

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ADOPTION
OF RULE 16 OF THE NEVADA RULES
OF APPELLATE PROCEDURE
GOVERNING SETTLEMENT
CONFERENCES IN CIVIL APPEALS.

ADKT No. 244

FILED

MAR 10 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Ribak*
CHIEF DEPUTY CLERK

ORDER ADOPTING SETTLEMENT JUDGE APPLICATION AND
ESTABLISHING APPOINTMENT TERMS

WHEREAS, this court adopted Rule 16 of the Nevada Rules of Appellate Procedure on December 27, 1996, and implemented the settlement conference program in 1997;

WHEREAS, although the program has been successful in meeting the court's original goals, an evaluation was needed to ensure the program meets the court's current goals;

WHEREAS, Nancy Neal Yeend of the John Paul Jones Group conducted a comprehensive review of the program and submitted a report with 32 recommendations;

WHEREAS, the report was submitted to the Settlement Judges Core Committee for comment;

WHEREAS, the court also solicited written comments from the settlement judges and the public at large and, on May 5, 2005, held a public hearing to receive oral comment on the report;

WHEREAS, the court entered an order on November 18, 2005, regarding those 32 recommendations; and

WHEREAS, in that order the court, among other things, accepted Recommendation 24 to adopt a formal application process for the

selection and retention of settlement judges, and further decided to establish terms of appointment for settlement judges;

IT IS HEREBY ORDERED AS FOLLOWS:

SETTLEMENT JUDGE APPLICATION AND APPOINTMENT TERMS

Application: This court adopts the form attached to this order, identified as Exhibit A, as the required application form for appointment to the panel of Supreme Court Settlement Judges. As part of the evaluation process, the court may refer an application to the State Bar of Nevada for review and investigation. Upon referral, the State Bar shall investigate the applicant's qualifications and fitness to serve as a settlement judge, including, but not limited to, verification of the applicant's educational background, employment history, professional licensure and any related disciplinary proceedings and criminal history. Further, this court will review the current requirements for appointment as a settlement judge and will adopt comprehensive standards regarding mediation education and relevant experience for appointment. These standards will be adopted prior to this court accepting any new applications for appointment or requiring current settlement judges to submit applications for reappointment.

Initial Appointment: Successful applicants will initially be appointed to the panel of settlement judges for a term of not more than 2 years. At the expiration of that initial term, the settlement judge must formally request to remain on the panel for another term. After the initial 2-year term, each following term may be for a period of up to 3 years. If such a request is denied, the applicant may apply for appointment to the panel after 1 year has passed from expiration of their term.

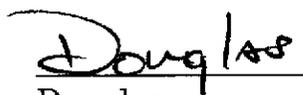
Reappointment of Current Panel Members: All current panel members will be required to reapply for appointment to the panel by submitting a completed application form. In order to establish staggered appointment terms among settlement judges, this will be done in 3 separate phases. Approximately one third of the current panel will be selected to apply for reappointment prior to January 1, 2007, by submitting a completed application form. A second group of approximately one third of the panel members will be required to apply for reappointment prior to January 1, 2008. Finally, the remaining panel members will be required to apply for reappointment prior to January 1, 2009. Current panel members that are reappointed shall be reappointed for 3-year terms. At the expiration of a term, the panel member must formally request to be reappointed. If such a request is denied, the applicant may apply for appointment to the panel after 1 year has passed from expiration of their term.

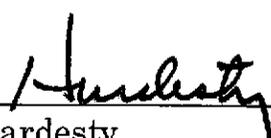

_____, C.J.
Rose

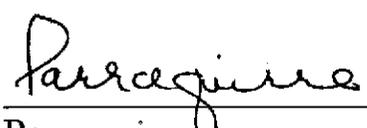

_____, J.
Becker


_____, J.
Maupin


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Hardesty


_____, J.
Parraguirre

cc: All Settlement Judges
Nancy Neal Yeend



SUPREME COURT OF NEVADA
OFFICE OF THE CLERK
 201 SOUTH CARSON STREET, CARSON CITY NV 89701-4702
 TELEPHONE (775) 684-1600

APPLICATION FOR SUPREME COURT SETTLEMENT JUDGE

INSTRUCTIONS FOR SETTLEMENT JUDGE APPLICATION

1. This application is to be submitted to the Clerk of the Supreme Court of the State of Nevada. The application must be mailed or delivered to the Clerk's Office at 201 South Carson Street, Carson City, NV 89701-4702.
2. Application for appointment to the panel of settlement judges must be made using this form. You may use additional sheets if needed.
3. Please type or print all information requested. Your original signature on the application is required. No facsimile copies of this application will be accepted.
4. The Supreme Court of Nevada may refer your application to the State Bar of Nevada for review and investigation.
5. Upon referral, the State Bar shall investigate the applicant's qualifications and fitness to serve as a settlement judge, including, but not limited to, verification of the applicant's educational background, employment history, professional licensure and any related disciplinary proceedings, and criminal history.
6. No later than 90 days from the date of referral, the State Bar shall transmit to the Supreme Court a certificate concerning the applicant's qualifications and fitness.
7. Please direct any questions regarding the application to the Supreme Court Clerk's Office.
8. The information contained herein will be kept confidential.

PERSONAL INFORMATION

CONTACT INFORMATION

Name (First, Middle, Last)			Business Telephone
Business Address			Home Telephone
City	State	Zip	Telefax
Home Address			Cellular Telephone
City	State	Zip	E-Mail Address

OTHER

Geographic Service Areas Reno/Carson/Tahoe _____ Central Nevada _____ Northeastern Nevada _____ Greater LV Area _____	List Foreign Languages, or Sign Language, in Which You Have Sufficient Fluency to Serve as a Mediator
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ADMISSION TO PRACTICE LAW

Nevada Bar Date of Admission _____	Active _____	Inactive _____	Other (specify)
Other Bar Date of Admission _____	Active _____	Inactive _____	Other (specify)
Other Bar Date of Admission _____	Active _____	Inactive _____	Other (specify)

OTHER PROFESSIONAL OR OCCUPATIONAL LICENSES

Name of Entity Issuing License	Date License Issued	Status of License

AFFILIATION WITH MEDIATION ORGANIZATION OR SERVICE

Name of Service	Address of Service		
Telephone Number	City	State	Zip
Length of Membership	Position Held		

AFFILIATION WITH OTHER CONFLICT RESOLUTION OR ADR SERVICE

Name of Service	Address of Service		
Telephone Number	City	State	Zip
Length of Membership	Position Held		

MEDIATION QUESTIONS

Are you a full-time mediator?	Yes _____	No _____
When did you first begin serving as a mediator?		
Approximately how many cases have you mediated?		
How many appellate mediations have you participated in?		
As a mediator _____ As an advocate _____ As a party _____		

EDUCATION AND TRAINING

College, University or Professional School (List all undergraduate and graduate work)		Dates Attended		Number of Credits		Degree Received	Major
Name of Institution	Location	From	To	Qtr.	Sem.	(AA, BS, etc.)	
Business, Correspondence, Trade, Technical or Vocational School		Dates Attended		Full Time	Part Time	Date Certif. Received	Title of Program or Subjects Taken
Name of Institution	Location	From	To	Y/N	Hrs/Wk		

MEDIATION TRAINING

Training Classes Attended/Course Title and Location	Dates of Attendance		Number of Hours	Completion Validation/Certificate: Yes ___ No ___
	From	To		
Provider Name and Address				
Provider Name and Address				
Provider Name and Address				

OTHER CONFLICT RESOLUTION OR ALTERNATE DISPUTE RESOLUTION TRAINING

Training Classes Attended/Course Title and Location	Dates of Attendance		Number of Hours	Completion Validation/Certificate: Yes ___ No ___
	From	To		
Provider Name and Address				
Provider Name and Address				
Provider Name and Address				

EMPLOYMENT HISTORY

Name of Employer		Telephone Number
Address		
Major Areas of Specialization or Subject Matter Expertise		
Any Other Significant Experience That You Think Qualifies You to Serve as a Settlement Judge		
Dates of Employment	Reason for Leaving	
Name of Employer		Telephone Number
Address		
Major Areas of Specialization or Subject Matter Expertise		
Any Other Significant Experience That You Think Qualifies You to Serve as a Settlement Judge		
Dates of Employment	Reason for Leaving	
Name of Employer		Telephone Number
Address		
Major Areas of Specialization or Subject Matter Expertise		
Any Other Significant Experience That You Think Qualifies You to Serve as a Settlement Judge		
Dates of Employment	Reason for Leaving	

BACKGROUND INFORMATION

1. Are you now or have you ever been named as a defendant in any lawsuit or arbitration proceeding involving allegations of fraud, misappropriation of funds, misrepresentation or breach of fiduciary duty? Yes No

If you answer "Yes" you must attach to this application:

- (a) A written statement summarizing the details of each incident,
- (b) A copy of the Petition, Complaint or other document that commenced the lawsuit or arbitration, and
- (c) A copy of the official document, which demonstrates the resolution of the charges or any final judgment.

2. Have you or any business in which you are or were an owner, partner, officer or director ever been involved in an administrative proceeding regarding any professional or occupational license? Yes No

"Involved" means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, placed on probation or surrendering a license to resolve an administrative action.

"Involved" also means having a license application denied or the act of withdrawing an application to avoid a denial. You may exclude terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

If you answer "Yes" you must attach to this application:

- (a) A written statement identifying the type of license and explaining the circumstances of each incident,
- (b) A copy of the Notice of Hearing or other document that states the charges and allegations, and
- (c) A copy of the official document, which demonstrates the resolution of the charges or any final judgment.

3. Have you ever been convicted of, or are you currently charged with committing a crime? Yes No

"Crime" includes a misdemeanor, felony or a military offense. You may exclude misdemeanor traffic citations and juvenile offenses.

"Convicted" includes, but is not limited to, having been found guilty by verdict of a judge or jury, having entered a plea of guilty, by Alford plea, nolo contendere, or having been given probation, a suspended sentence or a fine.

If you answer "Yes" you must attach to this application:

- (a) A written statement explaining the circumstances of each incident,
- (b) A copy of the charging document, and
- (c) A copy of the official document that demonstrates the resolution of the charges or any final judgment.

BACKGROUND INFORMATION (continued)

4. Have you ever received a public or private reprimand or letter of caution, or been denied admission, suspended or disbarred from the practice of law in Nevada or any other state? Yes No

If you answer "Yes" you must attach to this application:

- (a) A written statement explaining the circumstances of each incident,
- (b) A copy of the charging document, and
- (c) A copy of the filed order that demonstrates the resolution of the charges.

PROFESSIONAL REFERENCES

(Minimum of 2 references required. Do not include Supreme Court Justices or Supreme Court personnel as your references)

Last Name	First Name	M.I.	Telephone Number
Address			
Profession			
Last Name	First Name	M.I.	Telephone Number
Address			
Profession			
Last Name	First Name	M.I.	Telephone Number
Address			
Profession			
Last Name	First Name	M.I.	Telephone Number
Address			
Profession			

CERTIFICATION

(Please read and sign the following certification. You have a duty to notify the Supreme Court within 30 days of any significant change in the information contained within this application.)

I hereby certify under penalty of perjury that all of the information submitted in this application and any attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for removal from the approved Settlement Judge List or denial of my appointment as a settlement judge and may subject me to civil or criminal penalties. Further, I grant permission to the Supreme Court of Nevada, acting through the State Bar of Nevada, to verify the information contained in this application with any federal, state or local government agency; any current or former employer; any public or private mediation organization or service; and the references listed above.

Original Signature of Applicant	Applicant's Name (<i>Printed or Typed</i>)	Date