



Justice Court Administration Neighborhood Justice Center

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Steve Grierson, Chief Executive Officer • LaDeana Gamble, Assistant Court Administrator

December 8, 2010

FILED

Tracie K. Lindeman
Clerk of the Supreme Court
201 South Carson Street
Carson City, Nevada 89701

DEC 13 2010
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

Re: Comments on the Adoption of Rules for the Foreclosure Mediation Program
Rule 4. Conduct, Disqualification and Recusal

ADKT 0435

Dear Supreme Court Justices,

My name is Leah Ellenhorn Stromberg, supervisor of the Clark County Neighborhood Justice Center (NJC), part of the Clark County Courts. My agency is responsible for conducting almost 1000 mediations per year. We also provide basic and advanced training to mediators as well as monthly continuing education classes. The NJC provides a 3 hour session for new Foreclosure Mediators during their initial orientation prior to appointment by the Supreme Court. I have personally conducted approximately 800 mediations and was appointed as a Foreclosure Mediator with the inaugural group but do not currently take cases.

I was in the court on Monday, December 6, 2010 and heard opinions expressed regarding Rule 4. I believe the intent of the proposed changes is to ensure mediators maintain the neutrality critical to the integrity of Foreclosure Mediation. I do not believe prohibiting those who represent homeowners or lenders from becoming mediators will address the neutrality problem. The lack of neutrality demonstrated by some Foreclosure Mediation Program mediators has much more to do with a lack of proper mediation training than any other factor. The 3 hours provided by the FMP is not sufficient. Mediators who have not had at least 24 hours of basic mediation training are at a disadvantage and tend to have difficulty "changing hats" without breaching neutrality, especially when they have been trained, as attorneys are, as advocates. Hence, I would suggest your honors consider strengthening the minimum training requirements for all Foreclosure Program Mediators.

In addition, it would be helpful if the Administrator could revoke the appointment of mediators who fail to maintain neutrality or fail to properly adhere to the facilitative mediation process endorsed by the Court. My understanding is there is no simple mechanism currently for revocation of these mediators.

Respectfully,
[Signature]
Leah Ellenhorn Stromberg, LCSW

Supervisor, Clark County Neighborhood Justice Center

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DEC 13 2010

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