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## IN THE SUPREME COURT OF THE STATE OF NEVADA

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Electronically Filed S.C. DOCKEP 17 2016 10:38 a.m. D.C. CASEI Ricie K.D. indeman 9-Z Clerk of Supreme Court

MEHMET KAR,

Appellant,

VS.

KATHLEEN KAR,

Respondent.

# MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF

Marshal S. Willick, Esq., pursuant to NRAP 29(c), hereby moves this Court for permission to file an Amicus Curiae Brief.

#### POINTS AND AUTHORITIES

Leave to file an amicus brief outside of the time specified in NRAP 29(f) is requested. I am entirely neutral as to the merits of the dispute between the parties to the case, but am concerned about the impact on the practice of family law in Nevada of the potential resolutions to this case.

This proposed amicus submission has three purposes: (1) to assist the Court with the merits of the immediate dispute; (2) to bring to the Court's attention a proposal made through the Appellate Section of a methodology for obtaining amicus submissions from Bar Sections *much* earlier in the appellate process, thus preventing the need for requests to file post-argument amicus briefs; and (3) to ensure the Court and Court staff are aware of the availability of materials that might make preparation for appeals such as this one more efficient.

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I am the author of the jurisdictional materials used to educate judges who sit in the family division.<sup>2</sup> From a review of the briefs and the oral argument of the matter on February 10, 2016, I believe that this input might be of assistance to the Court in forming policy in this area, and in avoiding confusion in the law.

Preliminarily, it appears that there was some confusion as to the application of the UCCJEA in this matter. Specifically, how a "state" was defined in the codified statute, how the UCCJEA applies internationally, and whether any of the facts of this case should allow for a deviation from the uniform application of the UCCJEA here or in any other state.

The relevance is to the extent – and economy – of family law litigation and Nevada's uniform treatment of parties in similar circumstances. If the Court decides this case based on the materials filed by the parties, it may miss the relevant case law and comments associated with the adoption of the uniform act as NRS ch. 125A.

Because this appeal inherently has such broad implications for the substance and economy of family law practice throughout Nevada, I request leave to file an Amicus Brief on the various policy and practical issues presented by the Court's resolution of this appeal.

DATED this 17th day of February, 2016.

WILLICK LAW GROU

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<sup>&</sup>lt;sup>1</sup> See Willick, The Basics of Family Law Jurisdiction, 22 Nev. Fam. L. Rep., Fall, 2009, at 11, updated (and part of the Clark County Family Court Benchbook), posted at http://willicklawgroup.com/published-works/.

<sup>&</sup>lt;sup>2</sup> See Landreth v. Malik, 127 Nev. , 251 P.3d 163 (2011); NRS 3.028(1)-(2).

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### **CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the WILLICK LAW GROUP and on this date \_\_\_\_\_/7\_\_ day of February, 2016, Marshal Willick's Motion to File An Amicus Curiae Brief and Amicus Curiae Brief were filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the master service list as follows:

Amberlea Davis, Esq. 415 S. 6th St., #300 Las Vegas, Nevada 89101 Jason Stoffel, Esq. ROBERTS STOFFEL FAMILY LAW GROUP 2011 Pinto Lane, #100 Las Vegas, Nevada 89106

An Employee of the WILLICK LAW GROUP

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