



EIGHTH JUDICIAL DISTRICT COURT

REGIONAL JUSTICE CENTER
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June 15, 2007

FILED

Chief Justice A. William Maupin
Supreme Court of Nevada
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JUN 21 2007

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

Re: ADKT 297

Dear Chief Justice Maupin,

This letter is provided in response to the June 1, 2007 order issued in ADKT 297 requiring representatives of the Nevada Judicial Council to appear on June 21, 2007. I am one of the representatives from the Eighth Judicial District Court to the Judicial Council. Unfortunately due to the short notice and my very heavy calendar already scheduled for June 21, 2007 I will be unable to appear at the time scheduled. I did however want to provide you with my comments regarding the four identified issues.

Based upon my experience on the Council I believe that the Judicial Council serves an important function that is not otherwise the province of any other organization. The most critical of those functions is the interchange between the representatives of limited jurisdiction courts and general jurisdiction courts on issues that affect both groups of courts. In my opinion, those issues are not appropriate to be addressed by any other organization.

1. Whether the Nevada Judicial Council and the Regional Judicial Councils are fulfilling their intended purposes as described in Supreme Court Rules 8 and 9?

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Although the Judicial Councils are not fulfilling all of the purposes set forth in Supreme Court Rules 8 and 9, the Council and its committees fulfill most of those purposes. For example, the Council not only provides a forum for the discussion of the improvement of the administration of justice but also provides an organization for discussion of issues that occur as improvements or pilot projects are implemented. These are items that fall within SCR 9 3(a), (b), and (f).

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The legislative function under SCR 9 3(c) and (d) was very active last legislative session in coordinating reporting and disbursement of information to the impacted courts. Without the Judicial Council or a similar organization, affected entities might not be aware of actions or discussions related to legislative efforts which would have a direct impact. The council serves as an excellent forum to discuss potential legislation, propose language for bills, have all levels of the court system craft the language and suggest partnerships or stakeholder input critical to the legislation's success.

This process has created legislation that is noticeably superior to court initiated legislation that was not submitted through the Judicial Council Process. Both Chairs of the Assembly & Senate Judiciary have commented on difference in the quality of Judicial Council originated bills versus those that were not initiated by the judicial council.

The subcommittees under SCR 9 3(e) and the Specialty Court Funding subcommittee are very important to addressing issues that affect to one degree or another all of the Nevada courts. While there are diverse issues facing the various courts, in my opinion, the forum for developing recommendations, standards and disbursement should be accomplished through an organization that has a varied representation from all sectors of the affected courts.

At this point, it does not appear that the functions outlined in SCR 9 3(e)(8) and (9) are areas where the Judicial Council currently functions.

2. Whether the Nevada Judicial Council and the Regional Judicial Councils remain viable organizations or have the Nevada District Judges Association and the Nevada Judges Association rendered the Council obsolete?

In my opinion, the primary focus of the Nevada District Judges Association and the Nevada Judges Association is not the improvement of the judicial system as a whole. The two groups each have their own defined constituency, which while it may support the efforts to improve the administration of justice as a whole, does not focus on the broader interrelationships between the various levels of courts.

3. If the Nevada Judicial Council and the Regional Judicial Councils are to continue what changes should be effectuated to redefine their purposes and responsibilities?

I would recommend the number of meetings be reduced for the Clark and Washoe regions to twice annually. The Sierra, North Central and South Central regions serve large geographic area and provide a unique opportunity for those who are not in close proximity to a number of other judges to interface with colleagues.

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4. If the Nevada Judicial Council and/or the Regional Judicial Councils are to continue, what should the Administrative Office of the Courts' role be with respect to the Nevada Judicial Council and/or the Regional Judicial Councils?

The AOC provides the clerical and ongoing staff support that would not otherwise be available to support the Judicial Councils. Without the AOC acting in that role, it would be impossible for the already overburdened members of the judiciary to make that organization effective.

In summary, I think that the judicial council is very useful because it is the only organization that permits the interaction of the general and limited jurisdiction courts on issues that are common to them. Issues of especial importance are problem solving issues. Those include the protective orders (Family/Justice), Mental Health, and Drug courts. The issues associated with these types of program are crossover issues between many of the courts and need to have a forum for those discussions.

The collegiality/camaraderie the Judicial Council promotes is important where each of us is primarily acting as an island on most of our regular work tasks. As I have previously indicated, this is especially important with respect to the Regional Judicial Councils in non-urban areas.

I look forward to continuing to work with the justices of the Supreme Court and members of the Judicial Council to promote the improvement of the judicial system on a statewide basis.

Very truly yours,



Elizabeth Gonzalez

cc: Via US and Inter-Office Mail
Supreme Court Justices
Ron Titus, Administrative Office of the Courts
Chief Judge Kathy Hardcastle
Judge Bill Voy
Justice of the Peace Nancy Oesterle
Judge Cedric Kerns
Chuck Short, Clark County Courts Executive Officer