

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE STANDING  
COMMITTEE ON JUDICIAL ETHICS  
AND ELECTION PRACTICES.

ADKT 458

**FILED**

JAN 19 2011

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER SCHEDULING PUBLIC HEARING

On November 19, 2010, the Honorable Mark Gibbons and the Honorable Nancy M. Saitta, justices of the Supreme Court of Nevada filed a petition requesting this court review the role of the Standing Committee on Judicial Ethics and Election Practices. The petition is attached as Exhibit A.

The Nevada Supreme Court will conduct a public hearing on this matter. The public hearing will be held on Thursday, March 10, 2011, at 11:30 a.m. in the Nevada Supreme Court Courtroom at 201 South Carson Street, Carson City, Nevada. The hearing will be videoconferenced to the Nevada Supreme Court Courtroom, Regional Justice Center, 200 Lewis Street, 17<sup>th</sup> Floor, Las Vegas, Nevada.

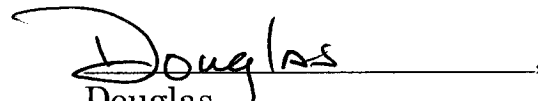
The bench, bar and the public are invited to submit written comments on this matter. An original and 8 copies of written comments are to be submitted to: Tracie K. Lindeman, Clerk of the Supreme Court, 201 South Carson Street, Carson City, Nevada 89701 by 5:00 p.m., March 8, 2011. Persons interested in participating in the hearing must notify the Clerk no later than March 8, 2011.

**Hearing date:** March 10, 2011, at 11:30 a.m.  
Nevada Supreme Court Courtroom  
201 South Carson Street

Carson City, Nevada 89701

**Comment deadline:** March 8, 2011, at 5:00 p.m.  
Supreme Court Clerk's Office  
201 South Carson Street  
Carson City, Nevada 89701

DATED this 19<sup>th</sup> day of January, 2011.

 \_\_\_\_\_, C.J.  
Douglas

cc: All District Court Judges  
All Justices of the Peace  
All Municipal Court Judges  
Cam Ferenbach, President, State Bar of Nevada  
Kimberly Farmer, Executive Director, State Bar of Nevada  
David F. Sarnowski, General Counsel and Executive Director,  
Nevada Commission on Judicial Discipline  
Clark County Bar Association  
Washoe County Bar Association  
First Judicial District Bar Association  
Administrative Office of the Courts

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ADKT No.

TRAVIS H. WINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

0458

PETITION

COME NOW, Mark Gibbons and Nancy M. Saitta, Associate Justices of the Nevada Supreme Court, who petition the Nevada Supreme Court on its Administrative Docket to review the role of the Standing Committee on Judicial Ethics and Election Practices as follows:

1. The Standing Committee on Judicial Ethics and Election Practices (Standing Committee) considers matters of alleged unfair election practices and can issue orders pursuant to the Nevada Code of Judicial Conduct.

2. The Standing Committee also issues Advisory Opinions regarding ethical issues posed to the Standing Committee.

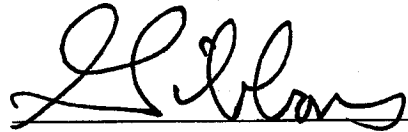
3. Since the formation of the Standing Committee, a body of federal and state caselaw has developed relating to judicial election practices and ethical issues including but not limited to Citizens United v. Federal Election Com'n, 130 S. Ct. 876 (2010) and Caperton v. A.T. Massey Coal Co., Inc., 129 S. Ct. 2252 (2009).

4. That some of the orders and opinions issued by the Standing Committee may be in conflict with this developing caselaw.

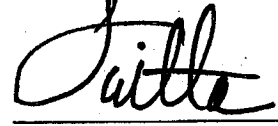
WHEREFORE, the undersigned request the Supreme Court to conduct a public administrative hearing to determine if the current role of the Standing Committee should be modified or, alternatively, whether the Standing Committee should be abolished in whole or in part.

10-30314

Respectfully submitted this 19<sup>th</sup> day of November, 2010.

 \_\_\_\_\_, J.

Gibbons

 \_\_\_\_\_, J.

Saitta