



**PROPOSED AMENDMENT TO**  
**BYLAWS OF THE**  
**JUDICIAL COUNCIL OF THE STATE OF NEVADA**

**ARTICLE III**  
**COUNCIL ADMINISTRATION**

**Section 1. Members; Misfeasance and Absence; Action Taken.**

(1) When a member has neglected his or her duties as a member of the Council or is guilty of other misfeasance of office, a motion may be entertained for a vote of the Council to recommend the member be relieved of his duty. The vote shall be by secret ballot and shall be given by each member present at the meeting. A vote of at least twelve (12) will carry the motion. Should there be a quorum of the members present but less than twelve (12) members present, by a vote of the majority, the Secretary may be directed to hold confidential the results of the secret ballot and to solicit ballots on the motion via correspondence from those members absent, and present the results of such ballot to the members when the next notice of meeting is provided, if not sooner. Members not responding timely via correspondence to the Secretary's request shall have their votes counted as not voting. The Secretary shall treat ballots cast via correspondence in similar manner as secret ballots cast at the meeting.

(2) Members are expected to attend all meetings. When attendance is absolutely not possible, a member shall first attempt to designate a judge of the same type of court within such member's region to attend in his place. Failing that, the member shall designate another judge within the region not already serving on the Council. A member who is unable to attend and who has tried unsuccessfully to enlist another qualified judge to attend in his place shall notify the Secretary in writing. Such notice shall be dated and postmarked not later than the date of the meeting the member did not attend. Correspondence stating a member's inability to enlist another qualified judge to

attend in his place shall serve to excuse the member not more than twice during his term. The minutes shall reflect the member as excused. Otherwise,

(A) Upon two successive absences without appointment of substitute or required letter of excuse, the Secretary shall notify the member that absences have been noted and border upon being excessive.

(B) Upon three absences during a term, the Secretary shall notify the member that his absences are excessive, and include such notice in the distribution of agendas to other Council members.

(C) Upon four absences during a term, the matter of such absences shall become an agenda item for discussion under New Business, and the Council may take one of the following actions:

(i) By motion, call for issuance of a resolution formally reprimanding the absent member, or

(ii) By motion, call for the absent member to be relieved of his duty, and, from among the qualified judges of the member's region, select a judge to serve the unexpired term of the member so relieved.

(D) If the fourth absence is apparent and can be verified at the meeting during which the member is fourthly absent, the Council may immediately, under agenda item New Business, take action as described in subsections (2)(C)(i) and (2)(C)(ii) of this Article.

(E) These rules shall apply equally to committee meeting attendance, but the Council shall take the necessary actions. Committee chairmen shall include in their Council reports, identification of any members against whom action appears to be necessary.

## **Section 2. Committees; Appointment Of.**

The Council may create and the chairman may appoint standing committees, special committees, or advisory committees in accordance with Robert's Rules of Order,

which may be necessary for the efficient discharge of its duties and responsibilities. The Council also may create subcommittees, which include citizens and representatives of community organizations.

### **Section 3. Council Member Representatives; Compensation.**

A member shall be reimbursed for expenses incurred to attend meetings at the rates established by state law. A representative who attends meetings in lieu of an elected council member within such member's region, shall be compensated for per diem and/or travel expenses and shall be allowed to vote as a temporary member.

### **Section 4. Council Member; Resignation or Retirement.**

*When a member resigns or retires from the Council prior to the end of a term, the member shall notify, in writing, the Chairman of the judicial region in which the member served, and shall copy the Secretary with such notice. Notice of such vacancy shall be placed on the next regional judicial council agenda. The Chairman of the judicial region shall fill the vacancy in accordance with Article V, Section 1 of these Bylaws. The term for the member-elect shall run for the remainder of the unexpired term of the member who resigned or retired.*

*Failing election of a member by the judicial region in accordance with Article V, Section 1 of these Bylaws, the Chief Justice shall appoint a representative to fill the unexpired term of the member who resigned or retired from service.*

*Text in bolded italics indicates new text;  
Text between brackets [~~omitted material~~] is text to be omitted.*