

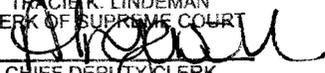


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JUN 26 2015

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION
FAMILY COURTS & SERVICES CENTER
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CHARLES J. HOSKIN
PRESIDING JUDGE
FAMILY DIVISION

June 24, 2015

Tracie K. Lindeman
Clerk of the Supreme Court
201 South Carson Street
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Via: FedEx

RE: ADKT 0504

I submit this letter as a member of the bench in support of the requested change to NRAP 36 regarding the application of SCR 123.

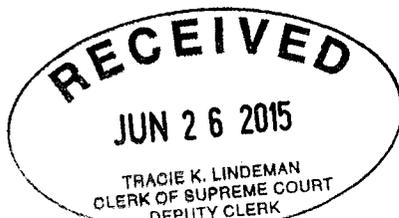
Every decision of the Supreme Court has value. As a member of the District Court Bench, the number of unpublished decisions received from the Supreme Court substantially outnumbers the published decisions. My initial review of those unpublished decisions has application to the case appealed and instructions provided by the Supreme Court.

However, those unpublished decisions give me guidance, beyond the appealed case, into future cases with similar facts. Although the decision is "unpublished," it still provides insight into the mind-set of the Supreme Court with regard to the legal issues presented in an unsettled area of state law.

Often, my colleagues and I will discuss certain unpublished decisions and their potential effect on how we make our rulings and the development of the law. Certainly none of us are considering the decisions as binding authority, but as stated previously, as an indication of how the Supreme Court is viewing these issues.

It makes little sense to me to have access to those unpublished decisions, but prohibit the bar from utilizing them as persuasive authority. These decisions are made readily available and are read, not just by judges, but by attorneys and, perhaps, interested members of the community.

The requested changes to NRAP 36 appear to be a logical progression in maintaining consistency and a universal understanding of the decisions of the Supreme Court. Thank you for your time on this issue.



Charles J Hoskin
Presiding Judge
Eighth Judicial District Court, Family Division

15-10001