

# Victim/Witness Services

c/o WPCSO  
1785 Great Basin Blvd.  
Ely, Nevada 89301-3145

# FILED

MAY 18 2010

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

Serving  
Counties of  
Eureka  
Lincoln  
White Pine

May 13, 2010

Reservations of  
Duckwater  
Shoshone  
Ely Shoshone

Commission on Access, Preservation and Sealing of Court Records  
Supreme Court of Nevada  
201 South Carson Street  
Carson City, NV 89701-4702

RE: Comments on issues set for Hearing on June 3, 2010

Dear Honorable Members of the Commission:

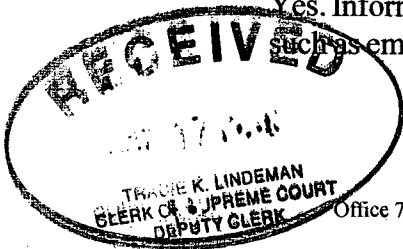
Thank you for allowing comment on the issues raised in ADKT No. 410. I have been an advocate for victims of crime in Nevada since 1988, and have been in Rural Nevada since 2001. I have discussed these issues with justices and service providers in my program's service area of White Pine, Lincoln and Eureka counties. Based on those discussions, I am addressing them as follows for written comments to the Commission on Access, Preservation and Sealing of Court Records for the public hearing on Thursday, June 3, 2010:

(1) *Should the Supreme Court adopt rules governing the retention of records in all types of TPO's?* Yes. Temporary Protection Orders of all types, Domestic Violence, Stalking/Harassment, and Sexual Assault, provide additional information for victims of abusers to use in seeking divorce, child custody and future TPO needs. In the rural counties I serve, these orders are retained beyond two years and the records create a history of abuse by the adverse parties.

(2) *Confidential Information Sheets* are used in the rural counties that I serve. They are effective in cases where the victim moves or changes job/ schools.

(3) *Submitting exhibits under a seal* has not been an issue in the rural counties that I serve.

(4) *Should the Supreme Court adopt rules governing public access to TPO files?* Yes. Information in the TPO should be confined to parties concerned, places affected such as employers' sites, schools/daycare, and individuals/agencies providing direct



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services in resolution like advocacy centers and attorneys. The general public has no need to know unless the named parties feel it is appropriate.

(5) *Should the Supreme Court adopt rules concerning electronic access to TPO files?*  
Yes. Just as in (4), parties in the TPO should be able to restrict public access, in any form.

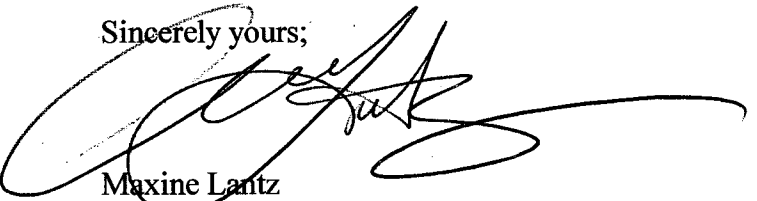
(6) *How should access to other types of records be handled by the courts?* There have not been requests from the public (non-involved parties) in the rural counties I serve. Issuing judges query persons requesting information for purpose and this has worked well.

(7) *Should the Supreme Court adopt a procedure to limit access graphic exhibits?*  
There have not been requests from the public ( non-involved parties ) in the rural counties I serve. Issuing judges query persons requesting information for purpose and this has worked well.

(8) *Provisions to seal or expunge TPO cases.* Sealing or expunging TPO cases is not necessary if the adverse party is not a threat to others. Therefore, there is no need to seal or expunge the cases. It should remain a part of the adverse party's civil history.

(9) *Protection Orders for sexual assault victims.* Victims of sexual assaults who seek protective orders are in fear of contact. Allowing them to use a pseudonym with disclosure to a person other than those persons delineated in NRS 200.3773(a)-(d) subject to court order following a hearing would be an appropriate recourse. If the court were to address the limitations on public access to TPO information as discussed in the earlier questions and apply these limitations to all types of protection orders, the problem would be almost eliminated with regards to sexual assault victims.

Sincerely yours;

A large, stylized handwritten signature in black ink, appearing to read 'Maxine Lantz', is written over the typed name and title.

Maxine Lantz  
Program Director