not including cases pending in which you have been involved), complete the following tables:

Case 1
Case name and date: Luqris Thompson vs State of Nevada
Court and presiding judge and all counsel: Eighth Judicial District Court, Department 26, Honorable Gloria Sturnam; AG Sheryl Serrez Esq. & Jaime Stiliz Esq.; Louis Schneider, Esq.
Importance of the case to you and the case's impact on you: In the criminal court, all 3 defendants were guilty to one degree or another, all resolved with a guilty plea; this young man was sentenced to prison for 9-23 years for a crime he did not commit. The co-defendant received a much lighter sentence because he took a deal and released after 5 years. Upon release he went to the client's father and they went to the FBI to reveal the true assailant. Statute of limitations had elapsed on the criminal matter and DNA wasn't available initially. With the new information, fingerprints now matched. LVMP Detective Stout conducted and exhausted investigation and flew to OH to interview the prior named co-defendant and informed the co-defendant that time lapsed to be charged. The co-defendant consulted an attorney and admitted to the crime. The FBI agent and Detective Stout presented their report to DA Wolfson who instructed DA Digacomo to go to the courtroom and reverse this client's conviction immediately; client was released the same day. The client woke up in prison, but went to bed at home. We took the case to the 9th Circuit and won; case was remanded to District Court but we were unable to show standard that the police did this intentionally. We hit a brick wall. I could not find justice for this young man. I was reading the news paper about wrongful conviction cases in the midwest and in the body of the article was mentioned that NV recently passed a law that was never published. I found and read the law and the client likely fit the criteria but the statute of limitations was rapidly approaching. I took a chance and called the old phone number I had for the client. We filed a Complaint for wrongful conviction for the client on the last day available. The State paid over \$350,000.00 to the client, 5 years of college all expenses paid, life time insurance for him and his family. AG Aaron Ford offered to take the client under his wing and mentor him. We finally found justice for this young man.
L. Schneider

Your role in the case: **Lead counsel**

Case 2

Case name and date: **Norma and Thomas Graves vs Milana Parker**

Court and presiding judge and all counsel: **Eighth Judicial District Court, Family Division, Department T, Honorable Judge Nadine Cutter; Dennis Leavitt, Esq. appearing for Plaintiffs, Louis Schneider, Esq. appearing for Defendant**

Importance of the case to you and the case's impact on you: **Defendant successfully obtained sole legal and sole physical custody of her son as the child's father was sentenced to prison for a substantial amount of time such that the child would be beyond majority when the father is released from custody. The father's parents filed suit seeking grandparents rights. My client was stunned when the Judge allowed for visitation beyond what my client understood to be normal. Upset and overwhelmed she sought legal expertise. The child was of tender age and the grandparents would attempt to teach the child of his father but in a way that portrayed my client as a liar to her son. Based on the testimony at trial, the grandparents had knowledge of the abuse by their son toward my client resulting in his current incarceration, written decision was tendered after trial awarding my client discretion of visitation as the grandparents live out of state. Every case involving a child, I consider how I would fight if it were my child at the center and I always hope for more attorneys that would do the same.**

Your role in the case: **Counsel for Defendant**

Case 3

Case name and date: **Faye Joe vs Leon Joe**

Court and presiding judge and all counsel: **Eighth Judicial District Court, Department C, Honorable Rebecca Burton; Louis Schneider; Pro Per**

Importance of the case to you and the case's impact on you: **Parties settled their divorce. Defendant is diagnosed with CTE from continuous injuries as an NFL player. As Defendant's symptoms worsen, he becomes increasingly unreasonable and increasingly litigious. My client and their children have suffered unspeakable psychological abuse by the Defendant including the father strangling the childrens' pet puppy in front of them . His actions are violent and unpredictable due to his diagnosis. It was paramount for me to spare the children ongoing, unrepairable psychological harm at**

the hands of their father. I fought and secured mom primary custody without payment because client didn't have the means to continue to defend against the NFL player. I couldn't leave her or the children helpless. Was a 5 day trial over the span of 5 years.

Your role in the case: **Counsel for Plaintiff**

Case 4

Case name and date: **City of Henderson vs Cromer, Lance**

Court and presiding judge and all counsel: **Henderson Municipal Court, Honorable Mark Stevens; City Prosecutor Katie ; Louis C. Schneider, Esq.**

Importance of the case to you and the case's impact on you: **Defendant was defending domestic violence case and was appointed the Public Defender. While involved in a contentious domestic relationship, when the girlfriend became angry with the Defendant she would engage law enforcement in a vain attempt to gain the upper hand in their relationship. Defendant felt overwhelmed and not represented by the Public Defender who was trying to negotiate the matter so he sought new counsel. At one time the Defendant was defending instant case, TPO case and a new case levied by an angry girlfriend trying to manipulate our Justice System to her favor. I zealously argued for my client and he was found not guilty at trial, restoring his faith in our justice system.**

Your role in the case: **Counsel for Defendant**

Case 5

Case name and date: **In the Matter of Guardianship**

Court and presiding judge and all counsel: **Eighth Judicial District Court, Honorable Linda Marquis, Department B; Kurt Smith, Esq., Louis Schneider, Esq.**

Importance of the case to you and the case's impact on you: **Paternal grandmother took child from my client after my client was in custody for a short time period and on probation; grandmother absconded with the child, moved her residence, changed her phone number and employment. My client exhausted efforts to locate her child after 4 years. Every time she came close to finding her child, the grandmother would threaten to call my client's probation officer and have her violated. Grandmother filed for formal guardianship but intentionally did not notify my client or client's family of the action. The client feeling defeated sought legal advice. We filed in the action securing Mom's presence and interest. The matter was set for trial and we**

settled at trial with reunification program for 9 mos when Mom will be reunited with her child. Guardianship cases are meant to be temporary and children should always be reunited with their parents when the parents have overcome the circumstances that led to the guardianship. It is always rewarding to assist in these victories.

Your role in the case: **Counsel for Objectitioner**

21. Do you now serve, or have you previously served as a mediator, an arbitrator, a part-time or full-time judicial officer, or a quasi-judicial officer? To the extent possible, explain each experience. **No**
22. Describe any pro bono or public interest work as an attorney.
Was appointed as Guardian Ad Litem in a family court matter Client Faye Joe as listed in the cases of interest.
23. List all bar associations and professional societies of which you are or have been a member. Give titles and dates of offices held. List chairs or committees in such groups you believe to be of significance. Exclude information regarding your political affiliation.
State Bar of NV 2005; Supreme Court State of NV 2005; Association of Trial Lawyers of America 2006; US 9th Circuit Court of Appeal, 2017; US District Court District of NV 2017
24. List all courses, seminars, or institutes you have attended relating to continuing legal education during the past five years. Are you in compliance with the continuing legal education requirements applicable to you as a lawyer or judge? **In compliance with continuing legal education requirements, attached are the courses taken from 2016 to date.**
25. Do you have Professional Liability Insurance or do you work for a governmental agency?
Not at this time

**Business & Occupational
Experience**

26. Have you ever been engaged in any occupation, business, or profession other than a judicial officer or the practice of law? If yes, please list, including the dates of your involvement with the occupation, business, or profession. **Yes**

L. Schneider

27. Do you currently serve or have you in the past served as a manager, officer, or director of any business enterprise, including a law practice? If so, please provide details as to:
- the nature of the business
 - the nature of your duties
 - the extent of your involvement in the administration or management of the business
 - the terms of your service
 - the percentage of your ownership

Served as Chairman of the Board, CFO of Preferred Capital Corporation, Commercial Leasing business, where I was half owner and ran the entire company.

26. List experience as an executor, trustee, or in any other fiduciary capacity. Give name, address, position title, nature of your duties, terms of service and, if any, the percentage of your ownership. **Trustee to my mother's estate in a pending probate case P-20-104521-E**

<p>Civic Professional & Community Involvement</p>
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27. Have you ever held an elective or appointive public office in this or any other state?

No

Have you been a candidate for such an office?

No

If so, give details, including the offices involved, whether initially appointed or elected, and the length of service. Exclude political affiliation.

28. State significant activities in which you have taken part, giving dates and offices or leadership positions. **Chairman of the Board and CFO of Preferred Capital Corp.**

29. Describe any courses taught at law schools or continuing education programs. Describe any lectures delivered at bar association conferences. **None**

30. List educational, military service, service to your country, charitable, fraternal and church activities you deem significant. Indicate leadership positions. **None**

31. List honors, prizes, awards, or other forms of recognition. **2008 - 2014 Sponsorship of Juvenile Probation Officer's little league softball team Green Machine; 2015 Lawyers of Distinction Client Distinction Award; 2016, 2020 RJ Top 100 Lawyers; 2021 RJ Top 100 Lawyers Bronze for Best Child Protection Planning Lawyer**

L. Schneider

32. Have you at any time in the last 12 months belonged to, or do you currently belong to, any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, creed, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices, and whether you intend to continue as a member if you are selected for this vacancy. **No**

33. List books, articles, speeches and public statements published, or examples of opinions rendered, with citations and dates. **Many quotes in RJ over the years, most recently of the passing of Judge Harter. In 2017 quoted in the newspaper of the fire captain accused of sex with a minor; in 2016 regarding the disbarred attorney stealing money from clients; 2016 regarding the Desert Pines teacher charged with sex assault of minors. Made appearances over the years on various radio shows.**

34. During the past ten years, have you been registered to vote? **Yes**

Have you voted in the general elections held in those years? **Yes**

35. List avocational interests and hobbies. **Rescue and provide sanctuary for horses and dogs. Over time have rescued and adopted and/or re-homed four dogs, six horses (over 30 years old now) and one pig named Kevin Bacon.**

Conduct

36. Have you read the Nevada Code of Judicial Conduct and are you able to comply if appointed? **Yes**

37. Have you ever been convicted of or formally found to be in violation of federal, state or local law, ordinance or regulation? Provide details of circumstances, charges, and dispositions.
No

L. Schneider

38. Have you ever been sanctioned, disciplined, reprimanded, found to have breached an ethics rule or to have acted unprofessionally by any judicial or bar association discipline commission, other professional organization or administrative body or military tribunal? If yes, explain. If the disciplinary action is confidential, please respond to the corresponding question in the confidential section. **Yes: Judge Pollock sanctioned me \$100 and threw pen at me. Letter of Reprimand issued February 12, 2019 (attached) and Letter of Reprimand issued September 29, 2020 (attached) both regarding errors of staff**

39. Have you ever been dropped, suspended, disqualified, expelled, dismissed from, or placed on probation at any college, university, professional school or law school for any reason including scholastic, criminal, or moral? If yes, explain. **No**

40. Have you ever been refused admission to or been released from any of the armed services for reasons other than honorable discharge? If yes, explain. **No**

41. Has a lien ever been asserted against you or any property of yours that was not discharged within 30 days? If yes, explain. **No**

42. Has any Bankruptcy Court in a case where you are or were the debtor, entered an order providing a creditor automatic relief from the bankruptcy stay (providing in rem relief) in any present or future bankruptcy case, related to property in which you have an interest?
No

43. Are you aware of anything that may require you to recuse or disqualify yourself from hearing a case if you are appointed to serve as a member of the judiciary? If so, please describe the circumstances where you may be required to recuse or disqualify yourself. **None**

Other

44. If you have previously submitted a questionnaire or Application to this or any other judicial nominating commission, please provide the name of the commission, the approximate date(s) of submission, and the result. **None**

45. In no more than three pages (double spaced) attached to this Application, provide a statement describing what you believe sets you apart from your peers, and explains what education, experience, personality or character traits you possess, or have acquired, that you feel qualify you as a supreme court justice. In so doing, address appellate, civil (including family law matters), and criminal processes (including criminal sentencing). **Attached.**

L. Schneider

46. Detail any further information relative to your judicial candidacy that you desire to call to the attention of the members of the Commission on Judicial Selection. **I have time-honored experience in Family and Criminal Courts and a highly respected professional relationship with the Department of Family Services. I was a single father from the time my son was in the 4th grade until majority and will always advocate for children that are underserved and unable to defend themselves.**
47. Attach a sample of no more than ten pages of your original writing in the form of a decision, "points and authorities," or appellate brief generated within the past five years, which demonstrates your ability to write in a logical, cohesive, concise, organized, and persuasive fashion. **Attached**

L. Schneider

STATE BAR OF NEVADA

Courses Taken

Date	Course Name	Provider	General	Ethics	AAMH
12/30/2021	#653 - Litigating Domestic Violence Cases When Children Are Involved	ACCESS MCLE, LLC	1.00	0.00	0.00
12/29/2021	#613 - Sex Crime v Sexual Harassment	ACCESS MCLE, LLC	1.00	0.00	0.00
12/29/2021	#620 - Part I: The Second Amendment, A History	ACCESS MCLE, LLC	1.00	0.00	0.00
12/28/2021	#600 - SA: Lawyer on the Rocks	ACCESS MCLE, LLC	0.00	0.00	1.00
12/28/2021	#602 - Cross-Examination Made Simple	ACCESS MCLE, LLC	1.00	0.00	0.00

Date	Course Name	Provider	General	Ethics	AAMH
12/28/2021	#607-Borderline Personality Disorder: Presentence Criminal Mitigatio	ACCESS MCLE, LLC	1.00	0.00	0.00
12/31/2020	eDiscovery Fundamentals	Attorney Credits Online Education	1.00	0.00	0.00
12/31/2020	The Hearsay Conundrum	Attorney Credits Online Education	1.00	0.00	0.00
12/31/2020	How to Handle High Conflict Clients & Attorneys	Attorney Credits Online Education	0.00	1.00	0.00
12/31/2020	How to Hire a Forensic Examiner	Attorney Credits Online Education	1.00	0.00	0.00
12/31/2020	Jury Selection: How Social Media is Changing the Game	Attorney Credits Online Education	1.00	0.00	0.00
12/31/2020	Overcoming the Bull Effect at Trial	Attorney Credits Online Education	1.00	0.00	0.00
12/31/2020	Professionalism in the Courtroom	Attorney Credits Online Education	0.00	1.00	0.00
12/30/2020	How Bias Affects Your Decision Making	Attorney Credits Online Education	0.00	1.00	0.00

Date	Course Name	Provider	General	Ethics	AAMH
12/30/2020	Addiction & Evolution: Implications for Self-Care for Attorneys	Attorney Credits Online Education	0.00	0.00	1.00
12/30/2020	The Legal Ethics of Using Social Media	Attorney Credits Online Education	0.00	1.00	0.00
12/30/2020	Justice at Nuremberg: Lessons for Attorneys	Attorney Credits Online Education	1.00	0.00	0.00
06/25/2020	Practical Approach to Criminal Record Sealing CLE	Nevada Legal Services-Las Vegas	2.00	0.00	0.00
12/31/2019	Dealing with Clients & Attorneys with Substance Abuse & Mental Health	Attorney Credits Online Education	0.00	0.00	1.00
12/31/2019	Ten Tips to Avoid Ethical Violations & Malpractice Claims	Attorney Credits Online Education	0.00	1.00	0.00
12/31/2019	The Fourth Amendment & Search Warrants in the Digital Age	Attorney Credits Online Education	1.00	0.00	0.00
12/31/2019	Dealing with Defaulted Student Loans	Attorney Credits Online Education	1.00	0.00	0.00
12/30/2019	Cyberbullying and Free Speech in Schools	Attorney Credits Online Education	1.00	0.00	0.00

Date	Course Name	Provider	General	Ethics	AAMH
12/30/2019	Common Ethics Violations to Avoid	Attorney Credits Online Education	0.00	1.00	0.00
12/30/2019	Burnt, Smashed, or Broken: Property Damage & Homeowners Insurance	Attorney Credits Online Education	1.00	0.00	0.00
12/30/2019	Cell Phone Forensics for Legal Professionals	Attorney Credits Online Education	1.00	0.00	0.00
03/01/2019	The Opioid Epidemic & the Addicted Attorney	State Bar of Nevada	0.00	0.00	1.00
04/01/2017	17th Annual Public Defender Las Vegas Retreat	Public Defender Retreats	9.00	2.00	0.00
03/20/2017	Troubleshooting HR Legal Nightmares	National Business Institute, incorporated	6.00	0.00	0.00
05/14/2016	16th Annual Public Defender Las Vegas Retreat	Public Defender Retreats	9.00	2.00	0.00
03/03/2016	27th Annual Family Law Conferene	State Bar of Nevada	9.50	1.00	0.00

STATE BAR OF NEVADA



February 12, 2019

Louis Schneider, Esq.
430 South Seventh Street
Las Vegas, NV 89101

LETTER OF REPRIMAND

3100 W. Charleston Blvd.
Suite 100
Las Vegas, NV 89102
phone 702.382.2200
toll free 800.254.2797
fax 702.385.2878

9456 Double R Blvd., Ste. B
Reno, NV 89521-5977
phone 775.329.4100
fax 775.329.0522

RE: Grievance File No. OBC18-0872 / Thompson

www.nvbar.org

Dear Mr. Schneider:

On February 12, 2019, a Screening Panel of the Southern Nevada Disciplinary Board considered the above-referenced grievance. The Panel concluded that you violated the Rules of Professional Conduct and should be reprimanded. This letter shall constitute delivery of that reprimand.

On or about August 24, 2018, the State Bar subpoenaed your IOLTA and operating account records from US Bank. Upon review of the records, it was apparent that you were not depositing all unearned fees into your operating account.

While the majority of your cases involve criminal or family law matters with only flat or earned fees, on at least two occasions you deposited unearned fees into your operating account. On at least one occasion, you deposited money into the operating account which came from a client for the benefit of a third-party, and on at least two occasions you made payments for client medical liens out of your operating account. None of these transactions resulted in any client or third-party harm.

Nevada Rule of Professional Conduct 1.15 (Safekeeping Property) requires a lawyer to hold funds of clients or third persons that are in the lawyer's possession separate from the lawyer's own property in an identifiable trust account. Additionally, it requires a lawyer to deposit into a trust account all legal fees paid in advance, to be withdrawn by the lawyer as the fees are earned.

Accordingly, you are hereby **REPRIMANDED** for having violated Rules of Professional Conduct ("RPC") 1.15 (Safekeeping Property). We trust that this reprimand will serve as a reminder to you of your ethical obligations, and that no such problems will arise in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn M. Lozano".

Dawn Lozano, Esq., Chair Screening Panel



FILED

SEP 29 2020

STATE BAR OF NEVADA
BY: *B. Felix*
OFFICE OF BAR COUNSEL

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Case No. OBC19-1240

**STATE BAR OF NEVADA
SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,)
Complainant,)
vs.)
LOUIS SCHNEIDER, ESQ.,)
Nevada Bar No. 9683,)
Respondent.)

LETTER OF REPRIMAND

Mallissa Barthule paid you \$500 in or about January 2018 for legal services related to a child custody matter.

Ms. Barthule claimed that you agreed to draft a motion for modification of child custody, file it in Family Court and pay filing fees, and then attend the court hearing.

You have contended that you only agreed to review her documents and provide legal advice for the \$500, and would never file a motion and litigate her matter in court for that amount of money.

However, emails to Ms. Barthule from at least one of your employees indicated that she was working on a motion which would be filed with the court. The three emails were sent from an email account of your law firm. However, it is your contention that the representation ended after you dispensed the agree-upon legal advice to her. Your

1 employee did not know this and it is your position that Barthule misrepresented the
2 scope of your representation to the employee.

3 Accordingly, Ms. Barthule was led to believe that your law firm was going to file a
4 motion and represent her in court, although that apparently was not true. You did not
5 know that your employee was making such statements to Ms. Barthule, which gave her
6 false hope that her legal matter was progressing.

7 In mitigation, you provided a full refund to Ms. Barthule and her legal matter did
8 not suffer irreparable damage.

9 Accordingly, you are hereby Reprimanded for violating Rule of Professional
10 Conduct 5.3 (Responsibilities Regarding Nonlawyer Assistants).

11 DATED this 29 day of September, 2020.

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14 _____
15 Marc Cook (Sep 29, 2020 23:55 PDT)
16 MARC COOK, Chair
17 Southern Nevada Disciplinary Panel
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Statement of Louis Schneider, Esq.

What sets me apart from my peers in consideration for appointment to the Eighth Judicial District Court, Department O for abuse and neglect cases is that I have well-established career defending family court matters, criminal matters and juvenile delinquency matters. It would be an arduous task to seek an attorney with same skill set and span.

Growing up during the 60s and 70s, our parents disciplined in a manner that would have them arrested today. As a young boy who wanted to know how things worked, I would take things apart and hope to rebuild. My curious and inquisitive nature often stressed out an already stressed mother and would realize corporal punishment. Due to my nature that would not be suppressed, I met with discipline often, some warranted, some not. I never understood striking a child and vowed early on to never discipline with the hand.

Through negotiations with my son's mother, I was privileged to be a single father to my son when he was 10 years old through graduation of high school, through college and law school, and today is a practicing attorney. Such an honor to protect and guide him through life. Due to my life's experience, it was incumbent upon me to teach him that someone should never hurt a child, there are no blurred lines in the protection of a child. It is with this same principle and passion I apply to all my cases involving children be it a criminal matter or family. Our children are of the most vulnerable asset and it is the obligation of all adults to protect the vulnerable. Many times I have to help my clients separate their emotions in the best interest of the child to materialize the best resolution.

In Criminal Court, I represent the guilty and defend the system. In Family Court, I am able to make a difference in the lives of people, especially the children. I have always said, "blame is for God and small children; I am neither". I am however, obligated in my convictions to protect children.

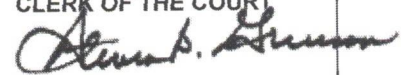
When we recite the oath of an attorney to faithfully and honestly perform the duties of an attorney to our best, follow the Rules of Professional Conduct, and uphold the integrity of the law, we assume an awesome responsibility. This responsibility is tethered to my moral compass and has cleaved professional partnerships and abbreviated friendships. Being an attorney is not a popularity contest; if it were, I would not win. In preserving the oath I made, reporting a law partner for stealing from clients, reporting a Fire Chief for assaulting young children and having sex with underage prostitutes, and reporting a North Las Vegas court Marshal for selling sex with an underage boy online, I felt defeated by my peers; noone would speak to me and would leave the room when I entered. Success of any attorney however is not measured by the friends you keep, rather by the lives you change.

I submit this application today as a very successful attorney and would be humbled to serve our community from the bench, to protect our most vulnerable members of society and mentor our children and to continue to defend and support our Constitution and government of the United States and of the State of Nevada

Thank you for your time and consideration,

Louis C. Schneider, Esq.

Writing Sample



1 LOUIS C. SCHNEIDER, ESQ.
2 Nevada Bar Number 9683
3 430 South 7th Street
4 Las Vegas, Nevada 89101
5 T: (702) 435-2121
6 F: (702) 431-3807
7 Attorney for Defendant/Appellant
8 lcsllawllc@yahoo.com

9
10 **DISTRICT COURT,**
11 **FAMILY DIVISION**
12 **CLARK COUNTY, NEVADA**

13 LEON JOE,
14 Plaintiff,
15 vs.

CASE NO.: D-19-591624-D
DEPT: C

16 FAYE JOE,
17 Defendant.

18 **DEFENDANT' BRIEF REGARDING THE USE OF CORPORAL**
19 **PUNISHMENT**

20 COMES NOW, the Defendant, FAYE JOE ("Faye" or "Mom"), by and through her
21 attorney, LOUIS SCHNEIDER, ESQ. of the LAW OFFICES OF LOUIS C.
22 SCHNEIDER, LLC, and respectfully submits this Defendant' Brief Regarding the Use of
23 Corporal Punishment.

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POINTS AND AUTHORITIES

I.

STATEMENT OF FACTS/PROCEDURAL DISPOSITION

The parties have two minor children, to wit: Noah Clarence Joe, born February 27, 2014, now 5 years old, and Elle Justine Joe, born December 1, 2015, now 3 years old.

A hearing was held on August 21, 2019, to determine, in part, temporary custody orders. The Plaintiff (“Leon” or “Dad”) admitted that he administers corporal punishment to the children, specifically admitting that he had hit the three-year old, Elle, with a belt as punishment for not being able to hold her bowels. This Court ordered that the parties prepare a brief for the Court on the use of corporal punishment.

II.

CORPORAL PUNISHMENT IS ALLOWED, BUT CANNOT BE EXCESSIVE

There is no constitutional right to corporal punishment. Mom can find no such case law establishing such a right. Each state sets its own rules regarding corporal punishment.

Corporal punishment is allowed in Nevada, so long as it is not excessive, pursuant to NRS 432B.150, which states:

Excessive corporal punishment may constitute abuse or neglect. Excessive corporal punishment may result in physical or mental injury constituting abuse or neglect of a child under the provisions of this chapter.

The question is whether Dad’s actions, including beatings with a belt, is excessive. This is a question of fact for the Court, to be viewed in light of the best interests of the children, as the best interests of the children is the sole consideration of the Court. NRS

1 125C.0035(1). NRS 432B defines corporal punishment that rises to the level of abuse or
2 neglect; however, this Court is only charged with looking at corporal punishment in light
3 of the best interests of the children, pursuant to NRS 125C.0035.
4

5 It is clear that there is no constitutional right to hit a child with a belt, as Dad has
6 admitted that he had done. *Sweaney v. Ada County, Idaho*, 119 F. 3d 1385, *Backlund v.*
7 *Barnhart*, 778 F. 2d 1386. In *Sweaney*, the court held that the parent had not established
8 that she had a constitutional right to hit the child with a belt, and that she could be held
9 subject to investigation to determine whether her conduct was illegal under Idaho law.
10 *Sweaney*, 119 F. 3d 1385 at 1393. Thus, in the case at bar, the Court can examine Dad's
11 use of a belt to administer corporal punishment to determine if it serves the children's best
12 interests.
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16 Even though corporal punishment is allowed, it cannot be excessive, and it cannot
17 be administered in a way that is not in the children's best interests.
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19 III.

20 THERE IS NO FIRST AMENDMENT RIGHT TO CORPORAL PUNISHMENT

21 Despite the claim made by Dad in his brief, there is no first amendment right to
22 corporal punishment.
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24 In his brief, Dad quotes the First Amendment to the Constitution of the United
25 States, but cites no case law declaring that corporal punishment is a First Amendment
26 right as part of a parent's free exercise of his or her religious beliefs.
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1 The case law, in fact, holds that there is a limitation to the free exercise of religion
2 as it pertains to parenting. Parents have no unlimited right to inflict corporal punishment
3 on their children under the Free Exercise Clause. The United States Supreme Court has
4 stated that "neither rights of religion nor rights of parenthood are beyond limitation."
5 *Prince v. Massachusetts*, 321 U.S. 158 at 166, 64 S.Ct. 438 at 442. In *Wisconsin v. Yoder*,
6 406 U.S. 205, 92 S.Ct. 1526, 32 L.Ed.2d 15 (1972), the Court instructed that "[t]o be sure,
7 the power of the parent, even when linked to a free exercise claim, may be subject to
8 limitation under *Prince* if it appears that parental decisions will jeopardize the health or
9 safety of the child...." *Yoder*, 406 U.S. at 233-34, 92 S.Ct. at 1542. (As quoted in *Sweaney*,
10 119 F. 3d 1385 at 1391, 1392.
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14 Thus, Dad's choice of corporal punishment, the amount of corporal punishment,
15 and the nature of the corporal punishment, is not constitutionally protected. The Court
16 may look at the corporal punishment inflicted by Dad, regardless of his religious belief as
17 to its value, in light of the health and safety of the children, in accordance with their best
18 interests as defined in NRS 125C.0035.
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22 IV.

23 COPORAL PUNISHMENT DOES NOT SERVE THE CHILDREN'S BEST 24 INTERESTS

25 Recent scholarship on corporal punishment strongly suggests that it is, generally,
26 not good for the health and well-being of children.
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1 One expert has argued that corporal punishment, which is disproportionately high
2 in Black families, is a vestige of slavery that continues to operate to subjugate and
3 traumatize Black children and youth. Stacey Patton, Stop Beating Black Children, N.Y.
4 TIMES (Mar. 10, 2017).

6 Many social scientists have written about the harms of corporal punishment, and
7 have argued for reform, including legal reform. For example, see Elizabeth T. Gershoff
8 & Andrew Grogan-Kaylor, *Spanking and Child Outcomes: Old Controversies and New*
9 *Meta-Analyses*, 30 J. FAM. PSYCHOL. 13 (2016).

11 In this case, beating a child with a belt for not holding her bowel movement is
12 harmful, and places the safety of the children in jeopardy. This Court has the authority to
13 curb such corporal punishment, by finding such punishment is not in the best interests of
14 the children.
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18 Dated this 18th day of September, 2019.

19
20 Respectfully submitted:

21
22 /s/ Louis C. Schneider

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28 lcsllawllc@yahoo.com

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of Louis C. Schneider, Esq. and that on the
3
4 18th day of September, 2019, I served a true and correct copy of the above and forgoing

5 **DEFENDANT' BRIEF REGARDING THE USE OF CORPORAL**

6 **PUNISHMENT** on the parties addressed as shown below:
7

8
9 X Via Electronic Service [NEFR Rule 9]

10 _____ Via facsimile [EDCR 7.26(a)]
11

12 _____ Via U.S. Mail (NRCp 5(b))
13

14 X Via Email- to Department C

15 KENNETH M. ROBBINS, ESQ.
16 732 S. Sixth Street
17 Las Vegas, Nevada 89101
18 Ph: 702.400.0000
19 Email: familyfirst@halfpricelawyers.com

20 /s/ Stacie Comerio _____
21 An Employee of Louis C. Schneider
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