

JUL 07 2011

The Justice Court of East Fork Township

JUDICIAL AND LAW ENFORCEMENT CENTER

Post Office Box 218, Minden, Nevada 89423

(775) 782-9955

Thomas E. Perkins

Judge

July 5, 2011

FILED

JUL 08 2011

TRACIE A. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

Hon. James W. Hardesty
201 South Carson Street
Carson City, NV 89701-4702

Re: *draft* Standards of Operation and Best Practices Manual for Making
The Court Record

Jim
Dear Justice Hardesty,

ADKT 0410

This letter is to request that the requirement for a certified court recorder be removed from the standards.

Please consider this as comment on the draft standards, which Ms. Heying provided, along with your cover letter June 16, 2011. We also reviewed the standards at the mid-summer meeting of the Judges of Limited Jurisdiction. I am in complete agreement with Judge Tatro's dissent to the commission's draft standards, and am simply taking this opportunity to discuss a few of the features.

As you know, the justice and municipal courts in Nevada have been the leaders in electronic recording of their proceedings, and I doubt that those of us who have the JAVS system need the standards promulgated by the commission to do what we are already doing. The staff is trained, the equipment is in place, and the maintenance is regular and effective. In this court, each member of the staff is trained to operate the system, and quality recordings are stored and accessible. When the record is necessary, it can be retrieved and reviewed on any personal computer in the office. If a transcript is required, it is transmitted to a court reporter for an estimate, and the fees are required in advance before the transcript is prepared.


The problem with the standards, and it is a problem, is the way it requires certification and monitoring to perform a routine staff function, which is now being performed, across the state, by the most junior and basic clerical staff. It has been our experience since the onset of the recession that any increase in operational and personnel costs is taken from existing or reduced budgets, which means that if we have to certify one or more of our staff, or hire a contractor to perform this function, then there will be layoffs to recover the increased cost. As the layoffs we have experienced already impair our ability to function, this is not acceptable, under any circumstances.

11-20528

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The requirements I am concerned about are on pages 2 and 9 of the draft standards. Please ask the Court to remove the requirement that this routine clerical function now fall under mandatory certification, with active monitoring of the system, especially in the limited jurisdiction courts. Those of us who are already doing our job should not be required to absorb this unnecessary burden.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Tom Perkins", with a stylized flourish at the end.

Thomas E. Perkins,
Justice of the Peace

TEP/s
cc: Stephanie Heying, AOC