

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
State Court Administrator



JOHN MCCORMICK
Assistant Court Administrator

MEETING SUMMARY

Organization: **COMMISSION ON JUDICIAL SELECTION**

Date and Time: Monday, September 23, 2024, at 12:00 p.m.

Venue: Zoom Meeting

Commissioners Present

Chair, Chief Justice Elissa Cadish
Vice-Chair Gregory Kamer Esq.
Ms. Donna Bath
Ms. Justina Caviglia Esq.
Mr. Peter Guzman
Mr. Al Kramer
Ms. Julie Slabaugh, Esq.
Ms. Homa Woodrum, Esq.

Guests Present

Valerie J. Cooney
Mark Krueger
Jennifer Locke
Jason Woodbury

Commissioners Excused

Mr. Andrew Diss

Commission Staff Present

Ms. Margarita Bautista

AGENDA

1. Call to Order

Chair Cadish convened the meeting at 12:03 p.m.

2. Roll Call and Determination of Quorum Pursuant to Rule 4.F.

Sec'y Stocks took role and a quorum was present.

3. Public Comment Pursuant to Rule 4.C.ii.

No public comment.

4. Approval of Meeting Summaries

- a. February 16, 2024 (Tab 1)

Com'r Kramer, Com'r Slabaugh, and Com'r Woodrum abstained.

Vice Chair Kamer moved to approve the meeting summary.

Com'r Guzman seconded the motion.

- The motion passed with a vote of five.

b. May 17, 2024 (Tab 2)

Com'r Kramer, Com'r Slabaugh, and Com'r Woodrum abstained.

Vice Chair Kamer moved to approve the meeting summary.

Com'r Guzman seconded the motion.

- The motion passed with a vote of five.

5. First Judicial District Department I Interview Schedule (Tab 3)

Chair Cadish noted three complete applications were received.

Chair Cadish read Commission Rule 10.B to those in attendance.

Vice Chair Kamer asked for elaboration on the status of the applicants and the interview process.

Sec'y Stocks and Chair Cadish provided information on the interview process tentatively scheduled for October 30, 2024, in the Supreme Court courtroom in Carson City.

Vice-Chair Kamer suggested all three applicants were qualified, therefore the Commission need not conduct interviews.

Com'r Guzman asked whether more vetting was needed of the three applicants.

Chair Cadish clarified the intention of the Commission to complete background and credit checks.

Com'r Guzman summarized Vice-Chair Kamer's proposal, calling it scenario 1: sending all three applicants' names to the Governor without interviews on October 30th in Carson City.

Chair Cadish confirmed Mr. Guzman's summary and stated another option for the Commission to consider was to send the three names after conducting interviews.

Com'r Guzman asked for clarification from the Chair and Sec'y whether interviews prior to sending the names was an option, calling it scenario 2.

Chair Cadish stated the Commission has the right under Rule 10.B to send the three names without interviews—scenario 1. Chair Cadish also added that the October 30th date under scenario 2 would allow for: questioning of applicants, public comment, and gubernatorial staff to view interviews.

Com'r Guzman summarized scenario 2 which would be to conduct interviews on October 30 with the passing of all three names. Com'r Guzman also summarized another option, scenario 3, allowing for applicants to be eliminated for an unsuccessful background check and sending the other two applicants to the Governor.

Chair Cadish suggested scenario 4, should one of the applicants not be successful with the background check, the Commission would reopen the vacancy.

Vice-Chair Kamer stated the Commission does not always have to send three applicants to the Governor. Suggesting the Commission move forward without interviews because the Governor vets applicants. Vice-

Chair Kamer also stated the application is grueling and the interview process is taxing. Vice-Chair Kamer stated with three highly qualified applicants.

Com'r Guzman stated he wanted to leave the door open to eliminate any applicants that do not successfully pass the remaining vetting process.

Vice Chair Kamer made a motion to move forward with sending the three names without interviews.

Com'r Kramer seconded the motion.

- Com'r Woodrum stated she appreciated the motion by the Vice-Chair. Com'r Woodrum also stated she preferred the process to be open with interviews so the Carson City community could witness the transparency in the process.
- Com'r Bath asked to do the due diligence to ensure the background checks are completed timely.
- Chair Cadish assured the Commission that background checks would be timely distributed before the October 30th interview date.
- Com'r Guzman stated he would support the motion of the Vice-Chair as long as leave for the background checks was permitted and allowed for the Commission to come back together pending unfavorable results of the background check.
- Vice-Chair Kamer asked for Com'r Guzman's request to be included to the motion as a friendly amendment.
- Com'r Kramer stated he would support the motion and friendly amendment.

Chair Cadish paused discussion on the motion to take disclosures under Rule 2.

Vice Chair Kamer disclosed knowing Mr. Locke from his tenure on the Commission.

Com'rs Bath, Caviglia, and Guzman, disclosed they served with Mr. Locke on the Commission as well.

Com'r Woodrum disclosed she knows all three applicants in a professional capacity: Mr. Krueger from the Attorney General's Office; Mr. Locke from the commissioner's guardianship practice; and stated she was a theft victim in an open case in Carson City being prosecuted by the District Attorney's office where her husband currently works.

Com'r Slabaugh disclosed she was a colleague of Mr. Krueger at the Attorney General's Office but no longer interacts with him as of 2022. Com'r Slabaugh disclosed she knows Mr. Woodbury from 25 years ago with no interaction within the last decade except for his office and staff.

Com'r Kramer disclosed he has met all three applicants in the community.

Chair Cadish disclosed her knowledge of Mr. Locke through the State Bar Board of Governors and the Commission on Judicial Selection and social interactions with Mr. Locke at Carson City events. Chair Cadish also disclosed meeting Mr. Woodbury at local events in Carson City.

Com'r Diss provided his disclosures via email of knowing Mr. Locke through his capacity as a Commissioner on the Commission and Mr. Krueger as a past applicant.

Chair Cadish asked the Commission if any Commissioners found another commissioner unable to proceed

with the process due to conflict of interest. After no objections from any commissioners, the Chair stated the Commission would proceed without conflict under Rule 2.

Chair Cadish restated the motion made by Vice-Chair Kamer to send the three applicants to the Governor with no interviews, contingent on clean background checks.

Chair Cadish stated her preference to conduct public interviews of the applicants due to the positive impact on the community and assistance to the Governor in vetting the applicants. The Chair stated agreement with Com'r Woodrum on the importance of vetting applicants in a public forum.

Com'r Kramer stated there are three qualified applicants and the Commission is not going to narrow the candidate pool by interviews. Com'r Kramer also stated he prefers not to put applicants through the hard process of interviews.

Chair Cadish closed discussion on the motion.

- Sec'y Stocks restated the motion prior to calling a vote. All three applicants would be forwarded to the Governor pending successful background results.
- The following Commissioners voted to approve the motion:
 - Vice-Chair Kamer
 - Com'r Bath
 - Com'r Caviglia
 - Com'r Guzman
 - Com'r Kramer
 - Com'r Slabaugh
- The following Commissioners voted against the motion:
 - Chair Cadish
 - Com'r Woodrum

Chair Cadish noted the motion passed and that interviews would not be held on October 30th and applicants would be sent directly to the Governor pending the results of the background investigation.

Chair Cadish proposed and volunteered to review the background check information and distribute the information to the Commissioners should concerns arise regarding the applicants.

Sec'y Stocks also requested to know if the Commission was okay with sending the names to the Governor on October 30th.

- Chair Cadish asked for a vote on sending the names on October 30th.
- The motion passed unanimously.

Com'r Woodrum stated that due to the news coverage of the process and propriety, sending three names to

the Governor would be wise and asked the Commission to be notified of any concerns to reconvene.

Chair Cadish thanked Com'r Woodrum for her comments and she stated the process would include notification to the Commission of any background concerns and reconvening would be necessary to decide how to move forward.

Vice Chair Kamer addressed the Commission regarding the current miscommunication that had occurred with a previous vacancy. Vice Chair Kamer stated the Chair of the Commission is the spokesperson under the rules and stated he felt compelled to speak about the Commission process because the reporter working on the story stated the Court's PR firm wasn't providing information.

Chair Cadish stated the Court was contacted by a reporter through Ferraro Group, the Court's Public Information Officer. The Chair stated she too does not like to be impugned. Chair Cadish stated she does not have a concern with a commissioner speaking for themselves and not as a spokesperson for the Commission.

Vice Chair Kamer stated, "As a commissioner, I see my job as to perpetuate the quality of what we are doing and the quality of the Commissioners on this and that give their service."

Chair Cadish noted the decision of the Commission was made in a public meeting and the minutes are now final, therefore those minutes are available to the public.

Chair Cadish stated commissioners may speak appropriately and professionally and the importance and legitimacy of the process conducted in the public.

Com'r Woodrum stated her appreciation to serve in her limited capacity. Ms. Woodrum also noted Storey County is part of the process for the 1st District.

Chair Cadish closed by stating the Commission would send the names on October 30th.

6. Adjournment

The Commission adjourned at 12:47 PM.