

IN THE SUPREME COURT OF THE STATE OF NEVADA

KIRK ROSS HARRISON,

Appellant,

vs.

NO. 72880

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Oct 12 2017 02:09 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

VIVIAN MARIE LEE HARRISON,

Respondent.

MOTION TO EXPAND FAST TRACK STATEMENT

Pursuant to NRAP 3E(d)(3), appellant Kirk Harrison hereby moves to expand the length of his fast track statement, which is presently due for filing on October 25, 2017. Pursuant to NRAP 3E((e)(2), a fast track statement is acceptable if it contains no more than 7,000 words. Appellant is requesting permission to file a fast track statement consisting of 10,000 words.

This appeal involves child custody issues primarily involving a “teenage discretion” provision, which was utilized to destroy the relationship between a father and his daughter, and is now being utilized to destroy the relationship between a father and his youngest daughter. There are numerous critical issues and sub-issues which appellant intends to raise in the fast track statement. These issues and sub-issues include how such provisions can be utilized to overly empower a child in her

relationship with her parent; how there is no practical way to enforce the safeguards, if any, contained in “teenage discretion” provisions; and how such provisions motivate a bad parent to alienate a child from the other parent and incite the child to leave the other parent in absolute disregard of the parameters set forth in *Harrison v. Harrison*, 132 Nev. Adv. Op. 56, 376 P.3d 173 (2016).

Issues and arguments in the fast track statement will also include how, once the child is incited to leave a parent, it is extremely difficult to cause the child to adhere to the parameters of *Harrison*; how such over empowerment of a child in the parent/child relationship is contrary to the best interest of the child and creates excessive anxiety, a narcissistic sense of entitlement, and impaired relations with adults; how such provisions are utilized to take a child away from a good, loving, and attentive parent, who has done nothing wrong; how such provisions wrongfully empower a child to make decisions about her best interests at an age when a child is vulnerable and should not be burdened with such responsibility; how such provisions cause significant unnecessary emotional suffering, anxiety, stress, and tearful episodes for a child; and how such provisions have a devastating impact upon a child and significantly heighten the risk a parent will be alienated from a child and cause the child to suffer emotionally for the rest of her life, including the inability to have a trusting relationship, having low self-esteem to the point of self-hatred, significant

episodes of depression, and having damaged views of intimate relationships.

The fast track statement will also deal with how, once utilized to alienate a parent from the child, a court must immediately order the child spend substantial time with the alienated parent or that parent/child relationship will be forever lost; how courts, however, are unwilling to compel a now overly empowered child to spend time with the parent the child now unjustifiably hates; how teenage discretion provisions are used in combination with mandatory child therapy provisions, which prohibit any communication between the therapist and the parent, which almost insures post-divorce conflict by providing a forum which reinforces a child's unjustified and erroneous beliefs about a parent, but deprives the parent of the ability to learn about the problem or address the problem; and how such over empowerment caused their daughter, with the support of the mother, to knowingly violate a court order for reunification therapy by initially strongly resisting and, ultimately, by refusing to attend the court ordered reunification sessions.

And the fast track statement will address how such provisions place a child in the epicenter of conflict and caused an ill-advised court to order the child to testify in court, despite EDCR 5.06; how courts are unwilling to nullify such provisions despite overwhelming evidence it is indisputably in the child's best interest; whether a court can nullify a teenage discretion provision after it has been utilized to destroy

the relationship between one child and a parent, has caused immeasurable suffering for both children and a parent, and will undoubtedly be used to destroy the relationship between the youngest child and parent; whether there is something inherent in teenage discretion provisions which prevents a court from using a best interests of the child standard to determine if the teenage discretion provision should be nullified; and how, in view of the unnecessary suffering and likely long term emotional harm that has occurred here, this Court should revisit the majority decision in *Harrison*.


These important issues highlight the difficulty involved in the application and enforcement of teenage discretion provisions to protect the best interests of children. The issues are numerous, complicated and of significant importance to many unsuspecting parents and innocent children in this State, who are unnecessarily being emotionally and financially harmed by such provisions. An adequate discussion of these issues could easily exceed twice the normal word limit for a fast track statement (which is only half of the usual word count for an opening brief in a regular civil appeal). Nevertheless, appellant and counsel Eisenberg believe they can present the issues adequately in a fast track statement of no more than 10,000 words.

In the appeal docket that lead to the *Harrison* opinion, this court recognized that the usual word-count limit for fast track statements should be expanded for

briefing of issues related to the present appeal. See Docket No. 66157; order March 26, 2017; allowing fast track statement containing 10,000 words. Appellant only seeks the same consideration in the present appeal.

Accordingly, appellant hereby requests an order expanding the fast track statement to 10,000 words.

DATED: 10/12/17


ROBERT L. EISENBERG
Nevada Bar No. 0950
Lemons, Grundy & Eisenberg
6005 Plumas Street, Third Floor
Reno, Nevada 89519
Phone: 775-786-6868
rle@lge.net

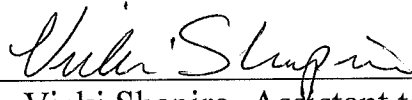
/s/ Kirk R. Harrison
KIRK R. HARRISON
Nevada Bar No. 0861
112 Stone Canyon Road
Boulder City, Nevada 89005
Phone: 702-271-6000
kharrison@harrisonresolution.com

CERTIFICATE OF SERVICE

I certify that I am an employee of Lemons, Grundy & Eisenberg and that on this date the foregoing was 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:

Radford J. Smith	(rsmith@radfordsmith.com)
Gary R. Silverman	(silverman@silverman-decaria.com)
Kirk Harrison	(kharrison@harrisonresolution.com)

DATED: 10/12/17



Vicki Shapiro, Assistant to
ROBERT L. EISENBERG