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Jun 06 2017 08:12 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

6 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

7 DR. SHERA D. BRADLEY,
Petitioner,

8 vs.

No. 70522

9 THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF
NEVADA, IN AND FOR THE
10 COUNTY OF CLARK; AND THE
HONORABLE DOUGLAS W.
11 HERNDON, DISTRICT JUDGE,
Respondents,

12 and
DONTAE HUDSON, AN
13 INDIVIDUAL; AND THE STATE
OF NEVADA, BY AND THROUGH
14 STEVEN B. WOLFSON, IN HIS
OFFICIAL CAPACITY AS
15 DISTRICT ATTORNEY FOR THE
COUNTY OF CLARK,
16 *Real Parties in Interest.*

17 **NOTICE OF SUPPLEMENTAL AUTHORITY**


18 COMES NOW, KAREN A. CONNOLLY, of the law firm of KAREN A.
19 CONNOLLY, LTD., attorney of record for Real Party in Interest, DONTAE
20

notice of supp.wpd

1 HUDSON, and hereby respectfully submits this *Notice of Supplemental Authority*
2 pursuant to NRAP 31(e).

3 DATED this 5 day of June 2017.

4 KAREN A. CONNOLLY, LTD.

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Telephone: (702) 678-6700
Attorney for Appellant

10 POINTS AND AUTHORITIES

11 Real Party in Interest, DONTAE HUDSON has been scheduled for oral
12 argument before the Court on June 13, 2017. Hudson submits this Notice of
13 Supplement Authorities pursuant to NRAP 31(e) which states in pertinent part as
14 follows:

15 **Nevada Rule of Appellate Procedure 31(e):**

16 (e) Supplemental Authorities. When pertinent and significant authorities
17 come to a party's attention after the party's brief has been filed, but before
18 a decision, a party may promptly advise the Supreme Court by filing and
19 serving a notice of supplemental authorities, setting forth the citations.
20 The notice shall provide references to the page(s) of the brief that is being
supplemented. The notice shall further state concisely and without
argument the legal proposition for which each supplemental authority is
cited. The notice may not raise any new points or issues. Any response

1 must be made promptly and must be similarly limited. If filed less than 10
2 days before oral argument, a notice of supplemental authorities shall not
3 be assured of consideration by the court at oral argument; provided,
4 however, that no notice of supplemental authorities shall be rejected for
5 filing on the ground that it was filed less than 10 days before oral
6 argument.

7 Hudson supplements his Answer to Petition for Writ of Mandamus or
8 Prohibition or alternatively, Mandamus, page 4 is hereby supplemented by the
9 following:

10 American Psychological Association, *Ethical Principles of Psychologists and*
11 *Code of Conduct*, Rule 3.10, 4.02 and 10.01 which state is pertinent part:

12 Rule 3.10

13 **Informed Consent**

14 (c) When psychological services are court ordered or otherwise mandated,
15 psychologists inform the individual of the nature of the anticipated
16 services, including whether the services are court ordered or mandated and
17 any limits of confidentiality, before proceeding.

18 (d) Psychologists appropriately document written or oral consent,
19 permission, and assent. (See also Standards 8.02, Informed Consent to
20 Research; 9.03, Informed Consent in Assessments; and 10.01, Informed
Consent to Therapy.)

Rule 4.02:

Discussing the Limits of Confidentiality

(a) Psychologists discuss with persons (including, to the extent feasible,
persons who are legally incapable of giving informed consent and their
legal representatives) and organizations with whom they establish a

1 scientific or professional relationship (1) the relevant limits of
2 confidentiality and (2) the foreseeable uses of the information generated
through their psychological activities. (See also Standard 3.10, Informed
Consent.)

3
4 (b) Unless it is not feasible or is contraindicated, the discussion of
confidentiality occurs at the outset of the relationship and thereafter as
new circumstances may warrant.

5
6 (c) Psychologists who offer services, products, or information via
electronic transmission inform clients/patients of the risks to privacy and
limits of confidentiality.

7
8 Rule 10.01:

9 **Informed Consent to Therapy**

10 (a) When obtaining informed consent to therapy as required in Standard
11 3.10, Informed Consent, psychologists inform clients/patients as early as
is feasible in the therapeutic relationship about the nature and anticipated
12 course of therapy, fees, involvement of third parties and limits of
confidentiality and provide sufficient opportunity for the client/patient to
ask questions and receive answers. (See also Standards 4.02, Discussing
13 the Limits of Confidentiality, and 6.04, Fees and Financial Arrangements.)

14 ///


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16 ///

1 When a patient is referred to a psychologist by a third party such as the juvenile
2 court, the American Psychological Association (APA) Ethical Principles of
3 Psychologists Code of Conduct, requires a psychologist to discuss with the client the
4 fact that there may be limits on psychologist/client confidentiality.

5 **DATED** this 5 day of June, 2017.

6 **KAREN A. CONNOLLY, LTD.**

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9 KAREN A. CONNOLLY, Nevada Bar No. 4240
6600 W. Charleston Blvd., Ste. 124
10 Las Vegas, NV 89146
Attorney for DONTAE HUDSON

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1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that I am an employee of KAREN A.
3 CONNOLLY, LTD., and on the 5th day of June 2017, I served a true and correct
4 copy of the above and foregoing *Notice of Supplemental Authority* pursuant to
5 NRCP 5 by the method or methods indicated below:

6 ☒ by depositing the same in the U.S. Mail, First Class Mail, with postage fully
7 prepaid, at Las Vegas, Nevada, addressed as follows:

8 Steven B. Wolfson - Clark County DA	The Honorable Douglas W. Herndon
Samuel Martinez - Chf Dep DA-Crim	Eighth Judicial District Court
9 200 Lewis Avenue	Dept. 3
Las Vegas, NV 89101	200 Lewis Ave.
	Las Vegas, NV 89155

10 Kathleen Bliss, Esq.
11 Jason K. Hicks, Esq.
KATHLEEN BLISS LAW PLLC
12 400 S. 4th St., Suite 500
Las Vegas, Nevada 89101

13 ☒ by electronic service via eFilex:

14 Steven Owens
15 Chief Deputy District Attorney
Krista Barrie
16 Deputy District Attorney

Stephanie Kice
The Kice Law Group, LLC

17 Kathleen Bliss, Esq.
Jason K. Hicks, Esq.
18 KATHLEEN BLISS LAW PLLC

Franny A. Forsman

19
20 /s/ Shaeley Pilayo
Employee of KAREN A. CONNOLLY, LTD.