

CERTIFICATE OF SERVICE

I hereby certify on this 5th day of January 2018, I transmitted a copy of the foregoing
PREHEARING ORDER, via email and by placing said document in the U.S. Mail, postage prepaid,
addressed to:

William B. Terry, Esq.
William B. Terry, Chartered Attorney at Law
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Las Vegas, NV 89101-6011
Info@williamterrylaw.com

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Sinai, Schroder, Mooney, Boetsch, Bradley & Pace
448 Hill Street
Reno, NV 89501
Tom@TomBradleyLaw.com


Tarah L. Hansen, Commission Clerk

00:43:40 AW: Right.

00:43:41

00:43:41 WS: -- and said: Look, I had the same judge, and here's what

00:43:44 she did to me. And it was all -- every case was just

00:43:47 horrific. And it was violations, same as mine, just

00:43:52 violations. No regard for what really is in the best interest

00:43:58 of the child. Children are being put in dangerous situation.

00:44:05 So I think that she is a danger to Clark County by sitting on

00:44:10 that bench. Every day that she's there, there is -- it's

00:44:15 dangerous. Like I said, I would like to see the woman go to

00:44:20 jail because she abused and traumatized Annie. She absolutely

00:44:25 abused her.

00:44:26

00:44:27 AW: Okay.

00:44:28

00:44:30 WS: In my -- my case personally, I would like a fair hearing.

00:44:38 I would like her orders reversed because to take a child away

00:44:45 from their primary attachment figure, the primary caretaker

00:44:53 is -- is very damaging.

00:44:55

00:44:55 AW: Okay.

00:44:56

00:44:56 WS: And if Annie could speak, I know that she would say: I

00:45:01 want to be back with my momma. I want to be in my home. I

00:45:06 miss my -- my friends at the ballet school. I miss my pets in

00:45:11 the backyard. And one day a week is not enough.

00:45:15

00:45:15 AW: Okay. Now, are you going to get a chance to explain this

00:45:18 in this March 6th hearing?

00:45:21

00:45:21 WS: Not if I have Rena Hughes for my judge because she

00:45:25 doesn't listen to anything.

00:45:26

00:45:26 AW: Okay.

00:45:27

00:45:27 WS: If I get another judge, I -- I would hope. I hope that

00:45:31 they are -- they follow the law. If they follow the law,

00:45:35 we're fine. If the law had been followed, none of this would

00:45:41 be happening.

00:45:41

00:45:41 AW: Okay.

00:45:44

00:45:44 WS: If we had stuck with the original divorce decree, none of

00:45:49 this would have happened. If my ex had been held accountable

00:45:57 for his frivolous motions that he had put forth, I wouldn't be

00:46:03 bankrupt.

00:46:04

00:46:04 AW: Right.

00:46:08

00:46:08 WS: I -- I would like -- definitely I would like the -- the

00:46:11 attorneys fees. Him being awarded attorneys fees when I don't

00:46:17 even have an attorney?

00:46:18

00:46:18 AW: Right.

00:46:18

00:46:18 WS: I definitely think that should be reversed.

00:46:21

00:46:22 AW: So you definitely based upon what you're telling me is

00:46:25 you never had your right to be heard in her courtroom. Is

00:46:29 that correct?

00:46:29

00:46:30 WS: No, no, I did not.

00:46:36

00:46:36 AW: Okay. I think that's it. Anything else you want to add,

00:46:39 Welthy?

00:46:40

00:46:41 WS: Oh, goodness. I could talk to you for three hours I'm

00:46:44 sure.

00:46:45

00:46:45 AW: I bet you could.

00:46:47

00:46:47 WS: Oh, yeah.

00:46:48

00:46:48 AW: All right.

00:46:49

00:46:49 WS: I just, you know -- yeah, I think that's it.

00:46:51

00:46:51 AW: Okay. Transcriber, we're going to end at this time. The

00:46:55 time is approximately 1016 hours, and we'll be off the record.

00:46:59 Thank you.

STATE OF NEVADA)

) ss.

COUNTY OF WASHOE)

I, Darby Talbott, do hereby certify:

That I transcribed from audio recording the proceedings had
in the above-entitled matter;

That the appearances on the cover page are from this
transcriber's understanding of who was present during the
proceeding;

That speaker identification was made to the best of my
ability through voice recognition;

That the foregoing transcript, consisting of pages 1
through 57, inclusive, is a full, true and correct
transcription of said proceeding to the best of my ability.

Dated at Reno, Nevada, this 11th of February 2017.

/s/ Darby Talbott

Darby Talbott

LVMPD - COMMUNICATION CENTER
EVENT SEARCH

REC'D BY NCJD
FEB 21, 2017

EVT : LLV111224001622	TYPE: 417	PRI : 1
LOC :	BLDG:	APT :
ADDR: 1433 COTTONWOOD PL	XST : 1401 FRANCIS AVE	CITY : LV
CADD: 36:09:29N,115:08:11W	CNAM: WELSIE SILVA	CPHONE: 7024609438
MAP : 0252612	S/B : C4	SRA : K310
P/U : 2B45	OFF1: 8711	OFF2 :
DATE: 2011/12/24	INIT: 11:43:21	AREA : DT
911 : YES	CLSE: 13:17:08	DISP : M

11:43:28	EU	INITIATED BY	FRM-	TO-LV7278	10	LV7278
11:43:28	EU	D	FRM-	TO-G	10	LV7278
11:43:28	CM	Verification Bypassed INC- LLV111224001622 Addr-UNK LV			10	LV7278
11:43:38	CM	WHP1 UN01709			10	LV7278
11:44:00	EU	AD	FRM-UNK LV	TO-1433 COTTONWOOD PL	10	LV7278
11:44:05	EU	RE	FRM-111224 114328	TO-	10	LV7278
11:44:12	EU	CN	FRM-AT&T MOBILITY	TO-WELSIE SILVA	10	LV7278
11:44:15	EU	T	FRM-404A	TO-417	10	LV7278
11:44:28	CM	HUSB THROWING STUFF AT HER //DIDNT HIT HER //			10	LV7278
11:45:19	CM	10/MALE /ROGERIO SILVA AMA 37 5'4 #150 BLK HR BLK SHIRT BOXERS //			10	LV7278
11:45:25	CM	10/NEG 408/446/WEAPS			10	LV7278
11:46:29	CM	10/PR NOT WANTING OFCRS TO RESPOND //ADVD OF POLICY // 1146 HRS			10	LV7278
12:05:30	USAS 2B45	1433 COTTONWOOD PL		417	65	LV10205
12:05:30	EU 2B45	PU FRM-		TO-LV/2B45	65	LV10205
12:05:49	USER 2B45	1433 COTTONWOOD PL		417	65	LV10205
12:08:50	USAS 2A3	1433 COTTONWOOD PL		417	65	LV10205
12:13:08	USAR 2A3	1433 COTTONWOOD PL		417	00	LV9385
12:16:33	CM	2A3 C4 NEG 415	1216		65	LV10205
12:17:17	USAR 2B45	1433 COTTONWOOD PL		417	00	LV8711
12:19:47	CM	2B45 TO CH 1 C4	1219		65	LV10205
12:39:07	CM	2B45 C4	1239		65	LV10205
13:13:27	USCL 2A3			417	00	LV9385
13:13:48	CM	//NEG 415 BETWEEN HUSBAND [REDACTED] AND WIFE SILVA,			00	LV8711
13:13:48	CM	WELTHY ID#2549692. WIFE WAS UPST ABOUT HER HUS BAND KICKING A BOX ON THE			00	LV8711
13:13:48	CM	FLOOR THEIR 8 YR OLD DAUGHTER LEFT OUT. NEG 415//BOTH PARTIES ADVISED OF			00	LV8711
13:13:48	CM	NV DV LAWS//			00	LV8711
13:17:08	USCL 2B45			417	65	LV10205
13:17:08	EU 2B45	D	FRM-	TO-M	65	LV10205

LVMPD - COMMUNICATION CENTER
EVENT SEARCH

REC'D BY NCJD
FEB 21, 2017

EVT : LLV130105002235	TYPE: 417	PRI : 1
LOC :	BLDG:	APT :
ADDR: 1433 COTTONWOOD PL	XST : 1401 FRANCIS AVE	CITY : LV
CADD: 36:09:29N,115:08:11W	CNAM: WEALTHY SILVA	CPHONE: 7024609438
MAP : 0252612	S/B : C4	SRA : K310
P/U : 3C2	OFF1: 13467	OFF2 :
DATE: 2013/01/05	INIT: 14:23:27	AREA : DT
911 : YES	CLSE: 15:32:58	DISP : M

14:25:01	EU	INITIATED BY FRM- TO-LV7867	37	LV7867
14:25:01	CM	VERBAL-BETW PR/HUSB ROJERIO SILVA,HMA,38 YO, [REDACTED] 74,BLK SHIRT-THERE TO PIC	37	LV7867
14:25:01	CM	K UP JUV AND UPSET DUE TO DTR EATING BAGEL BEFORE LETTING HER GO-	37	LV7867
14:25:31	CM	37/NEG 408/446/UNK WPNS ARRIVED IN BLK LEXUS 1425	37	LV7867
14:25:40	EU	CN FRM-AT&T MOBILITY TO-WEALTHY SILVA	37	LV7867
14:29:15	CM	58/REC F/PR ADV'G MALE LEFT W/JUV TL 1 LS TWRDS MP // BLK LEXUS 2DR NV/LV	58	LV10197
14:29:15	CM	BS08 / 1429HR	58	LV10197
14:29:20	EU	PN FRM- TO-NV-LVBS08	58	LV10197
14:30:07	CM	58/[REDACTED] [REDACTED]	58	LV10197
14:30:07	CM	[REDACTED] 1430HR	58	LV10197
14:55:18	EU	LLV130105002235 timed out queue updated		
15:00:46	USAS 2C5	1433 COTTONWOOD PL 417	17	LV10180
15:00:46	USAS 2C3	1433 COTTONWOOD PL 417	17	LV10180
15:00:48	EU 2C5	PU FRM- TO-LV/2C5	17	LV10180
15:01:01	USER 2C5	1433 COTTONWOOD PL 417	00	LV6734
15:01:15	USER 2C3	1433 COTTONWOOD PL 417	17	LV10180
15:02:30	USAR 2C3	1433 COTTONWOOD PL 417	17	LV10180
15:07:12	CM	2C3 C/4 1507 HRS	17	LV10180
15:07:36	USAR 2C5	1433 COTTONWOOD PL 417	00	LV6734
15:21:18	USCL 2C3	417	00	LV13887
15:23:47	UR 2C5	Reassign: 417 LLV130105002453	17	LV10180
15:31:17	USAS 3C2	1433 COTTONWOOD PL 417	17	LV10180
15:31:17	USAS 3C3	1433 COTTONWOOD PL 417	17	LV10180
15:31:19	EU 3C2	PU FRM- TO-LV/3C2	17	LV10180
15:31:22	USER 3C2	1433 COTTONWOOD PL 417	00	LV13467
15:31:26	USER 3C3	1433 COTTONWOOD PL 417	00	LV13508
15:32:58	USCL 3C2	417	17	LV10180
15:32:58	USCL 3C3	417	17	LV10180
15:32:58	US 3C3	D FRM- TO-M	17	LV10180
15:32:58	EU 3C2	D FRM- TO-M	17	LV10180

REC'D BY NCJD

FEB 21, 2017

Keisha Weiford, MS, MFT
Licensed Marriage & Family Therapist
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702-395-8417 Office 702-334-2113 Cell
702-242-4429 Fax

October 8, 2015

Via Email

Re: Welthy Silva v. Rogerio Silva D-12-467820

Rogerio Silva
3950 Edgemoor Way
Las Vegas, Nevada

Welthy Silva
1433 Cottonwood Place
Las Vegas, Nevada 89104

Dear Co-Parents:

The Court has requested that I conduct 3 reunification sessions with Annie and Mr. Silva (Dad). We were able to accomplish that. I thank both parents for your participation. I would like to continue building on the work we have already done in those 3 sessions before the next Court date, if that is acceptable by both parties.

However, before we resume reunification sessions with Dad and Annie. I would like to meet with Rogerio Silva and Welthy Silva individually to discuss their individual parenting styles and ways they can continue to help the process. Both parents would be responsible for the cost of their individual sessions. We can start as early as the week of Monday, October 12, 2015.

I would also like to get a release to speak with Annie's therapist so that we could work together to ensure that we are all on the same page. Nicolle, my assistant, will send the release to be signed so that I can talk with the therapist.

If you have any questions, please feel free to contact me. I look forward to hearing from you soon.

Sincerely,

Keisha Weiford

cc: The Honorable Rena Hughes, via fax to: 702-676-1475
Christopher R. Tilman, Esq., via fax to: 702-214-4208
Riana Durrett, Esq., via fax to: 702-458-8508

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FACSIMILE TRANSMISSION

DATE: 10/9/2015

TO: The Honorable Rena Hughes

FAX #: 702-676-1475

NO. of PAGES: 2 (including cover sheet)

FROM: Nicolle Polit, Assistant to
Keisha Weiford MS, MFT

RE: Welthy Silva v. Regerio Silva Case #D-12-467820

Comments: Please confirm upon receiving.

This transmission contains confidential information. If you have received this in error, please call (702) 395-8417. Thank you.

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FUS

REC'D BY NCJD

FEB 21, 2017

FAX TRANSMISSION

November 2, 2015

The Honorable Rena G. Hughes
District Judge, Department J
Eighth Judicial District Court
Family Division
601 N. Pecos Road
Las Vegas, Nevada 89101-2408

RE: Silva vs Silva
Case#D-12467820-D
Parent - Child Reunification Update Letter

Dear Judge Hughes:

The above mentioned case was referred for child reunification services on May 26, 2015. Please accept this letter as an update from my last letter on August 5, 2015. We had three conjoint sessions since then with Rogerio Silva (Dad) and his daughter Annie on September 9, September 17, and September 24, 2015. It was my understanding that this family had an upcoming court date on September 29, 2015, so we did not schedule a follow up appointment.

On October 8, 2015, I wrote both parents requesting that we schedule additional sessions with Dad and Annie, as well as individual sessions with the parents so that we can discuss ways that they can help Annie and improve their individual parenting styles. I also requested a release to speak to the therapist, Natalie Harper, that met with Annie. Welthy Silva (Mom) did provide my office with a release. Dad and I had one additional session on October 21, 2015 and I had a telephone conference with Natalie Harper on October 22, 2015. Welthy Silva (Mom) declined to meet with me after my October 8th letter, she reported to my assistant that finances were an issue and Annie was done.

Summary of Conjoint Sessions

Annie was okay when she came into all of the sessions. She did not have any difficulty walking into my office, or sitting in the office for the entire time. She did not want to sit close by her father, she did not want to make eye contact. Annie was weepy throughout the first session. When Dad addressed Annie directly it made her upset in the first session. Annie did not have any difficulty communicating with me, however, she was not able to articulate her feelings about her relationship with Dad. When asked about her tears, she could not explain why she had her tears. During the first session, Annie did not respond to Dad directly. When Dad asked Annie for a hug at the end of the first session, it made her cry again.

At the second session, you could tell that she was still uncomfortable but she was able to look at Dad and respond to his questions. Actually, our second session was the most productive. Annie was open and comfortable during the second session, she did not cry and she played 3 to 4 games of checkers with Dad. I utilize activity quite a bit when working with children and parents. Children are more apt to open up when they are doing something fun. Dad demonstrated his ability to teach and connect with Annie at the same time. It was very appropriate, and Annie opened up the most during that time together. Annie was able to respond without prompting from me. Both Dad and Annie were more relaxed. She left the office cheerful and met with Mom in the lobby in a very different state from our first session.

Right before our third session, as I am walking Annie into the room, she was determined to let me know that she did not want to be reunified and did not want to have a relationship with her father. Annie was more closed during the third session. She was not as shut down as in our first session, but there was a distinct difference from our first session. In our third session, Dad again was requesting that Annie open up. Dad continued to share his experiences with Annie and their life together, and why he is so baffled by her behavior. Annie finally reports that she was "acting" when she was spending time with her Dad all these years. Dad was deeply hurt and became emotional. Annie reported that she did not care about her relationship with her Dad and essentially did not want it. Dad got up and asked to leave the room and have a moment. Dad does not hide his emotions well, and when he is frustrated and hurt it looks like anger. However, there was a sadness there that does not just stem from his relationship with Annie but comes from his estranged relationship with his older daughter, and I am sure there other things that contribute to it. However, Annie is not going to understand why her Dad gets so frustrated and upset. Annie is not going to understand that Dad's hard exterior and rigidity has nothing to do with his love and dedication to her. Dad needs to work on being able to show his vulnerability with his daughter without it coming off as anger. Dad needs to work on keeping his anger and frustration with Mom very separate from his relationship with his daughter. It seems that all of it has been bleeding into his relationship with Annie. However, Dad is not the only one that needs to work on the family dynamics.

Annie's Therapist

I spoke with Annie's therapist. She reported that Annie met with her on July 15 and July 22, 2015. The therapist reported that Annie did not report abuse, neglect or any other issues with her father other than him taking the cell phone away from her. The therapist reported that she had the impression that Dad was rigid, which was consistent with my observations in the conjoint sessions. The therapist reported that she had a third session scheduled, but that appointment was cancelled by Mom. The therapist did tell Mom that she does not get involved in court cases. The therapist did state that she would be willing to continue to see Annie if she was working in unison with myself as the reunification therapist.

 If Annie is indeed having difficulty in her relationship with her Dad, then I am surprised that she only had two sessions with the therapist in July. If that therapist was not a good fit, then there should have been an effort made to find someone that was a better fit. It appears that Mom's thoughts are that the problems lie solely with Dad, therefore, if we get rid of Dad then the problem is solved. However, I believe the problems are more systemic and has more to do with the dynamics in the parental relationship that started in the marriage and continues to this day.

Observations

The following is my assessment of the family dynamics from the brief amount of time that I spent with this family. The issues with parenting Annie started in the marriage before the divorce. It sounds as if both parents had very different ideas on what was appropriate when it came to Annie and it became a power struggle, which continues today. Both parents have polar opposite parenting styles. Based on my brief observations, Mom has a more permissive style while Dad has a more authoritarian style. Mom's relationship with Annie also appears to be enmeshed.

The major issues that Annie described having with her Dad had more to do with his conflicts with Mom than they had to do with her personal relationship with him. Annie reported in her first interview with me that her Dad did not spend time with her and was preoccupied with his phone; she also reported not liking his girlfriend, and that Dad had an angry episode not too long ago. However, during the conjoint session, Annie agreed that her Dad did spend quality time together. They both agreed that she did do constructive things when she was in the care of her Dad such as, art projects and Jiu Jitsu which she seems to be very good at. Annie agreed with Dad's reports that Dad was not abusive or neglectful towards her. I did witness Dad losing his cool in front of Annie, but again that had more to do with his frustration with the situation than it had to do with Annie personally.

The only parent-child situation that Annie was really vocal about was when Dad would take Annie's electronic devices away (cell phone/iPad) when she did not stay in touch with Dad. Annie did not agree with that consequence and felt that Dad's stance on the cell phone was unfair.

I believe that Annie is a child of divorce that is in the middle of the conflict between her parents. It is understandable why Annie would be so put off by her Dad's style of parenting, when she spends the majority of her time in a permissive household. Dad wants to have a say in Annie's upbringing, and he is vocal about it, and is willing to confront Mom about it or take her to Court to get things handled. If Annie is spending all of her days being schooled by Mom, going to the dance studio with Mom and is really close to Mom, of course she is going to see Dad as the enemy. Her protection of Mom is a natural response. If Dad is more authoritarian in his parenting style, and is vocal about his dislike of some of the things happening; I am not surprised that Annie has come to the conclusion that she does not need that relationship with Dad. This stance is also being supported and championed by her mother. Annie's views are her own but it is not because there is something detrimental being done to her.

I believe that Dad has some work to do on his parenting, but I also believe that Mom has some work to do herself. There are no perfect parents, however, Annie would benefit from both of her parents coming more toward the middle. Dad is continually fighting for a role in the upbringing of Annie. When things are not worked out cooperatively with Mom, he will take his concerns to Court and Annie is well aware of this difference in opinion and the difficulty that this causes her mother. It makes sense to align with the parent that she is closest to, and who she observes as being victimized by this behavior. However, discarding her relationship with Dad is not the answer. Dad actually creates balance in Annie's upbringing. Annie's relationship with her Dad is not an easy one, but his rigidity is not cause for no access to his daughter.

Recommendations

These parents would benefit from having a cooperative relationship. It would also be beneficial for them to share in the major decision making, such as, Annie's education. However, it does not appear that these parents are capable of working together in that way.

1. Therefore, these parents would benefit from parallel parenting where Mom will parent Annie separately from how Dad parents Annie. It is okay for parents to have different relationships

with their children. Dad might have a more stern approach, and Mom might have a more lenient approach. In an intact family, this is not abnormal. It usually forces parents to find the happy medium. However, in divorce families there is the misconception that it gives one parent permission to dictate how the other parent should behave.

2. Dad has unsupervised access to his daughter. There is no proof of abuse or neglect, and even children who have been in severe abusive situations and taken by CPS, still have visitation with their children.
3. It seems that Mom believes that she has Annie's best interest by protecting her daughter from her father. However, Mom supporting that relationship with Dad is the best thing that she could do for her. Getting her the assistance that she needs if she is having difficulty in that relationship, not just blocking access.
4. Both parents participate in a parenting class. Annie would benefit from having balance and accountability that comes with both parents learning how to parent effectively.
5. All major decisions and clear parenting guidelines would be made by the Court. If there are clear guidelines set out by the Court that states what the expectations of both parents are, this family may be able to adhere to those guidelines set out by the Court and not have to utilize the Court in order to co-parent.
6. Annie's education and the mode of accountability needs to be decided by the Court to eliminate the cause of conflict and stress in the parental relationship.
7. Annie continue with counseling or reunification therapy in order to monitor the progress/or lack of progress that is taking place in her relationship with Dad.

I hope this information is helpful to the Court. If I could be of further assistance to the Court and this family, please do not hesitate to contact me at (702) 395-8417.

Respectfully submitted,

Keisha Weiford, MS, MFT
Executive Director
Family Solutions Inc.

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FACSIMILE TRANSMISSION

DATE: 11/4/2015
TO: Honorable Judge Rena G. Hughes
FAX #: 702-676-1475
NO. of PAGES: 5 (including cover sheet)
FROM: Nicolle Polit, Assistant to
Keisha Weiford MS, MFT
RE: Welthy Silva v. Regerio Silva Case #D-12-467820-D

Comments:

Please confirm upon receiving and distribute to attorneys on case.

This transmission contains confidential information. If you have received this in error, please call (702) 395-8417. Thank you.

REC'D BY NCJD

FEB 21, 2017

Keisha Weiford, MS, MFT
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FAX TRANSMISSION

January 21, 2016

The Honorable Rená G. Hughes
District Judge, Department J
Eighth Judicial District Court
Family Division
601 N. Pecos Road
Las Vegas, Nevada 89101-2408

RE: Silva vs Silva
Case#D-12467820-D
Parent - Child Reunification Update Letter

Dear Judge Hughes:

The above mentioned case was referred for child reunification services on May 26, 2015. Please accept this letter as an update from my last letter on November 2, 2015. I have not had a reunification appointment with Rogerio Silva (Dad) and his daughter Annie since September 24, 2015.

My office on several occasions has tried to schedule appointments for Welthy Silva (Mom) and Annie. Our last scheduled appointment was December 10, 2015. Mom was aware of the appointment, she made contact with us the day before and the day after the appointment. Mom made it clear in her email on December 9, 2015 that she was not bringing Annie because she could not afford the sessions and because it stressed Annie and gave her headaches. My office has not heard from Mom since December 11, 2015. Dad did show for that appointment on December 10, 2015, and it was quite productive.

Money should not be the barrier for Dad having access to his daughter. Dad has not done anything, based on my observations or any of the reports, that warrants him not having access to his daughter for almost a year.

Recommendations

1. Dad should be able to start having access to his daughter weekly. There can be a 4-week plan in place before he resumes the normal timeshare.
 - a. First week - one evening dinner (hours dependent on Donna's House operating hours)
 - b. Second week - two evenings for dinner (hours dependent on Donna's House operating hours)
 - c. Third week - three evenings for dinner (hours dependent on Donna's House operating hours)

- d. Fourth week – Normal timeshare resumes. (Exchange times dependent on Donna's House operating hours.)
2. All exchanges take place at Donna's House. This way there is a record of the parent's compliance with the Court order.
 3. If there is a wait for Donna's House services, then exchanges can take place at my office Friday morning at 8am, and Monday morning at 8am until they are clients of Donna's House. These times are for exchanges only, no services can be provided during these times.
 4. If Donna's House cannot accommodate their normal timeshare arrangement, then drop off can be done at a local precinct or at her home with Mom. Pick-up should definitely be conducted at Donna's House.
 5. Dad participate in reunification therapy with me monthly, so that we can continue to work on building the skills necessary to improve his relationship with his daughter.
 6. Dad and Annie check in with reunification therapist monthly, cost to be paid by Dad and Mom's portion of the fee to be reimbursed to Dad. Method of reimbursement be determined by Court. However, it should not interfere with Annie participating in the services.
 7. Parents follow through with the parenting classes and other previous recommendations.

Mom has an outstanding balance of \$360 for her portion of the last 3 court reports. Dad has a balance of \$120 for this court report.

I hope this information is helpful to the Court. If I could be of further assistance to the Court and this family, please do not hesitate to contact me at (702) 395-8417.

Respectfully submitted,

Keisha Weiford, MS, MFT
Executive Director
Family Solutions Inc.

Cc: Rianna Durret, Esq.
Christopher Tilman, Esq.

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FACSIMILE TRANSMISSION

DATE: 1/22/2016

TO: Honorable Judge Rena G. Hughes

FAX #: 702-676-1475

NO. of PAGES: 3 (including cover sheet)

FROM: Nicolle Polit, Assistant to
Keisha Weiford MS, MFT

RE: Welthy Silva v. Regerio Silva Case #D-12-467820-D

Comments:

Please confirm upon receiving and distribute to attorneys on case.

Thank you!

This transmission contains confidential information. If you have received this in error, please call (702) 395-8417. Thank you.

REC'D BY NCJD
FEB 21, 2017

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March 1st, 2016

The Honorable Judge Rena Hughes
District Judge, Department J
Eighth Judicial District Court
Family Division
601 N. Pecos Road
Las Vegas, NV 89101

Case Number: D12467820D

Case Name: **Silva vs. Silva**

RE: Child Custody Evaluation

Dear Judge Hughes,

As the Child Custody Evaluator assigned to this case on February 18th, 2016, I am respectfully notifying the court of what has transpired thus far. Mr. Rogerio Silva is in compliance with the Order and is ready to begin services. Ms. Welthy Silva contacted this provider and explained that she is unable to afford to pay for the services at this time. As both parties are responsible for splitting the evaluation fees 50/50, this provider cannot begin services until fees are paid.

At this time I respectfully ask the Court for guidance on how to proceed. I appreciate the opportunity to be of service to this Court, and if you have any other questions or concerns, please feel free to contact me at any time.

Sincerely,



Claudia Schwarz, MFT

**Judicial Conduct Complaints,
Case Nos. 2016-113 and 2016-158**

MAY 26 2017

Interrogatory No. 1.

Why did you draft the Minute Order dated June 8, 2016, and on what basis did you find that that mother failed to facilitate the daughter's visitation with the father?

Answer to Interrogatory No. 1.

I drafted the Minute Order after receiving the report from Donna's House Central, dated May 26, 2016, informing me Ms. Silva was continuing to withhold Annie during Mr. Silva's custodial time. (See, DHC report of same date, #29).

Donna's House Central ("DHC") is a facility located on the campus of Family Court. DHC is an outsourced program used by the Family Court to facilitate custody exchanges where the parents are volatile. DHC (located through the security gate) facilitates custody exchanges, and keeps the peace. They also report on the exchanges and document any problems.

The DHC report stated Ms. Silva brought the minor child, Annie, to the first exchange but Annie refused to go with Mr. Silva. On May 16, 2016, I ordered Ms. Silva to drop Annie off at DHC, and then leave the premises. I ordered this because the first time I ordered DHC to facilitate custody exchanges in January 2016, Ms. Silva would stay, Annie would refuse to go with Mr. Silva, then Ms.

Silva would leave with Annie. My thought was that Annie could not refuse to go with her father if Ms. Silva were to leave DHC, thus sending a message to Annie that she did indeed need to go with her father.

DHC reported Ms. Silva did not leave, Annie refused to go with her father, and Mr. Silva was again denied his custodial time.

Interrogatory No. 2.

On what basis did you find the mother was in contempt of Court regarding her alleged failure to facilitate visitations on weekends?

Answer to Interrogatory No. 2.

Ms. Silva failed to facilitate weekend visitation with Mr. Silva beginning in April 2015. I held several hearings from May 2015 to June 2016 to address the issue. I ordered reunification through a therapist (Keisha Weiford), and an outsourced custody evaluation (to include psychological testing of the parents and collateral interviews) through Claudia Schwarz, a Marriage and Family therapist, and when finances would not support these services, I ordered DHC custodial exchanges.

I held nine (9) hearings from April 2015 to June 2016. Ms. Silva's failure to facilitate the custodial exchanges were addressed at nearly every hearing, as well as Ms. Silva's failure to refinance the home equity loan ("HELOC"), and to have Annie math tested by a facility of Mr. Silva's choosing.

After conducting nine (9) hearings, having received reports from Keisha Weiford and DHC, I had no alternative but to find Ms. Silva was failing to facilitate weekend exchanges as ordered by the Court. As stated above, the DHC report was the most recent report, and Ms. Silva had been warned in open Court on May 12, 2016 if she did not facilitate weekend visits, Annie would spend the entire summer with her father. Ms. Silva failed to do so, after being referred to DHC a second time.

Interrogatory No. 3.

Please explain how your findings of the Complainant in contempt complies with Nevada Revised Statutes regarding finding a party in contempt for violating a court order(s)?

Answer to Interrogatory No. 3.

NRS 22.010(3) deems contempt to be "disobedience or resistance to any lawful writ, order, rule or process issued by the Court or Judge at chambers." Ms. Silva willfully violated my orders to facilitate Mr. Silva's custodial time, against the best interest of Annie, and in violation of Mr. Silva's constitutional parental rights.

The fact that Ms. Silva did not exchange Annie with Mr. Silva as previously ordered was uncontroverted by Mr. Silva, Ms. Silva and DHC. (See, Journal Entry of June 8, 2016, #12).

The Decree of Divorce granted Ms. Silva primary physical custody and Mr. Silva weekend visitation. After Mr. Silva filed a motion to have Annie academically tested, due to her home schooling, Ms. Silva began retaliating against him by affecting his relationship with Annie. In April 2015, she began withholding Annie during Mr. Silva's custodial time.

Ms. Silva also falsely accused Mr. Silva of "abuse" of Annie, because he disciplined her by taking her cell phone, and he accidentally knocked over the garbage cans at Annie's residence after he picked her up.

Ms. Silva also reported to the police in May 2015, that Mr. Silva threatened not to feed Annie which was not true. Mr. Silva had to call the police to enforce his custodial time on this occasion, but the police would not get involved. (See, #22).

Ms. Silva had no basis for the alleged abuse, as confirmed by Annie's therapist and Keisha Weiford, MFT, whom I appointed to provide "reunification therapy" to Annie and Mr. Silva. (See, #)

The purpose of reunification therapy is to help the parent and child work through their difficulties and mend their relationship. Mr. Silva paid nearly \$2,000.00 to Ms. Weiford for her services, but Ms. Silva interfered with, and failed to follow the direction of Ms. Weiford, as detailed below. There was no reason for her lack of participation other than Annie did not want to, or "Annie was done."

I found that Ms. Silva was undermining the reunification process, was blaming Mr. Silva for wrong-doing or abuse when none had occurred, and would not be satisfied until she eliminated him from Annie's life. Ms. Silva made statements to Ms. Weiford that Mr. Silva "should just go back to Brazil" where he was raised, and get out of their lives. These are not the statements I expect from a parent who is committed to the reunification process. Obviously, Ms. Silva was not interested in facilitating a relationship between Annie and her father.

After several months of attempting reunification, the Court ordered a full outsourced custody evaluation by a psychologist, qualified to give both parents psychological tests. The purpose of such tests is to determine any mental health issues that may be impeding the parent/child relationship. Ms. Silva declined to participate based on financial reasons.

When Ms. Silva claimed she could not afford the outsourced evaluation, I sent the parties back to DHC to facilitate the custodial exchanges because Mr. Silva was still not getting his weekend visitation. DHC reported to me that Ms. Silva would not leave the premises, stayed long enough for Annie to refuse to go with Mr. Silva, then took Annie away. I had ordered Ms. Silva to drop Annie off, and to encourage Annie to go with her father. Ms. Silva did not drop Annie off, she stayed, allowing Annie to refuse to go with her father, and she did not encourage Annie to go with her father. (See, Journal Entry, #11.)

Interrogatory No. 4.

Please explain why you did not hold a hearing regarding finding the mother in contempt for failing to facilitate visitations on weekends?

Answer to Interrogatory No. 4.

The fact that Ms. Silva did not exchange Annie with Mr. Silva as previously ordered was uncontroverted by Mr. Silva, Ms. Silva and DHC. Ms. Silva never denied she did not "force" Annie to go with Mr. Silva for his weekend visitation to be facilitated through Donna's House.

I directed Mr. Silva's counsel to draft an Order to Show Cause on the matter, which she did. (See, #14.) At the hearing on contempt, counsel for Ms. Silva objected to the Order to Show Cause regarding the visitation issue because Mr. Silva's counsel had not prepared the underlying Order from the May 12, 2016 hearing. The May 12, 2016 hearing addressed visitation, Donna's House visitation exchanges (I signed a separate order for Donna's House visitation exchanges in open Court), Ms. Silva's request for reimbursement of medical expenses, and support arrearages.

Since neither counsel prepared the Order from the May 12, 2016 hearing, the Court did not go forward on the Order to Show Cause for visitation violations, but only on the HELOC and math testing issues, for which orders had been prepared months earlier, signed, and entered.

Interrogatory No. 5.

Please explain why you did not hold a hearing regarding the temporary transfer of same legal and physical that occurred at the June 15, 2016 hearing.

Answer to Interrogatory No. 5.

I did not hold a hearing because I had already held nine (9) hearings to address why Mr. Silva was being denied his custodial time. I also informed Ms. Silva on May 12, 2016 when she appeared in Court that if she did not make Annie go with her father for weekend visitation, to be facilitated through DHC, and leave DHC after dropping Annie off, Annie would spend the summer with her father. NRS 125C.0045 allows a Court to modify orders of custody during the pendency of an action "as appears in his or her best interest."

After I received the DHC report informing me Ms. Silva did not leave DHC after dropping Annie off, and Annie refused to go with Mr. Silva, there was no need for an additional hearing. The fact that Mr. Silva was still being denied his custodial time was uncontroverted. No few facts or circumstances occurred to change my mind that Mr. Silva was entitled to his custodial time.

I entered only temporary orders of legal and physical custody as I determined were in the best interest of the child.

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Interrogatory No. 6.

Please explain why you changed custody when the Father's Motion for an Order Shortening Time only addressed the visitation issue.

Answer to Interrogatory No. 6.

Mr. Silva had filed a Motion to Modify Custody (9/16/15) seeking primary physical custody of Annie due to Ms. Silva not allowing his custodial time. I did not initially grant Mr. Silva's motion because a significant period of time had lapsed since he had Annie in his care (due to Ms. Silva's interference). I reasoned it was in Annie's best interest to approach the issue through reunification therapy.

I reasoned the most important issue to Mr. Silva was his parent-child relationship. Mr. Silva had done nothing wrong, and was being deprived of his basic, constitutional right as a parent. Mr. Silva had spent thousands of dollars in therapy costs, attorney's fees, and attended numerous hearings, and still Ms. Silva would not acknowledge his rights. The longer the situation was allowed to continue, the more of a wedge Ms. Silva was driving between Annie and her father. I could not allow Ms. Silva to continue to violate Mr. Silva's rights.

The change in custody was temporary, and the Court has broad discretion to act in the best interest of the child in custodial matters. The main consideration for changing custody is always the best interest of the child. Ms. Silva was prohibiting, impeding, and preventing a parental relationship with Mr. Silva and

Annie, and encouraging Annie to not have a relationship with her father. Ms. Silva was informed on May 12, 2016 that Annie would go with her father "for the summer" if she did not facilitate Mr. Silva's custodial time. My goal was to cease her interference, and allow Mr. Silva and Annie to reunify, outside of her presence. I set the matter for an evidentiary hearing regarding Mr. Silva's motion to change custody.

Permanent changes in custody require the taking of testimony and evidence. I can make any temporary custody orders as it deems in the best interest of the child. I reasoned that the destruction of the father/child relationship was going to continue, that Ms. Silva would encourage Annie to reject her father, and no custodial orders would be followed by Ms. Silva, because she had not done so thus far.

I further reasoned that it was in Annie's best interest to spend time with her father, who loves and cares deeply for her, and who had been denied his parental rights since Ms. Silva started refusing to exchange Annie in April 2015.

In October 2016, at the time scheduled for an evidentiary hearing on permanent custody, Ms. Silva, through her counsel, stipulated that Mr. Silva would maintain sole legal custody, and primary physical custody of Annie. Ms. Silva further stipulated she would attend parenting classes, would participate in therapy, and visit Annie one day a week. (See, Order, #20).

Since the October 2016 stipulation, Ms. Silva has not, to my knowledge, taken the parenting classes. Ms. Silva has also interfered with Mr. Silva's "sole legal custody" by reporting to Annie's school that she has a religious objection to vaccinations (which she does not). Ms. Silva has also accosted Mr. Silva when he has gone to the school to pick Annie up, and interfered with his custodial time. On one occasions, Ms. Silva grabbed onto Mr. Silva's open car door while Annie was in the vehicle, and screamed at Mr. Silva to give Annie to her so they could bury an alley cat. Mr. Silva peacefully ended the altercation, and later took Annie to bury the cat.

Interrogatory No. 7.

Please explain why your Minute Order from June 15, 2016 stated that "Mom shall have NO CONTACT with Minor".

Answer to Interrogatory No. 7.

If Ms. Silva were allowed to continue to undermine Mr. Silva's relationship with Annie, during the summer months when they had time to spend quality time together, reunification would again be thwarted. Up to this point, Ms. Silva had done everything in her power to prevent Annie and her father from discussing their differences over Annie's home schooling, Annie's anger at her father for having her math tested, and actually encouraged Annie not to resolve her problems with her father. Everything Ms. Silva did undermined Mr. Silva's ability to have a

close, loving bond with his daughter, whom he had been prevented from seeing for over a year, except during a couple reunification sessions, and at DHC for a few minutes.

Ms. Silva's behavior has been categorized by mental health professionals as "pathogenic parenting." Such parents are often narcissistic/borderline personality parents. The pathogenic parent will attempt to manipulate or characterize the custodial relationship as the child being "forced" to have a normal relationship with the other parent, or being protective against an allegedly abusive parent, when no abuse has occurred.

Psychologists providing judicial educational seminars have advised family court judges that this is a serious issue, which if not addressed, will result in a "parent-ectomy" or a death sentence for the "out" or "targeted" parent. Psychologists have informed judges that the methods of dealing with pathogenic parents is to try therapeutic reunification first, outsourced custody evaluations with psychological testing of the parents next, and third, the Childress Model, break the control of the pathogenic parent, by affording the child an opportunity to bond with the "targeted" parent without the interference or control of the pathogenic parent. This is referred to as "protective separation." (See, "Single-case ABAB Assessment & Remedy Protocol", Childress, Ph.D., Craig, #29.) Of course preceding these actions, the Court must determine whether the targeted parent is

not a danger or risk to the child. (See, collection of articles by Dr. Craig Childress, #31, 32.) (While the term "Parental Alienation" is no longer a recognized psychological "syndrome" the diagnostics, approach, and recommended treatment are still applicable to what is now known as "pathogenic parenting.") (See, "Reconceptualized Parental Alienation: Parental Personality Disorder and the Transgenerational Transmission of Attachment Trauma", Childress, Ph.D., Craig, #32.)

My order of "no contact" pursuant to the Childress Model was an action of last resort. This was also the advice of Judge Elliott.

Long before resorting to these measures, I ordered therapeutic reunification through Keisha Weiford. Therapeutic services began in May 2015. Ms. Weiford's first report to me on July 8, 2015. See, Ms. Weiford's report of same date. Ms. Weiford had great difficulty obtaining Ms. Silva's and Annie's participation in reunification therapy. Annie did see an individual therapist to help her address her issues with her father.

Once she was able to see Annie, Ms. Weiford made recommendations in her second report dated June 29, 2015. (See, Ms. Weiford's report of June 29, 2015, #22.) At the next hearing with the parties present, and represented by counsel, I adopted Ms. Weiford's recommendations for parenting classes, and further reunification. (See, Order from July 9, 2015 hearing, #4.)

Although I ordered reunification therapy to continue, Ms. Weiford reported to me on August 5, 2015, that Ms. Silva and Annie refused to participate and she cancelled the remaining appointments. (See, Ms. Weiford's letter of August 5, 2015, #23.) Ms. Silva's attorney then represented Ms. Silva would work with Ms. Weiford and participate in reunification. I again ordered reunification therapy to continue.

Ms. Weiford reported to me in a letter dated October 8, 2015, copied to both counsel, she wanted to meet with the parents individually, and obtain a release from Annie's therapist. Mr. Silva met with Ms. Weiford, but Ms. Silva did not. Ms. Silva told Ms. Weiford's staff that "...finances were an issue and Annie was done." (See, Ms. Weiford's letter of October 8, 2015, p.1, #24.)

Ms. Weiford's next report to me was on November 2, 2015. (See, Ms. Weiford's letter of November 2, 2015, #25.) Annie and Ms. Silva met three (3) times with Ms. Weiford. Her report of those sessions is contained in the November 2, 2015 letter. During the second visit, Annie was "open and comfortable." She played 3 to 4 games of checkers with her father. Annie left the office cheerful.

Before the third session, Annie wanted Ms. Weiford to know that she did not want to be reunified and did not want a relationship with her father. Ms. Weiford noticed a big difference in Annie's behavior from the first to the second session

(which was improved) to the third session where Annie "shut down." Ms. Silva was baffled, and Annie reported she was "acting."

Ms. Weiford contacted Annie's therapist and learned Annie only had 2 sessions. Ms. Weiford was surprised that Ms. Silva did not take Annie more than twice, when she was having difficulty in her relationship with her father. In Ms. Weiford's words: "[I]t appears that Mom's thoughts are that the problems lie solely with Dad, therefore, if we get rid of Dad then the problem is solved. However, I believe the problems are more systemic and has more to do with the dynamics in the parental relationship that started in the marriage and continues to this day." (See, #25.)

Ms. Weiford learned that during the 2 sessions with her therapist, Annie did not report abuse, neglect or any other issues with her father, other than him taking her cell phone away (as discipline).

Ms. Weiford recommended Mr. Silva have unsupervised visits with Annie, as there was no proof of abuse or neglect. Ms. Weiford further recommended "...Mom supporting that relationship with Dad is the best thing that she can do for her (Annie)." (See, #25, page 5.) Additional recommendations were made, such as parenting classes.

When therapeutic reunification proved unsuccessful, I ordered a full outsourced custody evaluation through Claudia Schwarz. Ms. Silva claimed she

could not pay Ms. Schwarz fees, and did not participate in the custody evaluation. Still, Mr. Silva was not able to have custodial time with Annie due to her, and Ms. Silva's refusal to allow it.

The only option I had left short of a "pick up order" authorizing police to retrieve the child from the mother's home, was to mandate the production of the child and a custody exchange on a temporary basis. I viewed the latter choice as a more controlled option, because Court security and the courtroom environment would ensure safety for all persons involved, and protect their privacy.

In Family Court there are "pick up" orders when a parent withholds a child. A pick up order directs legal authorities, usually the police, to retrieve the child from the withholding parent, and deliver the child to the parent whose custody rights have been violated. This is one of the tools Family Court Judges use, but only if absolutely necessary, as the child could be traumatized by the police presence. This type of custodial exchange would be carried out in a public setting, rather than the privacy of a Court room.

Interrogatory No. 8.

In your Minute Order from June 15, 2016, why did you order that if the minor refuses to go with the father that the minor would go to Child Haven?

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Answer to Interrogatory No. 8.

Immediately prior to the hearing, I consulted with Presiding Judge, Charles Hoskin, as I had many times during the previous months on this case. Judge Hoskin and I brainstormed about scenarios to facilitate the custody exchange, but keep the peace. I explained the history of this case with Judge Hoskin, and the fact that during reunification therapy, Ms. Silva was unwilling to "force" Annie to participate, and Annie refused to participate, or even get out of the car once at Ms. Weiford's office.

When I asked Judge Hoskin what I should do if Annie refused to go with her father even after I had the mother leave the Court room, he advised me to tell Annie that if she did not go with her father, she would be taken to Child Haven, which is like a "jail for kids." I relied on my experienced colleague, as I had in many other hearings on this case, because this was my first case of pathogenic parenting, which started just after I took the bench. I can supply an affidavit from Judge Hoskin if necessary.

Interrogatory No. 9.

Please explain what Child Haven is in detail, and why you told the daughter that is a jail and /or prison for children?

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Answer to Interrogatory No. 9.

See response to no. 8 above. Child Haven is where children are kept safe after they are removed from their parent(s) from potentially dangerous situations. Child Haven is not typically used for child custody exchanges; that is the purview of Donna's House. Only in extreme custody cases have Judges told parents their child could go to Child Haven if they absolutely refused to abide by Court orders. I know of one other Judge at Family Court besides Judge Hoskin who used the threat of Child Haven when parents will not listen to reason. I relied on Judge Hoskin's advice, and I used his words verbatim.

Interrogatory No. 10.

Please explain, in detail, what you told the daughter off the record.

Answer to Interrogatory No. 10.

First, I sought the advice of Judge Jennifer Elliott numerous times on this case. I was a new judge, and Judge Elliott has extensive experience as a Marriage and Family Therapist. I respect her opinion. Judge Elliott is the person who explained the remedial approaches to me, which I followed at every juncture in this case. Judge Elliott advised me to allow Annie time to ask me questions, after I explained to her what was going to happen. I followed Judge Elliott's advice. If necessary, I can provide an affidavit from Judge Elliott.

I explained to Annie that her father loved her very much and he has been asking to see her for a long time. I asked her why she didn't want to go with her father. She did not have a reasonable explanation.

I told Annie that she was supposed to see her father on weekends, and she and her mother decided she was not going to do that, so she was going to spend the summer with him. I asked Annie if she had any questions for me, and she had several.

I answered each of Annie's questions. Annie is very intelligent, and very stubborn. She is homeschooled by Ms. Silva, and wants to be an actress. She enjoys the undisciplined lifestyle Ms. Silva provides. Mr. Silva has a much more structured life style. Annie does not like rules.

Annie asked me if I would make my daughter go see her father if my daughter really didn't want to go? I told Annie I would, because my daughter's father loves her and wants to be in her life. (I do not have a daughter, but Annie was presenting me with scenarios, so I answered her).

Annie posed 2 or 3 more scenarios to me, and I answered her questions. Annie was poised and calm throughout our conversation. Our conversation lasted about 10 minutes, and my marshal and court clerk were present.

Although our conversation was not a "child interview" unless you consider Annie's questioning of me an interview, which I did not, such interviews are not

recorded. The video record is the official record of hearings and trials, but children are not videotaped when they are interviewed. This is for their protection. If the parents obtained a videotape of the interview, they could allow the child to view it, which is strictly against Court policy on keeping children out of the Court process. Other abuses can occur if the parents have the videotape, such as in this case, where Ms. Silva released the tape, which is now on YouTube. Annie may, and likely will, suffer trauma from having sensitive information like this released to the public by her own parent.

At the October 2016 hearing where the parties stipulated to continue the custody order of June 2016, counsel stipulated to seal the case file pursuant to NRS 125.110. The videotape of Annie had already been released, but the Court accepted their stipulation to seal the file. Counsel for the parties also requested I order third parties in possession of the videotape to remove it from their Facebook pages and websites. I could not grant their request, as I have no authority or jurisdiction over the third parties to which Ms. Silva gave the videotape.

Interrogatory No. 11.

Did you make up your mind before that hearing that you were going to change custody, please explain.

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Answer to Interrogatory No. 11.

I made up my mind to temporarily transfer custody to Mr. Silva when Ms. Silva violated my order to facilitate visitation through DHC. (See, Journal Entry of June 8, 2016, #12.) The custody exchange in my Court room on June 15, 2016 was not a hearing. My journal entry of June 8, 2016, and all the hearings prior to that date formed the basis of my decision to invoke the Childress Model.

Interrogatory No. 12.

Why did you not have a counselor, or CASA volunteer, or someone of that nature at the June 15, 2016 hearing to facilitate the custody transfer and comfort the minor child?

Answer to Interrogatory No. 12.

I could not have predicted Annie's outburst, but I also do not have the resources of a counselor or a CASA. CASAs are appointed to represent foster children. There are 300 CASAs and 3,500 foster children in need of CASAs. CASAs are only appointed for foster children in abuse and neglect cases. They are assigned specific foster children. CASAs are individual volunteers and are not located on the Family Court campus. Neither are counselors. Family Court does not supply free counselors to Judges.

Annie was not traumatized as seemingly depicted in the short video clip. Annie was very calm during my conversation with her, and only when she learned

she was not going to manipulate the situation to her desire, did she become histrionic. Annie cried no tears. My marshal gave her tissues and she pushed them away. After crying did not manipulate me, Annie became stern with me and stated "No, I won't!" when I told her she was going with her father.

I made sure Annie was calm and comfortable before leaving the Court room with her father. My marshal stayed with Annie, her father and his significant other, and walked them out of the Court building to make sure Annie was no longer upset and willing left with her father.

Interrogatory No. 13.

Why did you choose to have the mother and father removed from the Court, and then spoke to the child off the record?

Answer to Interrogatory No. 13.

Upon the advice of Judge Elliott, who told me to have a friendly conversation with Annie, and explain to her what was happening that day. Family Court Judges often speak to children off the record, without their parents present. Usually, these conversations are prearranged, stipulated interviews. In this case, I did not interview Annie, but allowed her to ask me questions.

Interrogatory No. 14.

Why did you choose to have the mother removed from the courtroom on June 15, 2016?

Answer to Interrogatory No. 14.

This scenario was discussed at length with Judges Elliott, Duckworth and Hoskin. If needed, I can obtain affidavits from these judges to support the fact that they gave me the advice I am presenting in these answers.

Judge Duckworth and I discussed having the custodial exchange happen in the hallway after I announced my decision to the parents. We rejected this option because in Judge Duckworth's experience, this resulted in family members or friends who are there to support the litigants, arguing and perhaps even fighting in the hallway and being injured, or traumatizing the child.

Judge Elliott and Judge Hoskin discussed conducting the exchange in the Court room. I discussed how this could be accomplished because Ms. Silva was likely going to disrupt the transfer of Annie to her father. She had been preventing Mr. Silva from having his custodial time with Annie for months. I expected Ms. Silva would cause such a commotion that she might have been taken into custody, and I did not think this would be in anyone's best interest. We thought out different scenarios, and came to the conclusion it would be best to have her leave the Court room, and be escorted off the property so she couldn't interfere with the exchange, or wait for Mr. Silva in the parking lot and engage him in an altercation in Annie's presence.

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Interrogatory No. 15.

How would you characterize the court proceeding that took place on June 15, 2016, such as was it a contempt hearing, custody hearing etc.? Please explain in detail.

Answer to Interrogatory No. 15.

It was not a hearing. I had made my decision on June 8, 2016, sent the parties' the journal entry, and set the appearance for the custodial exchange. NRS 125C.0055, allows the Court, during any action for determining custody of a child, to order production of the child. NRS 125C.0055 states:

NRS 125C.0055 Order for production of child before court; determinations concerning physical custody of child.

1. If, during any action for determining the custody of a minor child, either before or after the entry of a final order concerning the custody of a minor child, it appears to the court that any minor child of either party has been, or is likely to be, taken or removed out of this State or concealed within this State, the court shall forthwith order such child to be produced before it and make such disposition of the child's custody as appears most advantageous to and in the best interest of the child and most likely to secure to him or her the benefit of the final order or the modification or termination of the final order to be made in his or her behalf.

2. If, during any action for determining the custody of a minor child, either before or after the entry of a final order concerning the custody of a minor child, the court finds that it would be in the best interest of the minor child, the court may enter an order providing that a party may, with the assistance of the appropriate law enforcement agency, obtain physical custody of the child from the party having physical custody of the child. The order must provide that if the party obtains physical custody of the child, the child must be produced before the court as soon as practicable to allow the court to make such disposition of the child's custody as appears most advantageous to and

in the best interest of the child and most likely to secure to him or her the benefit of the final order or the modification or termination of the final order to be made in his or her behalf.

3. If the court enters an order pursuant to subsection 2 providing that a party may obtain physical custody of a child, the court shall order that party to give the party having physical custody of the child notice at least 24 hours before the time at which he or she intends to obtain physical custody of the child, unless the court deems that requiring the notice would likely defeat the purpose of the order.

4. All orders for a party to appear with a child issued pursuant to this section may be enforced by issuing a warrant of arrest against that party to secure his or her appearance with the child.

5. A proceeding under this section must be given priority on the court calendar.

Interrogatory No. 16.

Please explain how you found the mother in contempt for failure to follow the Court's order regarding visitation with the father on June 15, 2016 while at the same time state that an order to show cause shall issue?

Answer to Interrogatory No. 16.

I found her in contempt pursuant to the DHC report of May 26, 2016 and the uncontroverted fact that she did not give Mr. Silva his custodial time. I ordered Mr. Silva's counsel to prepare an Order from the May 12, 2016 hearing, and an "Order to Show Cause." Neither counsel prepared the Order from the May 12, 2016 hearing, so I considered and granted Ms. Silva's objection to the Order to Show Cause, and did not proceed on that issue at the evidentiary hearing.

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Interrogatory No. 17.

Please explain why you did not hold a contempt hearing regarding visitation on July 28, 2016 since you held a contempt hearing on other issues that day.

Answer to Interrogatory No. 17.

Counsel for Mr. Silva did not provide an Order from the May 12, 2016 hearing, and Ms. Silva's counsel objected to going forward on contempt. I agreed with his objection and did not proceed on the contempt hearing regarding visitation.

Orders already existed for the HELOC and academic testing issues. I proceeded with the evidentiary hearing on these Orders.

Interrogatory No. 18.

Did you inform the parties before the hearing that you were going to change custody at the June 15, 2016 hearing, and if yes, please explain how you informed the parties.

Answer to Interrogatory No. 18.

Yes. In open Court on May 12, 2016, and in the June 8, 2016 journal entry personally served on the parties and/or their counsel.

Interrogatory No. 19.

Please explain why you did not hold a hearing regarding the awarding of child support at the June 15, 2016 hearing.

Answer to Interrogatory No. 19.

The June 15, 2016 date was not a hearing, but a custody exchange. Due to the temporary custody exchange, with Mr. Silva having custody of Annie, child support was set at the minimum statutory amount of \$100.00. This is the least amount a parent must pay when custody is granted to the other parent, even on a temporary basis. Any time I change custody, I have to order child support. See, NRS 125B.080.

Interrogatory No. 20.

Please explain how you protected the mother's due process rights regarding the custody, child support and contempt finding at the June 15, 2016 hearing.

Answer to Interrogatory No. 20.

Ms. Silva was put on notice that if she did not make Annie go for weekend visitation with Mr. Silva, Ms. Silva would be in contempt, and Annie would spend the entire summer with Mr. Silva. With Annie spending the entire summer with Mr. Silva, a de facto change in custody occurred. This change is temporary in nature, and was in the best interest of the child.

I viewed the temporary change in custody as an emergency, for the benefit of the child, and to preserve her relationship with her father.

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Interrogatory No. 21.

Based on the answers to any of the above questions, did respondent violate Rule 1.1 (compliance with the law including the Code); Rule 1.2 (failing to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and avoiding impropriety and the appearance of impropriety); Rule 2.2 (failing to uphold and apply law, and performing all duties of judicial office fairly and impartially); Rule 2.5(A)(perform duties competently); 2.6(a) (failing to accord to every person who has a legal interest in a proceeding, or that person's lawyers, the right to be heard according to the law); and Rule 2.8(b) failing to be patient, dignified and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity) of the Revised Nevada Code of Judicial Conduct, or any single rule or any combination of those rules, by doing any, a combination of, or all of the alleged acts, in Case No. D-12-467820-D, on or about June 8, 2016 – June 15, 2016 while respondent was acting in her official capacity as a District Court Judge of Family Court for the Eighth Judicial District Court in Clark County Nevada? Please Explain.

Answer to Interrogatory No. 21.

No. I acted upon the advice of my senior colleagues at each step in this case. Being a new judge, I had not encountered such problematic custody issues,

and needed the advice of my colleagues. I followed their advice for each hearing, and in making the orders I entered. I respect and value their expertise.

Ms. Silva's behavior was contemptuous, outrageous, and damaging to Annie, not to mention in violation of Mr. Silva's basic, parental rights.

I handled the situation as best I could, given the advice of my senior colleagues. I always had the best interest of Annie in mind, and worked through various steps to reunify her with her father, who had committed no act of abuse to warrant the reactions of Annie and her mother.

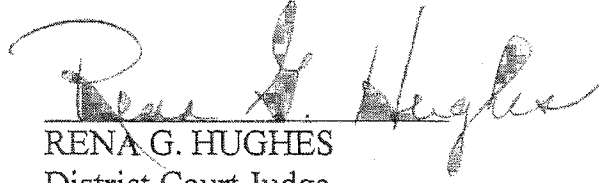
Dated this 23rd day of May, 2017


RENA G. HUGHES
District Court Judge

VERIFICATION

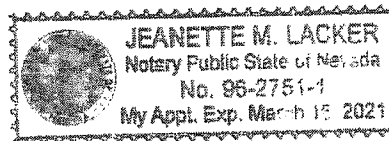
STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

RENA G. HUGHES, being first duly sworn, deposes and says that she is the Respondent in the above-entitled action; that she has read the foregoing Answers to Interrogatories Pertaining to Complaints Regarding Judge Rena Hughes Case Numbers 2016-113 and 206-158 and knows the contents thereof; that the same is true of her own knowledge except as to those matters therein alleged on information and belief, and to those matters, she believes them to be true.

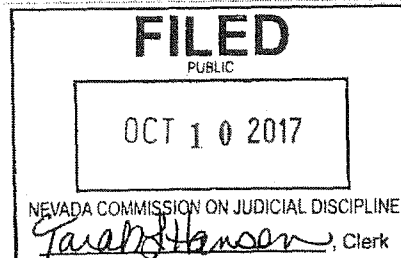

RENA G. HUGHES
District Court Judge

SUBSCRIBED AND SWORN to
before me this 22 day of May, 2017.


NOTARY PUBLIC in and for
said County and State



1 THOMAS C. BRADLEY, ESQ.
2 Bar No. 1621
3 *Sinai, Schroeder, Mooney,*
4 *Boetsch, Bradley and Pace*
5 448 Hill Street
6 Reno, Nevada 89501
7 Telephone (775) 323-5178
8 Tom@TomBradleyLaw.com
9 Prosecuting Officer for the Nevada
10 Commission on Judicial Discipline



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BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE

IN THE MATTER OF THE HONORABLE
RENA G. HUGHES, Eighth Judicial District Court,
Department J - Family Court,
County of Clark, State of Nevada,

CASE NO. 2016-113-P

Respondent.

FORMAL STATEMENT OF CHARGES

COMES NOW Thomas C. Bradley, Prosecuting Officer for the Nevada Commission on Judicial Discipline ("Commission" or "NCJD"), established under Article 6, Section 21 of the Nevada Constitution, who, in the name of and by the authority of the Commission, as found in NRS 1.425 - 1.4695, files this Formal Statement of Charges and informs the Respondent, the Honorable Rena G. Hughes, Eighth Judicial District Court, County of Clark, State of Nevada ("Respondent"), that the following acts were committed by Respondent and warrant disciplinary action by the Commission under the Revised Nevada Code of Judicial Conduct ("the Code").

FACTUAL ALLEGATIONS

Respondent knowingly, and in her capacity as a district court judge in and for the Eighth Judicial District Court, in Clark County, State of Nevada, engaged in the following acts or a combination of these acts ("acts or actions"):

1 Welthy Silva ("Mother" or "Complainant") and Rogerio Silva ("Father") were divorced in
2 2013 in Clark County. See Case No. D-12-467820-D. The parties had one minor child. In the
3 original Decree of Divorce, the Court granted the Mother primary physical custody and the Father
4 weekend visitation of the child. The parties were granted joint legal custody.

5 Beginning in May 2015, the parties began litigating a number of issues concerning the
6 well-being of their child and whether the Mother was interfering with the Father's visitation rights.
7 During the next twelve months, Respondent held a number of hearings on these issues.

8 On May 12, 2016, an in-person hearing was held. During the hearing, the parties argued
9 the issue whether the Mother was interfering with the Father's rights of visitation. Respondent then
10 advised Mother that she was close to being held in contempt and being incarcerated. At the
11 conclusion of the hearing, the Respondent ordered that Father shall have visitation with the child
12 on the upcoming weekend and that the parties shall exchange the child under the supervision of
13 Donna's House Central, a program used by the Clark County Family Court to facilitate custody
14 exchanges.

15 On May 14, 2016, the Mother allegedly failed to comply with the recently ordered
16 visitation and on May 17, 2016, the Father's counsel filed a Motion to place the matter back on
17 calendar regarding the visitation. On June 8, 2016, Respondent issued a Minute Order detailing
18 the visitation issues. The Respondent concluded that, "[t]his Court finds that Plaintiff [Mother] is
19 in contempt of the Court's order to facilitate visitation on weekends with the Father, AN ORDER
20 TO SHOW CAUSE SHALL ISSUE."

21 The Minute Order further stated, "[m]other shall bring the minor child to Dept. J, Court
22 room [sic] #4, on June 15, 2016 at 1:30 p.m. If the Mother fails to deliver the minor child to the
23 courtroom on June 15, 2016, she shall be deemed in further contempt of Court, and sentenced to
24 twenty-five (25) days incarceration. If the Mother fails to appear, a bench warrant shall issue."
25 The Minute Order also addressed other Order to Show Cause issues that were not related to
26 visitation, and stated in closing, "[t]he Order to Show Cause Hearing shall be scheduled for July
27 28, 2016 at 1:30 p.m."

Both Parties
1 Mother arrived with her minor child at the scheduled hearing on June 15, 2016.
2 Respondent ordered all parties, except the minor child, to leave the courtroom, and Respondent
3 addressed the child for nine (9) minutes off the record. Complainant was not allowed to return to
4 the courtroom. In Complainant's absence, Respondent awarded the Father temporary sole legal
5 and physical custody, terminated the Father's child support obligation, ordered the Mother to pay
6 the statutory minimum child support to the Father, and the Mother was to have no contact with the
7 minor child.

8 The minor child screamed and cried during the entire process while the Father remained
9 impassive at his counsel table. Respondent addressed the crying minor child by stating that the
10 change in custody occurred because the Mother and minor child were not cooperative with the
11 Court ordered visitations. Respondent further stated that if the minor child refused to go with the
12 Father she would end up in Child Haven, which Respondent referred to as a jail for kids.

13 At the court proceeding on June 15, 2016, no evidence or testimony was entered into the
14 record regarding the change of custody, change in child support or the finding of contempt. No
15 Order to Show Cause issued regarding the failure to facilitate visitation or notice regarding the
16 change of custody and/or child support, and no hearing was held.

17 The finding of contempt was not in accordance with Nevada law in one or more of the
18 following respects:

- No 19 (1) Respondent held Welthy Silva in contempt without due process and an opportunity to
20 be heard; and
21 (2) Respondent's penalty for contempt violated Nevada law in that the Respondent sanctioned
22 Welthy Silva by changing custody and awarding sole physical and legal custody to the
23 Father.

24 The Respondent's actions described above violated the Code, including Judicial Canon 1,
25 Rule 1.1, failing to comply with the law, including the Code; Rule 1.2, failing to promote
26 confidence in the judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing to
27 perform all duties of her judicial office fairly and impartially; Rule 2.5(A) failing to perform
28

1 judicial and administrative duties competently and diligently; Rule 2.6(A), failing to accord a
2 party's right to be heard; and Rule 2.8 (B), failing to be patient, dignified, and courteous to litigants
3 and witnesses. The Respondent abused her judicial authority by engaging in any or all, or any
4 combination of, the acts listed above.

5 COUNT ONE

6 By engaging in the acts, or combination of the acts, listed above, by holding Complainant
7 Welthy Silva in contempt of court on June 8, 2017, (1) without due process and a right to be heard
8 and (2) sanctioning Welthy Silva for contempt by changing custody and awarding the Father sole
9 physical and legal custody, Respondent violated the Code, including Judicial Canon 1, Rule 1.1,
10 failing to comply with the law, including the Code; Rule 1.2, failing to promote confidence in the
11 judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing to perform all duties
12 of her judicial office fairly and impartially; Rule 2.5(A) failing to perform judicial and
13 administrative duties competently and diligently; and Rule 2.6(A), failing to accord a party's right
14 to be heard. The Respondent abused her judicial authority by engaging in any or all, or any
15 combination of, the acts listed above. *b. fuller*

16 COUNT TWO

17 By engaging in the acts, or combination of the acts, listed above, in failing to be patient,
18 dignified and courteous to Welthy Silva and her minor child and provide them with due process
19 and an opportunity to be heard, Respondent violated the Code, including Judicial Canon 1, Rule
20 1.1, failing to comply with the law, including the Code; Rule 1.2, failing to promote confidence in
21 the judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing to perform all
22 duties of her judicial office fairly and impartially; Rule 2.5(A) failing to perform judicial and
23 administrative duties competently and diligently; Rule 2.6(A), failing to accord a party's right to
24 be heard; and Rule 2.8 (B), failing to be patient, dignified, and courteous to litigants and witnesses.
25 The Respondent abused her judicial authority by engaging in any or all, or any combination of, the
26 acts listed above.

1 Based on the information above, the Commission shall hold a public hearing on the merits
2 of these facts and Counts pursuant to NRS 1.4673 and, if violations as alleged are found to be true,
3 the Commission shall impose whatever sanctions and/or discipline it deems appropriate pursuant
4 to NRS 1.4677 and other Nevada Revised Statutes governing the Commission.

5
6 Dated this 9 day of October, 2017.

7
8 Submitted by: 
9 Thomas C. Bradley, Esq., SBN 1621
10 Prosecuting Officer for the NCJD
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1 STATE OF NEVADA)
2) ss
3 COUNTY OF WASHOE)

4 THOMAS C. BRADLEY, ESQ. being first duly sworn under oath, according to Nevada
5 law, and under penalty of perjury, hereby states:

6 1. I am an attorney licensed to practice law in the State of Nevada. I have been retained
7 by the Nevada Commission on Judicial Discipline to serve in the capacity of Prosecuting Officer
8 in the matter of the Honorable Rena G. Hughes, Case Nos. 2016-113-P.

9 2. I have prepared and reviewed this Formal Statement of Charges against the Honorable
10 Rena G. Hughes and, pursuant to the investigation conducted in this matter, and based on the
11 contents of that investigation and following reasonable inquiry, I am informed and believe that the
12 contents of this Formal Statement of Charges are true and accurate.
13

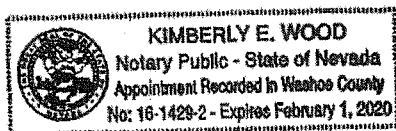
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15 Dated this 9 day of October, 2017.

16
17 
18 THOMAS C. BRADLEY, ESQ.

19 Subscribed and sworn to before me, a Notary Public

20 this 9th day of October, 2017.

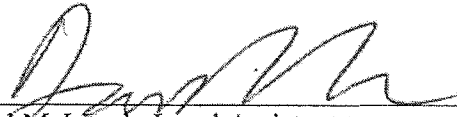
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22 By: 
23 NOTARY PUBLIC



CERTIFICATE OF SERVICE

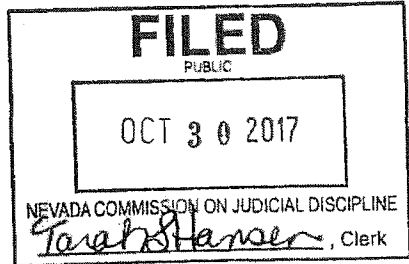
I hereby certify that a true and correct copy of this Formal Statement of Charges was placed in the
U.S. mail, postage pre-paid, on this 10 day of October, 2017.

Hon. Rena Hughes
Family Court House, Dept. J
601 North Pecos Road
Las Vegas, NV 89155

By: 
David McIntosh, Legal Assistant to
Thomas C. Bradley, Esq., Prosecuting Officer for NCJD

WILLIAM B. TERRY, CHARTERED
530 South Seventh Street
Las Vegas, Nevada 89101
(702) 385-0799

1 WILLIAM B. TERRY, ESQ.
Nevada State Bar No. 001028
2 WILLIAM B. TERRY CHARTERED
530 South Seventh Street
3 Las Vegas, Nevada 89101
(702) 385-0799
4 (702) 385-9788 (Fax)
Info@WilliamTerryLaw.com
5 Attorney for Respondent



6 ORIGINAL

7
8 BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE
9

10
11 IN THE MATTER OF THE HONORABLE)
RENA G. HUGHES, Eighth Judicial District) Case No. 2016-113-P
12 Court, Department J - Family Court,)
County of Clark, State of Nevada)
13 Respondent.)
14

15 VERIFIED RESPONSE AND ANSWER

16 COMES NOW, the Respondent, RENA G. HUGHES, Judge the Eighth Judicial District Court,
17 by and through her counsel, WILLIAM B. TERRY, ESQ., of the law offices of WILLIAM B. TERRY,
18 CHARTERED and files the instant answer, defenses and mitigating circumstances in reference to the
19 Formal Statement of Charges filed against her.
20

21 WILLIAM B. TERRY, CHARTERED

22 William B. Terry
WILLIAM B. TERRY, ESQ.
23 Nevada Bar No. 001028
WILLIAM B. TERRY, CHARTERED
24 530 South Seventh Street
Las Vegas, Nevada 89101
25 (702) 385-0799
Attorney for Respondent
26
27
28

1 **FACTUAL ALLEGATIONS**

2 In answering the factual allegations set forth in the Formal Statement of Charges, the
3 Respondent denies she violated Canons 1 and 2 of the Revised Code of Judicial Conduct ("the Code").
4 Further, the Respondent denies she violated Canon 1, Rule 1.1 and Rule 1.2; Canon 2, Rule 2.2, Rule
5 2.5(A), Rule 2.6(A) and 2.8(B).

6 **COUNT ONE**

7 In answering those allegations set forth in Count One, the Respondent does deny that she
8 violated Canon 1, Rule 1.1, failing to comply with the law, including the Code; and Rule 1.2, failing
9 to promote confidence in the judiciary. She further denies that she violated Canon 2, Rule 2.2, failing
10 to uphold and apply the law and failing to perform all duties of her judicial office fairly and impartially;
11 Rule 2.5(A), failing to perform judicial and administrative duties, competently and diligently; and Rule
12 2.6(A), failing to accord a party's right to be heard. She further denies that she abused her judicial
13 authority by engaging in any or all, or any combination of, these rules.

14 **COUNT TWO**

15 In answering those allegations set forth in Count Two, the Respondent does deny that she
16 violated Canon 1, Rule 1.1, failing to comply with the law, including the Code; Rule 1.2, failing to
17 promote confidence in the judiciary. Respondent further denies that she violated Canon 2, Rule 2.2,
18 failing to uphold and apply the law and failing to perform all duties of her judicial office fairly and
19 impartially; Rule 2.5(A) failing to perform judicial and administrative duties competently and diligently;
20 Rule 2.6(A), failing to accord a lawyer's right to be heard; and Rule 2.8(B), failing to be patient,
21 dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others
22 with whom the judge deals in an official capacity. She further denies that she abused her judicial
23 authority by engaging in any or all, or any combination of these rules.

24 **AFFIRMATIVE DEFENSES**

25 In Count One, the Formal Statement of Charges fails to specifically allege how Respondent's
26 course of conduct violated each Canon alleged.

27 In Count Two, the Formal Statement of Charges fails to specifically allege how Respondent's
28 course of conduct violated each Canon alleged.

1 MITIGATING CIRCUMSTANCES

2 In answering the Formal Statement of Charges, the Respondent does assert that there are
3 mitigating circumstances that are applicable to her including, but not limited to, the following:

- 4 (1) The absence of a prior disciplinary record;
5 (2) The absence of a dishonest and selfish motive;
6 (3) Cooperation with the Judicial Ethics Panel;
7 (4) The Respondent's good character and good reputation;
8 (5) Interim rehabilitation;
9 (6) Remorse; and
10 (7) Any and all other mitigating circumstances which the Respondent shall raise.

11 DATED this 25th day of October, 2017.

12 WILLIAM B. TERRY, CHARTERED

13 
14 WILLIAM B. TERRY, ESQ.
15 Nevada Bar No. 001028
16 WILLIAM B. TERRY, CHARTERED
17 530 South Seventh Street
18 Las Vegas, Nevada 89101
19 (702) 385-0799
20 Attorney for Respondent
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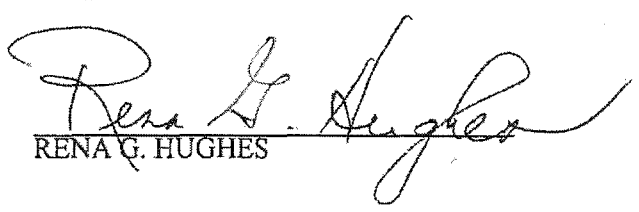
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VERIFICATION

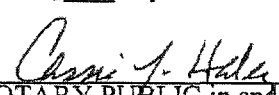
STATE OF NEVADA }
COUNTY OF CLARK } SS.

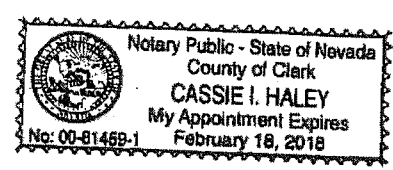
RENA G. HUGHES, being first duly sworn, deposes and says:

That ~~he~~ is the Respondent in the above-entitled action; that ~~he~~ has read the foregoing Verified Response and Answer and knows the contents thereof; that the same is true of ~~her~~ own knowledge except for those matters therein contained stated upon information and belief; and as to those matters, ~~she~~ believes them to be true.


RENA G. HUGHES

SUBSCRIBED and SWORN to before me this 25 day of October, 2017.

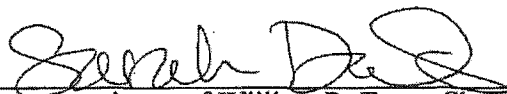

NOTARY PUBLIC in and for said County and State



1 **CERTIFICATE OF SERVICE**

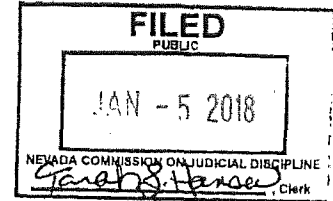
2 I hereby certify that on the 25th day of October, 2017, I, as an employee of WILLIAM B.
3 TERRY, CHARTERED, caused to be served via email and by first class mail, a copy of the foregoing
4 **VERIFIED RESPONSE AND ANSWER** with postage fully prepaid thereon, by depositing the same
5 with the U.S. Postal Service, addressed as follows:

6 Thomas C. Bradley, Esq.
7 448 Hill Street
8 Reno, Nevada 89501
9 Tom@TomBradleyLaw.com
10 Prosecuting Officer

11 
12 As an employee of William B. Terry, Chartered
13
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1 **BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

2 **STATE OF NEVADA**



3
4 In the Matter of)
5 THE HONORABLE RENA HUGHES,)
6 Eighth Judicial District Court, Family Division,)
7 Department J, County of Clark, State of Nevada,)
8 Respondent.)

CASE NO. 2016-113-P

9 **PREHEARING ORDER**

10
11 TO: THE HONORABLE RENA HUGHES, Respondent
12 WILLIAM B. TERRY, ESQ., Counsel for Respondent
13 THOMAS C. BRADLEY, ESQ., Prosecuting Officer

14 The purpose of the hearing will be to determine whether, pursuant to NRS 1.4673, there is clear
15 and convincing evidence to show that Respondent violated the Revised Nevada Code of Judicial
16 Conduct, as is alleged in the Formal Statement of Charges filed by Prosecuting Officer Thomas C.
17 Bradley on or about October 10, 2017, and whether discipline is appropriate. Pursuant to Commission
18 Procedural Rule 3(4), five or more members must concur in a vote to discipline Respondent.

19 Within ten (10) days after service of this Prehearing Order, the Parties shall exchange certain
20 material and information as set forth in Commission Procedural Rule 19.

21 The hearing in this case will take place in Reno, Nevada, on such date(s) to be set by the
22 Commission pursuant to Commission Procedural Rule 18(1).

23 Not less than thirty (30) days before the hearing, the Parties may submit a written request for the
24 Commission to issue subpoenas for the production of documents or to compel attendance or testimony
25 of the witnesses, if any, pursuant to NRS 1.466, Commission Procedural Rule 20, and NRCP 45.

26 All pleadings, including accompanying legal memoranda, submitted in support of any motion
27 shall be limited to: fifteen (15) pages in length for the opening motion; fifteen (15) pages for the
28 opposition; and seven (7) pages for the reply. These limitations are exclusive of exhibits.

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1 Not less than twenty-one (21) days before the hearing, the Parties are directed to confer in order
2 to reach any possible stipulations narrowing the issues of law and fact, and exchange documents that
3 will be offered into evidence at the hearing, and/or stipulate to any or all exhibits to be introduced at the
4 hearing.

5 Not less than fifteen (15) days before the hearing, the Parties shall file all pre-trial motions,
6 including motions in limine to exclude or admit evidence.¹ No reply shall be permitted if such motions
7 are filed within twenty-one (21) days before the hearing.

8 Not less than fourteen (14) days before the hearing, the Parties shall prepare and serve
9 contemporaneously by email written prehearing briefs upon the Commission and the opposing Party.

10 The prehearing briefs shall include:

- 11 a. A brief statement of relevant facts, including any admitted or undisputed facts, not to exceed
12 one page.
- 13 b. A concise statement, not to exceed 2 pages, of the Party's allegations or defenses and the
14 facts supporting the same. Such allegations, defenses and facts shall be organized by listing
15 each essential element of the allegation or defense and stating the facts in support of each
16 such element as they relate to the Formal Statement of Charges.
- 17 c. A statement of any issues of law, not to exceed 2 pages, supported by authorities with a brief
18 summary of the relevant rule and without additional argument. The Parties should
19 emphasize any Commission opinions deemed relevant and applicable.
- 20 d. The names of each witness, except impeaching witnesses, the Party expects to call, a clear
21 statement of the expected testimony of each witness and its relevance, and an estimate of the
22 time the Party will require for the testimony of each witness. To the extent possible, provide
23 an estimate of time for cross-examination of the opposing Party's witnesses.
- 24 e. A list of the exhibits expected to be identified and introduced at the hearing for the purpose
25 of developing the evidentiary record and a concise statement of the relevancy to the
26 allegations, defenses and facts as stated in the statement required under paragraph (b) above
27 for each exhibit.
- 28 f. A concise statement of any stipulations regarding the admissibility of an exhibit or expected
testimony of any witness offered by the opposing Party.
- g. A brief summary of any pre-hearing procedural or substantive motions, not to exceed one
paragraph. Except for any procedural or substantive motions that arise during the hearing,
all pre-hearing procedural and substantive motions must be submitted in accordance with
this Prehearing Order.

¹ Pursuant to Commission Public Case Filing Procedures set forth in Exhibit "A" to the Commission's Procedural Rules, Rule 1(B) mandates that service of all papers shall be by electronic means ("email"). Furthermore, Commission Procedural Rule 37 states that all time limitations shall be computed as in the Nevada Rules of Civil Procedure except that three (3) days shall not be added to the prescribed period for any notice or paper served by electronic means.

1 h. Any other appropriate comments, suggestions or information which may assist the
2 Commission in the disposition of the case, not to exceed one page.

3 Not less than fourteen (14) days before the hearing, the Parties shall electronically submit to the
4 Commission their exhibit book(s), consisting of the exhibits, if any, expected to be identified and
5 introduced as evidence at the hearing. The exhibit book(s) must include an index of the exhibits and
6 be Bates numbered. Additionally, five (5) bound hardcopies of the exhibit books must be hand-
7 delivered and/or overnighted to the Commission on Judicial Discipline, P. O. Box 48, Carson City, NV
8 89702. Each Party is responsible for providing the court reporter with an unbound set of Bates
9 numbered exhibits. The Parties shall exchange exhibit books in both electronic and hardcopy format,
10 unless otherwise agreed upon.

11 a) The Prosecuting Officer's exhibit book(s) must be tabbed and identified by numbers.

12 b) The Respondent's exhibit book(s) must be tabbed and identified by letters.

13 Within five (5) days of service of the prehearing brief, the Parties shall submit a concise
14 statement of any objections to the admissibility of any exhibit identified by the other Party and, to the
15 extent possible, the expected testimony of any witnesses. Such statement shall not exceed 2 pages. If
16 no objection is stated as to any exhibit or expected testimony, the Commission will presume that there
17 is no objection to the admission of the listed exhibit or expected testimony into evidence.

18 The Parties shall electronically file and serve all documents not later than 5:00 p.m. on the
19 respective dates outlined herein to the Office of the Commission on Judicial Discipline at
20 ncjdinfo@judicial.state.nv.us, and upon the opposing Party.

21 The hearing is scheduled for one (1) calendar day. The Prosecuting Officer will present
22 evidence regarding the basis for a finding of violations for four (4) hours. The Prosecuting Officer
23 shall include an opening statement in his presentation.

24 Respondent's counsel shall have four (4) hours to present evidence to rebut the charges, as well
25 as evidence in mitigation and extenuation of discipline. Respondent's counsel shall include an opening
26 statement in his presentation. It may be reserved until the close of his case, but it may not be waived.

27 The taking of evidence will begin at 8:00 a.m. and conclude at 5:00 p.m. each day, including an hour

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1 for lunch. At the conclusion of the evidentiary phase, the Commission will entertain final arguments not
2 to exceed thirty minutes by each Party. The scheduling of hours is at the discretion of the Commission.

3 Each Party should note that the clerk of the Commission will keep track of the time consumed
4 by each side. The time consumed in cross-examination and any re-cross examination of the other
5 Party's witness(es) will be deducted from the total time available to each Party. The Presiding Officer
6 will make adjustments to the basic time allocation as necessary. In other words, one Party will not be
7 permitted to consume the other Party's time without consequence.

8 The rule of exclusion of witnesses will be in effect. Each Party will be responsible for ensuring
9 that any intended witness (with the exception of the Respondent) is not present for testimony during
10 any portion of the hearing. The requirement not to discuss testimony with other witnesses will be a
11 continuing duty of each witness through the conclusion of the case.

12 If, after the presentation of evidence and final arguments, the Commission anticipates that it will
13 not have sufficient time to deliberate on site, the Commission may deliberate at a later time. The
14 Commission may allow post-hearing briefs, if necessary and requested, to be filed in this matter within
15 five (5) days of the conclusion of the hearing. A final decision will be announced thereafter in a
16 manner and format consistent with appropriate practice and the law.

17 The Honorable Jerome Polaha is authorized to sign this order on behalf of the full Commission.

18 IT IS SO ORDERED.

19 DATED this 5th day of January, 2018.

20
21 STATE OF NEVADA
COMMISSION ON JUDICIAL DISCIPLINE

22
23 
24 Honorable Jerome Polaha, Commissioner
Presiding Officer
25
26
27
28

00:30:36 AW: Okay. Have you spoke with the chief judge about this issue,
00:30:44 this case?
00:30:44 RH: No.
00:30:45 AW: Okay.
00:30:49 RH: The only communication I have with her was how do I handle
00:30:53 this motion to disqualify? Ms. Silva recently filed a motion
00:30:57 to disqualify -- well, I take that back. She didn't file it.
00:31:00 She served me with it, and I asked the chief judge, what do I
00:31:05 do because I need to serve an affidavit in response to that?
00:31:10 AW: Are you going to disqualify yourself from the case?
00:31:14 RH: I filed an affidavit. The way a motion to disqualify works
00:31:24 is the party files the motion, and you have so many days to
00:31:28 file your affidavit in opposition to it. The reason I
00:31:31 contacted the chief judge just about the motion was what do I
00:31:34 do because she didn't file the motion? So if I have been
00:31:39 served and I serve my affidavit, it's served without a motion
00:31:42 being there. So I later saw where she filed an affidavit to
00:31:50 disqualify me. She didn't file the motion that she served me
00:31:54 with so because of the procedural --
00:31:57 AW: Right, per the statute.
00:31:58 RH: -- mistakes that she made, I asked the chief judge, what do
00:32:03 you do I with my affidavit?
00:32:04 AW: So what's the ultimate outcome? Are you going to stay on the
00:32:07 case?
00:32:07 RH: That's up to the chief judge.
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00:32:09 AW: That's who makes the decision?

00:32:11 RH: Yes.

00:32:12 AW: Why does she want you disqualified?

00:32:15 RH: Well, she has an affidavit. If you want to read it, it has

00:32:19 several things on there.

00:32:20 AW: Okay. Can I get a copy of that?

00:32:22 RH: Yeah.

00:32:22 AW: Okay. Okay. Last question. Some of these articles and

00:32:36 media and stuff paint you as a being biased against women and

00:32:43 proponent of father's rights. Do you have any response to

00:32:46 that?

00:32:49 RH: Yeah. That's a political issue, I think. People like to say

00:32:55 things. That doesn't mean it's true.

00:32:59 AW: Okay. Do you have anything that you would like to put on the

00:33:04 record?

00:33:06 RH: Well, I would invite you to review the entire case because if

00:33:14 you take a snippet of a hearing and you view that without

00:33:20 looking at the entire case and the history, then you can't

00:33:27 make a fair assessment of what occurred on one particular

00:33:31 day.

00:33:35 AW: Okay. So that hearing that you had on the 15th, you

00:33:39 described it as an exchange hearing, correct?

00:33:42 RH: It was an exchange in my courtroom. Again, because short of

00:33:48 a pickup order and having the police take her, I had no way

00:33:53 to give the dad the child.

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00:33:56 AW: When was the mother notified that this was going to happen?

00:34:01 RH: It's in the court record.

00:34:03 AW: Was it in -- was it a hearing that you had?

00:34:08 RH: I told --

00:34:09 AW: Or was it a minute order?

00:34:10 RH: I told her at a hearing that if the child didn't go with dad

00:34:14 on the weekends, she would spend the entire summer with dad.

00:34:19 And then I issued a minute order when I got the Donna's house

00:34:22 report that the child was not going on the weekends.

00:34:25 AW: And that would probably be the minute order where you ordered

00:34:28 her to bring the child to court.

00:34:30 RH: Correct.

00:34:31 AW: June 8.

00:34:32 RH: Correct.

00:34:32 AW: And then you also had an order to show cause that was dated

00:34:36 the date before, June 14th, I believe. And she was served

00:34:40 with that?

00:34:41 RH: I don't recall.

00:34:45 AW: Let me just look and see if I have a copy of that.

00:35:12 RH: Oh, I guess I did issue an order to show cause. I thought

00:35:17 the attorney didn't prepare it. That was my mistake. So I

00:35:19 did issue an order to show cause why she couldn't be held in

00:35:23 contempt for failure to facilitate visitation, it looks like.

00:35:29 But we never had a contempt hearing after this where I issued

00:35:35 sanctions for contempt.

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00:35:37 AW: Okay. So you never had a hearing, a contempt hearing for it.
00:35:49 And then the June 15th, that was the court minutes from that
00:35:55 hearing and where you issued the court order that the -- due
00:36:05 to mom's failure to facilitate visitation and compel the
00:36:09 child to visit with dad, the Court ordering dad shall have
00:36:11 temporary sole custody and sole physical custody. Dad's
00:36:16 child support obligation to mom shall cease immediately. Mom
00:36:19 shall have an obligation to pay child support to dad at a
00:36:22 statutory medium rate of a hundred dollars per month based on
00:36:26 mom's income. Dad shall enroll minor in the public school in
00:36:28 the school zone of his residence. Mom shall have no contact
00:36:32 with the minor. How come mom couldn't have any contact with
00:36:37 the minor?
00:36:38 RH: Because she's a pathogenic parent. And in order to allow
00:36:44 there to be time -- pathogenic parenting is a whole course
00:36:49 that you can take.
00:36:50 AW: Right.
00:36:51 RH: Okay? And from the information that I have and the advice I
00:36:55 got from the judges up here, is when you make that transfer,
00:37:01 you stop contact with the pathogenic parent, the one who is
00:37:05 causing the problems, and it basically puts them in a
00:37:13 situation where the bonding starts with the dad and the
00:37:15 child. Otherwise, mom is going to be calling on a constant
00:37:20 basis, and she's going to be sabotaging the relationship
00:37:23 between dad and the child that they're trying to establish
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00:37:26 now on their own grounds because she's undermining dad's
00:37:31 rights all along. She's undermining his relationship with
00:37:34 the child. And if I were to allow contact during that period
00:37:38 of time, she would continue to undermine and sabotage their
00:37:43 relationship.

00:37:47 AW: Okay. Here's -- I think this is a minute order from
00:37:50 July 28th, 2016, where plaintiff, which is the mom, appeared
00:37:57 in Court with attorney Weatherford. Does that...

00:38:10 RH: This was an order to show cause on the math testing and on
00:38:14 the HELOC, I believe.

00:38:17 AW: And that's H-E-L-O-C? What is the HELOC?

00:38:22 RH: Home equity line of credit. Stating which location. Order
00:38:27 to show cause was issued to proceed with the math testing
00:38:33 issue. She was, yeah, found in contempt for failing to have
00:38:40 the child math tested at a facility of defendant's choosing,
00:38:45 which I had ordered about a year before that. I sanctioned
00:38:48 her \$500 for that and attorney's fees, looks like. And then
00:38:59 I set the HELOC order to show cause for an evidentiary
00:39:04 hearing because, by her own testimony, she admitted she did
00:39:08 not have the child math tested at a facility of defendant's
00:39:12 choosing. She did what she wanted. She had first a one-page
00:39:18 test done that had five questions on it. And then after
00:39:22 months, she said she went to a school teacher, but the
00:39:25 initial order was always that dad can choose a place to have
00:39:29 the child tested because the child is home schooled, but he
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00:39:33 had to pay for it. And he had advised her he wanted her to
00:39:37 take the child to Sylvan, and she just wouldn't do it. So I
00:39:43 didn't need a full evidentiary hearing on that. The HELOC, I
00:39:47 did set an evidentiary hearing for October, and that's when
00:39:51 they appeared and made their stipulations, I believe.
00:39:53 AW: So you didn't need to have an evidentiary hearing on the
00:40:01 contempt charge, correct?
00:40:02 RH: For math because she admitted to it.
00:40:05 AW: Okay. Did you need to -- an evidentiary hearing on the
00:40:10 custody issue about her not allowing the visitation or no?
00:40:15 RH: No. I didn't need that. That was obvious.
00:40:28 AW: So you made the detailed findings of fact to support this was
00:40:34 basically the information that you received, correct?
00:40:37 RH: The therapist report, Donna's house report, her own
00:40:42 admissions that visitation wasn't happening. And there was
00:40:46 no risk to the child. She's -- she continues to claim that
00:40:51 the father is a risk to the child, but the child's own
00:40:54 individual therapist said the father is no risk. Annie
00:40:58 reported to Keisha Weiford the father has never abused her,
00:41:03 and Keisha Weiford reported there's no evidence of any abuse
00:41:07 by the father, so there's -- and that there's no basis for
00:41:10 them not to have a relationship.
00:41:12 AW: Is the mother making any claims about any abuse?
00:41:15 RH: She says he's a reckless driver and that I don't care about
00:41:19 her child. She didn't want him to be able to drive. And I
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00:41:22 asked him if he had any moving violations. He did not. And
00:41:26 I have reports from the child and the therapist that there's
00:41:29 no history of abuse. It's a different style of parenting.
00:41:33 He's more authoritarian, and mom is very liberal and lax.
00:41:39 There's no abuse happening. There's no reason why they can't
00:41:41 have a relationship.
00:41:43 AW: Okay. All right. Anything else, Your Honor?
00:41:46 RH: Not unless you have another question.
00:41:48 AW: I do not. Thank you very much for being patient.
00:41:51 Transcriber, we're going to be off the record. The time is
00:41:54 approximately 12:30. Thank you very much.

(Recording ended.)

00026

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

I, Stephani L. Loder, do hereby certify:

That I transcribed from audio recording the proceedings
had in the above-entitled matter;

That the appearances on the cover page are from this
transcriber's understanding of who was present during the
proceeding;

That speaker identification was made to the best of my
ability through voice recognition;

That the foregoing transcript, consisting of pages 1
through 27, inclusive, is a full, true and correct
transcription of said proceeding to the best of my ability.

Dated at Reno, Nevada, this 7th day of February, 2017.

/s/ Stephani L. Loder

STEPHANI L. LODER

00027

Interview Summary

February 12, 2017

Re: 2016-113

REC'D BY NCJD

FEB 21, 2017

Subject: Welthy SILVA (Complainant)
1433 Cottonwood Place
Las Vegas, Nevada 89104
(702) 460-9438 cell

Details:

On February 07, 2017, I contacted the complainant and scheduled an interview for the following day. On February 08, 2017 Complainant Welthy Silva was interviewed regarding this investigation of Judge Rena Hughes. This was a telephonic interview. The following is a summary of that interview:

Welthy Silva informed me that she is the owner of a small ballet school in Las Vegas and has been teaching ballet for approximately 13 years. Prior to that, Welthy Silva was a professional dancer in various shows in the Las Vegas area and throughout the world.

Welthy Silva was familiar with the court hearing in Judge Hughes courtroom where she was escorted off property by the bailiff. Welthy Silva was present in court with her 12 year-old daughter, Annie as ordered by the court.

Welthy Silva received a court paper by mail ordering her to appear in court. She was ordered to bring her daughter and appear in court or face 25 days in jail. She had no idea why she was being ordered to court and attempted to contact the court for clarification but received no response. Her daughter was terrified hoping that she would not be going with her father. Welthy Silva had no idea what was going to happen in court but was somewhat happy that her daughter would finally have a chance to speak to the Judge.

They all entered the courtroom and several seconds later were all told to leave because Judge Hughes wanted to speak to Annie. Several minutes later, the bailiff came out in the hallway and informed Welthy Silva that he was to escort her off property. Welthy Silva then asked her ex-husband's attorneys what was going on and they had no idea.

Welthy Silva called her ex-husbands attorneys one to two hours later only to learn that her ex-husband was awarded temporary custody of their daughter. She had no idea or notice that this was going to occur. I asked Welthy Silva if the court made her aware that this was going to be an "exchange." She replied, "No, Definitely not...I was not aware of that."

Welthy Silva admitted that she was admonished several times in the past by the court for failing to encourage or facilitate her daughter's weekend visitations with her father. She has not allowed visitation with Annie's father because she described the father as very mentally and emotionally abusive. Welthy Silva stated that Judge Hughes ignored and continues to ignore all of the evidence showing this type of behavior by the father. However, Welthy Silva has followed court orders and has driven her daughter to the exchange locations on numerous occasions only to have the daughter refuse to go with her father.

Welthy Silva informed me that Annie told Judge Hughes all the reasons why she did not want to go with her father but the Judge ignored or did not find these reasons to be relevant. Welthy Silva stated that Annie refused to go with her father but the judge gave custody to the abuser.

Welthy felt that the Judge gave custody to her ex-husband because she failed to follow court orders on visitations. However, the Judge's consideration had nothing to do with what was in the best interest of the child. She believes that the Judge used the change of custody as a "sword to punish her for not following orders". She further stated that the sole consideration should always be for the best interest of the child and not for the best interest of the parents.

Welthy Silva informed me that they had a subsequent hearing on October 11, 2016 where a temporary stipulation was reached. Welthy Silva stated that this was a coerced stipulation. Her attorney and her ex-husband's attorneys met in the courtroom without Welthy Silva's presence and somehow both parties stipulated to an agreement.

Welthy Silva's attorney informed her that the Judge was going to refuse to look or listen to any evidence presented by Welthy Silva and if she filed a writ or appeal, she would not see her daughter for up to two years. Welthy Silva decided to go along with the stipulated agreement on visitation and custody.

Welthy Silva also informed me that during a prior hearing, she was told to shut up and sit down by Judge Hughes and that she was not allowed to speak. She also stated that her divorce decree specified that if the two parents could not agree on schooling, the child shall remain in whatever schooling she was in. This has not happened and believes that Judge Hughes had no authority to take her daughter out of home schooling and place her into a public school.

Welthy Silva also stated that her daughter gets stress-induced seizures and since she has been with her father, her seizures have tripled in frequency. This was another reason why Annie had been home schooled.

At the end of our interview, Welthy Silva informed me that she has filed a motion to disqualify Judge Hughes because she felt that she was biased against her. She also stated that Judge Hughes described her as a "pathogenic parent". There was never any evidence or evaluation made to show that she is that type of parent. She also felt disgusted because

she felt that the entire issue was to get both parents to reunify. However, no one wanted to look at what was in the best interest for the child. The Judge refused to listen to Welthy Silva, the mother who never had a right to be heard in her courtroom.

Welthy Silva concluded by stating that all she wants is a fair hearing and wants to see Judge Hughes in jail because she traumatized her little girl and placed her life at risk. Judge Hughes has no regard for what really is in the best interest of the child.

For additional details of the interview, refer to the audio recording and/or the typed transcript.

End of Report.

Adam Wygnanski/Investigator
Spencer Investigations LLC

FEB 21, 2017

Case No.: Nevada Commission on Judicial Discipline
2016-113

Recorded Interview of: Welthy Silva

February 8th, 2017

IDENTITY OF SPEAKERS:

AW: Adam Wygnanski

WS: Welthy Silva

00:00:01 AW: All right, transcriber, today's date is Wednesday,
00:00:03 February 8th, 2017. The time is approximately 9:29 a.m. This
00:00:09 is investigator Adam Wygnanski with Spencer Investigations,
00:00:14 Reno, Nevada, who are contracted by the State of Nevada
00:00:18 Commission on Judicial Discipline. This will be a telephonic
00:00:22 interview. For the record, can you please spell your first
00:00:24 and last name?
00:00:25
00:00:26 WS: Yes. Welthy, W-e-l-t-h-y. Last name Silva, S-i-l-v-a.
00:00:33
00:00:33 AW: Okay. And a good address for you?
00:00:35
00:00:35 WS: 1433 Cottonwood Place, Las Vegas, Nevada 89104.
00:00:42
00:00:42 AW: Cottonwood. And what was the ZIP code again, 89 --
00:00:46
00:00:47 WS: 89104.
00:00:48
00:00:48 AW: Okay. And is this a good phone number for you?

00:00:51

00:00:52 WS: It is my only phone number, yes.

00:00:55

00:00:55 AW: Okay. And what is that?

00:00:57

00:00:57 WS: 702-460-9438.

00:01:01

00:01:01 AW: Perfect. And you're aware that this interview is being

00:01:04 recorded?

00:01:05

00:01:05 WS: Yes.

00:01:05

00:01:05 AW: And this is with your permission?

00:01:07

00:01:07 WS: Yes, it is.

00:01:08

00:01:08 AW: Okay. Just as a reminder, I just wanted to ask you to

00:01:12 please wait for the complete question to be asked before

00:01:16 answering. And I'll try -- I'll try and do the same thing

00:01:18 because it's obvious that it's hard for the transcriber to

00:01:23 pick up two voices talking at the same time. Okay?

00:01:26

00:01:26 WS: Sure.

00:01:26

00:01:27 AW: All right. This interview is in reference to a complaint

00:01:30 that was received by the Nevada Commission on Judicial

00:01:33 Discipline on September 6th, 2016. This case was assigned

00:01:37 Case No. 2016-113. The complaint contains allegation of

00:01:44 possible violations of Canon Rule 1 and Canon Rule 2,

00:01:48 specifically 1.1, 1.2, 2.2, 2.6(A) and 2.AB. After the

00:01:56 commission's review of the complaint against the respondent,

00:01:59 the Commission on Judicial Discipline concluded that there was

00:02:02 sufficient reason to conduct a follow-up investigation. All

00:02:06 right. Welthy, what is your current employment?

00:02:09

00:02:10 WS: I am a ballet teacher. I have a small ballet school

00:02:14 downtown.

00:02:15

00:02:15 AW: Okay. And what's that address?

00:02:16

00:02:19 WS: 1408 South 3rd Street. Also Las Vegas, Nevada 89104.

00:02:27

00:02:28 AW: Okay. And how long have you been at that, doing that, at

00:02:30 that position?

00:02:31

00:02:31 WS: Well, I have been teaching ballet for 13 -- let's see. I

00:02:38 started when my daughter was -- when I was pregnant with my
00:02:42 daughter, so she's 13 now. About 13 1/2 years.
00:02:45
00:02:45 AW: And all of it in Las Vegas?
00:02:47
00:02:48 WS: Yes.
00:02:48
00:02:48 AW: Okay.
00:02:50
00:02:50 WS: Before that I was a professional dancer in various shows
00:02:53 in Las Vegas and traveling the world.
00:02:57
00:02:57 AW: I'll bet that was fun.
00:02:59
00:02:59 WS: It was, yeah.
00:03:01
00:03:02 AW: All right. You're familiar with the hearing that
00:03:05 occurred in Judge Hughes' courtroom on June 15th, 2016 --
00:03:10
00:03:11 WS: Yes.
00:03:11
00:03:12 AW: -- where you were apparently escorted away from the
00:03:16 courtroom?

00:03:17

00:03:17 WS: Yes, that is right.

00:03:18

00:03:18 AW: Okay. Who were you in the courtroom with initially on

00:03:20 that date?

00:03:21

00:03:24 WS: Just it was myself and my daughter and Rena Hughes, and

00:03:31 there was a bailiff and a court clerk or court reporter and my

00:03:38 ex-husband, and he had two -- I believe three -- I believe

00:03:44 there was three attorneys with him.

00:03:45

00:03:46 AW: Okay. And what is your daughter's name?

00:03:48

00:03:48 WS: Annie.

00:03:49

00:03:49 AW: Okay. And she --

00:03:51

00:03:51 WS: Silva.

00:03:52

00:03:52 AW: Okay. And she was 12 years old at the time?

00:03:54

00:03:55 WS: She was 12 years old, yes.

00:03:57

00:03:57 AW: Okay. Who -- who escorted you off the property and --
00:04:01 and why?
00:04:01
00:04:03 WS: I don't know why. Well, I'll tell you, the beginning
00:04:10 was -- the very beginning was that I got a letter in the mail
00:04:14 the Friday before that hearing saying that I needed to bring
00:04:17 my daughter to court or I would be put in jail for 25 days.
00:04:21
00:04:21 AW: Okay.
00:04:21
00:04:22 WS: And there was no specific reasons for that, just -- okay.
00:04:25 And so I called her chambers and said, Look, I need to know
00:04:30 what this is about. I need to know, you know, to tell my
00:04:34 daughter, to say, okay, look, baby, you're going to -- you're
00:04:37 going to get a chance to go talk to the judge about what's
00:04:40 going on, you're -- you know, something like that, or they're
00:04:42 going to make you go with your father. Or whatever. I needed
00:04:46 something to be able to -- you know, it's not like, oh,
00:04:50 surprise, we're going to go to court today, Annie. You know?
00:04:52 Because there was no specifics in the letter. So I never got
00:04:55 a phone call or an answer back from that. So that day came,
00:05:00 and she was just -- my daughter was horrified. She was just
00:05:03 like, Oh, my God, Mom, they're not going to make me go with

00:05:04 him, right? They're not going to make me go. I said, Annie,
00:05:06 I have no idea, honey. We just have to go in there and tell
00:05:10 the truth.
00:05:10
00:05:10 AW: Right.
00:05:10
00:05:10 WS: That's all we can do.
00:05:12
00:05:12 AW: Now, after I viewed courtroom recording, a video, your
00:05:17 daughter appeared to be present there in the courtroom by
00:05:20 herself. Did you know that?
00:05:21 WS: She was. Yes, I did know. So -- so we went to court.
00:05:24 We all went in, like all the people that I just said. We were
00:05:28 all in there. And about two seconds later it was like, okay,
00:05:34 everyone is going to leave, I'm -- Rena Hughes said: Everyone
00:05:36 is going to leave. I'm going talk to the child alone.
00:05:39
00:05:39 AW: Okay.
00:05:39
00:05:39 WS: Okay? I kissed my little girl. I said, You're okay,
00:05:44 you're fine, and I kissed her and I walked out. I was only in
00:05:50 the hallway outside the courtroom I would say two, three
00:05:54 minutes tops, and then the bailiff came out into the hallway

00:06:00 and said, I am to escort the mother off the property.
00:06:04
00:06:05 AW: Okay.
00:06:05
00:06:05 WS: And that was it. That was all I knew. I said, Well,
00:06:08 what -- what is going on? I don't -- and then I, you know,
00:06:10 what the hell is happening here?
00:06:12
00:06:13 AW: Right. Now, when --
00:06:15
00:06:16 WS: And my ex's attorneys were like, Well, we don't even know
00:06:19 what's happening. Which I don't believe, but whatever.
00:06:20
00:06:20 AW: Okay. Now, when and how were you made aware that your
00:06:24 husband was going to have temporary custody of your daughter?
00:06:28
00:06:28 WS: I called his attorneys about an hour -- an hour to two
00:06:35 hours later. I called his attorneys to find out what was
00:06:38 going on.
00:06:38
00:06:39 AW: Okay.
00:06:40
00:06:41 WS: And -- because when -- when I was asking before the

00:06:45 bailiff said -- you know, before he took me off the property,
00:06:48 I said, I need to know what's going on. When am I getting my
00:06:51 daughter back? What the hell? And his attorneys came over to
00:06:55 me. Because I didn't have one.

00:06:56

00:06:56 AW: Right.

00:06:56

00:06:57 WS: His attorneys came to me and said, Well, we don't really
00:06:58 know what's happening yet. You -- here's my phone number.

00:07:00 You can call me later and find out. So I --

00:07:03

00:07:03 AW: Okay. And this was out in the hall? This was out --

00:07:06 this was out --

WS: Yes.

00:07:06 AW: -- in the hallway? Okay.

00:07:07

00:07:07 WS: Yes.

00:07:08

00:07:09 AW: So --

00:07:09

00:07:09 WS: So I had her phone number. So then like an hour or so

00:07:13 later I called that number, and I said, So what's going --

00:07:18 what's going on? Am I supposed to go pick her up somewhere?

00:07:22 Is he bringing her back to me? What? You know, even at that
00:07:24 point I'm thinking, well, maybe she made her go to lunch with
00:07:27 him and then now I'm going to get her back, you know.
00:07:29
00:07:30 AW: Right.
00:07:30
00:07:30 WS: And -- and she goes, Oh, you're not getting her back. He
00:07:34 has sole legal and physical custody.
00:07:36
00:07:37 AW: Okay.
00:07:37
00:07:37 WS: I was shocked and speechless.
00:07:43
00:07:43 AW: Okay. So you found --
00:07:44
00:07:44 WS: That's how I found out.
00:07:46
00:07:47 AW: You found this out through your ex-husband's attorneys.
00:07:48
00:07:49 WS: Yes.
00:07:49
00:07:49 AW: Okay. Did you know beforehand, did the Court let you
00:07:53 know that this hearing was an exchange hearing where your

00:07:57 daughter was going to be placed with the dad? Were you --
00:08:01
00:08:01 WS: No. Definitely not.
00:08:01
00:08:02 AW: Were you aware of that? Okay.
00:08:04
00:08:04 WS: No, I was a not aware of that. Like I said, in that
00:08:07 letter that came Friday, it was basically like you just have
00:08:10 to bring your daughter to court or we're going to throw you in
00:08:12 jail for 25 days.
00:08:13
00:08:13 AW: Okay.
00:08:14
00:08:14 WS: That's what it said.
00:08:14
00:08:15 AW: Now, it's also -- Welthy, it's also my understanding,
00:08:18 after I reviewed the court minutes and stuff, that you were
00:08:22 admonished several times by the judge that if you failed to
00:08:26 encourage or facilitate Annie's weekend visitations with her
00:08:30 father that Annie would spend the entire summer with her
00:08:33 father. Were you aware of that?
00:08:34
00:08:34 WS: That is correct.

00:08:35

00:08:35 AW: Is that right?

00:08:35

00:08:36 WS: I am -- I am aware of that.

00:08:38

00:08:38 AW: Okay.

00:08:38

00:08:38 WS: There's a few things with that. I did very much

00:08:41 encourage and facilitate visitations. I took Annie to Donna's

00:08:48 House where the exchanges were to take place four different

00:08:52 times. I took her to the reunification therapy six times and

00:08:59 paid for some of it myself.

00:09:00

00:09:00 AW: Right.

00:09:01

00:09:04 WS: I do believe children. I also know the hell my daughter

00:09:09 has lived. But I did what I was to do through the court.

00:09:17

00:09:17 AW: Okay. Now, the Court found that apparently this has been

00:09:22 going on for approximately a year where Annie did not have her

00:09:26 proper court-ordered visitation with her father. Is that

00:09:30 correct?

00:09:30

00:09:30 WS: That is correct. Yes.

00:09:32

00:09:32 AW: Okay. And what was the reasoning why that happened?

00:09:34

00:09:35 WS: Because he is very mentally and emotionally abusive,

00:09:40 borders on -- borders on physical. But he's never been

00:09:43 physical with Annie. He just used to throw things at me in

00:09:47 the house.

00:09:47

00:09:47 AW: Mm-hmm.

00:09:48

00:09:48 WS: Put his hands around my neck once. And Rena Hughes

00:09:54 ignores all of that evidence. Not just me saying -- not just

00:09:59 me going in and saying things, but I have had witnesses, I

00:10:01 have had people write affidavits of what they have seen and

00:10:05 heard, and she has ignored all of that.

00:10:09

00:10:09 AW: Okay.

00:10:10

00:10:10 WS: And this is why my daughter did not want to go with him.

00:10:13

00:10:13 AW: Okay. Now --

00:10:14

00:10:15 WS: There are nine minutes missing -- I'm sorry.

00:10:17

00:10:18 AW: That's okay. Go ahead.

00:10:18

00:10:19 WS: There are nine minutes missing on this video. Like I

00:10:22 can't watch it myself. I cannot watch that horrible video.

00:10:26 Enough people have told me what's on it that I just -- I can't

00:10:28 do it.

00:10:28

00:10:29 AW: Did you watch it?

00:10:30

00:10:30 WS: But --

00:10:30

00:10:30 AW: Did you watch it?

00:10:31

00:10:31 WS: No, no. I did not. I did not watch it. And I -- I

00:10:35 don't believe that I can ever. I don't believe I can ever

00:10:38 watch it. Just people told me what it is. And I've read

00:10:45 transcripts of it. And it's -- it's horrible for me. So

00:10:51 there are nine minutes missing on the video. The -- a news

00:10:56 station figured that out. And I questioned my daughter about

00:10:59 it, because my sister called me, and she was livid. She's

00:11:02 like, Well, you have to find out what happened in those nine

00:11:05 minutes. So I ask Annie about it, and that is when -- she
00:11:10 said, That must have been when I was telling the judge all the
00:11:14 reasons that I did not want to go with -- with Papa. That she
00:11:18 said, you know, I was telling her about the reckless driving,
00:11:21 about how he's mean to me, about how he talks bad about you,
00:11:25 about -- you know, just on and on, all the things that he's
00:11:28 done. Right?
00:11:28
00:11:28 AW: Right.
00:11:29
00:11:29 WS: And she said that Rena pretty much was just like, well --
00:11:32 you know, she just ignored her, just didn't -- didn't find any
00:11:36 of those things relevant; that those were not good reasons for
00:11:40 not wanting to go with her father. Like, okay, well,
00:11:44 whatever. So that's -- she also said that Rena said -- which
00:11:48 is a lie. I have found out through people that know Rena
00:11:52 Hughes. She's like, Well, I have grandchildren and so I know
00:11:55 best because I have grandchildren. And but she doesn't even
00:11:59 have any children. How -- how could she have grandchildren?
00:12:01 But, anyway, that's just one more lie that came out of that
00:12:04 judge's mouth.
00:12:05
00:12:06 AW: How did this video -- just out of curiosity, how did this

00:12:08 video make it to the media and on YouTube? Do you know?
00:12:12
00:12:12 WS: I do not know. The YouTube thing was -- I don't know how
00:12:17 that happened. I know that it was two days before my next
00:12:26 hearing that it was leaked on YouTube, or that's when my
00:12:32 mother called me, two days before my next hearing and said
00:12:36 that my ex-husband had called her and said, Do you know that
00:12:39 the video of Annie is on YouTube? And then my mother called
00:12:44 me. I think my mother thought I had done it. I said, Well,
00:12:48 I -- I didn't even know it was out there. I didn't do it. I
00:12:50 sure didn't do it. I haven't even seen the video myself.
00:12:54
00:12:54 AW: Right.
00:12:55
00:12:55 WS: Yeah, so I -- still I don't know.
00:12:57
00:12:57 AW: Okay. In your complaint to the commission, Welthy, you
00:13:01 stated that Judge Hughes committed extreme abuse of discretion
00:13:06 and that overreaching of power took place. What did you mean
00:13:10 by that?
00:13:10
00:13:11 WS: Well, she violated my Fourth Amendment constitutional
00:13:17 right, search and seizure of my daughter, for one thing.

00:13:24 There are so many NRS codes that I have found. You know, any
00:13:29 history of -- the NRS code 125C, any history of parental abuse
00:13:36 or neglect of -- of the child, that that person should not
00:13:39 have custody. Well, she gave the abuser custody.
00:13:44
00:13:44 AW: Right.
00:13:45
00:13:48 WS: She threatens to change custody for all kinds of things.
00:13:52 Like what you just -- even what you noticed, the admonishment
00:13:57 of, you know, and if you don't facilitate visitations I will
00:14:00 change custody. That is not -- the consideration had nothing
00:14:03 to do with Annie's best interest there, did it? It was more a
00:14:07 threat to me to try and get me to follow her orders. Well,
00:14:12 you can't use change of custody to threaten the parent. I
00:14:17 mean, that was in Sims versus Sims. The Supreme Court hearing
00:14:23 Sims versus Sims, you know, a judge cannot use the change of
00:14:27 custody as a sword to punish a parent. And that's what she's
00:14:31 done over and over. She even threatened to change custody
00:14:34 of -- with my ex-husband before. I heard that two years ago.
00:14:38 I mean, this -- when you're dealing with the custody of a
00:14:44 child, you need -- the sole consideration is the best interest
00:14:47 of the child. It's not the best interest of the parents.
00:14:50

00:14:51 AW: Right.

00:14:52

00:14:52 WS: I mean, these are laws.

00:14:53

00:14:54 AW: Now, you also stated that all of your parental rights

00:14:57 were stripped without any evidence of abuse on your part.

00:15:00

00:15:01 WS: That's true.

00:15:01

00:15:02 AW: Would you agree that keeping your daughter away from her

00:15:06 father is a type of emotional abuse?

00:15:09

00:15:09 WS: Keeping her away from him?

00:15:11

00:15:12 AW: Uh-huh.

00:15:12

00:15:12 WS: I did not keep her away from him. She chose not to go

00:15:16 with him.

00:15:18

00:15:18 AW: Okay. But she was, what, 12 years old?

00:15:21

00:15:21 WS: That's correct.

00:15:22

00:15:22 AW: Okay.

00:15:26

00:15:27 WS: You could also go the other -- the other extreme and say

00:15:30 that if I had forced her to go, that would have been abuse.

00:15:34

00:15:34 AW: Okay.

00:15:34

00:15:35 WS: Because he is abusive to her. And to force a child into

00:15:39 an abusive situation is now I'm a neglectful parent for

00:15:43 putting Annie in harm's way, aren't I?

00:15:45

00:15:46 AW: Right. Now, I reviewed the reports from Keisha Weiford

00:15:52 and others, and there was nothing mentioned in there about any

00:15:55 kind of abuse by your ex. Is that --

00:15:58

00:15:59 WS: Of course not. And Keisha Weiford is going to be under

00:16:02 investigation for this, and some other people have come to me

00:16:05 about her as well.

00:16:06

00:16:06 AW: Okay. What about Claudia --

00:16:08

00:16:08 WS: There was a little boy that was -- that was sexually

00:16:10 abused under Keisha Weiford's watch, and she never noticed it.

00:16:14

00:16:14 AW: Okay. What about Claudia Schwarz?

00:16:16

00:16:16 WS: We never went to Claudia Schwarz because it was \$4,000

00:16:20 each, and I don't have \$4,000.

00:16:22

00:16:22 AW: Okay.

00:16:25

00:16:26 WS: That's another thing. You know, this judge thinks to

00:16:30 advocate for my ex-husband. She awards him attorneys fees

00:16:35 when I don't even have an attorney.

00:16:38

00:16:38 AW: Right.

00:16:43

00:16:43 WS: I have no money. I have been completely bankrupt through

00:16:48 this.

00:16:48

00:16:48 AW: Okay. What about the program coordinator from Donna's

00:16:52 House, an Amber Hutton? Does that ring a bell?

00:16:56

00:16:56 WS: Yes. Yes, it does.

00:16:58

00:16:58 AW: Okay. And -- and you -- did you bring Annie over there

00:17:02 for supervised exchanges?

00:17:03

00:17:03 WS: Four different times.

00:17:04

00:17:04 AW: Okay.

00:17:05

00:17:06 WS: Actually two, two times. I personally took her two

00:17:09 times. The first time we walk in, and the guy says it will be

00:17:15 \$10 or whatever the little fee was.

00:17:17

00:17:18 AW: Right.

00:17:18

00:17:18 WS: I start to pull out my money, and my daughter said, Does

00:17:19 she have to pay if I'm not going? And he looked at her and he

00:17:23 looked at me, and then I said, Well, she doesn't want to go.

00:17:28

00:17:29 AW: Right.

00:17:29

00:17:29 WS: And so then he said, Okay, so -- then she started crying

00:17:33 at that point. And I said, Look -- he wanted to talk to her.

00:17:36 I said, Look, can you take her around the corner and talk to

00:17:39 her? I don't -- I'm so tired of being accused of, you know,

00:17:43 I'm the alienating parent, God help me.

00:17:46

00:17:47 AW: Right.

00:17:47

00:17:47 WS: I said, you know, this -- please, you go over there and

00:17:49 I'm going to go over here and then whatever. So he did that.

00:17:54 And a few minutes later they come back, and he said, She

00:17:58 doesn't have to go. And I said, Okay, so but, you know,

00:18:01 everything is documented here. I did what I was supposed to

00:18:05 do, right?

00:18:05

00:18:05 AW: Right.

00:18:05

00:18:06 WS: Anything else? And he goes, No, no, you're good. You

00:18:07 guys can go. And pretty much the same thing happened the

00:18:11 second time I took her.

00:18:13

00:18:13 AW: Okay.

00:18:13

00:18:14 WS: The third and forth time I had a mutual friend take Annie

00:18:19 to further facilitate the visitation. Okay?

00:18:23

00:18:23 AW: Right.

00:18:23

00:18:23 WS: So how are you going to blame me? I'm six miles down the
00:18:28 road.

00:18:28

00:18:28 AW: Okay.

00:18:28

00:18:29 WS: For God's sake. So now same thing happened. Well, the
00:18:33 third time my friend took her. And she, you know, said, No,
00:18:39 I'm not going. I do not want to go with him. He's not good
00:18:43 to me. And whatever she said to them. And I think Donna's
00:18:47 House must have made a report. And then the fourth time that
00:18:52 my -- that a friend took her, my ex-husband did not even show
00:18:58 up. Her father was not even there.

00:19:00

00:19:00 AW: Right.

00:19:01

00:19:01 WS: So that was -- so that was what happened the fourth time.

00:19:04

00:19:05 AW: Welthy, based upon -- now, is it your understanding that
00:19:09 the temporary change of custody was done because you refused
00:19:14 to comply with the Court's orders on visitation and math
00:19:17 testing and that's why the custody was given? Is that your
00:19:21 understanding?

00:19:21

00:19:21 WS: Yes. I don't know why else would it be.
00:19:24
00:19:24 AW: Okay. Now, you guys had a subsequent hearing that was
00:19:30 held on October 11, 2016.
00:19:32
00:19:33 WS: Oh, yes.
00:19:34
00:19:34 AW: Now, in between the June hearing and the October hearing,
00:19:39 was Annie in your ex-husband's custody?
00:19:42
00:19:42 WS: Yes.
00:19:43
00:19:45 AW: Okay.
00:19:45
00:19:45 WS: I did not see or hear her voice for that whole time.
00:19:50
00:19:50 AW: Okay. From June, from when she was taken in temporary
00:19:54 custody, until the October 11th hearing?
00:19:57
00:19:57 WS: Yes.
00:19:57
00:19:57 AW: Okay. During this hearing, you guys reached a temporary
00:20:02 stipulation?

00:20:02

00:20:03 WS: Yeah, I would 100 percent say that it was a coerced

00:20:09 stipulation.

00:20:10

00:20:10 AW: Okay. Now, you have to explain that one to me.

00:20:13

00:20:14 WS: I will be -- I will be happy too.

00:20:15

00:20:15 AW: Okay.

00:20:16

00:20:16 WS: So my -- I did have an attorney at that time.

00:20:19

00:20:20 AW: Right.

00:20:20

00:20:21 WS: Unbundled services, Robert Weatherford. And so we go in.

00:20:26 I had a, you know, great pretrial memorandum, whatever. It

00:20:31 was -- you know, we're thinking, okay, we're -- we're going to

00:20:32 get some -- some semblance of justice here. Not that I have a

00:20:37 whole lot of faith in Rena Hughes' court, but, you know, some

00:20:40 semblance of justice here. All of our evidence, I had two

00:20:42 witnesses waiting in the hall. And before we even go in, the

00:20:49 bailiff comes out and tells the attorneys, Look, Hughes wants

00:20:54 you guys to stipulate to some agreement, talk to each other

00:20:58 and stipulate to some agreement.

00:21:00

00:21:00 AW: Okay.

00:21:00

00:21:01 WS: And so they go in at that point. And I think she wanted

00:21:05 to talk to them or something. For some reason the attorneys

00:21:09 went in. Or certainly I remember my attorney going in and

00:21:13 speaking with her. But I was not present. I was still in the

00:21:16 hallway.

00:21:16

00:21:16 AW: Okay.

00:21:16

00:21:16 WS: He comes back out, and he tells me -- he said, Look,

00:21:20 Welthy, you knew we weren't going to get a fair hearing today.

00:21:23

00:21:24 AW: Who said this? Your attorney?

00:21:25

00:21:25 WS: My attorney, Robert Weatherford. He's like, Look, you

00:21:28 knew we weren't going to really get a fair hearing today. She

00:21:31 has said -- she's telling me right now that she knows about

00:21:35 the video being leaked. Two days before the video was on

00:21:40 YouTube. She said -- he said she said, Rena Hughes said: I

00:21:45 know about the video being leaked. And if we go forward with

00:21:50 this trial today, or evidentiary hearing today, I'm going to
00:21:55 refuse to look at all of your evidence and Welthy will not get
00:22:00 any more time with her daughter and she will be forced to sell
00:22:05 her house.
00:22:08
00:22:08 AW: Okay.
00:22:10
00:22:10 WS: And I said, Well, whatever, Robert, just I don't care.
00:22:15 Go ahead. Go ahead with the trial. I mean, then we'll do a
00:22:18 writ or an appeal or something. And he said, Welthy, if we do
00:22:21 a writ or appeal, it could be a year and a half to two years
00:22:25 before you see your daughter. We just should take like
00:22:28 whatever scraps they're going to give us today.
00:22:31
00:22:31 AW: Okay.
00:22:32
00:22:32 WS: And then maybe you can see your daughter a little bit.
00:22:35
00:22:35 AW: Right.
00:22:36
00:22:36 WS: You know? Even like next week you could see her a day or
00:22:40 two or something. And so then at that time it's just like,
00:22:44 well, Jesus Christ, of course I can't wait like a year to see

00:22:48 my daughter, so, okay, I'll take these scraps.

00:22:51

00:22:51 AW: Right.

00:22:52

00:22:53 WS: So that's what happened. And the next hour or so he and

00:22:56 my ex's attorney were in there talking about some kind of

00:23:00 stipulated agreement.

00:23:02

00:23:02 AW: Okay. Without your presence?

00:23:04

00:23:04 WS: Oh, without my presence. No, I was not present.

00:23:08

00:23:08 AW: Okay.

00:23:09

00:23:09 WS: I was sitting in the hallway with my two witnesses that

00:23:12 never got to testify.

00:23:13

00:23:14 AW: Okay. Who were the witnesses?

00:23:15

00:23:19 WS: Carolyn -- sorry. Caron Olsen. Caron Olsen, who has

00:23:23 known --

00:23:23

00:23:24 AW: How do you spell her first name?

00:23:25

00:23:26 WS: Caron is C-a-r-o-n; Olsen, O-l-s-e-n.

00:23:33

00:23:33 AW: Okay.

00:23:35

00:23:35 WS: And Meredith McGuire. Meredith McGuire was not actually
00:23:43 on the witness list, but she showed up just in case.

00:23:46

00:23:47 AW: Okay. And how do you spell her name?

00:23:48

00:23:49 WS: M-e-r-e-d-i-t-h McGuire. I believe it's McGuire.

00:23:55 M-c-G-u-i-r-e.

00:23:59

00:23:59 AW: Okay. And what were these people going to testify to?

00:24:02

00:24:03 WS: To the things that Annie had talked to them about without

00:24:09 me being present. Like Caron Olsen's children took ballet

00:24:15 from me for years. And she also knew Annie from preschool,

00:24:20 kindergarten. Her children went to the same school with

00:24:22 Annie. So she had known us for a long time. And she had had

00:24:26 several conversations with Annie, just with my daughter and

00:24:29 her would be in the lobby at the dance studio while I was in

00:24:33 the other room teaching ballet. So, you know, I wasn't even

00:24:35 present for these conversations. And these conversations that
00:24:38 took place were primarily about my ex-husband's abuse towards
00:24:44 Annie and how she felt, how she felt about him. And she also
00:24:50 saw whenever he would come to the dance studio to pick her up
00:24:53 on Saturdays how Annie's -- her mood, her whole character and
00:24:59 personality just changed when she realized, oh, God, it's
00:25:03 almost time for me to go with my father, and she would just --
00:25:06 her -- she would just change into this other person. And
00:25:08 Caron Olsen had witnessed all of that. She also knew that,
00:25:14 you know, I was a good and honest person because I had taken
00:25:17 care of her children and taught them ballet and all these
00:25:21 things. My other witness who never came because I had -- I
00:25:24 text him and said, look, they're not going to listen to any of
00:25:27 my witnesses, so no reason for you to show up.
00:25:28
00:25:29 AW: Right.
00:25:29
00:25:29 WS: That was going to be Travis Edward, which he was not
00:25:33 there because, like I say, well, no reason for you to come
00:25:35 now. But he was going to come a little later.
00:25:37
00:25:37 AW: Okay. And what was he going to testify to?
00:25:40

00:25:40 WS: Let's see. He saw Annie leave the studio one day,
00:25:47 because his daughter took ballet from me as well. He was
00:25:51 outside of my studio one day when her father came to pick her
00:25:55 up. And as they were leaving, he saw Annie in tears and how
00:26:02 my ex was berating her, or whatever he was saying, you know,
00:26:06 and not being -- not being very fatherly, not being like, oh,
00:26:10 baby, it's okay, hug her, console her. No. He was just like
00:26:15 making her cry more because she didn't want to go with him.
00:26:19
00:26:19 AW: Okay. What about -- what about Meredith McGuire? Was
00:26:22 she going to testify to some of the same stuff?
00:26:23
00:26:24 WS: She was -- she was not actually -- I mean, she wasn't on
00:26:26 the witness list. She just showed up, like I said, just to be
00:26:30 a friend and in case we could use her. But, yeah, she has --
00:26:36 she was going to testify to the same stuff, yeah, same things.
00:26:40
00:26:41 AW: Okay. Now --
00:26:42
00:26:42 WS: What she'd seen and heard from Annie.
00:26:44
00:26:45 AW: Okay. When you had this hearing, you were represented by
00:26:48 the attorney, you were sworn in and you had your right to be

00:26:52 heard; correct?

00:26:53 WS: Well, there was no chance for me to talk.

00:26:56

00:26:56 AW: Okay. Did you have a chance to speak to the Court

00:27:00 regarding your --

00:27:01

00:27:01 WS: No.

00:27:01

00:27:02 AW: -- on your behalf or your daughter's behalf?

00:27:04

00:27:04 WS: No. In October 11th?

00:27:06

00:27:06 AW: Yes.

00:27:06

00:27:07 WS: No, I did not. In previous hearings, before --

00:27:11

00:27:11 AW: Right.

00:27:12

00:27:12 WS: -- Annie was given to her father, there was two hearings

00:27:16 that I represented myself because, you know, at some point I

00:27:20 didn't have any more money, so no more lawyers for me. So I

00:27:24 self-represented myself. And Rena Hughes actually told me as

00:27:29 I was speaking: I want you to sit down and shut your mouth.

00:27:34 Just like that.

00:27:36

00:27:36 AW: Okay.

00:27:37

00:27:37 WS: I would say that is not allowing me to speak. And I was

00:27:41 representing myself.

00:27:44

00:27:44 AW: Okay. And --

00:27:45

00:27:45 WS: And I have a video of that if you want me to send that

00:27:48 video to you.

00:27:49

00:27:49 AW: Can you e-mail that?

00:27:50

00:27:51 WS: I probably can. Let me write down. Okay, what's the

00:27:57 e-mail address?

00:27:58

00:27:59 AW: It's awygnan --

00:28:04

00:28:05 WS: Hang on. Hang on. I'm sorry.

00:28:06

00:28:06 AW: No problem.

00:28:07

00:28:07 WS: I chose the wrong pen here. Aw --
00:28:10
00:28:10 AW: Ygnans --
00:28:17
00:28:18 WS: Okay.
00:28:18
00:28:19 AW: Ski.
00:28:22
00:28:22 WS: Whoops, ski, okay.
00:28:24
00:28:26 AW: @charter.net.
00:28:27
00:28:27 WS: Charter --
00:28:28
00:28:29 AW: .net.
00:28:32
00:28:32 WS: Okay. Let me just read this back to you.
00:28:35 Awygnanski@charter.net.
00:28:44
00:28:45 AW: That's it. Now, when she said --
00:28:45
00:28:46 WS: Okay. Yeah, I'll be able to mail that.
00:28:47

00:28:48 AW: When she said, I want you to sit down and shut your
00:28:50 mouth, what were you saying when she said that?
00:28:53
00:28:55 WS: Oh, boy. Let's see. I would have to -- I would have to
00:28:58 look back --
00:28:59
00:28:59 AW: Okay.
00:29:00
00:29:00 WS: -- in that video to see what I was saying. That's all I
00:29:03 remember.
00:29:03
00:29:03 AW: Okay. So the bottom line is on this October 11 hearing
00:29:06 for modification of custody is you agreed to everything
00:29:09 because of what your attorney advised you to do?
00:29:14
00:29:15 WS: Exactly. Because he said, If you don't just take this,
00:29:18 then it's going to be a year to two years before you see your
00:29:21 daughter.
00:29:21
00:29:21 AW: Okay. How is everything going now between your daughter
00:29:25 and your ex-husband and yourself?
00:29:27
00:29:28 WS: She does not want to be where she is. She -- she still

00:29:34 doesn't want to -- she would like to never see him again if
00:29:39 that was a choice.
00:29:40
00:29:40 AW: Right. Now, how often do you get to see her?
00:29:43
00:29:43 WS: One day a week.
00:29:50
00:29:50 AW: Okay. And she's going to school and everything?
00:29:54
00:29:54 WS: Yeah, well, that's a whole 'nother thing, isn't it,
00:29:57 because apparently Rena Hughes is very uneducated about what
00:30:01 home school is and has a clear bias against it.
00:30:04
00:30:05 AW: Right.
00:30:05
00:30:05 WS: I was home schooling my daughter three years before my ex
00:30:10 and I divorced.
00:30:11
00:30:11 AW: Right.
00:30:11
00:30:11 WS: And, now, he himself is very vindictive, so instead of
00:30:18 sticking to what the original divorce decree says -- and this
00:30:22 is -- this is where Rena goes -- disregards the law as well.

00:30:25 She completely disregards the law in this aspect. The
00:30:29 original divorce decree says if the two parents cannot agree
00:30:34 on schooling, the child shall remain in whatever schooling she
00:30:39 was in.
00:30:40
00:30:40 AW: Right.
00:30:41
00:30:41 WS: That's what our original divorce decree says. Makes
00:30:44 sense, yeah? Keeps the child's life the same. Okay. So
00:30:48 about six months after the divorce, my ex goes into court,
00:30:52 frivolous motions, oh, we have to change custody and -- and I
00:30:57 never -- I never agreed to home schooling. I home schooled
00:31:02 her for three years while he lived in the house.
00:31:04
00:31:04 AW: Right.
00:31:04
00:31:04 WS: So instead of seeing that for what it is, since I do
00:31:10 believe that Rena Hughes has a bias against home schooling,
00:31:13 oh, she ran with that. She said, oh, well, now -- now the
00:31:17 child has to go to public school.
00:31:19
00:31:19 AW: Right.
00:31:20

00:31:20 WS: She doesn't even have -- she doesn't even have the
00:31:22 authority to order my child to go to public school.
00:31:25
00:31:26 AW: Right. Is she going to public school now?
00:31:28
00:31:29 WS: Yes.
00:31:29
00:31:29 AW: And how is she doing?
00:31:30
00:31:31 WS: She hates it.
00:31:32
00:31:32 AW: Okay.
00:31:33
00:31:33 WS: She's actually made some friends. She likes her friends.
00:31:36
00:31:37 AW: Right.
00:31:37
00:31:37 WS: She's not completely miserable. It could be a lot worse.
00:31:41 She's not completely miserable. She likes her friends.
00:31:43
00:31:43 AW: Right.
00:31:44 WS: She's doing well. She gets A, Bs, I think a C in math.
00:31:47 Math has never been her strong -- strong point. But she's

00:31:51 getting good grades. Her teachers like her. You know, she --
00:31:55 she likes most of her teachers. But I ask her. I said, Look,
00:32:00 you know, if I get custody back, do you want to keep going to
00:32:05 that school? You know, you're doing good. You want to keep
00:32:08 going there? She goes, No, I don't. She said, I -- I really
00:32:12 learned more in home school. And also my daughter has
00:32:17 stress-induced seizures, which Rena Hughes put her life in
00:32:22 danger by throwing her in this chaos and making her go with an
00:32:26 abusive man that she did not want to go with. Annie's
00:32:32 seizures tripled in frequency after she was given to her
00:32:36 father.
00:32:37
00:32:37 AW: Okay.
00:32:37
00:32:38 WS: And this is another reason for home schooling. This is
00:32:42 not why we decided to home school in the beginning, because
00:32:45 the seizures only started like two -- two years ago, I
00:32:49 believe.
00:32:49
00:32:50 AW: Right.
00:32:50
00:32:50 WS: But she gets overstimulated. And she told me just this
00:32:56 last weekend. She said, you know, school, sometimes it gets

00:33:01 so loud and all the kids are just so crazy and so loud and
00:33:06 it's very overstimulating. And this, this kind of environment
00:33:10 can cause her to have a seizure. Now, luckily she has not had
00:33:15 any at school. Mostly they happen at night. But this kind of
00:33:18 environment is not -- is not the ideal environment for Annie.
00:33:24
00:33:24 AW: Okay.
00:33:26
00:33:26 WS: You have to understand, too --
00:33:28
00:33:28 AW: No, it's okay.
00:33:29
00:33:30 WS: -- Annie is -- Annie is like a 42-year-old trapped in a
00:33:33 child's body.
00:33:35
00:33:35 AW: Okay.
00:33:35
00:33:35 WS: My daughter is very -- like, you know, some kids just
00:33:38 want to run around and play and be as crazy as they -- but
00:33:42 even when Annie was tiny, like two years old and it would be a
00:33:45 birthday party with ten kids, you know, cramming cupcakes in
00:33:51 their face and just all kinds of craziness, Annie would just
00:33:53 kind of sit there very quietly and watch everybody, like what

00:33:56 the -- this is not -- I am not in the right place.

00:34:00

00:34:00 AW: Right.

00:34:01

00:34:02 WS: Well, no, I mean, she's very outgoing and friendly, but

00:34:05 she -- she prefers to be in a more mature environment.

00:34:10

00:34:11 AW: Correct. Now, you -- in the first week of January of

00:34:14 this year, 2017, you filed a motion to disqualify Judge Hughes

00:34:20 due to the bias or prejudice?

00:34:23

00:34:23 WS: Yes.

00:34:23

00:34:23 AW: Have you received any response from the court on that?

00:34:26

00:34:27 WS: I have received Rena Hughes' response to that. I have

00:34:31 not received the chief judge's decision.

00:34:34

00:34:34 AW: Okay.

00:34:34

00:34:35 WS: And I -- I have to -- okay. So the most thing that

00:34:39 sticks out, there were two -- there were two things in there.

00:34:43 I don't have the paper in front of me, but there was -- I want

00:34:46 to say it was 3 and -- No. 3 and 4 on her response were
00:34:50 completely false statements. And then at the very end she
00:34:54 said, you know, that she does not have any bias, she treated
00:34:59 me exactly like all the other litigants.
00:35:01
00:35:02 AW: Right.
00:35:02
00:35:02 WS: And the very next sentence was: I found Welthy to be a
00:35:06 pathogenic parent.
00:35:07
00:35:08 AW: Okay.
00:35:08
00:35:08 WS: I'll be honest with you, I had to look up pathogenic.
00:35:11
00:35:12 AW: Okay. And what -- what did pathogenic parent mean?
00:35:16
00:35:16 WS: It was a virus, a disease.
00:35:20
00:35:20 AW: Okay.
00:35:21
00:35:21 WS: I was a disease in my child's life.
00:35:24
00:35:24 AW: Hmm.

00:35:24

00:35:25 WS: Okay. Now, this is not true, but even -- whatever. What
00:35:33 is she basing that on? There's never been a psychologist
00:35:37 in -- in all of this that has said Welthy is a pathogenic
00:35:42 parent. Where -- where does she get this information? There
00:35:45 was never any evidence shown of such things.

00:35:49

00:35:49 AW: Right. So basically the only person that -- as far as
00:35:53 any therapy or therapist and stuff, the only person that you
00:35:58 had seen as ordered by the Court was Keisha Welford; correct?

00:36:03

00:36:03 WS: That's correct. And I only saw her one time.

00:36:06

00:36:06 AW: Okay. Now, did Annie also have another therapist?

00:36:10

00:36:10 WS: Annie had been -- has been going to Paula Baskette.

00:36:14

00:36:14 AW: Okay.

00:36:14

00:36:15 WS: After she was -- after my ex was given custody, he
00:36:20 started taking her to Paula Baskette.

00:36:24

00:36:24 AW: Okay. Wasn't there -- was -- did Keisha communicate with

00:36:28 another --

00:36:30

00:36:30 WS: Oh, yes, yes, there was. I'm sorry. I'm sorry. I do --

00:36:34 okay, because there was only like two times. I did take Annie

00:36:37 to -- oh, goodness, I can't even remember the woman's name

00:36:41 now.

00:36:43

00:36:43 AW: Okay.

00:36:43

00:36:44 WS: But it was only like, I want to say, just two sessions

00:36:47 with this other therapist because I felt that I needed to get

00:36:52 Annie a therapist to deal with Keisha Weiford.

00:36:58

00:36:58 AW: Okay.

00:36:58

00:36:59 WS: She needed a therapist to --

00:37:01

00:37:02 AW: To deal with the therapist?

00:37:03

00:37:04 WS: -- deal with the therapist. Yes.

00:37:04

00:37:04 AW: Hmm. Okay. That's interesting.

00:37:06

00:37:06 WS: Isn't it. Isn't it really. Because Keisha Weiford did
00:37:12 not seem to have Annie's best interest at heart at all. Annie
00:37:17 did not like her, she did not trust her. She said, you know,
00:37:20 She doesn't believe me when I say things, she just kind of
00:37:24 blows things off. Like Annie told Keisha Weiford about my ex
00:37:30 throwing a chair. He threw a chair at me while I was holding
00:37:34 Annie.

AW: Right.

00:37:35 WS: And Keisha said, Well, you were too little. You couldn't
00:37:37 remember that. How old were you? Annie was five years old.
00:37:41

00:37:41 AW: Okay.

00:37:41

00:37:42 WS: Now, if something traumatic happens to a two-year-old,
00:37:44 they remember it. Annie was five years old. Of course she
00:37:49 remembers that.

00:37:49

00:37:49 AW: Okay.

00:37:50 WS: And Keisha just wanted to just ignore it, blow it away.

00:37:53 Because her job is to reunify these two people.

00:37:56

00:37:57 AW: Right.

00:37:57

00:37:58 WS: Come hell or high water, I'm going to reunify them.

00:38:00 That's my job. So she didn't really have, you know, Annie's

00:38:04 well-being at heart. So that's why I went and said, Okay, you

00:38:08 know what? Let's get you this woman that will listen to you.

00:38:12

00:38:12 AW: Right.

00:38:13

00:38:13 WS: But she only went like two times. And I have such a

00:38:18 limited budget. I'm on food stamps, for God's sake, and I

00:38:21 work really hard every day, but because of this court and --

00:38:23 and my ex-husband being so, you know, legal abuse, I don't

00:38:27 know what they -- anyway. So I -- I took her twice. And then

00:38:32 I said, Do you want to keep going? And she's just like, No, I

00:38:35 really don't think that this other lady is helping me, you

00:38:40 know, like, yeah, she listens to me. But Annie has always

00:38:44 said: As long as I have you to talk to, Momma, I'm fine.

00:38:48

00:38:48 AW: Okay. So the other -- the other therapist --

00:38:49

00:38:50 WS: I listened. That was it.

00:38:51

00:38:52 AW: So the other therapist that she's seen for a couple

00:38:54 times, you don't -- you don't -- you suspect it didn't help

00:38:56 her?

00:38:56

00:38:58 WS: It didn't help or hurt. Annie didn't really need any

00:39:02 help.

00:39:03

00:39:03 AW: Okay.

00:39:04

00:39:04 WS: In the end it was just like Annie's fine. She doesn't

00:39:08 even need any help. And even this Paula Baskette that she had

00:39:11 been seeing, she told me now Paula has said -- Paula told her

00:39:15 father, Look, Annie's fine. You know, I can keep -- I can see

00:39:21 you. She told her father, you know, she could keep seeing her

00:39:25 father. But she said, But Annie's fine, and I just don't want

00:39:28 to keep taking your money.

00:39:30

00:39:31 AW: Right.

00:39:31

00:39:31 WS: I mean, there's nothing wrong Annie. She doesn't want to

00:39:34 be with her abusive father.

00:39:35

00:39:36 AW: Right. Now, is she still going to see this Paula?

00:39:39

00:39:39 WS: I don't think so. I think that was it after she -- after

00:39:42 that. But I don't know because I don't -- you know, that's

00:39:46 his deal. He pays her and he takes her.

00:39:52

00:39:52 AW: Okay. So what --

00:39:53

00:39:54 WS: That's going off what Annie told me in the past two

00:39:56 weeks.

00:39:56

00:39:57 AW: Okay. Is there any other hearings that are pending in

00:40:01 front of Judge Hughes reference this issue, or is this a done

00:40:05 deal?

00:40:06

00:40:06 WS: Oh, no, we're supposed to -- I think March -- I want to

00:40:09 say March 6th is an evidentiary hearing. Well, if it goes

00:40:15 anything like the last one, it's pretty pointless, isn't it.

00:40:18 But I'm trying -- I'm trying to get her disqualified because I

00:40:21 would like to have a fair hearing.

00:40:24

00:40:24 AW: Right.

00:40:25

00:40:25 WS: I would like a judge to just -- just look at the evidence

00:40:29 that is presented.

00:40:31

00:40:32 AW: Right.

00:40:32

00:40:33 WS: Just be truly for the child's best interest, look at what

00:40:38 Annie needs.

00:40:41

00:40:41 AW: Okay. Well, I think that's all the questions. Now,

00:40:44 Welthy, do you have anything else that you want to add on the

00:40:47 record that you want the commission to be aware of?

00:40:50

00:40:51 WS: Oh, let's see.

00:40:52

00:40:52 AW: And you just mentioned one of the things is all you want

00:40:56 is just to have a fair hearing.

00:40:56

00:40:57 WS: Well, I really want a fair hearing. I want -- I would

00:41:02 like Rena Hughes to go to jail, quite frankly. I think that

00:41:07 would serve justice. That would be justice for my daughter.

00:41:11 Not that it can -- any of this -- not that any of this damage

00:41:14 can be undone. I mean, she traumatized my little girl.

00:41:19

00:41:19 AW: Okay.

00:41:20

00:41:20 WS: And -- and -- and put her life in -- at risk. She really

00:41:24 did put her life at risk. My ex-husband is crazy. He was
00:41:29 reckless driving with her. He's continuing to reckless drive
00:41:32 with her. And the stress-induced seizures, for God's sake, I
00:41:39 mean, these are life-threatening seizures.
00:41:41
00:41:41 AW: Right.
00:41:42
00:41:42 WS: And he did nothing about it. The only way Annie has
00:41:46 medicine right now is because she happened to be with me.
00:41:50 After being with him all that time, no contact with me, he
00:41:54 ignored, he and his girlfriend ignored, five seizures that
00:41:59 Annie had. Did nothing about it.
00:42:03
00:42:03 AW: Now, is this -- you learned this through Annie?
00:42:07
00:42:07 WS: Yes.
00:42:07
00:42:08 AW: Okay.
00:42:08
00:42:08 WS: And my mother. Because he does talk to my mother.
00:42:11
00:42:11 AW: Okay.
00:42:13

00:42:13 WS: And then when I -- when I got her back, you know, my one
00:42:18 day a week, it happened that she had one with me. And I said,
00:42:23 Oh, my God, I'm taking you to the emergency room because I
00:42:26 don't -- I can't even wait until Monday morning to take you to
00:42:30 your neurologist, your regular neurologist, because I only
00:42:33 have you 24 hours.
00:42:35
00:42:35 AW: Right.
00:42:36
00:42:36 WS: So I took her to the emergency room. And then they
00:42:38 admitted her, and she was there for two days.
00:42:40
00:42:40 AW: Hmm. And --
00:42:43
00:42:43 WS: And prior to that --
00:42:44
00:42:44 AW: -- when was -- when was that?
00:42:45
00:42:46 WS: -- she had four to five seizures.
00:42:47
00:42:47 AW: When was that when she was admitted?
00:42:48
00:42:48 WS: December -- oh, let's see. I want to say December 11, or

00:42:54 was it November? It was November or December.

00:42:57

00:42:57 AW: Of last year?

00:42:58

00:42:58 WS: Yes.

00:42:59

00:42:59 AW: Okay.

00:43:00

00:43:00 WS: Yes. So after the hospital they put her on some

00:43:04 different medicine and seems to be helping.

00:43:09

00:43:10 AW: What do you -- just let me get your opinion, Welthy.

00:43:14 What do you think should happen?

00:43:15

00:43:15 WS: Sure.

00:43:16

00:43:16 AW: What do you think should happen in this case?

00:43:18

00:43:18 WS: I think several things. I think Rena Hughes needs to get

00:43:23 off that bench. She is dangerous to children and families.

00:43:32 After my story was on the news, about 15 other people found me

00:43:38 through Facebook mostly --

00:43:40

Re: Case No. 2016 - 113

I am submitting supplemental information to show more evidence of ex parte hearings which I believe you are already aware of.

This is memorandum of fees from Rogerio Silva's attorneys which I have been ordered to pay. That is another violation as I can not possibly afford his fees when I was not able to pay for an attorney of my own. As well, there was no inquiry as to my financial status before such fees were awarded to my ex husband.

5/18 - What is the order shortening time for?

6/9 - What order? I was not present for any order nor did I receive notice of any hearing.

1	04/21/2016	PK	Telephone call/ client	
2	04/21/2016	PK	Telephone call/ client regarding case and	
3			scheduling appointment	
4	04/25/2016	LC	Reviewed file in preparation for	
5			meeting with client	
6	04/25/2016	LC	Met with client regarding upcoming hearing	1.00
7			and child support	\$250.00/hr
8	05/03/2016	LC	Telephone call/ client - voice mail	
9	05/04/2016	LC	Met with client regarding case	
10				
11	05/04/2016	LC	Prepared notes for hearing	
12				
13	05/04/2016	LC	Reviewed file	
14				
15	05/05/2016	LC	Continue to review file for hearing	
16				
17	05/12/2016	LC	Attended Status Check hearing	
18				
19	05/12/2016	LC	Drafted 1 st Draft of Order	0.50
20				\$250.00/hr
21	05/12/2016	LC		
22				
23	05/16/2016	LC		
24				
25	05/18/2016	LC		
26	05/18/2016	PK		
27				
28				

1		Telephone call/ potential witness	0.10	\$12.50
2			\$125.00/hr	
3				\$12.50
4				\$12.50
5				
6				
7				
8				
9				\$12.50
10				
11				
12				
13	LC	Continued to Draft Order, Drafted Order and		
14		Drafted Order to Show Cause; Researched		
15		Contempt for Order to Show Cause Hearing		
16				\$125.00
17				
18				
19				
20	LC	Case summary; Telephone call/ Judicial		
21		Executive Assistant; Revised Order;		
22		Emailed Order to Judicial Executive		
23		Assistant		
24				
25	LC			
26				
27		Travel to and from court; Appeared at	1.75	
28		Hearing	\$250.00/hr	

REGISTER OF ACTIONS

CASE NO. D-12-467820-D

Welthy Silva, Plaintiff vs. Rogerio Silva, Defendant.

§
§
§
§
§
§

Case Type: Divorce - Complaint

Subtype: Complaint Subject
Minor(s)

Date Filed: 08/14/2012

Location: Department J

Cross-Reference Case Number: D467820

Number:

PARTY INFORMATION

Defendant	Silva, Rogerio	Lead Attorneys Lesley E. Cohen, ESQ <i>Retained</i> 702-727-7777(W)
Plaintiff	Silva, Welthy	Pro Se
Subject Minor	Silva, Annie Venencio	

EVENTS & ORDERS OF THE COURT

	DISPOSITIONS
01/29/2016	Judgment (Judicial Officer: Hughes, Rena G.) Judgment (\$5,477.00, In Full , AY fees)
07/21/2016	Judgment (Judicial Officer: Hughes, Rena G.) Judgment (\$8,901.25, In Full , Memorandum Fees and Costs)
08/17/2016	Judgment (Judicial Officer: Hughes, Rena G.) Judgment (\$500.00, In Full , Contempt Sanction)
	OTHER EVENTS AND HEARINGS
08/14/2012	Complaint for Divorce <i>Complaint for Divorce</i>
10/16/2012	Receipt of Copy <i>Receipt of Copy</i>
10/16/2012	Joint Preliminary Injunction <i>Joint Preliminary Injunction</i>
10/16/2012	Summons Issued Only
10/17/2012	Family Court Motion Opposition Fee Information Sheet <i>Family Court Motion/Opposition Fee Information Sheet</i>
10/17/2012	Motion <i>Plaintiff's Emergency Motion for Exclusive Possession of the Marital Residence, for Temporary Spousal Support, Temporary Child Support, to Establish Custody and Visitation, and for Attorney Fees Pendant Lite</i>
10/18/2012	Motion for Order <i>Motion for Order Shortening Time</i>
11/06/2012	Three Day Notice of Intent to Default <i>Three Day Notice of Intent to Take Default</i>
11/07/2012	Answer and Counterclaim - Divorce, Annulment, Separate Maint <i>Answer and Counterclaim</i>
11/07/2012	Certificate of Mailing

	<i>Certificate of Mailing</i>
11/09/2012	Financial Disclosure Form <i>financial disclosure form</i>
11/09/2012	Opposition and Countertermotion <i>Opposition and Countertermotion</i>
11/13/2012	Receipt of Copy <i>Receipt of Copy</i>
11/14/2012	Financial Disclosure Form <i>Financial Disclosure Form</i>
11/14/2012	Certificate of Mailing <i>Certificate of Mailing</i>
11/28/2012	Reply <i>Reply to Defendant's Answer and Counterclaim for Divorce</i>
11/29/2012	Motion (10:00 AM) (Judicial Officer Pollock, Kenneth E.) <i>Pltf's Emergency Motion for Exclusive Possession of the Marital Residence, for Temporary Spousal Support, Temporary Child Support, to Establish Custody and Visitation, and for Attorney Fees Pendant Lite</i>
	Result: Granted in Part
11/29/2012	Opposition & Countertermotion (10:00 AM) (Judicial Officer Pollock, Kenneth E.) <i>Deft's Opposition and Countertermotion</i>
	Result: Referred to Family Mediation
11/29/2012	Order for Family Mediation Center Services
11/29/2012	All Pending Motions (10:00 AM) (Judicial Officer Pollock, Kenneth E.) <u>Parties Present</u>
	Result: Matter Heard
12/18/2012	Order <i>Order</i>
12/19/2012	Notice of Entry of Order <i>Notice of Entry of an Order</i>
01/31/2013	Return Hearing (9:00 AM) (Judicial Officer Pollock, Kenneth E.) <i>FMC - Mediation and Child Interview</i> <u>Parties Present</u>
	Result: Non Jury Trial
02/05/2013	Substitution of Attorney <i>Substitution of Attorneys</i>
02/12/2013	Trial Management Order <i>Trial Management Order</i>
02/27/2013	Order <i>Order</i>
03/05/2013	Notice of Entry of Order <i>Notice of Entry of Order</i>
03/29/2013	Witness List <i>Plaintiff's List of Witnesses</i>
04/05/2013	Pre-trial Memorandum <i>Plaintiff's Pretrial Memorandum</i>
04/11/2013	Calendar Call (11:00 AM) (Judicial Officer Pollock, Kenneth E.) <u>Parties Present</u>

04/16/2013	Result: Matter Heard Certificate <i>Completion of Children in Between</i>
04/25/2013	Notice of Seminar Completion EDCR 5.07 <i>NOPC</i>
04/26/2013	Non-Jury Trial (1:30 PM) (Judicial Officer Thompson, Charles) <u>Parties Present</u>
04/26/2013	Result: Divorce Granted Decree of Divorce <i>Decree of Divorce</i>
04/30/2013	Notice of Entry of Decree <i>Notice of Entry of Decree of Divorce</i>
05/02/2013	Withdrawal of Attorney <i>Withdrawal of Attorney</i>
06/28/2013	Motion <i>Motion for Clarification Regarding Decree of Divorce; in the Alternative Motion to Modify Decree of Divorce; Motion for Attorneys Fees and for Other "Related Relief"</i>
08/02/2013	Motion to Clarify (9:00 AM) (Judicial Officer Hardcastle, Kathy) <i>Deft's Motion for Clarification Regarding Decree of Divorce; In the Alternative Motion to Modify Decree of Divorce; Motion for Attorneys Fees and Other Related Relief</i>
09/16/2013	Result: Off Calendar Re-Notice of Motion <i>Re-Notice of Motion</i>
10/08/2013	Family Court Motion Opposition Fee Information Sheet <i>Family Court Motion Opposition Fee Information Sheet</i>
10/08/2013	Opposition <i>Opposition to Motion for Clarification Regarding Decree of Divorce and Countermotion for an Order to Show Cause why Defendant Should not be Held in Contempt of Court and for Attorney's Fees</i>
10/16/2013	Motion to Clarify (1:30 PM) (Judicial Officer Pollock, Kenneth E.) 10/16/2013, 11/27/2013 <i>Deft's Re-Notice Of Motion for Clarification Regarding Decree of Divorce; In the Alternative Motion to Modify Decree of Divorce; Motion for Attorneys Fees and Other Related Relief</i> <u>Parties Present</u>
11/06/2013	Result: Matter Continued Reply <i>Reply to Opposition to Motion for Clarification Regarding Decree of Divorce and Reply to Countermotion for an Order to Show Cause why Defendant Should not be held in Contempt of Court of Court</i>
03/21/2014	Order <i>Order</i>
04/09/2014	Motion <i>Motion to Require Minor Child, Annie, to be Tested to Determine Her Educational Level; Motion to Place Minor Child in Public School; Motion to Establish Holiday and Summer Visitation; Motion for Attorney's Fees; and for other Related Relief</i>
05/14/2014	Minute Order (10:30 AM) (Judicial Officer Pollock, Kenneth E.)
05/15/2014	Result: Minute Order - No Hearing Held CANCELED Motion (10:00 AM) (Judicial Officer Pollock, Kenneth E.) <i>Vacated - No Service</i> <i>Deft's Motion to Require Minor Child, Annie, to be Tested to Determine Her Educational Level, Motion to Place Minor Child in Public School, Motion to Establish Holiday and Summer Visitation, Motion for Atty's Fees, and for Other Related Relief</i>

07/08/2014 **Domestic Notice to Statistically Close Case**
Domestic Notice To Statistically Close Case USJR Phase II

01/05/2015 **Judicial Elections 2014 - Case Reassignment**
Family Court Judicial Officer Reassignment 2014

01/14/2015 **Motion**
Motion to Modify Custody and Related Relief

01/30/2015 **Financial Disclosure Form**
Defendant's Financial Disclosure Form

02/12/2015 **Certificate of Mailing**
Certificate of Mailing

02/13/2015 **Financial Disclosure Form**
General Financial Disclosure Form

02/13/2015 **Opposition and Countermotion**
Opposition To Motion For Home School Testing; Modify Child Custody; Enforce Decree; And Related Relief; And Countermotion For Rule 11 Sanctions; And For Attorney's Fees

02/18/2015 **Motion** (9:00 AM) (Judicial Officer Hughes, Rena G.)
Deff's Motion for Home School Testing; Modify Child Support; to Enforce the Decree; and Related Relief as Requested Herein

02/18/2015 **Opposition & Countermotion** (9:00 AM) (Judicial Officer Hughes, Rena G.)
Pltf's Opposition & Countermotion for Rule 11 Sanctions; and for Attorney's Fees

02/18/2015 **All Pending Motions** (9:00 AM) (Judicial Officer Hughes, Rena G.)
Parties Present

02/18/2015 **Order for Family Mediation Center Services**

02/18/2015 **Behavior Order**
Behavior Order With Children

03/12/2015 **Exhibits**
Plaintiff's Supplemental Exhibits

03/16/2015 **Stipulation and Order**
Stipulation and Order to Continue

03/18/2015 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order

03/20/2015 **Supplemental Exhibits**
Plaintiff's Supplemental Exhibits

03/24/2015 **Order**
Order from November 27, 2013 Hearing

04/02/2015 **Notice of Entry**
Notice of Entry of Order from November 27, 2013 Hearing

05/04/2015 **Order**
Order From Hearing

05/20/2015 **Notice of Entry of Order**
Notice of Entry of Order

05/22/2015 **Supplemental Exhibits**
Plaintiff's Supplemental Exhibits

05/26/2015 **Return Hearing** (9:00 AM) (Judicial Officer Hughes, Rena G.)
FMC - mediation / child interview. STATUS of HELOC negotiations (set at 9am for atty Tilmans schedule)
Parties Present
04/23/2015 Reset by Court to 05/26/2015

05/29/2015 **Referral Order for Outsourced Evaluation Services**

06/02/2015 **Supplemental Exhibits**

Supplemental Exhibits

06/04/2015 **Motion for Order**
Motion for Order to Show Cause and to Modify Custody

06/11/2015 **Application**
Application for an Order Shortening Time

06/17/2015 **Order Shortening Time**
Order Shortening Time

06/19/2015 **Certificate of Service**
Certificate of Service

06/26/2015 **Stipulation and Order**
Stipulation and Order to Continue

07/08/2015 **Opposition to Motion**
Opposition To Motion For An Order To Show Cause And To Modify Custody And For Sanctions And Attorney's Fees

07/09/2015 **Motion** (10:00 AM) (Judicial Officer Hughes, Rena G.)
Defendant's Motion for an Order to Show Cause and to Modify Custody on OST
Parties Present
06/30/2015 Reset by Court to 07/09/2015
08/05/2015 Reset by Court to 06/30/2015
Result: Denied

07/15/2015 **Hearing** (2:00 PM) (Judicial Officer Hughes, Rena G.)
Counsel will be in the Courtroom and Court will call therapist at 702-334-2113
Parties Present

Result: Matter Heard

07/20/2015 **Supplement**
Plaintiff's Supplemental Exhibits

07/21/2015 **Supplemental Exhibits**
Plaintiff's Supplemental Exhibits

07/21/2015 **Order**
Order

08/06/2015 **Order**
Order

08/18/2015 **Brief**
Brief in Support of August 25, 2015 Hearing

08/18/2015 **Certificate of Service**
Certificate of Service

08/25/2015 **Status Check** (10:00 AM) (Judicial Officer Hughes, Rena G.)
HELOC briefing and reunification counseling (minor & dad) - outsource evaluator Keisha Weiford
Parties Present
08/06/2015 Reset by Court to 08/25/2015
Result: Hearing Set

09/10/2015 **Brief**
Plaintiff's Brief In Support of August 25, 2015 Hearing

09/16/2015 **Motion**
Motion for an Order to Show Cause and to Modify Custody

09/17/2015 **Application**
Application for Order Shortening Time

09/22/2015 **Notice of Rescheduling of Hearing**
Notice of Rescheduling of Hearing

10/07/2015 **Notice of Rescheduling of Hearing**

Notice of Rescheduling of Hearing

10/07/2015 **Order**
Order

10/21/2015 **Supplemental Exhibits**
Defendant's Supplemental Exhibit

10/22/2015 **Opposition to Motion**
Opposition to Motion for an Order to Show Cause and to Modify Custody and for Sanctions and Attorney's Fees

10/23/2015 **Supplemental**
Plaintiff's Supplemental Exhibits

11/02/2015 **Reply to Opposition**
Reply to Plaintiff's Opposition to Motion to Show Cause

11/04/2015 **Status Check** (3:00 PM) (Judicial Officer Hughes, Rena G.)
Service of Briefs (HELOC issue, unreimbursed medical, reunification (mom is paying), standardized testing and Family Wizard communication),
09/29/2015 Reset by Court to 11/05/2015
11/05/2015 Reset by Court to 11/04/2015
Result: Matter Heard

11/04/2015 **Motion for Order to Show Cause** (3:00 PM) (Judicial Officer Hughes, Rena G.)
Deft's Motion For An Order To Show Cause And To Modify Custody
11/05/2015 Reset by Court to 11/04/2015
11/24/2015 Reset by Court to 11/05/2015
Result: Order to Show Cause - To Issue

11/04/2015 **All Pending Motions** (3:00 PM) (Judicial Officer Hughes, Rena G.)
Parties Present

Result: Matter Heard

11/20/2015 **Motion**
Motion to Clarify or in the Alternative, Motion to Reconsider

11/21/2015 **Motion**
Deft's Motion to Clarify or in the Alternative, Motion to Reconsider

11/30/2015 **Notice of Hearing**
Notice of Hearing

12/01/2015 **Application**
Application for an Order Shortening Time

12/03/2015 **Order Shortening Time**
Order Shortening Time

12/04/2015 **Receipt of Copy**
Receipt of Copy

12/07/2015 **Opposition to Motion**
Opposition to Motion to Clarify or in the Alternative; Motion to Reconsider and For Sanctions and Attorney's Fees

12/08/2015 **Motion** (1:30 PM) (Judicial Officer Hughes, Rena G.)
Deft's Motion to Clarify or in the Alternative, Motion to Reconsider per OST

Result: Decision Made

12/08/2015 **Opposition & Countermotion** (1:30 PM) (Judicial Officer Hughes, Rena G.)
Pltf's Opposition to Motion to Clarify or in the Alternative; Motion to Reconsider and For Sanctions and Attorney's Fees

Result: Decision Made

12/08/2015 **Motion**
Motion to Redact

12/08/2015 **All Pending Motions** (1:30 PM) (Judicial Officer Hughes, Rena G.)
Parties Present

12/09/2015 Result: Matter Heard
Order Setting Evidentiary Hearing
Order Setting Evidentiary Hearing

12/11/2015 **Stricken Document**
STICKEN PER MINUTE ORDER OF 12/8/15

12/23/2015 **Order**
Order

01/05/2016 **Order**
Order

01/06/2016 **Notice of Attorney Lien**
Notice of Attorney Lien

01/06/2016 **Motion**
Motion to Withdraw as Attorney of Record, To Adjudicate The Rights of Counsel, For Enforcement of Attorney's Lien, And for Judgment of Attorney's Fees

01/11/2016 **Order**
Order

01/11/2016 **Notice of Entry of Order**
Notice of Entry of Order

01/12/2016 **Certificate of Mailing**
Certificate of Mailing

01/22/2016 **Request**
Request for Submission of Motion or Counter-Motion Without Oral Argument EDCR 5.11

01/25/2016 **Order to Show Cause**
Order to Show Cause

01/28/2016 **Status Check** (11:00 AM) (Judicial Officer Hughes, Rena G.)
Reunification (dad) and Ms. Weiford's updated R&R

01/28/2016 Result: Matter Heard
Motion (11:00 AM) (Judicial Officer Hughes, Rena G.)
Motion to Withdraw as Attorney of Record, To Adjudicate The Rights of Counsel, For Enforcement of Attorney's Lien, And for Judgment of Attorney's Fees
02/24/2016 Reset by Court to 01/28/2016

01/28/2016 Result: Granted
Order for Supervised Visitation
Order for Supervised Visitation

01/28/2016 **All Pending Motions** (11:00 AM) (Judicial Officer Hughes, Rena G.)
Parties Present

01/29/2016 Result: Matter Heard
Order to Withdraw as Attorney of Record
Order to Withdraw as Attorney of Record

02/09/2016 **Notice of Entry of Order**
Notice of Entry of Order of withdraw

02/18/2016 **Minute Order** (1:30 PM) (Judicial Officer Hughes, Rena G.)

02/18/2016 Result: Minute Order - No Hearing Held
Referral Order for Outsourced Evaluation Services
Referral Order for Outsourced Evaluation Services

02/24/2016 **Pre-trial Memorandum**
Pre Trial Memorandum

02/25/2016 **Financial Disclosure Form**
Financial Disclosure Form

02/26/2016 **Notice of Rescheduling of Hearing**

02/26/2016	<i>Notice of Rescheduling of Hearing</i> Order <i>Order</i>
02/26/2016	Order <i>Amended Order to Withdrawl</i>
02/29/2016	Notice of Entry of Order <i>Notice of Entry of Order</i>
03/01/2016	CANCELED Calendar Call (11:00 AM) (Judicial Officer Hughes, Rena G.) <i>Vacated - per Judge</i>
03/04/2016	Notice of Entry <i>Notice of Entry of Amended Order of Withdrawal</i>
03/29/2016	CANCELED Evidentiary Hearing (1:30 PM) (Judicial Officer Hughes, Rena G.) <i>Vacated - per Judge</i> <i>OSC - Pltf's failure to complete testing, from 7/27/15 and past orders - stack #2</i>
05/12/2016	Status Check (10:00 AM) (Judicial Officer Hughes, Rena G.) <i>Reunification, cooperation of Pltf and yearly testing (home schooling vs. public schooling)</i> <i>03/29/2016 Reset by Court to 05/12/2016</i> Result: Hearing Set
05/12/2016	Status Check (10:00 AM) (Judicial Officer Hughes, Rena G.) <i>Deft's visitation</i> <i>03/29/2016 Reset by Court to 05/12/2016</i> Result: On for Status Check
05/12/2016	Status Check (10:00 AM) (Judicial Officer Hughes, Rena G.) <i>re Outsource Evaluation Services</i> <i>03/29/2016 Reset by Court to 05/12/2016</i> Result: Not Settled
05/12/2016	Schedule of Arrearages <i>Schedule of Arrearages</i>
05/12/2016	Order <i>Order For Supervised Exchange</i>
05/12/2016	All Pending Motions (10:00 AM) (Judicial Officer Hughes, Rena G.) <u>Parties Present</u> Result: Matter Heard
05/17/2016	Application <i>Application for an Order Shortening Time</i>
06/08/2016	Minute Order (2:30 PM) (Judicial Officer Hughes, Rena G.) Result: Minute Order - No Hearing Held
06/14/2016	Order <i>Order from June 8, 2016 Minute Order</i>
06/14/2016	Order to Show Cause <i>Order to Show Cause</i>
06/15/2016	Request of Court (1:30 PM) (Judicial Officer Hughes, Rena G.) <u>Parties Present</u> Result: Matter Heard
06/15/2016	Order <i>Order from June 15, 2016 Hearing</i>
06/17/2016	Notice of Entry of Order <i>Notice of Entry of Order to Show Cause</i>
06/17/2016	Notice of Entry of Order <i>Notice of Entry of Order</i>

06/17/2016	Notice of Entry of Order <i>Notice of Entry of Order</i>
06/20/2016	Trial Management Order <i>Trial Management Order</i>
06/23/2016	Miscellaneous Filing <i>Proof of Lies (Braces) Dr. Koury Medical Bills</i>
07/05/2016	Memorandum <i>Memorandum of Fees and Costs</i>
07/11/2016	Certificate of Service <i>Certificate of Service</i>
07/20/2016	Order <i>Order from July 5, 2016 Hearing</i>
07/25/2016	Notice of Entry of Order <i>Notice of Entry of Order</i>
07/28/2016	CANCELED Status Check (10:00 AM) (Judicial Officer Hughes, Rena G.) <i>Vacated - per Judge</i> <i>Re: The Child Exchanges, The Medical Expenses, Child Support and Alimony</i>
07/28/2016	Order to Show Cause (1:30 PM) (Judicial Officer Hughes, Rena G.) <i>Pltf's violations</i> <u>Parties Present</u>
	Result: Granted
07/28/2016	Receipt of Copy <i>Receipt of Copy</i>
07/28/2016	Objection <i>Plaintiff's Objection to Defendant's Order to Show Cause Re: Contempt</i>
08/04/2016	Order <i>Order</i>
08/11/2016	Memorandum <i>Initial Memorandum of Fees and Costs</i>
08/17/2016	Order <i>Order from July 28, 2016 Hearing</i>
08/18/2016	Notice of Entry of Order <i>Notice of Entry of Order</i>
08/25/2016	Objection <i>Plaintiff's Objection to Defendant's Initial Memorandum of Fees and Costs</i>
08/29/2016	Motion <i>Plaintiff's Motion to Set Aside or Reconsider, Attorney's Fees and Other Related Relief</i>
08/31/2016	Witness List <i>Defendant's Initial List of Witnesses and Exhibit List</i>
09/20/2016	Calendar Call (11:00 AM) (Judicial Officer Hughes, Rena G.)
10/11/2016	Evidentiary Hearing (1:30 PM) (Judicial Officer Hughes, Rena G.) <i>Modification of Custody, Atty Fees & HELOC - stack #4</i>
10/13/2016	Motion (11:00 AM) (Judicial Officer Hughes, Rena G.) <i>Plaintiff's Motion to Set Aside or Reconsider, Attorney's Fees and Other Related Relief</i>

FINANCIAL INFORMATION

Counter Claimant Silva, Rogerio				
	Total Financial Assessment			292.00
	Total Payments and Credits			292.00
	Balance Due as of 09/06/2016			0.00
11/07/2012	Transaction Assessment			217.00
11/07/2012	Wiznet	Receipt # 2012-138237-CCCLK	Silva, Rogerio	(217.00)
06/28/2013	Transaction Assessment			25.00
06/28/2013	Payment (Window)	Receipt # 2013-17619-FAM	Shoen, Lynn R.	(25.00)
04/09/2014	Transaction Assessment			25.00
04/09/2014	Payment (Window)	Receipt # 2014-10108-FAM	Shoen, Lynn R.	(25.00)
01/15/2015	Transaction Assessment			25.00
01/15/2015	Wiznet	Receipt # 2015-04817-CCCLK	Silva, Rogerio	(25.00)
Counter Defendant Silva, Welthy				
	Total Financial Assessment			492.00
	Total Payments and Credits			492.00
	Balance Due as of 09/06/2016			0.00
08/16/2012	Transaction Assessment			289.00
08/16/2012	Wiznet	Receipt # 2012-103010-CCCLK	Silva, Welthy	(289.00)
10/09/2013	Transaction Assessment			25.00
10/09/2013	Payment (Window)	Receipt # 2013-27729-FAM	XPedient Runner Service, Inc.	(25.00)
02/13/2015	Transaction Assessment			25.00
02/13/2015	Payment (Window)	Receipt # 2015-04514-FAM	Xpedient Runner Service	(25.00)
07/08/2015	Transaction Assessment			25.00
07/08/2015	Payment (Window)	Receipt # 2015-20845-FAM	Tilman, Christopher R	(25.00)
10/22/2015	Transaction Assessment			25.00
10/22/2015	Payment (Window)	Receipt # 2015-32934-FAM	Xpedient Runner Services, INC	(25.00)
12/07/2015	Transaction Assessment			12.00
12/07/2015	Payment (Window)	Receipt # 2015-37220-FAM	Tilman, Christopher	(12.00)
12/07/2015	Transaction Assessment			25.00
12/07/2015	Payment (Window)	Receipt # 2015-37302-FAM	Silva, Welthy	(25.00)
12/10/2015	Transaction Assessment			25.00
12/10/2015	Wiznet	Receipt # 2015-127934-CCCLK	Silva, Welthy	(25.00)
02/03/2016	Transaction Assessment			17.00
02/03/2016	Payment (Window)	Receipt # 2016-03401-FAM	Silva, Welthy	(17.00)
06/16/2016	Transaction Assessment			12.00
06/16/2016	Payment (Window)	Receipt # 2016-19209-FAM	Silva, Welthy	(12.00)
08/18/2016	Transaction Assessment			12.00
08/18/2016	Payment (Window)	Receipt # 2016-25943-FAM	Silva, Welthy	(12.00)

Thomas S. Smith
CLERK OF THE COURT

REC'D BY NCJD
FEB 21, 2017

AFFT
Name: WELTHY SILVA
Address: 1433 COTTONWOOD PLACE
LAS VEGAS, NV 89104
Telephone: 702.460.9438
Email Address: —
In Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA

CASE NO.: D-12-467820-D
DEPT: J

WELTHY SILVA PLAINTIFF
VS.
ROGERIO SILVA DEFENDANT

AFFIDAVIT SEEKING DISQUALIFICATION OF JUDGE DUE TO BIAS OR
PREJUDICE

I, (your name) WELTHY SILVA, declare under penalty of perjury:

1. I am involved in the above case because I am the (describe your role in this case, i.e., petitioner, relative, etc.) PLAINTIFF. I have personal knowledge of the facts contained in this Declaration and I am competent to testify to the same.
2. Pursuant to NRS 1.230(1), a judge shall not act as such in an action or proceeding when the judge entertains actual bias or prejudice for or against one of the parties to the action.
3. Any party to an action or proceeding pending in a District Court may seek to disqualify a judge for actual or implied bias or prejudice by filing an affidavit specifying the facts upon which the disqualification is sought. NRS 1.235(1).

4. I believe that the judge assigned in this case is biased and/or prejudiced against me because: (provide detailed information about why you believe the judge is biased or prejudiced): WHEN PRESENTED WITH SO MUCH EVIDENCE OF ABUSE AND NEGLECT BY THE FATHER AND EVIDENCE OF THE MOTHER'S LOVING AND CARING BEHAVIOR, HOW COULD A PERSON COME TO THE DECISION TO REWARD HIM WITH SOLE LEGAL AND PHYSICAL CUSTODY? THE ONLY EXPLANATION IS BIAS AND PREJUDICE.

5. For the reasons listed above, I respectfully request that the judge assigned to this case be disqualified, and that this matter be reassigned to a new judge.
6. The statements in this Declaration are true and correct to the best of my knowledge.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED 1.5, 2017.

Submitted By: (your signature) Welthy Silva
(print your name) WELTHY SILVA

I have reason to believe Judge Rena Hughes is prejudiced against women, home schooling and pro se litigants. She also has no regard for children's emotional wellbeing which is detrimental as a family court judge. I also believe she favors attorneys and law firms which contributed to her campaign. I am aware there are many others with similar cases in her court which further proves the bias.

In a 2015 hearing Judge Hughes says "She wasn't home" when questioning how I knew what happened when my ex husband ran over my trash can and recklessly drove with Annie in the car. The text messages of him admitting it and a police report had been submitted to the court. I have never once lied in court. On the other hand, I have submitted proof of his and his lawyer's lies. This judge has NEVER addressed any of those lies and instead assumes I am lying.

In the January 28th, 2016 hearing Judge Hughes yells at me "I want you to shut your mouth" and "you don't care about your child" after I asked the court for supervised visits to protect Annie and facilitate Rogerio's relationship with his daughter. I was mostly concerned about his reckless driving. Judge Rena Hughes is so quick to deny the supervised visits which would be safe but no hesitation to strip me of ALL parental rights when there was never any abuse on my part.

In the May 12th, 2016 hearing the bailiff working for Hughes shushed me when I had every right to speak as I was representing myself. I am ignored and talked over. Judge Hughes says to me "You are very close to incarceration" but neglects to address Rogerio's contempt. He refuses to pay medical/dental bills or child support, drives reckless with his daughter in the car and verbally assaults his child. He doesn't care about her health but he is so concerned with a math test? She again fails to see the defendant using the court system to harass.

Several times I have felt she believes I am lying by remarks such as "I don't see a name here" when looking at receipts for my daughter's medical/dental bills. They were proper receipts with Annie's name on them. Her words "there's no abuse" as she rolls her eyes.. there was most certainly abuse for years and continues to this day since the court has failed me and my daughter. I have provided 911 calls and witnesses that the court refuses to look at. She has put Annie's life in danger. See attached CPS report.

She said in a very negative tone "You have empowered this child!" when talking about Annie's decision to stop visiting her verbally and emotionally abusive father. I'm proud to say I try to empower every child who comes in my presence. I am working to give children self esteem, to know they deserve to be treated fairly and with kindness. What hope do we have for future generations if we are oppressing them into lives that

do not thrive? I would hope that all people in charge of "child's best interest" would understand that.

The court minutes from June 8, 2016 show many mistakes due to bias.

I was found in contempt for not giving a math test that I gave. The order was "the minor child shall be tested, through Clark County School District OR another facility of defendant's choice" and since defendant did not communicate well with me, I chose the former. Again she sides with defendant saying that if he wasn't happy with the testing, I should be held in contempt even though I did have Annie tested by a Clark County School District teacher as the order stated.

She awards Rogerio Silva attorney fees. Attorney fees? When he has never reimbursed medical or dental bills. And owes more than \$10,000 in child support and alimony. When I could not afford an attorney of my own. I have never been awarded attorney fees for any of his frivolous and vexatious motions.

There is much focus on REUNIFY with father but NO CONTACT with mother is perfectly acceptable. And since the October "hearing" was a coerced stipulation where none of my evidence was looked at and my witnesses were not allowed to testify, I still have little contact with Annie who misses me and her home of 12 years terribly.

Judge Rena Hughes is reckless, ignores or refuses to look at evidence, bases her judgements on hearsay and her personal opinions instead of facts. I humbly ask for her recusal and her orders which are in violation of mine and my daughter's civil rights be reversed. The original divorce decree should stand and no more time or money should be wasted.

NRS 125C.0045

2. Any order for joint custody may be modified or terminated by the court upon the petition of one or both parents or on the court's own motion if it is shown that the best interest of the child requires the modification or termination. The court shall state in its decision the reasons for the order of modification or termination if either parent opposes it.

"parental alienation" was stated but there was no proof of that and in fact I could not be held in contempt for such at a later hearing. Furthermore "parental alienation" is an unscientific theory and so can not be used in a court of law.

NRS 125C.0035

3. The court shall award physical custody in the following order of preference unless in a particular case the best interest of the child requires otherwise:

(a) To both parents jointly pursuant to _____ or to either parent pursuant to _____. If the court does not enter an order awarding joint physical custody of a child after either parent has applied for joint physical custody, the court shall state in its decision the reason for its denial of the parent's application.

(b) To a person or persons in whose home the child has been living and where the child has had a wholesome and stable environment.

Annie was abruptly taken out of her home which she had been living and thriving in for 12 years.

4. In determining the best interest of the child, the court shall consider and set forth its specific findings concerning, among other things:

(a) The wishes of the child if the child is of sufficient age and capacity to form an intelligent preference as to his or her physical custody.

Annie is "highly intelligent for her age" as stated by child interviewer through the courts. You can also see how articulate she is in the video where she is being abused by the judge.

(b) Any nomination of a guardian for the child by a parent.

(c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the noncustodial parent.

I have provided proof to the courts of my efforts to involve her father. Unfortunately the court ignores my evidence.

- (d) The level of conflict between the parents.
- (e) The ability of the parents to cooperate to meet the needs of the child.
- (f) The mental and physical health of the parents.

I have supplied the court with evidence of father's erratic behavior which endangers the child.

- (g) The physical, developmental and emotional needs of the child.

Annie begged to stay with me and stated clearly to therapists, child interviewers and the judge herself that she did not want to go with her father. She gave reasons to many involved and her emotional needs were ignored by the court.

- (h) The nature of the relationship of the child with each parent.

The mother has always been the attachment figure in Annie's life hence the original divorce decree awarding mother primary custody.

- (i) The ability of the child to maintain a relationship with any sibling.
- (j) Any history of parental abuse or neglect of the child or a sibling of the child.

There has been history of mental abuse and neglect from the father.

(k) Whether either parent or any other person seeking physical custody has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child.

(l) Whether either parent or any other person seeking physical custody has committed any act of abduction against the child or any other child.

Mistakes and Bias in Court Minutes/Journal Entries June 8, 2016

1. Father's motions were full of lies, frivolous and vexatious. If the court had done due diligence it should have noticed.
2. Father never objected to homeschooling until after the divorce. Annie had been home schooled since 2010. Parties divorced 2013. The divorce decree (page 2, line 22) states "In the event the parents cannot agree to the selection of a school, the child shall be maintained in the present school pending mediation...
Therefore I was NOT in violation of the joint legal provision but in fact following the decree and maintaining consistency in Annie's life.
3. "without his consent" Mother was homeschooling Annie for three years while Father lived in the house. He also signed the divorce decree which stated Annie would remain in present schooling.
4. Mother NEVER withheld the minor child. The child refused to go with Father and when police were called, Mother offered child to speak directly with police and did not interfere. They in turn did not force Annie to go. Some were very supportive of Annie's decision as she had clear and rational reasons for not wanting to go.
5. The initial appointment did take place. Mother and Annie both saw Keisha in her office for two hours.
6. In the reports from Keisha Welford (which I do not have access to but remember reading), there were statements about Father's neglect, miscommunication, showing his sorrow through anger, etc. In all of Judge Hughes' journal entries, NONE of this is stated. It is very one sided and full of OPINIONS of Welford and Hughes. I also recall in Welford's report the statement "Annie's views are her own" which is in direct contrast with "Annie's thoughts appeared to be those of her mother" *Mother DID engage in reunification therapy by bringing Annie to Welford's office no less than SIX times.
7. Why did the court not address Father's non payment of child support, alimony and unreimbursed medical/dental bills which equal more than \$10,000? Mother informed the court she would be happy to go forward with an evaluation if Father paid what he owed.
8. Mother encouraged and facilitated visits on weekends for 2 1/2 YEARS! Even though all Mondays except for two were a disaster because Annie returned to Mother in such emotional distress. Mother also did exactly what was expected by Donna's house and Donna's house reports show that.
9. Mother had a friend of the family take Annie to Donna's house third and fourth time to further FACILITATE visitation. The fourth time, Father did not show up.
10. Mother can not in good conscience COMPEL a child to go with someone they are afraid of.
11. The last order made by Judge Hughes regarding heloc was May 2015. It stated plaintiff shall continue to pay heloc as long as it is not 60 days delinquent. The payment has never been one day late.
12. See all supplements proving plaintiff was wrongfully held in contempt. An appeal would have been done if finances allowed.

FRIDAY'S
LETTERDISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

June 08, 2016

D-12-467820-D

Welthy Silva, Plaintiff

vs.

Rogerio Silva, Defendant.

June 08, 2016

2:30 PM

Minute Order

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant, Lesley Cohen, Attorney, not present
not presentWelthy Silva, Plaintiff, Counter Defendant, not Pro Se
present

JOURNAL ENTRIES

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This Court has read and considered the current underlying pleadings in this matter.

1. This case has a lengthy, troubled history. Since the parties divorce on April 26, 2013, they have been before this Court no less than 9 times, primarily on Father's motions to enforce his rights of custody and visitation, and regarding his objection to the minor child (Annie) being home schooled by

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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Mother. The parties are also disputing the handling of the HELOC account after divorce.

The Decree of Divorce granted the parties joint legal, and Mother primary physical custody of the minor child, Annie. Father's visitation period was weekly from Saturday at 11:00 a.m. to Monday at 10:00 a.m.

2. In April 2014, Father filed a motion to have Annie tested to determine her educational level, and to have her placed in public school. Mother was home schooling Annie over Father's objection, and allegedly in violation of the joint legal custodial provisions of the Decree of Divorce. A hearing did not take place on this motion, because counsel for Father failed to file a valid proof of service.

3. In January 2015, Father filed a second motion for academic testing, to have Annie placed in public school, to modify child custody to primary to Father, and enforce the Decree of Divorce with respect to the HELOC. The Decree ordered Mother to refinance or sell the former marital residence because Father's name is on the HELOC. Father requested a change in custody based on Mother's decision to home school Annie, without his consent. Father alleged that when he objected to Mother about the home schooling, she denied him visitation. At the hearing in February 2015, the parties were ordered to mediation to address Father's visitation, and for a child interview. It was alleged that Annie did not wish to visit, with Father.

4. In or around April 2015, Mother began withholding the minor child during Father's custodial time. In May 2015, Father called the police to assist him in facilitating his visitation, and Mother refused to turn over the child.

The parties stipulated in July 2015 to reunification therapy for Father and Annie. The Court ordered reunification therapy with Keisha Weiford and Father to bear the cost. The Court also ordered Mother to have math testing performed, and that Father would have compensatory time over the summer break. The Court further ordered the parties to provide a history of the HELOC payments and the current balance.

5. Keisha Weiford provided reports in early July and August 2015, informing the Court that Father met with her for reunification therapy and paid all fees. In July 2015, Mother arrived for the initial appointment, but did not leave the parking lot, alleging Annie would not get out of the car. Keisha Weiford went to meet Mother and Annie in the parking lot and spoke to them. Ms. Weiford spoke with Annie and calmed her fears, but then Mother ended the conversation by stating that Annie was too stressed to go forward with the appointment. Mother reiterated that Annie does not want to meet with her father. Ms. Weiford also reported that Mother called days prior to the first appointment and told her Annie did not want to come to the appointment or was unwilling to get in the car. Mother wanted to know if Annie could terminate the reunification session if Father started to lie in session. Father met with Ms. Weiford and reported that Annie was upset with him for having her tested, and for questioning her home schooling. Ms. Weiford contacted Mother again and

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requested she bring Annie to meet with her father for reunification. Mother stated to Ms. Weiford that Annie was not willing to meet with her Father because she did not want to be around his negative energy. Annie agreed to meet with Ms. Weiford individually.

The following is an excerpt from Ms. Weiford report of the July 8, 2015 meeting with Annie. Annie definitely displayed irritation with me at our meeting. She reported she told me at the beginning of our previous session that she did not want to be reunified, with her Dad. I asked her if Mom explained to her that even though she told me that I would still need to meet with her and Dad. Annie reported that her mother did not explain that to her because her mother did not understand why I could not take her word only. Annie reported to me that she was not joking, and did not want to be reunified. She reported that anyone that knows her is aware that she does not give second chances and she has already given her Dad too many chances. She reported that the only reason that her Dad is pushing for this reunification is because he likes drama.

Ms. Weiford reported I am having a hard time distinguishing what were the problems in the marriage and what are the problems in the parent-child relationship. It seems very much intertwined, with Mom's relationship with Dad. I am concerned with the possible enmeshment that Annie and Mom might have. Ms. Weiford recommended Mother get behind the reunification and share the financial responsibility of reunification therapy. Father paid Ms. Weiford a total of \$1,800.00 for reunification therapy that never occurred. Ms. Weiford then canceled the remaining reunification appointments.

* In October 2015, the Court issued an Order to Show Cause against Mother for not following the Court's Order to engage in reunification therapy, and ordered reunification therapy to continue. The Court further ordered the parties to equally divide the cost of therapy for the previous sessions, and for Mother to pay for all future sessions.

Mother terminated the reunification with Ms. Weiford, reporting that finances were an issue ..and Annie was done.

Before terminating the reunification therapy, Ms. Weiford conducted three (3) sessions with Father and Annie. According to Ms. Weiford's report of November 2, 2015, Annie was tearful at first, but by the time of the second session, she was comfortable with her Father and played games with him. Annie left the second session cheerful. Before starting the third session, Annie told Ms. Weiford, she did not want to be reunified and did not want to have a relationship with her father.

Ms. Weiford had authority to contact Annie's therapist and received a report that Annie did not report abuse, neglect, or any other issues with her father concerning safety and welfare. In Ms. Weiford's opinion, the issues between Annie and her Father had more to do with his conflicts with her Mother than with his personal relationship with her. Ms. Weiford further opined that Mother was creating the rift between Father and Annie, because Annie's thoughts appeared to be those of her

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Mother, from her difficult relationship with Father.

In January 2016, the Court issued an Order to Show Cause against Plaintiff for having violated the Court's Orders of May 5, 2015, July 21, 2015, October 7, 2015, and January 5, 2016 to have the child subjected to standardized testing for math proficiency. Further, because Mother was not facilitating reunification therapy, the Court ordered visitation exchanges occur at Donna's House, so the exchanges could be observed, and a report to the Court generated. Visitation was ordered for 2.5 hours on dates certain throughout February 2016, with eventual overnights at the end of February, to take place each week. On February 16, 2016, Donna's House reported that the parties completed the orientation process, but Annie refused to go with her Father for visitation, and they canceled future exchanges.

7. The Court then issued a referral Order for Outsourced Evaluation Services with Claudia Schwarz on February 28, 2016. Each party was ordered to pay one half of Ms. Schwarz fees. On March 1, 2016, Ms. Schwarz reported to the Court that Father was in compliance with the Court's order and was ready to begin services, however, Mother contacted her and explained she cannot pay for services at this time. Because Mother could not pay for services, the Court AGAIN ordered child custody exchanges to resume, at Donna's House, as previously ordered. The Court FURTHER
 8. ADMONISHED Mother that if she did not encourage and facilitate the exchanges on weekends,
 9. Annie would spend the entire summer with Father, Mother may be held in contempt, and further sanctions could issue against her. Mother brought Annie to Donna's House for the exchange and Annie refused to go with Father.

0. This Court FINDS that Mother has failed to facilitate Father's visitation with Annie. Because Mother has failed to facilitate visitation with Father, she has violated his parental rights and the orders of this Court. Mother was advised at the last court hearing that if she did not compel the minor child to visit with Father on weekends, the child would spend the entire summer with Father.

Based upon the reasons stated above: IT IS HEREBY ORDERED THAT:

This Court finds that Plaintiff is in contempt of the Court's order to facilitate visitation on weekends with the Father, AN ORDER TO SHOW CAUSE SHALL ISSUE.

11. AN ORDER TO SHOW CAUSE is also issued against Plaintiff for not complying with the Court's orders to refinance the HELOC, on the former marital residence, or in the alternative, to have it sold.

12. AN ORDER TO SHOW CAUSE is further issued against Plaintiff for not having Annie tested for Math proficiency in a timely manner as ordered by the Court.

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Mother shall bring the minor child to Dept. J, Court room #4, on June 15, 2016 at 1:30 p.m. If Mother fails to deliver the minor child to the courtroom on June 15, 2016, she shall be deemed in further contempt of Court, and sentenced to twenty-five (25) days incarceration. If Mother fails to appear, a bench warrant shall issue.

The Order to Show Cause hearing shall be scheduled for July 28, 2016 at 1:30 p.m. The Status Check, set for July 28, 2016, at 10:00 am, shall hereby, be VACATED.

Counsel for Defendant shall prepare an Order consistent with this Court minute, and the Orders to Show Cause.

Clerk's note, a copy, of today's minute order was mailed, to Plaintiff and placed, in counsel's folder, at Family Court.

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All of the following documents have been submitted to Rena Hughes' court multiple times through Trial Memorandum placed in her box on the third floor at 601 N. Pecos or filed as supplemental exhibits or with motions.

Text messages show correspondence between
Rogerio (father, defendant) on the LEFT and Welthy (mother, plaintiff) on the RIGHT

C. DESCRIPTION OF CHILD ABUSE/NEGLECT:

Please provide your name and phone number, so the Hotline may call you back if additional information is needed.

I previously reported that Annie's father had neglected to take her back to neurologist and her seizures had tripled in frequency since being forced to live with her father against her wishes. She was in my care Friday night and had a seizure so I took her to Sunrise hospital. They admitted her. I let her father know we were there. The next day her father came with his girlfriend, Mercedes. Mercedes asked what was different about the seizure to make me bring Annie to the hospital. I thought, but did not say "You mean different from the five seizures that you guys ignored??" These seizures are life threatening! She can not breath when they happen. Anyway, we were cordial for hours. Then, for no apparent reason, Annie's father showed court papers that my visitation time was up and I was forced to leave our daughter who very much wanted me to stay. Sunday morning I received a text from Annie telling me to go get her new medicine that the hospital had prescribed. I went to the hospital to get the paper and more information. I asked her father to please give me some money to help pay for the medicine which was \$77. I only had \$20. He responded "No" and refused to talk about it anymore with me. I had to go to the nurses (Danielle and one other) to help implore him to get the medicine. As he was leaving he said "Don't let her in the room. She's not supposed to be here." I hope you can appreciate the lack of concern for Annie in this situation.

Two very important issues -
Father has neglected child's health for five months.
Father refused to pay for medication and hospital had to intervene.

You may get all records and speak with staff on the fourth floor of the children's hospital, Maryland Parkway. She was in room 4031.

HOW IS THE CHILD REACTING TO THE SITUATION? (Please list specific behaviors exhibited by the child (e.g., fearful).

anxious

ANY PREVIOUSLY KNOWN OR SUSPECTED
ABUSE OR NEGLECT OF THE CHILD?

☒ YES ☐ NO ☐ UNKNOWN

DOES THE CHILD CURRENTLY HAVE MARKS OR BRUISES?

☐ YES ☒ NO ☐ UNKNOWN

IF YES, PLEASE DESCRIBE THE LOCATION OF THE MARKS/BRUISES AND SEVERITY (Be specific.)

IF KNOWN, PLEASE DESCRIBE ANY ISSUES THE PARENTS MAY HAVE WHICH INHIBIT THEIR ABILITY TO CARE FOR THE CHILD.
(e.g., drug use, mental/physical disabilities)

I believe father has a mental illness. I don't believe he is cruel on purpose.

WHERE IS THE CHILD CURRENTLY LOCATED?

WAS LAW ENFORCEMENT CONTACTED? ☐ YES ☒ NO

IF YES, PLEASE PROVIDE DATE AND EVENT
NUMBER.

CURRENT OR PREVIOUS DOMESTIC
VIOLENCE BETWEEN THE PARENTS?

☒ YES ☐ NO ☐ UNKNOWN

WHEN DID YOU BECOME AWARE OF THIS INFORMATION, OR HOW DID YOU WITNESS THE ABUSE/NEGLECT?

June 25, 2015

To Whom It May Concern,

I have had the pleasure of knowing Welthy Silva and her daughter Annie for over 6 years. Our daughters were in the same Montessori school. I have had my daughters enrolled in ballet classes with Welthy for over 5 years. I have many options for ballet schools, but I have kept my daughters with Ms Welthy because not only does she provide excellent ballet instruction she provides a safe, happy and peaceful experience for my children. There is a wonderful balance of respect, guidance and nurturing that is not easy to find.

Over these 5 years I have had the opportunity to know Annie as well. She is one of the most mature, kind and self-aware young ladies I have met. She is happy and always interested in making sure those around her are happy as well. She and my oldest daughter would often have their own practices and choreograph and direct their own performances. Over the years I have seen some of the innocence in this child disappear. I understand this is not abnormal, as we grow we all lose some of our innocence, but I do believe it was more pronounced for Annie. You could see that she would struggle with going to visit her father. You could visibly see the change in Annie's attitude, both emotionally and physically. She would withdraw a bit from what was happening around her and she would not have that happy go lucky air about her. She was not afraid to tell me that she was not happy to leave. Annie has always been very aware of her own feelings, right and wrong, happy and sad.

Over the last few weeks I have seen some of this happiness return for Annie. She is more engaged and more peaceful. She just seems more at ease. It is my hope, for Annie, that she will be able to continue to be a happy kid and enjoy more of life's pure innocence and beauty.

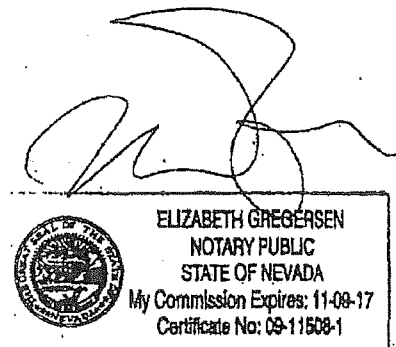
Respectfully,

Caron L. Olsen

Caron L. Olsen

State of Nevada
County of Clark
This instrument was acknowledged before me by
Caron Olsen
(Name of signer)

Dated July 16, 2015



FEB 21, 2017

**AFFIDAVIT OF THE HONORABLE RENA G. HUGHES
IN RESPONSE TO "MOTION TO DISQUALIFY JUDGE"
FILED IN CASE D-12-467820-D**

I, RENA G. HUGHES, having been duly sworn, depose and say:

1. I am the presiding Judge in Dept. J of the Family Court Division, Eighth Judicial District, Clark County, Nevada.
2. Case No. D-12-467820-D has been assigned to Dept. J, and has appeared on calendar thirteen (13) dates: February 18, 2015; May 26, 2015; July 09, 2015; July 15, 2015; August 25, 2015; November 04, 2015; December 08, 2015; January 28, 2016; May 12, 2016; June 15, 2016; July 28, 2016; September 20, 2016; and October 11, 2016.
3. Attached are Court Minutes from the thirteen (13) calendar dates, which accurately reflect the proceedings that took place on those dates.
4. On February 18, 2015, a hearing was held with parties and the counsel present. Plaintiff was Ordered to pay balance on HELOC as order in Decree of Divorce, list the marital residence for sale; minor child to be tested through Clark County School District; and Plaintiff was to comply with any guidelines regarding home schooling
5. On May 26, 2015, a hearing was held with parties and the counsel present. Parties were ordered to attend reunification therapy, Plaintiff shall continue to pay the HELOC, minor child's math testing shall be completed within 30 days
6. On July 09, 2015, a hearing was held with parties and the counsel present. Parties were ordered to attend reunification therapy, Plaintiff was ordered to be supportive of the reunification process.
7. On July 15, 2015, a hearing was held with parties and the counsel present. At this hearing Visitation was suspended however visitation was ordered to continue through reunification therapy. Plaintiff was ordered to take the minor child to all the reunification appointments.
8. On August 25, 2015, a hearing was held with parties and the counsel present. If a second therapy session does not happen, an Order to Show Cause shall be issued against Plaintiff for not following Orders. Plaintiff shall pay for all future therapy sessions with Defendant reimbursing Plaintiff his portion.
9. On November 04, 2015, a hearing was held with parties and the counsel present. An Order to Show Cause shall be issued regarding Plaintiff's failure to complete the math testing as Ordered. Therapy shall continue. Parties shall follow the Report and Recommendations of the therapist.

10. On December 08, 2015, a hearing was held with parties and the counsel present. Therapist shall continue reunification therapy and facilitate visitation. Therapist shall make recommendations regarding what Defendant's unsupervised visitation should be. Parties are ordered to attend UNLV Co Parenting Classes and file their certificates when completed. *NOT DONE*
11. On January 28, 2016, a hearing was held with parties and Defendant's counsel present. Plaintiff is in Proper Person. Therapist's Report and Recommendation was adopted. A visitation schedule was ordered and placed on the record. All exchanges shall occur at Donna's House Central.
12. On May 12, 2016, a hearing was held with parties and Defendant's counsel present. Plaintiff is in Proper Person. Court ordered a temporary visitation schedule beginning May 14, 2016. Exchanges shall occur under the supervision of Donna's House Central. Plaintiff shall update the medical expense and prepare a schedule of arrearages. *1 yr later*
13. On June 15, 2016, a hearing was held with parties and Defendant's counsel present. Plaintiff is in Proper Person. Due to Mom's failure to facilitate visitation and compel the child to visit with Dad, the Court Ordered Dad to have temporary Sole Legal and Sole Physical Custody. Dad's child support obligation to Mom shall cease immediately. Mom shall have an obligation to pay child support to Dad at the statutory minimum rate of \$100.00 per month based on Mom's income. Dad shall enroll the minor in a public school in the school zone for his residence. Mom shall have no contact with the minor. Dad's counsel shall submit a Memorandum of Fees and Costs; Court Marshal is to accompany Dad and minor to his vehicle, and if the minor refuses to go with Dad, she shall go to Child Haven.
14. On July 28, 2016, a hearing was held with parties and Defendant's counsel present. 1. Plaintiff shall be found in contempt, for failure to follow the Order, regarding having minor math tested, at a facility of Defendant's choosing (Sylvan). Plaintiff shall be sanctioned \$500.00, regarding the contempt. Said amount shall be reduced to judgment, carrying legal interest and collectible by any legal means. Plaintiff shall pay Defendant attorney's fees and costs. Said amount shall be reduced to judgment, carrying legal interest and collectible by any legal means. Defendant's counsel shall file a Memorandum of Fees and Costs, within 10 days. Upon Receipt of the Memorandum, Plaintiff shall have 10 days to file a response. Plaintiff shall be informed, of minor's school schedule and

teacher meetings. Defendant shall still be permitted to have minor math tested, if he chooses.

15. On September 20, 2016, a hearing was held with parties and Defendant's counsel present. Plaintiff is in Proper Person. Court ordered that the Evidentiary Hearing scheduled for October 11, 2016 stands.

16. On October 11, 2016, a hearing was held with parties and the counsel present. Counsel stated Parties had reached a temporary stipulation, and placed the following terms, on the record. Defendant will have Sole Legal Custody, of minor. Defendant will have Primary Physical Custody, of minor. Plaintiff will have an alternating custodial timeshare. Effective October 14, 2016, Plaintiff will have minor Friday after school through Saturday 2:00 pm; following week, Saturday 2:00 pm through Sunday 2:00 pm. Receiving Party will provide transportation, with the honk and seat belt rule being, in effect. Parties will attend the UNLV Co Operative Parenting Class. Parties will mutually agree on an outsourced therapist. Parties will follow any Report and Recommendations, regarding timeshare. Initially parties will equally divide the cost; however, if the therapist recommends one (1) parent requires more therapy, the cost will be deferred to them regarding cost and fees and the split thereof. The custodial parent will be responsible, for minor to complete homework. Minor will be to freely bring her personal items back and forth, to each parents residence. Parties will have free telephonic access, with minor, as long as said call does not interfere, with school homework. Minor will continue to see Paula Basket, as a counselor. The HELOC issue will be deferred to the status check. If at the status check the residence is not refinanced, Defendant will be permitted, to force the sale. Parties will refrain from discussing this action, with the minor, making derogatory remarks, about the other parent, or having disagreements, in front of minor. CASE will be sealed. Evidentiary Hearing will be rescheduled, to March 6, 2017. Defendant will have 2016 Thanksgiving, 2016 Christmas and 2016/2017 New Years. Parties will work together, for Plaintiff to have additional time.

17. I have no bias or prejudice against Ms. Silva, and did not treat Ms. Silva any differently than any other person who appears before me. I have no prior knowledge of, or relationship with Ms. Silva.

RENA G. HUGHES,
District Court Judge

Investigation Report

REC'D BY NCJD

FEB 21, 2017

February 11, 2017

Re: 2016-113

At the request of Paul C. Deyhle, General Counsel and Executive Director for the Nevada Commission on Judicial Discipline (NCJD), on December 12, 2016, an investigation was conducted into allegations of possible misconduct by **Judge Rena Hughes** of the 8th Judicial District Court Family Division in Las Vegas, Nevada.

INVESTIGATIVE FOCUS:

An initial investigation was completed by the Alternate General Counsel after allegations of possible misconduct were brought forward by one Complainant. The Nevada Commission on Judicial Discipline assigned Spencer Investigations to conduct an investigation to determine whether the allegations of misconduct had merit. The Commission requested the investigator also ascertain the following:

- Ascertain whether Respondent failed to follow the law when she used her contempt powers to change custody and denied the mother due process and a right to be heard regarding the temporary change in custody and contempt finding in this matter.
- Respondent's actions in dealing with the child lacked patience. Respondent threatened to send the child to Child Haven and described it as a "prison for children." Respondent knew she was going to change custody and failed to handle the situation with any compassion or patience.

EXECUTIVE SUMMARY:

Complainant Welthy Silva's original complaint included concerns of potential misconduct by Judge Rena Hughes and she felt compelled to report the listed allegations to the Commission. It should be noted that the complainant mentioned a video recording from the hearing in question which is attached to this case for review

The complainant alleges that Respondent used extreme abuse of discretion when she had complainant escorted off property and awarded custody of the child to the father. The child was upset and crying in the courtroom by herself as the mother was being escorted off property. Complainant also described Respondent's improper use of actions that showed the overreaching of power as all of complainant's parental rights were stripped without any evidence of abuse on her part

•Respondent failed to follow the law when she used her contempt powers to change custody and denied the mother due process and a right to be heard regarding the temporary change in custody and contempt finding in this matter. This allegation is **SUSTAINED**.

Respondent admitted that she did not have an evidentiary hearing or have an order to show cause reference Welthy Silva's violations of court ordered visitation. Welthy Silva was not heard and did not have an opportunity to testify reference the claimed visitation violations. She was never notified by the court that this was a "child exchange" and not a court hearing.

•Respondent's actions in dealing with the child lacked patience. Respondent threatened to send the child to Child Haven and described it as a "prison for children". Respondent knew she was going to change custody and failed to handle the situation with any compassion or patience. This allegation is **SUSTAINED**.

There is clear and convincing evidence on the recording that shows Respondent's failure to show any compassion or patience with the crying child.

At the conclusion of the investigation, to include interviews of Respondent and additional witnesses; it was determined that the complainant's allegations of judicial misconduct have been sustained.

INVESTIGATION:

This investigator reviewed the written complaint and all attachments submitted by the complainant. I also reviewed the summary report prepared by the Alternate General Counsel and reviewed court room recordings that deal with this complaint. I conducted an interview with the Respondent as requested by the Commission. This interview was audio recorded and the interview transcript and audio recording of this interview is attached to this case.

During my interview with Respondent, she wanted to make it clear that this was NOT a *custody hearing* but merely an *exchange of the child*. She stated that her decision was already made reference the custody issue. She also informed me that the mother, Welthy Silva was aware that this was a "child exchange". I spoke with Welthy Silva and she was not aware that Respondent was going to award custody of her child to the father. Welthy Silva received a court paper (court document Dated June 08, 2016 is attached to this case) by mail ordering her to appear in court. She was ordered to bring her daughter and appear in court or face 25 days in jail. She had no idea why she was being ordered to court and attempted to contact the court for clarification but received no response from the court. Welthy Silva acknowledges that she was warned in the past by Respondent to comply with court orders reference visitation or her failure to comply would lead to her daughter being placed with her father for the summer. However, Welthy Silva was never notified by the court or Respondent that her appearance on June 15, 2016 was going to be an "exchange."

Welthy Silva was ordered to court on that day and requested that she bring her daughter with her. This was the daughter's first and only court appearance in this matter. Welthy Silva was under the impression that her daughter would finally get a chance to tell Respondent her side of the story of why she did not want to be with her father. Respondent informed me during our interview that she ordered Welthy Silva bring the child to court to facilitate an exchange. However, the court's order does NOT mention anything about a child exchange.

The child did speak with the Respondent "off the record." Respondent informed me that she told the child the following:

"I explained to her that she was going to spend the summer with her dad, that her dad loved her very much, that he wanted to have a relationship with her, and this is all post therapy so she knew these things already. And that she was going to go with dad today." Judge Hughes further described this court date as a child custody exchange, and not a hearing. .

Respondent believed that the child was crying because she did not get her way and that she was attempting to manipulate the court. She did not believe that the child was traumatized. It should be noted that the courtroom recording clearly depicts the child upset and crying as she sat at the table by herself while she

plead with Respondent. Respondent told the child that if she did not go with her father, she would be placed in Child Haven and described this place as a "*Prison for Kids.*"

I asked Respondent if this was a proper statement to make to the obviously upset 12 year-old child. Respondent stated that she did this upon the advice of Judge Hoskin. She denied using the words "prison for kids" and may have used "a cell" instead. I again asked Respondent if she felt that her actions, as she dealt with this child, lacked empathy and compassion. She told me that I was not seeing the whole picture and she did not agree with that statement.

Respondent described Welthy Silva as a "Pathogenic parent" who was using parent alienation against the child's father. Welthy Silva informed me that there was no basis for that statement because no medical professional/expert ever made that representation to the court of her being a "pathogenic parent" who was attempting to keep her daughter from her father. Respondent also informed me that this was a very difficult case and that she consulted with four separate Judges seeking advice on how to deal with this situation and everything that she did in this case was based on their advice.

Respondent informed me that she found Welthy Silva in contempt but to her recollection never saw an order to show cause reference the contempt for visitation. She further explained that she felt the mother's due process was not violated because she was not sanctioned or incarcerated. She admitted that she never had an order to show cause or held an evidentiary hearing reference the visitation violations by the mother. I again asked Respondent if she needed an evidentiary hearing on the custody issue about the mother not allowing the visitation with dad. Judge Hughes replied, "No. I didn't need that. That was obvious". It is apparent that Respondent had enough information based upon the *past* court records which she used to determine that temporary custody should be granted to the father. The mother, Welthy Silva, did not have an opportunity to testify or be heard by the court reference her reasoning or justification reference the lack of visitation with the child's father.

Welthy Silva felt that the Judge gave custody to her ex-husband because Welthy Silva failed to follow court orders on visitations. However, the Judge's consideration had nothing to do with what was in the best interest of the child. She believed that the Judge used the change of custody as a "sword to punish her for not following orders." She further stated that the sole consideration should always be for the best interest of the child and not for the best interest of the parents.

Refer to Respondent's and Welthy Silva's interview summaries and interview transcripts attached for additional information.

This investigator was also provided with additional documentation by Judge Rena Hughes and Welthy Silva. To include court minutes, court room recordings, social worker and therapist reports, Las Vegas Metro Dispatch recordings and logs. These documents are attached to this case for review.

RESPONDENT INTERVIEW:

Judge Rena Hughes, Respondent
7320 Rustic Meadow Street
Las Vegas, NV 89131
(702) 455-1882 (702) 278-1826 cell

I asked Judge Hughes if she was familiar with the hearing in her courtroom on June 15, 2016, in the matter of Silva vs Silva, where she ordered temporary custody of the juvenile. She informed me that this occurred in the summer and believed that the date was correct. She also recalled that she requested everyone to leave the courtroom except for her staff and the juvenile. Judge Hughes informed me that she was explaining to the child what was to occur on that date. Judge Hughes informed me that she told the child the following while off the record:

"I explained to her that she was going to spend the summer with her dad, that her dad loved her very much, that he wanted to have a relationship with her, and this is all post therapy so she knew these things already. And that she was going to go with dad today." Judge Hughes further described this court date as a child custody exchange, not a hearing.

Judge Hughes also stated that she believed the child was crying to see if she could get her way. She did not see her tears as that of being traumatized but more of wanting to manipulate the judge to get her way. She also stated that she was calm with the child and firm. She wanted the child to know that she was the adult.

I asked Judge Hughes if it was common practice for a child to remain in the courtroom by themselves while a custody decision was being rendered. Judge Hughes replied, "There was no custody decision being rendered. It had already been made. This was an exchange of the child. And it was done this way for several reasons. I could not engage the services of a therapist because mother refused to go to the therapist. That would have been my first choice is to have the exchange happen in a therapy office. But mom refused to go to Ms. Weiford (the therapist). And again, I'm taking advice from senior judges on how to do this. I've never had this type of case before. So therapy exchange was out of the question. Mom wouldn't go. Judge Duckworth said that he's had these cases

before and he made his order with the parties in the room and sent them out in the hallway to do the exchange. And I thought that was a terrible solution, with all due respect to him, because then it's happening in the public view and there's going to be arguing and fighting and mom could get thrown in jail because they each have people out in the hallway. So they're not there by themselves. My third option was a pickup order and a warrant for Metro to go and take the child. And I thought that was a horrible option because having a policeman remove you from your home and put you with dad isn't the best solution because how is that going to be successful? It's traumatic to the child and it's setting dad up for failure because the child knows that a policeman made her go stay with her dad."

During her conversation with the child, she informed her that she would go to Child Haven if she refused to go with her father and referred to Child Haven as a "prison for kids". I asked her if this was a proper statement to make. Judge Hughes stated that she did this upon the advice of Judge Hoskin. She denied using the words "prison for kids" and maybe used "a cell" instead. I again asked Judge Hughes if she felt that her actions as she dealt with this child lacked empathy and compassion. She told me that I was not seeing the whole picture and she did not agree with that statement.

Judge Hughes informed me that she had the mother escorted off property for her safety because she did not want her to get arrested. She described the mother as "very theatrical and dramatic". I then told Judge Hughes that it appeared the mother was not aware that dad was going to take the child. Judge Hughes stated that she was. Judge Hughes told her that if the child didn't go with dad on the weekends, the child would spend the summer with her dad. Judge Hughes ordered the mother to bring the child to court for *purposes of exchange*. This was the child's first appearance in court. Judge Hughes further informed me that she followed the advice of people she respected because she didn't know how to handle the situation.

Judge Hughes informed me that this was her first experience dealing with "parent alienation" and a "pathogenic parent". She consulted with four separate Judges seeking advice on how to deal with this situation and everything that she did in this case was based on their advice.

Judge Hughes informed me that she has had over a dozen hearings in this case and that she warned the mother that if she didn't facilitate visitation on the weekends, the child would be spending the summer with her dad. Judge Hughes further stated that the mother had violated nearly every court order entered.

I informed Judge Hughes that she may have possibly denied the mother due process and a right to be heard where she may have used her contempt powers to change custody. She disagreed with this statement because the mother had one year to stop interfering with dad's time to visit the child. Judge Hughes further stated that she did not need an evidentiary hearing because this was a

temporary order for the best interest of the child and not a permanent custodial order. She made the change based on the recommendations of the therapist and the mother's past violations of her orders.

Judge Hughes informed me that she found the mother in contempt but to her recollection, she never saw an order to show cause reference the contempt for visitation. She further explained that the mother's due process was not violated because she was not sanctioned or incarcerated. She admitted that she never had an order to show cause or evidentiary hearing reference the visitation violations by the mother. I again asked Judge Hughes if she needed an evidentiary hearing on the custody issue about the mother not allowing the visitation with dad. Judge Hughes replied, "No. I didn't need that. That was obvious". Judge Hughes also added that there was no evidence or history of abuse by the father and there was no basis for them not to have a relationship. She merely described the father as being more authoritarian and the mother being very liberal and lax.

Judge Hughes stated that a hearing was held on October 11, 2016 where stipulations were made by both parties in this case and a request to have the case sealed was granted. She also informed me that the mother has served her with an order to disqualify and she filed an affidavit in opposition to that order.

WITNESS INTERVIEW:

Welthy Silva, Complainant
1433 Cottonwood Place
Las Vegas, NV 89104
(702) 460-9438 cell

Welthy Silva was familiar with the court hearing in Judge Hughes courtroom where she was escorted off property by the bailiff. Welthy Silva was present in court with her 12 year-old daughter, Annie as ordered by the court.

Welthy Silva received a court paper by mail ordering her to appear in court. She was ordered to bring her daughter and appear in court or face 25 days in jail. She had no idea why she was being ordered to court and attempted to contact the court for clarification but received no response. Her daughter was terrified hoping that she would not be going with her father. Welthy Silva had no idea what was going to happen in court but was somewhat happy that her daughter would finally have a chance to speak to the Judge.

They all entered the courtroom and several seconds later were all told to leave because Judge Hughes wanted to speak to Annie. Several minutes later, the

bailiff came out in the hallway and informed Welthy Silva that he was to escort her off property. Welthy Silva then asked her ex-husband's attorneys what was going on and they had no idea.

Welthy Silva called her ex-husbands attorneys one to two hours later only to learn that her ex-husband was awarded temporary custody of their daughter. She had no idea or notice that this was going to occur. I asked Welthy Silva if the court made her aware that this was going to be an "exchange." She replied, "No, Definitely not...I was not aware of that."

Welthy Silva admitted that she was admonished several times in the past by the court for failing to encourage or facilitate her daughter's weekend visitations with her father. She has not allowed visitation with Annie's father because she described the father as very mentally and emotionally abusive. Welthy Silva stated that Judge Hughes ignored and continues to ignore all of the evidence showing this type of behavior by the father. However, Welthy Silva has followed court orders and has driven her daughter to the exchange locations on numerous occasions only to have the daughter refuse to go with her father.

Welthy Silva informed me that Annie told Judge Hughes all the reasons why she did not want to go with her father but the Judge ignored or did not find these reasons to be relevant. Welthy Silva stated that Annie refused to go with her father but the judge gave custody to the abuser.

Welthy felt that the Judge gave custody to her ex-husband because she failed to follow court orders on visitations. However, the Judge's consideration had nothing to do with what was in the best interest of the child. She believes that the Judge used the change of custody as a "sword to punish her for not following orders". She further stated that the sole consideration should always be for the best interest of the child and not for the best interest of the parents.

Welthy Silva informed me that they had a subsequent hearing on October 11, 2016 where a temporary stipulation was reached. Welthy Silva stated that this was a coerced stipulation. Her attorney and her ex-husband's attorneys met in the courtroom without Welthy Silva's presence and somehow both parties stipulated to an agreement.

Welthy Silva's attorney informed her that the Judge was going to refuse to look or listen to any evidence presented by Welthy Silva and if she filed a writ or appeal, she would not see her daughter for up to two years. Welthy Silva decided to go along with the stipulated agreement on visitation and custody.

Welthy Silva also informed me that during a prior hearing, she was told to shut up and sit down by Judge Hughes and that she was not allowed to speak. She also stated that her divorce decree specified that if the two parents could not agree on schooling, the child shall remain in whatever schooling she was in. This has not

happened and believes that Judge Hughes had no authority to take her daughter out of home schooling and place her into a public school.

Welthy Silva also stated that her daughter gets stress-induced seizures and since she has been with her father, her seizures have tripled in frequency. This was another reason why Annie had been home schooled.

At the end of our interview, Welthy Silva informed me that she has filed a motion to disqualify Judge Hughes (A copy of this motion and reply are attached to this case) because she felt that she was biased against her. She also stated that Judge Hughes described her as a "pathogenic parent". There was never any evidence or evaluation made to show that she is that type of parent. She also felt disgusted because she felt that the entire issue was to get both parents to reunify. However, no one wanted to look at what was in the *best interest for the child*. The Judge refused to listen to Welthy Silva, the mother who never had a right to be heard in her courtroom.

Welthy Silva concluded by stating that all she wants is a fair hearing and wants to see Judge Hughes in jail because she traumatized her little girl and placed her life at risk. Judge Hughes has no regard for what really is in the best interest of the child.

CONCLUSION:

Based upon the facts gathered during this investigation, it has been determined that the complainant's allegations of judicial misconduct have been **sustained**.

End of report.

Adam Wygnanski/ Investigator
Spencer Investigations

Investigation Report Addendum

REC'D BY NCJD

FEB 23, 2017

February 22, 2017

Re: 2016-113

DETAILS:

On February 22, 2017 at approximately 4:15 pm, I received an e-mail with a video attachment from Complainant Welthy Silva. The e-mail stated the following:

"I am sending this video to further show how Judge Rena Hughes is biased and advocates for the opposing party. She is in violation of federal rule 2.3."

The attached video sent via e-mail is a JAVS Courtroom Recording dated **July 28, 2016**. This is apparently an Order to Show Cause Hearing in front of Judge Rena Hughes. This investigator has no idea how Complainant Welthy Silva obtained this JAVS recording nor has she been questioned by this investigator in how she acquired said video recording.

This investigator already interviewed Complainant Welthy Silva in regards to her initial complaint filed with the Commission reference Case # 2016-113. At this time, this investigator has no justifiable reason to continue any further contact with the Complainant.

I reviewed the video sent by the Complainant. The video depicts Judge Hughes becoming irritated and annoyed with Welthy Silva's Counsel's motions contesting Judge Hughes' court orders that Welthy Silva apparently already complied with. Judge Hughes found Welthy Silva in contempt of court for failing to comply with the order to have the daughter math tested as initially ordered by the court.

The below listed time frames on the attached video recording which is labeled July 28, 2016 JAVS Video specifically portray Judge Hughes' conduct towards Counsel Robert Weatherford.

14:00 to 14:03 and 14:20 to 14:27

End of report.

Adam Wygnanski/ Investigator
Spencer Investigations

Interview Summary

REC'D BY NCJD

February 10, 2017

FEB 21, 2017

Re: 2016-113

Subject: Judge Rena HUGHES (Respondent)
8th Judicial District Court
Family Division, Department J
601 N. Pecos
Las Vegas, Nevada 89155
(702) 455-1882 (702) 278-1826 cell

Details:

On January 23, 2017, I contacted Respondent Judge Hughes' Judicial Executive Assistant Jeanette Lackner and we both agreed on a date where I would interview Judge Hughes in her chambers. Jeanette told me that Judge Hughes had several appointments but would be able to accommodate me on January 27, 2017 at noon reference this case. I provided the Judicial Executive Assistant with the name and case number of the court case directly involved in this investigation. I also informed her that I would prefer the Judge review this court case, specifically the hearing of June 15, 2016 that occurred in her courtroom.

On January 27, 2017 Respondent Judge Rena Hughes was interviewed regarding this investigation. This was a recorded interview conducted at the Judge's chambers in Las Vegas, Nevada. The following is a summary of that interview:

Judge Hughes stated that she has been practicing law in the State of Nevada for 27 years and is currently a Judge assigned to Family Court, Department J. She has held this position since January 01, 2015.

I asked Judge Hughes if she was familiar with the hearing in her courtroom on June 15, 2016, in the matter of Silva vs Silva, where she ordered temporary custody of the juvenile. She informed me that this occurred in the summer and believed that the date was correct. She also recalled that she requested everyone to leave the courtroom except for her staff and the juvenile. Judge Hughes informed me that she was explaining to the child what was to occur on that date. Judge Hughes informed me that she told the child the following while off the record:

"I explained to her that she was going to spend the summer with her dad, that her dad loved her very much, that he wanted to have a relationship with her, and this is all post therapy so she knew these things already. And that she was going to go with dad today".

Judge Hughes further described this court date as a *child custody exchange, not a hearing*.

Judge Hughes also stated that she believed the child was crying to see if she could get her way. She did not see her tears as that of being traumatized but more of wanting to manipulate the judge to get her way. She also stated that she was calm with the child and firm. She wanted the child to know that she was the adult.

I asked Judge Hughes if it was common practice for a child to remain in the courtroom by themselves while a custody decision was being rendered. Judge Hughes replied, "There was no custody decision being rendered. It had already been made. *This was an exchange of the child*. And it was done this way for several reasons. I could not engage the services of a therapist because mother refused to go to the therapist. That would have been my first choice is to have the exchange happen in a therapy office. But mom refused to go to Ms. Weiford (the therapist). And again, I'm taking advice from senior judges on how to do this. I've never had this type of case before. So therapy exchange was out of the question. Mom wouldn't go. Judge Duckworth said that he's had these cases before and he made his order with the parties in the room and sent them out in the hallway to do the exchange. And I thought that was a terrible solution, with all due respect to him, because then it's happening in the public view and there's going to be arguing and fighting and mom could get thrown in jail because they each have people out in the hallway. So they're not there by themselves. My third option was a pickup order and a warrant for Metro to go and take the child. And I thought that was a horrible option because having a policeman remove you from your home and put you with dad isn't the best solution because how is that going to be successful? It's traumatic to the child and its setting dad up for failure because the child knows that a policeman made her go stay with her dad".

During her conversation with the child, she informed her that she would go to Child Haven if she refused to go with her father and referred to Child Haven as a "prison for kids". I asked her if this was a proper statement to make. Judge Hughes stated that she did this upon the advice of Judge Hoskin. She denied using the words "prison for kids" and maybe used "a cell" instead. I again asked Judge Hughes if she felt that her actions as she dealt with this child lacked empathy and compassion. She told me that I was not seeing the whole picture and she did not agree with that statement.

Judge Hughes informed me that she had the mother escorted off property for her safety because she did not want her to get arrested. She described the mother as "very theatrical and dramatic". I then told Judge Hughes that it appeared the mother was not aware that dad was going to take the child. Judge Hughes stated that she was. Judge Hughes told her that if the child didn't go with dad on the weekends, the child would spend the summer with her dad. Judge Hughes ordered the mother to bring the child to court for *purposes of exchange*. This was the child's first appearance in court. Judge Hughes further informed me that she followed the advice of people she respected because she didn't know how to handle the situation.

Judge Hughes informed me that this was her first experience dealing with “parent alienation” and a “pathogenic parent”. She consulted with four separate Judges seeking advice on how to deal with this situation and everything that she did in this case was based on their advice.

Judge Hughes informed me that she has had over a dozen hearings in this case and that she warned the mother that if she didn’t facilitate visitation on the weekends, the child would be spending the summer with her dad. Judge Hughes further stated that the mother had violated nearly every court order entered.

I informed Judge Hughes that she may have possibly denied the mother due process and a right to be heard where she may have used her contempt powers to change custody. She disagreed with this statement because the mother had one year to stop interfering with dad’s time to visit the child. Judge Hughes further stated that she did not need an evidentiary hearing because this was a temporary order for the best interest of the child and not a permanent custodial order. She made the change based on the recommendations of the therapist and the mother’s past violations of her orders.

Judge Hughes informed me that she found the mother in contempt but to her recollection, she never saw an order to show cause reference the contempt for visitation. She further explained that the mother’s due process was not violated because she was not sanctioned or incarcerated. She admitted that she never had an order to show cause or evidentiary hearing reference the visitation violations by the mother. I again asked Judge Hughes if she needed an evidentiary hearing on the custody issue about the mother not allowing the visitation with dad. Judge Hughes replied, “No. I didn’t need that. That was obvious”. Judge Hughes also added that there was no evidence or history of abuse by the father and there was no basis for them not to have a relationship. She merely described the father as being more authoritarian and the mother being very liberal and lax.

Judge Hughes stated that a hearing was held on October 11, 2016 where stipulations were made by both parties in this case and a request to have the case sealed was granted. She also informed me that the mother has served her with an order to disqualify and she filed an affidavit in opposition to that order.

End of Report.

For additional details of the interview, refer to the audio recording and/or the typed transcript.

Adam Wagnanski/Investigator
Spencer Investigations LLC

REC'D BY NCJD

FEB 21, 2017

Case No.: Nevada Commission on Judicial Discipline Case No.

2016-113

Spencer Investigations

Recorded Interview of: Rena Hughes

January 27, 2017

IDENTITY OF SPEAKERS:

AW: Adam Wagnanski

RH: Rena Hughes

00:00:00 AW: Here we go. Okay. Transcriber, today's date is Friday,
00:00:07 January 27th. The time is approximately 11:48 a.m. This is
00:00:13 Investigator Adam Wagnanski with Spencer Investigations,
00:00:17 Reno, Nevada, who are contracted by the State of Nevada
00:00:20 Commission on Judicial Discipline. Location of this
00:00:24 interview will be Judge Hughes' chambers located at 601 North
00:00:30 Pecos in Las Vegas, Nevada. For the record, Your Honor, can
00:00:34 you please spell your first and last name for me.
00:00:35 RH: First name is Rena, R-E-N-A. Last name Hughes, H-U-G-H-E-S.
00:00:43 AW: Okay. And a good address for you?
00:00:45 RH: Personal address or business address?
00:00:48 AW: What's a good -- if the Commission needed to send you
00:00:51 something, would it be easier to send it to this address
00:00:55 or...
00:00:56 RH: I'll give you my home address.
00:00:57 AW: Okay.
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00:00:58 RH: It's 7320 Rustic Meadow Street. That's Las Vegas 89131.
00:01:11 AW: Okay. And a good phone number for you?
00:01:13 RH: (702) 278-1826.
00:01:19 AW: And is that a cell number or an office number?
00:01:21 RH: It's a cell.
00:01:22 AW: Cell number, okay. And is there an office number as well.
00:01:26 RH: (702) 455-1882.
00:01:33 AW: Okay. And you're aware that this interview is being
00:01:37 recorded?
00:01:37 RH: Yes.
00:01:38 AW: And this is with your permission?
00:01:38 RH: Yes.
00:01:39 AW: Okay. Just as a reminder, please wait until I -- I have a
00:01:43 bad habit of doing this, too, but wait until I complete the
00:01:46 question. I mean, it may be a long question and you want to
00:01:50 interrupt in the middle, and the transcribers, I mean, they
00:01:54 can do it but they don't like us doing it. So just wait
00:01:58 until I -- the question is over and then you can answer. And
00:02:02 I'll try to do the same with you, not to interrupt you mid
00:02:05 sentence so the transcriber will pick it up. It's kind of
00:02:08 difficult for them when two people are talking at the same
00:02:09 time. And then just speak loud and obviously no head
00:02:13 nodding. If it's a yes answer, just say yes instead of
00:02:17 nodding your head. And no answer, just no. Does that make
00:02:20 sense?
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00:02:20 RH: Yes.

00:02:20 AW: Thank you. All right. This interview is in reference to a

00:02:27 complaint received by the Nevada Commission on Judicial

00:02:29 Discipline on September 6, 2016. This case was assigned Case

00:02:36 No. 2016-113. The complaint contains allegations of possible

00:02:41 violations of Canon Rule 1 and Canon Rule 2, specifically

00:02:46 Canon Rule 1.1, 1.2, 2.2, 2.6(A) and 2.8(B). After their

00:02:55 review of the complaint against the respondent, the Nevada

00:03:00 Commission on Judicial Discipline concluded that there was

00:03:01 sufficient reason to conduct a follow-up investigation. Your

00:03:04 Honor, your current judicial assignment?

00:03:08 RH: Family Court, Department J.

00:03:14 AW: And how long have you been at this position?

00:03:16 RH: Since January 1st, 2015.

00:03:24 AW: And can you just briefly describe your past employment and

00:03:28 schooling prior to your current assignment as a judge in

00:03:31 Family Court?

00:03:33 RH: How specific do you want?

00:03:35 AW: Were you like in private practice before taking a judgeship?

00:03:41 RH: Yes.

00:03:42 AW: Okay.

00:03:45 RH: I worked for a law firm for five years before taking the

00:03:48 bench. The Dickerson Law Group.

00:03:53 AW: Okay.

00:03:57 RH: You want more history?

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00:03:58 AW: How about before that?

00:04:00 RH: Well, I've been practicing in Nevada for 27 years so it would
00:04:10 take a long time for me to go through my résumé.

00:04:13 AW: That's okay. So you got your bar...

00:04:16 RH: 1990.

00:04:18 AW: Okay. That's Nevada. Okay. Your Honor, you are familiar
00:04:29 with the hearing that occurred in your courtroom on
00:04:32 June 15th, 2016, in the matter of Silva and Silva, and that
00:04:37 case number I believe was D12467820D where you ordered
00:04:44 temporary change the custody for the juvenile in this matter,
00:04:48 correct?

00:04:53 RH: I'm not sure if that's when it occurred. I know it was over
00:04:57 the summer. I'd have to look --

00:05:01 AW: Okay.

00:05:02 RH: -- for sure. I believe that's when it happened.

00:05:12 AW: Okay.

00:05:12 RH: Yeah. June 15th, 2016. I believe so.

00:05:15 AW: Okay. Now, after viewing the JAVS recording, you excused
00:05:22 everyone out of the courtroom and spoke with the minor child
00:05:24 off the record while she was in the courtroom by herself. Do
00:05:29 you remember that?

00:05:30 RH: Yes.

00:05:30 AW: Okay. Was anyone else present in the courtroom?

00:05:33 RH: My staff.

00:05:34 AW: Okay. And that's your marshal, correct.

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00:05:36 RH: My marshal and my court clerk.

00:05:39 AW: Okay. And what is the marshal's name?

00:05:42 RH: Frank Preuss, P-R-E-U-S-S.

00:05:48 AW: P-U.

00:05:49 RH: P-R.

00:05:51 AW: I'm sorry. P-R.

00:05:52 RH: E-U-S-S.

00:05:54 AW: And does he have a phone number, a work number? You don't

00:05:58 know?

00:05:58 RH: It's this one.

00:05:59 AW: Okay. And then your court clerk?

00:06:02 RH: Tiffany Skaggs, S-K-A-G-G-S.

00:06:08 AW: Okay. And does she have a separate phone number or no?

00:06:12 RH: I don't know what it is.

00:06:13 AW: So we would just probably call your assistant and she could

00:06:17 connect us.

00:06:17 RH: Yes, yes.

00:06:19 AW: If we need to talk to them. Was there a reason why the

00:06:22 conversation was off the record with the juvenile? Is that a

00:06:27 normal practice?

00:06:28 RH: It is not -- it's a practice not to record conversations with

00:06:38 children. It was not an interview but an explanation to the

00:06:47 child of what was occurring that day.

00:06:51 AW: Okay. So this was not a -- a question and answer session

00:06:56 between you and the juvenile or --

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00:06:59 RH: No, it was not.

00:07:00 AW: Okay. Just briefly, do you remember what was said during
00:07:05 that off the record?

00:07:07 RH: In general, I do. But I have to give you a little bit of
00:07:13 background in order to tell you why it happened and then I'll
00:07:17 tell you what was discussed. This is a pathological parent,
00:07:23 Ms. Silva. And this was my first experience with parental
00:07:35 alienation.

00:07:37 AW: On her part?

00:07:38 RH: Yes. Well, I've never had a case like that as a judge. It
00:07:42 started right after I became a judge in February right after
00:07:45 I took the bench.

00:07:46 AW: Okay.

00:07:48 RH: And every step that I took in the case was after me
00:07:55 consulting with senior judges up here, how do I handle this
00:07:59 situation? What do I do? And no less than four different
00:08:05 judges gave me advice. So everything that I did was based on
00:08:10 their advice. I didn't know what to do with a pathogenic
00:08:15 parent. So after many months, I think it was even over a
00:08:21 year of violations of court orders by Ms. Silva, engaging
00:08:34 therapy, I had a therapist and representations of the
00:08:42 therapist and getting reports from the therapist on what to
00:08:48 do, I consulted with, again, the senior judges up here. But
00:08:58 Judge Elliott actually gave me the advice to talk to the
00:09:04 child and tell her what you're doing and why. And I called
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00:09:10 the mother in because I had told her if she didn't facilitate
00:09:18 visitation on the weekends, that the child would be spending
00:09:22 the summer with her dad.

00:09:24 AW: And when was that? Was that on the record?

00:09:28 RH: Yes. We've had over a dozen hearings in this case.

00:09:33 AW: Okay.

00:09:35 RH: Sometimes mom was represented. Sometimes she wasn't. But
00:09:40 she violated nearly every court order I ever entered. The
00:09:48 conversation I had with the child based on the advice I got
00:09:52 from Judge Elliott was to tell the child what was happening
00:09:57 that day. And the child asked me a lot of questions. But
00:10:03 typically, we don't record those.

00:10:06 AW: Right.

00:10:07 RH: And I explained to her that she was going to spend the summer
00:10:10 with her dad, that her dad loved her very much, that he
00:10:15 wanted to have a relationship with her, and this is all post
00:10:18 therapy so she knew these things already. And that she was
00:10:24 going to go with dad today. This was a child custody
00:10:28 exchange, not a hearing.

00:10:32 AW: Okay. Now, Your Honor, you would agree that a large segment
00:10:38 of your duties and responsibilities as a judge are to be
00:10:40 courteous, patient, dignified in handling of subjects that
00:10:45 come before you, right?

00:10:46 RH: Yes.

00:10:46 AW: Looking back at this hearing, even when I reviewed the tape,
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00:10:50 do you feel that you were courteous, patient, dignified, and
00:10:53 compassionate in the handling of that juvenile in the
00:10:56 courtroom when she sat there when she was crying and upset?
00:10:58 RH: Well, I had talked to her before that. So yes, I was. I
00:11:02 answered all of her questions. I think the reason she
00:11:12 started crying was because she knew it was -- well, how do I
00:11:22 put this? When she was asking me questions, she was using
00:11:29 psychology on me. She was asking me very mature questions.
00:11:39 AW: And this was off the record.
00:11:41 RH: Yes. Yes. And I think she was crying to see if she could
00:11:47 get her way, which was to leave with her mother and not her
00:11:52 father. I did not take her reaction with the tears, because
00:11:58 of the conversation I just had with her, I didn't take that
00:12:02 as her being traumatized. I saw that more as, I want to
00:12:08 manipulate this judge because I'm not getting my way. And I
00:12:14 didn't yell at her. I was calm with her, but I was also firm
00:12:20 because I wanted her to know I'm the adult, I'm making this
00:12:25 decision for your best interest, and I'm going to be firm on
00:12:29 this. You won't manipulate the situation. So yes, I thought
00:12:36 I was courteous to her. I didn't -- I didn't say anything
00:12:39 mean to her, but I was very firm just as a parent would be to
00:12:43 a child that's having a tantrum. You have to stand firm and
00:12:50 you have to do what's in their best interest whether or not
00:12:53 they like it.
00:12:55 AW: Is it -- I don't want to say -- is it standard practice with
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00:13:00 the family court judges here to have a juvenile remain in the
00:13:04 courtroom by themselves while a custody decision is being
00:13:08 rendered?
00:13:08 RH: There was no custody decision being rendered. It had already
00:13:12 been made. This was an exchange of the child. And it was
00:13:17 done this way for several reasons.
00:13:20 AW: Okay.
00:13:23 RH: I could not engage the services of a therapist because mother
00:13:27 refused to go to the therapist. That would have been my
00:13:31 first choice is to have the exchange happen in a therapy
00:13:35 office. But mom refused to go to Ms. Weiford. And again,
00:13:42 I'm taking advice from senior judges on how to do this. I've
00:13:46 never had this type of case before.
00:13:49 AW: Okay.
00:13:50 RH: So therapy exchange was out of the question. Mom wouldn't
00:13:54 go. Judge Duckworth said that he's had these cases before
00:14:02 and he made his order with the parties in the room and sent
00:14:07 them out in the hallway to do the exchange.
00:14:09 AW: Right.
00:14:10 RH: And I thought that was a terrible solution, with all due
00:14:16 respect to him, because then it's happening in the public
00:14:20 view and there's going to be arguing and fighting and mom
00:14:25 could get thrown in jail because they each have people out in
00:14:29 the hallway. So they're not there by themselves. My third
00:14:34 option was a pickup order and a warrant for Metro to go and
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00:14:39 take the child. And I thought that was a horrible option
00:14:44 because having a policeman remove you from your home and put
00:14:49 you with dad isn't the best solution because how is that
00:14:53 going to be successful? It's traumatic to the child and it's
00:15:00 setting dad up for failure because the child knows that a
00:15:04 policeman made her go stay with her dad.
00:15:08 AW: Now, her mother was not present when this occurred, correct?
00:15:12 She was escorted off the property?
00:15:14 RH: She was because I didn't want her to get in trouble. This
00:15:17 was a safety issue in my mind.
00:15:18 AW: Safety on whose part?
00:15:21 RH: On the part of the mom, the child, and the dad.
00:15:25 AW: What do you mean by you didn't want her to get hurt, the mom?
00:15:29 Is that what you're saying?
00:15:30 RH: Yes. She would likely get arrested.
00:15:34 AW: For?
00:15:34 RH: Disturbing the peace, causing a ruckus out in the hallway.
00:15:40 She's very theatrical and dramatic.
00:15:46 AW: So she wasn't aware that dad was going to take this child.
00:15:50 RH: Oh, she was.
00:15:50 AW: Oh, she was aware of that?
00:15:51 RH: She knew that before she came because I told her, if the
00:15:56 child doesn't go on the weekends, the child is going to spend
00:15:58 the entire summer with dad. And the child did not go on the
00:16:02 weekends. I got the report from Donna's house. The child
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00:16:05 wasn't going with dad. They were to do their exchanges at
00:16:08 Donna's house. So she was aware because I told her to bring
00:16:14 the child. She's never brought the child to Court to my
00:16:18 knowledge, but I did require her to bring the child for
00:16:20 purposes of exchange.

00:16:20 AW: So this was first time that you saw the child in court?

00:16:26 RH: Yes.

00:16:27 AW: Now, during this hearing, I saw that you addressed her, the
00:16:31 child, stating that the change in custody occurred because
00:16:33 the mother who was sent away, she wasn't present, and the
00:16:37 daughter were not cooperative with court ordered visitations,
00:16:42 correct.

00:16:42 RH: Yes, I think so.

00:16:43 AW: You further stated if the daughter refused to go with her
00:16:46 father, she would end up in Child Haven, which you referred
00:16:49 to as prison for kids. How would you explain that statement?
00:16:55 Is that really what that -- I mean, did that help things, do
00:17:00 you think?

00:17:00 RH: I did that upon the advice of Judge Hoskin. I didn't know
00:17:05 anything about Child Haven. Those statements I took from
00:17:11 Judge Hoskin because I asked him what do I do if the child
00:17:17 doesn't go with her father? Because I could leave the
00:17:26 courtroom and leave them in there to do whatever they need to
00:17:29 do, but what do I do if the child doesn't go, and he said,
00:17:30 you put her in Child Haven. You have your marshal take her
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00:17:35 to Child Haven. And I said that seems pretty severe. What's
00:17:39 Child Haven? I mean, I know that they rescue children out of
00:17:43 dangerous situations and they go to Child Haven, but I said,
00:17:45 how is that a solution? And he said, look, they -- you just
00:17:51 her tell her she has to go to Child Haven and she can sit
00:17:55 there in holding, like a holding cell, until she decides to
00:17:59 go with her dad. And the only way she's going to get out of
00:18:01 there is to go with her dad. That's what you tell her.
00:18:05 AW: So would you say that that may have been a wrong choice of
00:18:09 words, prison for kids?
00:18:10 RH: I don't know that I -- I don't know that I said prison for
00:18:13 kids. I think I may have said it's like a cell because
00:18:16 that's what Judge Hoskin told me. That's how you explain it
00:18:20 to her.
00:18:20 AW: Okay.
00:18:21 RH: This is not my idea. I followed the advice of people that I
00:18:26 respect because I didn't know how to handle the situation.
00:18:31 AW: Okay. So as I said earlier, dealing with this child, I'm
00:18:42 only seeing it from one aspect and just seeing one hearing.
00:18:46 I'm not present for all the other hearings that you had to
00:18:49 deal with this family, whether it be mom, dad, and the child.
00:18:54 But based on what I watched on the video, would you say that
00:19:00 your actions in dealing with this child, who is obviously
00:19:03 upset and crying, lacked a little empathy, maybe compassion?
00:19:09 RH: Well, again, you're not seeing the whole picture.

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00:19:13 AW: Okay.

00:19:13 RH: So no, I wouldn't agree with that statement.

00:19:15 AW: Okay. Would you have handled this situation any differently

00:19:19 now if you had the same thing going on?

00:19:24 RH: Pathogenic parenting is the most difficult thing you can

00:19:28 possibly deal with as a judge. And there is no right or

00:19:33 wrong in my mind. You have to address every case based on

00:19:42 the individual facts that you have. As I said, my first

00:19:46 option would have been to have the exchange happen in a

00:19:51 therapist's office, but mom cut that option off because she

00:19:57 refused to go.

00:20:03 AW: She refused to take the child to therapy, correct? Is that

00:20:08 what you're saying?

00:20:08 RH: She said she was done. She was not going to go to

00:20:12 Ms. Weiford again. I would have had Keisha Weiford, who was

00:20:15 the reunification therapist involved in the case, do the

00:20:19 transfer.

00:20:21 AW: She's seen her, though, correct?

00:20:24 RH: She had.

00:20:24 AW: The child has? Okay. Now, after viewing that JAVS

00:20:29 recording, reviewing the court records, as well, it appeared

00:20:34 that you may have used possibly some contempt powers to

00:20:37 change the custody and possibly denied the mother due process

00:20:41 and a right to be heard regarding the temporary change of

00:20:45 custody. Basically what I'm trying to get at is what

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00:20:49 standards did you apply to determine that temporary change of
00:20:52 custody was warranted?
00:20:55 RH: Well, I disagree with your statement that I denied her due
00:21:00 process, first of all.
00:21:01 AW: Okay.
00:21:02 RH: She had a year to stop interfering with dad's time. We had
00:21:13 multiple hearings. I sent them to Keisha Weiford, who is a
00:21:22 reunification therapist. If you read the reports from
00:21:26 Ms. Weiford, it's clear that mom was interfering with the
00:21:32 relationship between daughter and dad, that there was no
00:21:38 reasonable basis for it. And I was following the
00:21:42 recommendations of the therapist.
00:21:49 AW: Okay.
00:21:51 RH: And it's a temporary order, not a permanent order. In fact,
00:21:56 she later stipulated at a hearing with counsel to maintain
00:22:03 that temporary order.
00:22:07 AW: Okay. Now, it's also my understanding that a change of
00:22:12 custody, the temporary change of custody, was based upon the
00:22:14 mother's failure to cooperate with visitation, as you said.
00:22:18 But you still -- do you not still have to have an evidentiary
00:22:22 hearing to, you know, in your actions during this hearing?
00:22:32 Don't you think you have to have an evidentiary hearing
00:22:34 making -- you know, letting her be present?
00:22:37 RH: You don't have to have an evidentiary hearing.
00:22:39 AW: Okay.

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00:22:41 RH: I made the change based on the recommendations that the
00:22:45 therapist said she was continuing to interfere with dad's
00:22:49 relationship. I made the change based on her violations of
00:22:52 my orders. And I advised her that would be the result if she
00:22:56 continued to violate the orders. So she was on notice that
00:23:00 this would happen. I don't have to have an evidentiary
00:23:04 hearing until there is a permanent custodial order. This is
00:23:09 a temporary order.
00:23:10 AW: Okay. But the change of custody, though, isn't there --
00:23:15 doesn't there have to be -- I mean I'm kind of a learning
00:23:19 curve. Doesn't there have to be any substantial change in
00:23:23 circumstances where it affects the welfare of the child or
00:23:26 the child's best interest is served by any kind of
00:23:29 modification?
00:23:30 RH: You're talking about a permanent change in custody.
00:23:33 AW: Okay. And this is merely temporary.
00:23:35 RH: Temporary.
00:23:36 AW: Now, the child support as well, does that require a separate
00:23:39 hearing or no?
00:23:41 RH: No.
00:23:41 AW: It does not? Now, there's a case law back in 1994 that says
00:24:02 in order to change custody, short of emergency circumstances
00:24:06 such as physical abuse, a hearing must be held and notice
00:24:09 must be given. So was there a hearing --
00:24:16 RH: Can you tell me what case you're talking about?

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00:24:19 AW: It's Weiss versus Granada [phonetic], 1994 case. It's a
00:24:23 Nevada case.

00:24:24 RH: Again, this was a temporary change for the best interest of
00:24:28 the child, and mom later stipulated to maintain this
00:24:35 custodial status. But the Court can make temporary changes
00:24:43 in the best interest of the child.

00:24:45 AW: Okay. What were -- what caused you to give the dad the
00:24:54 custody, temporary custody?

00:24:55 RH: I think I've already explained that.

00:24:57 AW: Was that because the mother wouldn't allow visitation?

00:25:01 RH: The mother precluded visitation for about a year. She
00:25:08 hindered the reunification process. She violated my orders
00:25:16 to facilitate visitation. And she was alienating the child
00:25:24 from the father.

00:25:27 AW: Did you find a mother in contempt for failing to facilitate
00:25:31 the visitation?

00:25:32 RH: I did.

00:25:33 AW: And this was based upon reports from the therapist and
00:25:38 pleadings made by counsel, correct?

00:25:40 RH: The report of the therapist, mom's own statements, the report
00:25:47 from Donna's house, and although I found her in violation of
00:25:56 the order, I don't believe counsel ever gave me an order to
00:25:59 show cause to sign. That's my recollection but I'm not sure.

00:26:05 AW: Okay. So it's true you didn't have a contempt hearing --
00:26:08 there was no hearing ever held on the contempt, that you

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00:26:11 found the mother in contempt through your minute order,
00:26:14 correct?
00:26:16 RH: There was no order to show cause hearing on violation, to my
00:26:24 recollection. We had other orders to show cause because she
00:26:27 was in contempt of other orders. We did have order to show
00:26:32 cause hearing on her failure to conduct math testing because
00:26:36 she home schools the child. She was found in contempt. We
00:26:41 had an order to show cause hearing for her not refinancing
00:26:44 the HELOC on the marital residence as ordered in the decree.
00:26:52 I think -- I don't recall --
00:26:57 AW: Now, your finding -- just a finding of contempt for failing
00:27:01 to facilitate the visitations, okay, does that violate the
00:27:05 mother's due process?
00:27:06 RH: She had no consequences for that. She's never suffered any
00:27:11 consequences for that. I probably found that she violated my
00:27:16 orders but I didn't sanction her. I didn't obviously
00:27:20 incarcerate her.
00:27:28 AW: And I don't know how the statute works. In order to find
00:27:31 somebody in contempt for actions that were taken outside the
00:27:35 presence of the court, does a hearing have to be held?
00:27:39 RH: You have an order to show cause hearing.
00:27:41 AW: Got it. You never had that, right?
00:27:44 RH: We didn't have that for the visitation. We had it for other
00:27:48 issues that she violated. That's my recollection. I'm
00:27:52 sorry, but I've had so many hearings with this case. It's
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00:28:01 two years, but my recollection is I never had that for
00:28:04 visitation.
00:28:06 AW: So is this case finished?
00:28:09 RH: No.
00:28:09 AW: Still ongoing?
00:28:10 RH: It's still ongoing.
00:28:19 AW: The last hearing -- just a couple more questions. The last
00:28:23 hearing, the case was sealed on October 11, 2016, hearing.
00:28:31 RH: I know it was sealed at some point, yes.
00:28:33 AW: Is that a normal thing to have these cases sealed?
00:28:38 RH: The parties asked me to seal it.
00:28:40 AW: Did they give any reason to do that?
00:28:43 RH: No. They don't have to give you a reason.
00:28:45 AW: Okay. They just have to agree? Each side just has to agree?
00:28:49 RH: They don't. Only one person has to request it, and by
00:28:52 statute, they can have it sealed.
00:28:55 AW: Huh, I was not aware of that. So they don't have to agree to
00:28:58 have it sealed. The defendant or the complainant could make
00:29:03 an argument to have the case sealed?
00:29:05 RH: They don't have even have to make an argument. They give you
00:29:07 an ex-parte application to seal it, but that's not what
00:29:10 happened in this case.
00:29:10 AW: Okay.
00:29:11 RH: They had their attorneys with them, and at the hearing, they
00:29:14 asked me to seal the case.
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00:29:15 AW: Okay. The attorneys did on the clients' behalf?

00:29:20 RH: Yes.

00:29:21 AW: Was there any media attention on this case?

00:29:24 RH: Yes.

00:29:24 AW: From the news and the newspaper and all that, have you --

00:29:29 what's your opinion on that?

00:29:32 RH: I'm not allowed to have an opinion on that. I'm not allowed

00:29:36 to say anything about that.

00:29:37 AW: Okay.

00:29:40 RH: The attorneys asked me to issue an order ordering third

00:29:46 parties not to post videos or anything on social media about

00:29:51 this case, and I declined their request because I don't think

00:29:55 I have jurisdiction to do that.

00:29:59 AW: What attorneys asked that?

00:30:00 RH: Rob Weatherford and Lesley Cohen.

00:30:04 AW: Did it have anything to do with this case at all?

00:30:07 RH: Rob Weatherford's suspended from the practice of law. He was

00:30:10 representing Ms. Silva. Lesley Cohen is still on the case

00:30:15 and representing the father. But I would not issue the order

00:30:20 they requested.

00:30:20 AW: And that order was to?

00:30:22 RH: Have third parties take this out of the media and not post it

00:30:27 on social media. It already started on social media. Then

00:30:31 it went to -- then television stations, I believe. I

00:30:36 wouldn't issue that order.

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Electronically Filed
Jan 29 2019 12:09 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE HONORABLE
RENA G. HUGHES, EIGHTH JUDICIAL
DISTRICT COURT, FAMILY DIVISION,
DEPARTMENT J. COUNTY OF CLARK,
STATE OF NEVADA.

Case No. 76117

Appeal from the Nevada Commission on Judicial Discipline

APPELLANT'S APPENDIX
Volume I of IV

<u>DOCUMENT</u>	<u>VOL. NO.</u>	<u>PAGE NO.</u>
Certified Copy of Findings of Fact, Conclusions of Law and Imposition of Discipline, filed June 18, 2018	IV	APP943-957
Certified Copy of Notice of Appeal, filed June 22, 2018	IV	APP958-960
Commission Exhibit 2- Verified Statement of Complaint by Welthy Silva, dated June 19, 2016	III	APP515-524
Commission Exhibit 3- Verified Statement of Complaint by Steve Sanson, dated December 19, 2016	III	APP525-566
Commission Exhibit 4- Judge Hughes' Responses to Interrogatories, dated May 23, 2017	III	APP567-595
Commission Exhibit 5- Court Minutes from hearing held May 12, 2016 and Order for Supervised Exchange	III	APP596-599
Commission Exhibit 7- Minute Order, dated June 8, 2016	III	APP600-604
Commission Exhibit 8- Order, filed June 14, 2016	III	APP605-610
Commission Exhibit 9- Court Minutes from June 15, 2016, Child Exchange	III	APP611-613
Commission Exhibit 10- Order, filed June 15, 2016	III	APP614-619
Commission Exhibit 11- Court Minutes from July 27, 2016	III	APP620-621
Commission Exhibit 13- Affidavit Seeking Disqualification of Judge Due to Bias or Prejudice, filed January 11, 2017	III	APP622-665
Commission Exhibit 14- Recorded Interview of Judge Hughes, dated January 27, 2017	III	APP666-692
Commission Exhibit 16- Recorded Interview of Welthy Silva, dated February 8, 2017	III	APP693-749
Commission Exhibit 18- Formal Statement of Charges, filed October 10, 2017	IV	APP750-756

<u>DOCUMENT</u>	<u>VOL. NO.</u>	<u>PAGE NO.</u>
Commission Exhibit 19-Verified Response and Answer, filed October 30, 2017	IV	APP757-761
First Amended Order Setting Public Hearing and Notice of Panel Members, Order Regarding Media Access, filed on April 6, 2018	II	APP276-278
Formal Statement of Charges, filed October 10, 2017	I	APP233-239
Judge Hughes' Responses to Interrogatories, dated May 23, 2017	I	APP204-232
Letter from Commission on Judicial Discipline to Judge Hughes regarding Judicial Conduct Complaints, dated April 26, 2017, with Complaints and Investigation File attached	I	APP1-203
Motion in Limine No. 1, dated May 7, 2018	II	APP279-285
Objection to Respondent's Exhibits, dated May 18, 2018	II	APP293-297
Opposition to Motion in Limine No. 1, dated May 9, 2018	II	APP286-292
Order Denying Motion for Expansion of Time to Present Respondent's Defense, filed on April 4, 2018	II	APP267-275
Order Denying Motion to Dismiss Complaint, filed May 25, 2018	II	APP312-321
Order Denying Motion to Transfer Hearing to Las Vegas, Nevada or, in the Alternative, to do Said Hearing by Video, filed on April 4, 2018	II	APP253-266
Order Granting in Part and Denying in Part Motion in Limine No. 1, filed on May 23, 2018	II	APP303-311
Order Setting Public Hearing and Notice of Panel Members Order Regarding Media Access, filed on January 25, 2018	II	APP250-252
Prehearing Order, filed January 5, 2018	I	APP245-249

<u>DOCUMENT</u>	<u>VOL. NO.</u>	<u>PAGE NO.</u>
Respondent Exhibit A- JAVS Video of 7/28/16 Hearing (CD not attached)	IV	APP763
Respondent Exhibit C- Character Letters	IV	APP764-784
Respondent Exhibit D- Chronology of Silva Hearings	IV	APP785-791
Respondent Exhibit E- District Court, Family Division Court Minutes	IV	APP792-840
Respondent Exhibit F- Documentation of Keisha Weiford	IV	APP841-873
Respondent Exhibit G- Additional Character Letters	IV	APP874-879
Respondent's List of Exhibits	IV	APP762
Respondent's Proposed Exhibit B- Information Provided to Family Court Judges Regarding Parental Alienation (Not Admitted at Hearing)	IV	APP880-933
Respondent's Proposed Exhibit C- Character Letters (Not Admitted at Hearing)	IV	APP934-942
Response to Objection to Respondent's Exhibits, dated May 23, 2018	II	APP298-302
Transcript of Proceedings, dated May 30, 2018	II	APP322-499
	III	APP500-514
Verified Response and Answer, filed October 30, 2017	I	APP240-244



GARY VAUSE
Chairman

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PAUL C. DEYHLE
General Counsel and
Executive Director

April 26, 2017

PERSONAL AND CONFIDENTIAL

The Honorable Rena Hughes, Department J
Eighth Judicial District Court, Family Division
601 N. Pecos
Las Vegas, NV 89101-2408

Re: Judicial Conduct Complaints, Case Nos. 2016-113 and 2016-158

Dear Judge Hughes:

On April 14, 2017, the Nevada Commission on Judicial Discipline (the "Commission") made a determination that there was sufficient evidence to require you to respond to complaints against you. Enclosed you will find a copy of the Commission's Determination and Interrogatories. Copies of the complaints and all investigatory documents are contained on a CD which is also enclosed with this letter. The Commission, after an investigation and preliminary review, has determined that an answer to the complaints should be required of you as set forth in the Procedural Rules of the Commission. The Commission at this time has not made a finding of whether there is sufficient evidence to proceed to a formal hearing.

PURSUANT TO PROCEDURAL RULE 12(3) YOU ARE REQUIRED TO RESPOND TO THE SWORN COMPLAINTS IN WRITING WITHIN THIRTY (30) DAYS AFTER SERVICE OF THE COMPLAINTS UPON YOU. FAILURE TO ANSWER THE COMPLAINTS SHALL BE DEEMED AN ADMISSION THAT THE RELEVANT FACTS ALLEGED IN THE COMPLAINTS ARE TRUE AND ESTABLISH GROUNDS FOR DISCIPLINE.

The Commission has determined that you need not respond to all of the aspects of the complaints as can be determined by comparing the complaints with the Determination. In light of this and in order to help you focus your response, I have included a list of the issues the Commission wants addressed and a list of what I call interrogatories. In essence, these frame the factual and legal issues. Please respond generally to the relevant portions of the Determination by the Commission and more specifically to the Interrogatories.

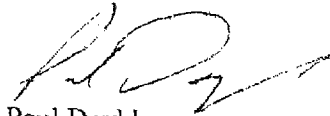
The Honorable Rena Hughes
April 26, 2017
Page 2

Pursuant to Procedural Rule 12(4), you are entitled to inspect the records of the Commission relating to the disciplinary actions against you. Accordingly, I have enclosed copies of the Commission records regarding its investigation to date on the enclosed CD.

Please remember that, pursuant to NRS 1.4683, these matters are confidential. If you have any questions concerning the contents of this letter, you or your counsel may contact me through the Commission office.

Sincerely,

NEVADA COMMISSION ON
JUDICIAL DISCIPLINE



Paul Deyhle
General Counsel and Executive Director

PCD/jj
Enclosures as stated

DETERMINATION BY NEVADA COMMISSION ON JUDICIAL DISCIPLINE
OF CAUSE FOR RESPONSE TO COMPLAINTS
REGARDING CASE NUMBERS 2016-113 and 2016-158

Following a review of the investigations in these cases, the Commission determines pursuant to NRS 1.4667 that there is a reasonable probability that the evidence available for introduction at a formal hearing could clearly and convincingly establish grounds for disciplinary action against Respondent contained in the complaints. Accordingly, Respondent is required to respond to the complaints. The allegations of misconduct are as follows:

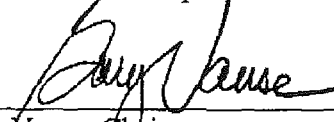
Respondent violated the Revised Nevada Code of Judicial Conduct, including paragraph [1] of the Preamble (maintain the dignity of office and avoid impropriety); Judicial Canon 1, Rule 1.1 (failing to comply with the law, including the Code of Judicial Conduct), Rule 1.2 (failing to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and avoiding impropriety and the appearance of impropriety); Judicial Canon 2, Rule 2.2 (failing to uphold and apply the law, and performing all duties of judicial office fairly and impartially), Rule 2.5(A) (performing judicial and administrative duties competently and diligently), Rule 2.6(A) (right to be heard), and Rule 2.8(B) (failure to be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity), or any single rule or any combination of those rules, by doing the following while Respondent was the District Court Judge for the Eighth Judicial District Court in Clark County, Nevada:

1. In Case No. D-12-467820-D, Respondent ordered visitation to occur on the weekends with the mother bringing the thirteen year old daughter to the Donna's House facility in order to facilitate the exchange with the father.
2. On May 14, 2016, the mother allegedly failed to comply with the said visitation and the father's counsel filed an Order Shortening Time on May 17, 2016 to place the matter back on calendar regarding the visitation.
3. In response to the Order Shortening Time, Respondent found the mother in contempt of court through a Minute Order dated June 8, 2016, for failure to facilitate the subject minor child's visitation with her father at Donna's House based upon the father's counsel's filed pleadings and therapist reports.
4. The June 8, 2016 Minute Order ordered that, "This Court finds that Plaintiff is in contempt of the Court's order to facilitate visitation on weekends with the Father, AN ORDER TO SHOW CAUSE SHALL ISSUE."
5. The Minute Order further stated, "Mother shall bring the minor child to Dept J, Courtroom #4, on June 15, 2016 at 1:30 p.m. If Mother fails to deliver the minor child to the courtroom on June 15, 2016, she shall be deemed in further contempt of Court, and sentenced to twenty-five (25) days incarceration. If Mother fails to appear, a bench warrant shall issue."
6. The mother brought the minor child to court on June 15, 2016. At the court proceeding, Respondent quickly addressed both parties, and ordered everyone to leave the courtroom except the daughter. Respondent had an off the record discussion with the thirteen year old daughter.
7. When the Court went back on the record, the mother was not allowed to return to the courtroom and was escorted off the property. Respondent addressed the father with his

counsel and the minor child and explained that she was awarding the father temporary sole legal and physical custody, the father's child support obligation would cease, the mother would have to pay the statutory minimum child support, and the mother was to have no contact with the child. An evidentiary hearing regarding a permanent change in custody was set for October 11, 2016.

8. The daughter screamed and cried during the entire process while the father remained at his counsel table.
9. Respondent addressed the crying child by informing the child that the change in custody occurred because the mother and daughter were not cooperating with the Court ordered visitation with the father. Respondent further explained that if the daughter refused to go with the father, the daughter would end up in Child Haven, which Respondent described as a jail for kids.
10. At the court proceeding on June 15, 2016, no evidence or testimony was entered into the record regarding the change of custody, change in child support or the finding of contempt.
11. No order to show cause issued regarding the failure to facilitate visitation or notice regarding the change of custody and/or child support.

Dated this 14th of April 2017



Gary Vause, Chairman

April 14, 2017

INTERROGATORIES PERTAINING TO COMPLAINTS
REGARDING JUDGE RENA HUGHES
CASE NUMBERS 2016-113 and 2016-158

TO: Judge Rena Hughes, Respondent:

(NOTE THAT ALL REFERENCES TO EITHER CANONS OR RULES PERTAIN TO THE
REVISED NEVADA CODE OF JUDICIAL CONDUCT)

This set of interrogatories is sent pursuant to the authority of the Nevada Commission on Judicial Discipline (hereinafter referred to as "Commission"). Nev. Const. Art. 6, § 21(7); NRS 1.462, 1.4667; Commission Procedural Rule 12; NRCP 33. Respondent is required to answer the interrogatories separately and fully in writing **under oath**. The answers shall set forth each interrogatory asked, followed by respondent's answer or response. The interrogatories are intended to focus the issues in the complaint as determined by the Commission. References below either to Canons or Rules pertain to the Revised Nevada Code of Judicial Conduct. Should respondent deem it necessary to argue legal matters, a separate brief of no more than ten pages in total for all arguments may be attached and referenced in an answer to an interrogatory but said answer shall not contain legal argument.

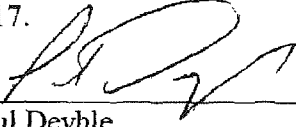
The allegations of misconduct are found in the Determination of the Commission in these cases entered on April 14, 2017. A copy is enclosed with these interrogatories. Respondent is also being provided with copies of the evidentiary record considered by the Commission determining that there was sufficient evidence to require a response. Although respondent is to respond to the complaints pursuant to NRS 1.4667(3), the complaints are limited to the issues confirmed in the Determination of the Commission. Unless otherwise stated, all of the interrogatories continue to pertain to the actions of respondent in Case No. D-12-467820-D, on or about June 8, 2016 – June 15, 2016 while respondent was acting in her official capacity as a District Court Judge of Family Court for the Eighth Judicial District Court in Clark County, Nevada.

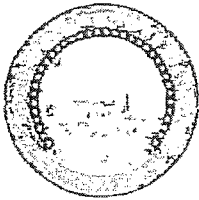
1. Why did you draft the Minute Order dated June 8, 2016, and on what basis did you find that the mother failed to facilitate the daughter's visitation with the father?
2. On what basis did you find the mother was in contempt of Court regarding her alleged failure to facilitate visitations on weekends?
3. Please explain how your finding of the Complainant in contempt complies with Nevada Revised Statutes regarding finding a party in contempt for violating a court order(s)?
4. Please explain why you did not hold a hearing regarding finding the mother in contempt for failing to facilitate visitation with the father on weekends?
5. Please explain why you did not hold a hearing regarding the temporary transfer of sole legal and physical custody that occurred at the June 15, 2016 hearing.
6. Please explain why you changed custody when the Father's Motion for An Order Shortening Time only addressed the visitation issue.
7. Please explain why your Minute Order of June 15, 2016 stated that "Mom shall have NO CONTACT with Minor".

8. In your Minute Order of June 15, 2016, why did you order that if the minor refuses to go with the father that the minor would go to Child Haven?
9. Please explain what Child Haven is in detail, and why you told the daughter that is a jail and/or prison for children?
10. Please explain, in detail, what you told the daughter off the record.
11. Did you make up your mind before the hearing that you were going to change custody, please explain.
12. Why did you not have any counselor, or CASA volunteer, or someone of that nature at the June 15, 2016 hearing to facilitate the custody transfer and comfort the minor child?
13. Why did you choose to have the mother and father removed from the court, and then spoke to the child off the record?
14. Why did you have the mother removed from the courtroom on June 15, 2016?
15. How would you characterize the court proceeding that took place on June 15, 2016, such as was it a contempt hearing, custody hearing etc...? Please explain in detail.
16. Please explain how you found the mother in contempt for failure to follow the Court's order regarding visitations with the father on June 15, 2016 while at the same time state that an order to show cause shall issue?
17. Please explain why you did not hold a contempt hearing regarding visitation on July 28, 2016 since you held a contempt hearing on other issues that day.
18. Did you inform the parties before the hearing that you were going to change custody at the June 15, 2016 hearing, and if yes, please explain how you informed the parties.
19. Please explain why you did not hold a hearing regarding the awarding of child support at the June 15, 2016 hearing.
20. Please explain how you protected the mother's due process rights regarding the custody, child support and contempt finding at the June 15, 2016 hearing.
21. Based on the answers to any of the above questions, did respondent violate Rule 1.1 (compliance with the law including the Code); Rule 1.2 (failing to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and avoiding impropriety and the appearance of impropriety); Rule 2.2 (failing to uphold and apply the law, and performing all duties of judicial office fairly and impartially); Rule 2.5(A)(perform duties competently); Rule 2.6(A) (failing to accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law); and Rule 2.8(B) (failing to be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity) of the Revised Nevada Code of Judicial Conduct, or any single rule or any combination of those rules, by doing any, a combination of, or all of the alleged acts, in Case No. D-12-467820-D, on or about June 8, 2016 – June 15, 2016 while respondent was acting in her official capacity as a District Court Judge of Family Court for the Eighth Judicial District Court in Clark County, Nevada? Please explain.

NOTHING FOLLOWS.

Dated this 26th day of April, 2017.


Paul Deyhle
General Counsel and Executive Director
Nevada Commission on Judicial Discipline



(For Commission Use Only)

COMMISSION CASE NO

SEP 06 2016

2016-013

NEVADA COMMISSION ON JUDICIAL DISCIPLINE

VERIFIED STATEMENT OF COMPLAINT

(Please Clearly Type or Print All Required Information)

Part I: General Information

Date: 6.19.16

Name of Person Completing This Form: WELTHY SILVA

Mailing Address of Person Completing This Form: 1433 COTTONWOOD PLACE
LAS VEGAS, NV

Daytime Telephone: (702) 460-9438 Email: WELTHY@HOTMAIL.COM

Part II: Specific Information Regarding Complaint

Name of Nevada Judicial Officer (Only One Name Per Complaint Form): RENA HUGHES

Name of Court or Judicial District Involved: EIGHTH JUDICIAL DISTRICT - FAMILY COURT

Case Number (Please Include All Letters and Numbers): D-12-467820-D

When and where did the alleged misconduct or disability occur?

Date: 6.8.16 Time: 2:30 PM Location: COURTROOM 4 - 601 N. PECOS

Date: 6.15.16 Time: 1:30 PM Location: COURTROOM 4 - 601 N. PECOS

This Case Is (Select One): ☒ Pending In Trial Court ☒ On Appeal ☐ Not Pending or Closed

Nature of Complaint (Select One): ☒ I have attached my own explanation page(s)
☒ I have used the standard Complaint Form

Revised Nevada Code of Judicial Conduct Section(s) Violated. If Known [(Example: Canon 3B(4))]:

Part III: Obligations Of Complainant

I hereby acknowledge the following agreements and/or waivers:

Consent to Investigate. I expressly authorize the Commission on Judicial Discipline ("Commission"), staff and contractors, to investigate my complaint and take any and all actions, including interviewing any relevant witness(es) or request by subpoena or otherwise any documentary evidence and to verify the statements I have made herein to be true and correct (or if stated to be on information and belief, that the statements are believed in good faith to be true and correct). I agree to promptly supplement and amend this complaint if I learn that the facts I have alleged are materially incorrect. I understand that deliberately misstating the truth of any material fact could subject me to various sanctions including, but not limited to, dismissal of my complaint, contempt or a separate action for perjury.

Part III Obligations of Complainant (Continued)

Full Cooperation. I agree to fully cooperate with the Commission, staff and its designated contractors with regard to my complaint. I understand that even if I wish to withdraw my complaint that the Commission retains independent grounds to pursue it and that the information contained within and attached to the complaint becomes the property of the Commission and the Commission may pursue the complaint even if I seek to withdraw it. I understand that all documents submitted become the property of the Commission and will not be returned.

Appeal Warning. I understand that the Commission, its staff and contractors are not an appellate court and that my filing of a complaint does not stay or stop any time I am provided to appeal a decision I disagree with or any decision that adversely affects me. I understand that I must timely file an appeal to preserve those rights. I acknowledge that filing a complaint with the Commission does not and cannot preserve those rights.

Legal Advice. I understand that the Commission, its Commissioners, Commission staff, investigators and contractors are precluded from giving me legal advice regarding my case or actions I should be taking in my case and I understand that should I require advice I will seek appropriate assistance apart from the Commission, Commissioners, Commission staff, investigators and contractors.

Part IV: Attachments

Relevant documents: Please attach any relevant documents which you believe directly support your claim that the judge has engaged in judicial misconduct or has a disability. **Highlight or otherwise identify those sections that you rely on to support your claim.** Do not include documents which do not directly support your complaint, for example, a copy of your complete court case. **Keep a copy of all documents submitted for your records as they become the property of the Commission and will not be returned.**

Part V: Signature and Verification of Complaint

After being duly sworn, I state under penalty of perjury that I am the above-referenced complainant whose name appears in Part I and who submitted this complaint. I know the contents thereof; and the matters set forth in this complaint are true and correct based upon my own knowledge, except as to matters stated to be on information and belief, and those matters are believed to be true and correct. I request that the conduct set forth above or referenced in the attachments and exhibits provided with the complaint be investigated by the Nevada Commission on Judicial Discipline.



Signature of Complainant

8-29 2016

Date

How Do I Submit My Complaint? Where Can I Obtain Additional Assistance? This complaint, along with any supporting materials, should be sent by mail to the: **Nevada Commission on Judicial Discipline, P.O. Box 48, Carson City, Nevada 89702.** If you have questions regarding the completion of this form, please contact the Commission on Judicial Discipline at (775) 687-4017. In addition, if you have access to the internet, or can obtain access at a local library or other facility, the Commission's web site located at <http://judicial.state.nv.us> and provides additional information to help you prepare your complaint. The web site also includes the full and current text of the Revised Nevada Code of Judicial Conduct and other laws, statutes and rules governing the Commission.

COMPLAINT

On June 10, 2016 I received a letter in the mail which had errors by the Judge. I have attached a copy and notated errors. It informed me to bring Annie to the courthouse or I would be thrown in jail for 25 days. I was very much hoping the judge would FINALLY listen to my child and protect her. I was wrong.

On June 15, 2016 Annie and I went in to court along with her father and his counsel. I had no representation because her father, Rogerio Silva has refused to pay child support or alimony for more than 6 months and never reimbursed me for Annie's medical/dental bills. That has been conveniently ignored. I stated my name for the record and then we were all, except for Annie asked to leave. She had no child advocate or attorney present. You will have to watch the video to see the extreme abuse of discretion committed by Judge Rena Hughes. After about 3 minutes, the bailiff came into the hall and stated he was to "escort the mother off the property." As you can see on the video, Rogerio and his counsel go back in the court room and more questionable actions and over reaching of power take place.

At this time all my parental rights have been stripped without any evidence of abuse on my part. Further more the US Dept. of Justice cites: Saunder's study shows removing a child from the attached parent is a "harmful outcome" and always wrong.

STANDARD COMPLAINT FORM (STATEMENT OF FACTS)

The following is my explanation as to why the judicial officer named in this complaint has violated the Revised Nevada Code of Judicial Conduct or suffers from a disability.

Please identify yourself as [select one]: ☒ a litigant; ☐ a witness or interested party; or ☐ a member of the general public who witnessed or viewed this conduct (but not otherwise involved).

The following are the specific facts and circumstances which you believe constitute misconduct or disability (please be as specific as possible about the event(s) or action(s) and attach additional pages, if necessary):

PLEASE WATCH VIDEO!

I have [select one]: ☐ appealed the judge's decision ☐ not appealed the decision
☒ not decided to appeal the decision yet ☐ not applicable

Attach Additional Pages as Necessary

(Revised 12/28/2015)

D-12-467820-D

FRIDAY'S
LETTER

DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

June 08, 2016

D-12-467820-D Welthy Silva, Plaintiff
vs.
Rogerio Silva, Defendant.

June 08, 2016 2:30 PM Minute Order

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant, Lesley Cohen, Attorney, not present
not present

Welthy Silva, Plaintiff, Counter Defendant, not Pro Se
present

JOURNAL ENTRIES

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This Court has read and considered the current underlying pleadings in this matter.

This case has a lengthy, troubled history. Since the parties divorce on April 26, 2013, they have been before this Court no less than 9 times, primarily on Father's motions to enforce his rights of custody and visitation, and regarding his objection to the minor child (Annie) being home schooled by

PRINT DATE:	06/08/2016	Page 1 of 5	Minutes Date:	June 08, 2016
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

~~"ANNIE'S VISIT ARE HERE"~~

Mother. The parties are also disputing the handling of the HELOC account after divorce.

The Decree of Divorce granted the parties joint legal, and Mother primary physical custody of the minor child, Annie. Father's visitation period was weekly from Saturday at 11:00 a.m. to Monday at 10:00 a.m.

In April 2014, Father filed a motion to have Annie tested to determine her educational level, and to have her placed in public school. Mother was home schooling Annie over Father's objection, and allegedly in violation of the joint legal custodial provisions of the Decree of Divorce. A hearing did not take place on this motion, because counsel for Father failed to file a valid proof of service.

HE CONSENTED TO HOMESCHOOLING FOR 3 YEARS BEFORE DIVORCE.

In January 2015, Father filed a second motion for academic testing, to have Annie placed in public school, to modify child custody to primary to Father, and enforce the Decree of Divorce with respect to the HELOC. The Decree ordered Mother to refinance or sell the former marital residence because Father's name is on the HELOC. Father requested a change in custody based on Mother's decision to home school Annie, without his consent. Father [REDACTED] that when he objected to Mother about the home schooling, she denied him visitation. At the hearing in February 2015, the parties were ordered to mediation to address Father's visitation, and for a child interview. It was alleged that Annie did not wish to visit, with Father. I NEVER DENIED HIM VISITATION -

In or around April 2015, Mother began withholding the minor child during Father's custodial time. NOT TRUE - ANNIE REFUSED TO GO. In May 2015, Father called the police to assist him in facilitating his visitation, and Mother refused to turn over the child. - ANNIE SPOKE WITH POLICE OFFICERS HERSELF. The parties stipulated in July 2015 to reunification therapy for Father and Annie. The Court ordered reunification therapy with Keisha Weiford and Father to bear the cost. The Court also ordered Mother to have math testing performed, and that Father would have compensatory time over the summer break. The Court further ordered the parties to provide a history of the HELOC payments and the current balance.

Keisha Weiford provided reports in early July and August 2015, informing the Court that Father met with her for reunification therapy and paid all fees. In July 2015, Mother arrived for the initial - 3RD APPT. appointment, but did not leave the parking lot, alleging Annie would not get out of the car. Keisha Weiford went to meet Mother and Annie in the parking lot and spoke to them. Ms. Weiford spoke with Annie and calmed her fears, but then Mother ended the conversation by stating that Annie was too stressed to go forward with the appointment. Mother reiterated that Annie does not want to meet with her father. Ms. Weiford also reported that Mother called days prior to the first appointment and told her Annie did not want to come to the appointment or was unwilling to get in the car. Mother wanted to know if Annie could terminate the reunification session if Father started to lie in session. Father met with Ms. Weiford and reported that Annie was upset with him for having her tested, and for questioning her home schooling. Ms. Weiford contacted Mother again and among other things. SHE ALYED HER FEARS HE COULD AVE GOT OUT OF CAR. NOT HAPPEN! I ASKED ANNIE TO GO TALK BUT ALSO UNDERSTOOD IF SHE COULDN'T.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

requested she bring Annie to meet with her father for reunification. Mother stated to Ms. Weiford that Annie was not willing to meet with her Father because she did not want to be around his negative energy. Annie agreed to meet with Ms. Weiford individually.

The following is an excerpt from Ms. Weiford report of the July 8, 2015 meeting with Annie. Annie definitely displayed irritation with me at our meeting. She reported she told me at the beginning of our previous session that she did not want to be reunified, with her Dad. I asked her if Mom explained to her that even though she told me that I would still need to meet with her and Dad. Annie reported that her mother did not explain that to her because her mother did not understand why I could not take her word only. Annie reported to me that she was not joking, and did not want to be reunified. She reported that anyone that knows her is aware that she does not give second chances and she has already given her Dad too many chances. She reported that the only reason that her Dad is pushing for this reunification is because he likes drama.

Ms. Weiford reported I am having a hard time distinguishing what were the problems in the marriage and what are the problems in the parent-child relationship. It seems very much intertwined with Mom's relationship with Dad. I am concerned with the possible enmeshment that Annie and Mom might have. Ms. Weiford recommended Mother get behind the reunification and share the financial responsibility of reunification therapy. Father paid Ms. Weiford a total of \$1,800.00 for reunification therapy that never occurred. Ms. Weiford then canceled the remaining reunification appointments.

In October 2015, the Court issued an Order to Show Cause against Mother for not following the Court's Order to engage in reunification therapy, and ordered reunification therapy to continue. The Court further ordered the parties to equally divide the cost of therapy for the previous sessions, and for Mother to pay for all future sessions.

Mother terminated the reunification with Ms. Weiford, reporting that finances were an issue ..and Annie was done.

Before terminating the reunification therapy, Ms. Weiford conducted three (3) sessions with Father and Annie. According to Ms. Weiford's report of November 2, 2015, Annie was tearful at first, but by the time of the second session, she was comfortable with her Father and played games with him. Annie left the second session cheerful. Before starting the third session, Annie told Ms. Weiford, she did not want to be reunified and did not want to have a relationship with her father.

Ms. Weiford had authority to contact Annie's therapist and received a report that Annie did not report abuse, neglect, or any other issues with her father concerning safety and welfare. In Ms. Weiford's opinion, the issues between Annie and her Father had more to do with his conflicts with her Mother than with his personal relationship with her. Ms. Weiford further opined that Mother was creating the rift between Father and Annie, because Annie's thoughts appeared to be those of her

PRINT DATE:	06/08/2016	Page 3 of 5	Minutes Date:	June 08, 2016
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KEISHA'S REPORT SAYS "ANNIE'S VIEWS ARE HER OWN"

Mother, from her difficult relationship with Father.

In January 2016, the Court issued an Order to Show Cause against Plaintiff for having violated the Court's Orders of May 5, 2015, July 21, 2015, October 7, 2015, and January 5, 2016 to have the child subjected to standardized testing for math proficiency. Further, because Mother was not facilitating reunification therapy, the Court ordered visitation exchanges occur at Donna's House, so the exchanges could be observed, and a report to the Court generated. Visitation was ordered for 2.5 hours on dates certain throughout February 2016, with eventual overnights at the end of February, to take place each week. On February 16, 2016, Donna's House reported that the parties completed the orientation process, but Annie refused to go with her Father for visitation, and they canceled future exchanges.

The Court then issued a referral Order for Outsourced Evaluation Services with Claudia Schwarz on February 28, 2016. Each party was ordered to pay one half of Ms. Schwarz's fees. On March 1, 2016, Ms. Schwarz reported to the Court that Father was in compliance with the Court's order and was ready to begin services, however, Mother contacted her and explained she cannot pay for services at this time. Because Mother could not pay for services, the Court AGAIN ordered child custody exchanges to resume, at Donna's House, as previously ordered. The Court FURTHER ADMONISHED Mother that if she did not encourage and facilitate the exchanges on weekends, Annie would spend the entire summer with Father, Mother may be held in contempt, and further sanctions could issue against her. Mother brought Annie to Donna's House for the exchange and Annie refused to go with Father. NOT TRUE - I HAD A FRIEND TAKE ANNIE TO FURTHER "FACILITATE" VISITATION.

This Court FINDS that Mother has failed to facilitate Father's visitation with Annie. Because Mother has failed to facilitate visitation with Father, she has violated his parental rights and the orders of this Court. Mother was advised at the last court hearing that if she did not compel the minor child to visit with Father on weekends, the child would spend the entire summer with Father.

Based upon the reasons stated above: IT IS HEREBY ORDERED THAT:

This Court finds that Plaintiff is in contempt of the Court's order to facilitate visitation on weekends with the Father, AN ORDER TO SHOW CAUSE SHALL ISSUE.

AN ORDER TO SHOW CAUSE is also issued against Plaintiff for not complying with the Court's orders to refinance the HELOC, on the former marital residence, or in the alternative, to have it sold.

AN ORDER TO SHOW CAUSE is further issued against Plaintiff for not having Annie tested for Math proficiency in a timely manner as ordered by the Court.

PRINT DATE:	06/08/2016	Page 4 of 5	Minutes Date:	June 08, 2016
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Mother shall bring the minor child to Dept. J, Court room #4, on June 15, 2016 at 1:30 p.m. If Mother fails to deliver the minor child to the courtroom on June 15, 2016, she shall be deemed in further contempt of Court, and sentenced to twenty-five (25) days incarceration. If Mother fails to appear, a bench warrant shall issue.

The Order to Show Cause hearing shall be scheduled for July 28, 2016 at 1:30 p.m. The Status Check, set for July 28, 2016, at 10:00 am, shall hereby, be VACATED.

Counsel for Defendant shall prepare an Order consistent with this Court minute, and the Orders to Show Cause.

Clerk's note, a copy, of today's minute order was mailed, to Plaintiff and placed, in counsel's folder, at Family Court.

PRINT DATE:	06/08/2016	Page 5 of 5	Minutes Date:	June 08, 2016
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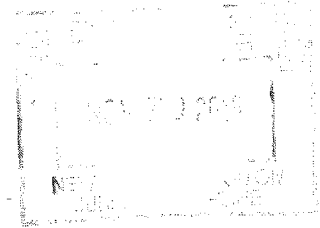
Re: Silva v. Silva Case No. D-12-467820-D

3~1~2016

Dear Judge Hughes:

Your court has all pre trial memorandum. In those papers you will find proof as to my financial situation caused by defendant refusing to pay child support and reimbursement of medical/dental bills. I will gladly pay Ms. Claudia Schwartz when and if Rogerio Silva pays me.

Sincerely,
Welthy Silva



Re: Case No. 2016-113

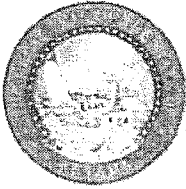
November 7, 2016

Dear Nevada Commission on Judicial Discipline:

I am submitting a recent news story which aired about my case. I believe your review date is December 9th and thought you should be aware of most recent events. Nothing has changed in my case except for a coerced stipulation where I am allowed one day a week with my daughter. Last court hearing was meant to be an evidentiary hearing but Judge Rena Hughes again refused to look or consider any of my evidence. I still have no legal custody of my daughter who I took care of her entire life until the sudden change of custody for no legal reason.

Very Sincerely,
Welthy Silva

DEC 27 2010



(For Commission Use Only)

COMMISSION CASE NO _____

NEVADA COMMISSION ON JUDICIAL DISCIPLINE

VERIFIED STATEMENT OF COMPLAINT

(Please Clearly Type or Print All Required Information)

Part I: General Information

Date: 12/19/10

Name of Person Completing This Form: Steve Sanson

Mailing Address of Person Completing This Form: PO Box 28211

Las Vegas, NV 89126

Daytime Telephone: (702) 2838088 Email: UIPI President @
cs.com

Part II: Specific Information Regarding Complaint

Name of Nevada Judicial Officer (Only One Name Per Complaint Form): Rena G. Hughes

Name of Court or Judicial District Involved: Eight Judicial District Court

Case Number (Please Include All Letters and Numbers): D12467820D

When and where did the alleged misconduct or disability occur?

Date: 6/15/10 Time: 1340Hrs Location: Clark County

Date: _____ Time: _____ Location: _____

This Case Is (Select One): ☐ Pending In Trial Court ☐ On Appeal ☐ Not Pending or Closed

Nature of Complaint (Select One):

☒ I have attached my own explanation page(s)
☐ I have used the standard Complaint Form

Revised Nevada Code of Judicial Conduct Section(s) Violated, If Known [(Example: Canon 3B(4))]:

Part III: Obligations Of Complainant

I hereby acknowledge the following agreements and/or waivers:

Consent to Investigate. I expressly authorize the Commission on Judicial Discipline ("Commission"), staff and contractors, to investigate my complaint and take any and all actions, including interviewing any relevant witness(es) or request by subpoena or otherwise any documentary evidence and to verify the statements I have made herein to be true and correct (or if stated to be on information and belief, that the statements are believed in good faith to be true and correct). I agree to promptly supplement and amend this complaint if I learn that the facts I have alleged are materially incorrect. I understand that deliberately misstating the truth of any material fact could subject me to various sanctions including, but not limited to, dismissal of my complaint, contempt or a separate action for perjury.

Part III Obligations of Complainant (Continued)

Full Cooperation. I agree to fully cooperate with the Commission, staff and its designated contractors with regard to my complaint. I understand that even if I wish to withdraw my complaint that the Commission retains independent grounds to pursue it and that the information contained within and attached to the complaint becomes the property of the Commission and the Commission may pursue the complaint even if I seek to withdraw it. I understand that all documents submitted become the property of the Commission and will not be returned.

Appeal Warning. I understand that the Commission, its staff and contractors are not an appellate court and that my filing of a complaint does not stay or stop any time I am provided to appeal a decision I disagree with or any decision that adversely affects me. I understand that I must timely file an appeal to preserve those rights. I acknowledge that filing a complaint with the Commission does not and cannot preserve those rights.

Legal Advice. I understand that the Commission, its Commissioners, Commission staff, investigators and contractors are precluded from giving me legal advice regarding my case or actions I should be taking in my case and I understand that should I require advice I will seek appropriate assistance apart from the Commission, Commissioners, Commission staff, investigators and contractors.

Part IV: Attachments

Relevant documents: Please attach any relevant documents which you believe directly support your claim that the judge has engaged in judicial misconduct or has a disability. **Highlight or otherwise identify those sections that you rely on to support your claim.** Do not include documents which do not directly support your complaint, for example, a copy of your complete court case. **Keep a copy of all documents submitted for your records as they become the property of the Commission and will not be returned.**

Part V: Signature and Verification of Complaint

After being duly sworn, I state under penalty of perjury that I am the above-referenced complainant whose name appears in Part I and who submitted this complaint. I know the contents thereof; and the matters set forth in this complaint are true and correct based upon my own knowledge, except as to matters stated to be on information and belief, and those matters are believed to be true and correct. I request that the conduct set forth above or referenced in the attachments and exhibits provided with the complaint be investigated by the Nevada Commission on Judicial Discipline.



Signature of Complainant

12/19/16

Date

How Do I Submit My Complaint? Where Can I Obtain Additional Assistance? This complaint, along with any supporting materials, should be sent by mail to the: **Nevada Commission on Judicial Discipline**, P.O. Box 48, Carson City, Nevada 89702. If you have questions regarding the completion of this form, please contact the Commission on Judicial Discipline at (775) 687-4017. In addition, if you have access to the internet, or can obtain access at a local library or other facility, the Commission's web site located at <http://judicial.state.nv.us> and provides additional information to help you prepare your complaint. The web site also includes the full and current text of the Revised Nevada Code of Judicial Conduct and other laws, statutes and rules governing the Commission.

STANDARD COMPLAINT FORM (STATEMENT OF FACTS)

The following is my explanation as to why the judicial officer named in this complaint has violated the Revised Nevada Code of Judicial Conduct or suffers from a disability.

Please identify yourself as [select one]: ☐ a litigant; ☐ a witness or interested party; or ☒ a member of the general public who witnessed or viewed this conduct (but not otherwise involved).

The following are the specific facts and circumstances which you believe constitute misconduct or disability (please be as specific as possible about the event(s) or action(s) and attach additional pages, if necessary):

40 page attachment
enclosed

I have [select one]: ☐ appealed the judge's decision ☐ not appealed the decision
☐ not decided to appeal the decision yet ☐ not applicable

Attach Additional Pages as Necessary

(Revised 12/28/2015)

S:\Website Statistics and Information\2015 12 28 Complaint Form.docx

Judge Rena Hughes Judicial Discipline Commission

1) The Judge had ex-parte communication without the presents of the mother whom was representing herself. Rule 2.9. Ex Parte Communications.

(A) A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers, concerning a pending or impending matter, except as follows:

(1) When circumstances require it, ex parte communication for scheduling, administrative, or emergency purposes, which does not address substantive matters, is permitted, provided:

(a) the judge reasonably believes that no party will gain a procedural, substantive, or tactical advantage as a result of the ex parte communication; and

(b) the judge makes provision promptly to notify all other parties of the substance of the ex parte communication and gives the parties an opportunity to respond.

(2) A judge may obtain the written advice of a disinterested expert on the law applicable to a proceeding before the judge, if the judge gives advance notice to the parties of the person to be consulted and the subject matter of the advice to be solicited, and affords the parties a reasonable opportunity to object and respond to the notice and to the advice received.

(3) A judge may consult with court staff and court officials whose functions are to aid the judge in carrying out the judge's adjudicative responsibilities, or with other judges, provided the judge makes reasonable efforts to avoid receiving factual information that is not part of the record, and does not abrogate the responsibility personally to decide the matter.

(4) A judge may, with the consent of the parties, confer separately with the parties and their lawyers in an effort to settle matters pending before the judge.

(5) A judge may initiate, permit, or consider any ex parte communication when authorized by law to do so.

(B) If a judge inadvertently receives an unauthorized ex parte communication bearing upon the substance of a matter, the judge shall make provision promptly to notify the parties of the substance of the communication and provide the parties with an opportunity to respond.

(C) A judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.

(D) A judge shall make reasonable efforts, including providing appropriate supervision, to ensure that this Rule is not violated by court staff, court officials, and others subject to the judge's direction and control.

- 2) Judge interviewed child without legal representation or advocate. <http://www.leg.state.nv.us/NRS/NRS-432B.html>
- 3) The Judge ordered the mother to leave the courthouse while leaving the Father and his attorney in the courtroom.
(Violating Rule 7.50)
- 4) The Judge never asked the child "why didn't she want to live with dad"? (9 minutes of the video is missing)
- 5) The Judge committed perjury, lied to the child and said "if you don't go with dad I will send you to Child Haven it's not fun they will put you in a holding cell. (NRS 199.120)

NRS 199.120 Definition; penalties. A person, having taken a lawful oath or made affirmation in a judicial proceeding or in any other matter where, by law, an oath or affirmation is required and no other penalty is prescribed, who:

1. Willfully makes an unqualified statement of that which the person does not know to be true;
2. Swears or affirms willfully and falsely in a matter material to the issue or point in question;
3. Suborns any other person to make such an unqualified statement or to swear or affirm in such a manner;
4. Executes an affidavit pursuant to NRS 15.010 which contains a false statement, or suborns any other person to do so; or
5. Executes an affidavit or other instrument which contains a false statement before a person authorized to administer oaths or suborns any other person to do so,

↪ is guilty of perjury or subornation of perjury, as the case may be, which is a category D felony and shall be punished as provided in NRS 193.130.

[1911 C&P § 85; A 1949, 111; 1943 NCL § 10034] — (NRS A 1967, 464; 1977, 640; 1979, 1420; 1985, 129, 788; 1987, 654; 1995, 1174)

- 6) The Judge alienated the child from the mother. (NRS chapter 126)
- 7) The Judge sealed the case 5 days after we made it public.
- 8) Over two dozen mothers have complained about this Judge. It is clear that this Judge has a bias towards mothers that appear in her courtroom.

Rule 2.3: Bias, Prejudice, and Harassment

(A) A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice.

(B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.

(C) A judge shall require lawyers in proceedings before the court to refrain from manifesting bias or prejudice, or engaging in harassment, based upon attributes including but not limited to race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, against parties, witnesses, lawyers, or others.

(D) The restrictions of paragraphs (B) and (C) do not preclude judges or lawyers from making legitimate reference to the listed factors, or similar factors, when they are relevant to an issue in a proceeding.

See all three videos:

**Deplorable actions by Family Court Judge Rena Hughes
against a minor child Part 1-3**

<https://www.youtube.com/watch?v=wlfJWLABhxo>

**Deplorable actions by Family Court Judge Rena Hughes
against a minor child Part 2-3**

<https://www.youtube.com/watch?v=bsDah-cz1uc>

**Deplorable actions by Family Court Judge Rena Hughes
against a minor child Part 3-3**

<https://www.youtube.com/watch?v=7Gg-y2Xjvs>

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mothers had a bias dis pleasure
with Judge Hughes



Steve Sanson
December 19, 2016
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Steve Sanson

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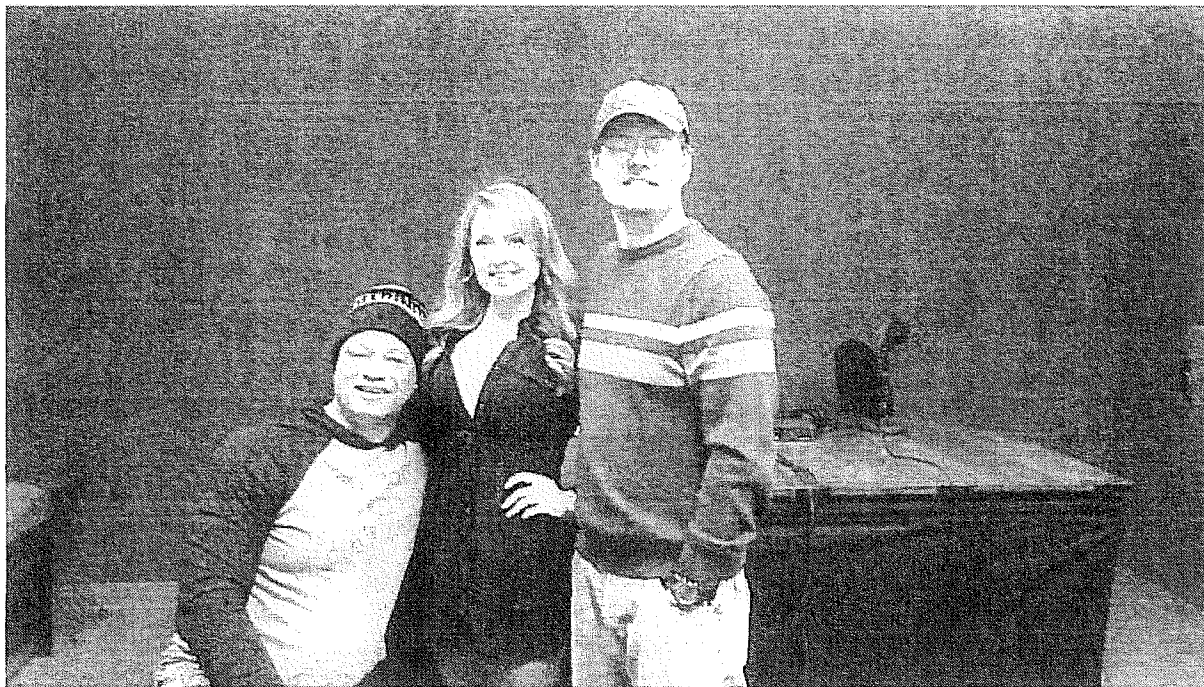
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Jewel L Taylor

Another mother had a
bias displeasure with
Judge Hughes



Steve Sanson
December

Allow

Amber Rose Anderson
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Amber Rose Anderson

From: Veterans In Politics International Inc. <devildog1285@cs.com>

To: veteransinpoliti <veteransinpoliti@cs.com>

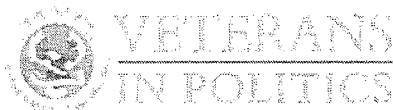
Subject: Clark County Family Court Judge willfully deceives a young child from the bench and it is on the record

Date: Wed, Nov 16, 2016 7:49 pm

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Clark County Family Court Judge willfully deceives a young child from the bench and it is on the record



Click onto "Deplorable actions by Family Court Judge Rena Hughes against a minor child".

On October 6, 2016 the Veterans In Politics International (VIPI) highlighted the actions of Family Court Judge Hughes in three separate videos.

After doing more research we discovered that Judge Hughes actually lied to this young child in open court.

Judge Hughes made the following statement: *"It's not fun in Child Haven, they put you in a holding cell, exactly like a jail"...*

Click onto video:

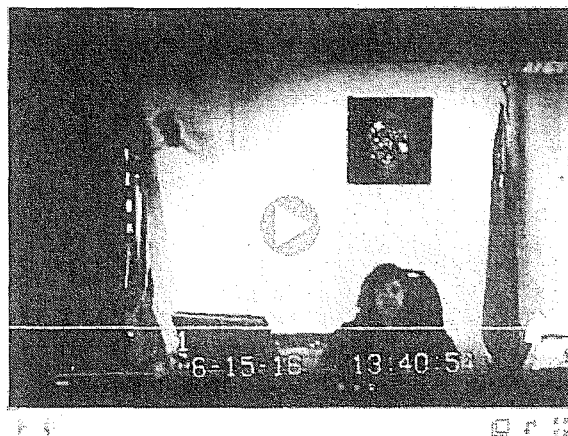


Part 3 threatened the minor child with Child Haven

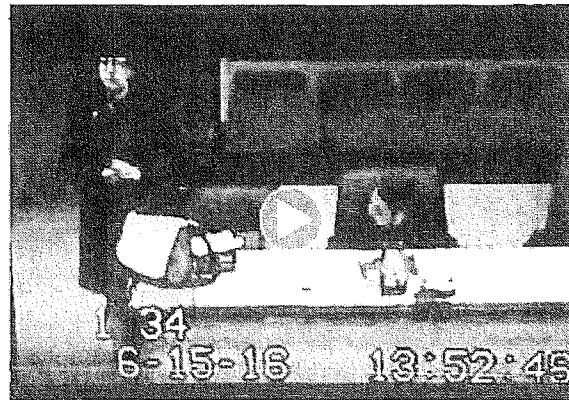
After speaking to the Manager of Child Haven, we were told that this statement made by the Judge is false.

Click onto Child Haven Website:

Click onto Child Haven Facebook site:



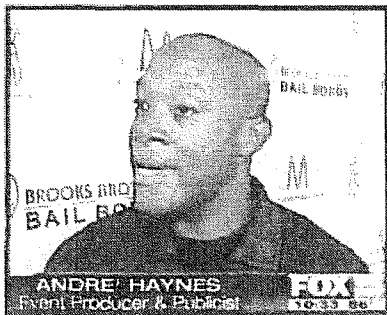
Part 1 on the Record



Part 2 Heart wrenching video between the Judge Hughes and a minor defenseless child.

How can a parent helplessly watch their child be chastised by anyone?

Andre Haynes, host of the EMG Radio Show and officer of Veterans In Politics said the following:



When I watched the video of the minor child having a discussion on the record with Family Court Judge Rena Hughes without a parent or child advocate being present, I was shocked and in disagreement. After I saw the manner that Judge Hughes handled the minor child and the child's fearful and distraught emotional reaction, I was angry. I was angry because I pictured my 7 year old son in the same seat as the minor girl, without me, without his mom, without a child advocate and without an attorney. Minor children are often terrified to speak to adults, especially without their parent or someone familiar present and especially if the adult is perceived to be an authority figure.

Does the law allow for Judge Hughes to interview and interrogate a minor child without their parent or an attorney or child advocate present? If the law does allow this are there exceptions to this rule? Is there another way that Judge Hughes could have handled this manner? Those are questions that replay in my mind. My heart goes out to the minor child and especially to her mother. The worst feeling that a parent can experience is being helpless to defend their vulnerable child. If it were my 7 year old son in that video, helpless, distraught and angry is exactly how I would feel. Does the law and a Judge's behavior take precedence or hold more value than the emotions and perceived fear of a child or a parent's ability to protect their child?

We commend Channel 8 I-Team for taking a proactive approach to expose this judge:

It was also reported that in the I-Team news coverage that the records were sealed on October 11th five days after we made these videos public.

In an unrelated story we exposed how Judges and Lawyers seal cases to cover their own bad behaviors. This is definitely an example of that.

Is this the type of behavior we should continue to expect from our judicial system?

Should judges continue to cover-up and down-play their
colleague's bad behaviors?

Does this Family Court Judge have children of her own?

Should this Judge be reprimanded for this?

If you believe that this Judge should face sanctions or/and a
public apology join us and file a complaint with the Nevada
Judicial Discipline Commission by clicking onto the link below:

Any Judge that willfully deceives a child and especially on the record
should be tossed off the bench!

Please watch the videos in full and come to your own conclusion.

Learn More

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devildog1285@cs.com

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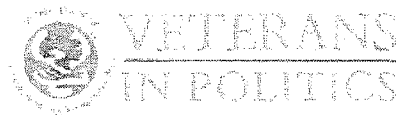
Subject: Deplorable actions by Family Court Judge Rena Hughes against a minor child

Date: Thu, Oct 6, 2016 10:06 pm

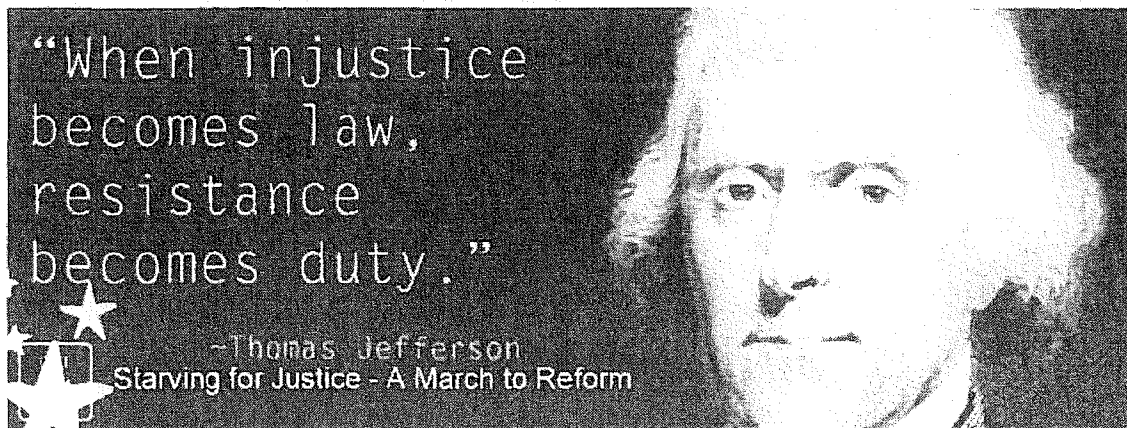
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Deplorable actions by Family Court Judge Rena Hughes against a minor child



A child's nightmare; Judge Hughes alienated a daughter from her mother

FIND OUT MORE

Clark County, Nevada in the 2014 elections former Judge Kenneth Pollock battled to retain his seat in the Clark County District Court Family Division Department J and had an upset by Rena Hughes.



We have always echoed how important it is to know the candidates running for Judgeship because they will impact your life on a very personal level for the rest of your life.

The events that took place on June 15, 2016 with a minor child

is an example of family court going horribly wrong.

The matter was brought to the court; Father requested a change of custody because of mother's decision to Home School the child.



The Father is the defendant and represented by Lesley Cohen and the mother was in proper person without council.

The video's you are about to see is upsetting, damaging to the child and absolutely appalling (click onto videos).



Part 1 on the Record



Part 2 Heart wrenching video between the Judge Hughes and a minor defenseless child..

Judge Rena Hughes

Gave dad sole legal and sole physical custody.

Annie

Please I don't want to go.

Judge Rena Hughes

That's too bad Annie.

This is based on Mothers failure to facilitate visitation and to compel the child to visit.

When your mother was last in court, I told her if you do not go with your dad you would spend the entire summer with him.

You decided and your mom decided you were not going to go.

Annie

She didn't decide.

Judge Rena Hughes

Child support obligation will cease immediately and you are to enroll Annie in public school in your district.

There is to be no contact with Ms. Silva and the minor child.

Submit a memorandum of fees and cost.

Annie

Please I want to be with my mama.

Please I don't want to be with him.

Judge Rena Hughes

I have made my decision I have already told you that.

Annie

I beg of you.

Judge Rena Hughes

You don't need to beg I have made a decision for your best interest.

Annie

How do you know my best interest, you don't know me.

Judge Rena Hughes

Because I told you that I am a grownup and you are a child.

Annie

Please, please, please.

Can I please see my mama, please?

Judge Rena Hughes

Annie stop!

I already discussed it with you, it won't do any good, and you are just upsetting yourself.

Annie

I miss her.

I just want to see her please, I don't want to go with him.

Judge Rena Hughes

You have a father and you are going to spend time with him.

Annie

I don't want too.

Judge Rena Hughes

That's too bad you are going to do it anyway.

Annie

I don't want to, please I am begging you, and you can't do this.

I don't want to go with you, can I please stay with mama.



Part 3 threatened the minor child with Child Haven

Judge Rena Hughes

The Marshall will accompany you to your car, if you have any difficulties the child will go to Child Haven.

It's not fun in Child Haven, they put you in a holding cell, and it's like it would be jail!

Annie

Can I please see my mama?

Judge Rena Hughes

You already saw her.

Annie

You don't understand, I Love her!

I am going to miss her so much, please don't do this to me.

Judge Rena Hughes

I am done do you want to submit the order?

Annie

I don't want to go!

There are many unanswered questions and statements:

- Why was the child punished? Drug Abusers and Domestic Violence parents have custody of their children.
- Did the parties consent to the ex parte interview with the child?
- Was there a mediator assigned, this is protocol for situations like this (to assist with conjoint parenting).
- Why was the child in the courtroom much less sitting at counsel table during the ruling?
- Why was mom ordered to leave the courtroom and dad and his attorney was present during the questioning of this child? Mom has a constitutional right to be present at every step of the proceedings. Rule 7.50 requires either a writing signed by the party or a stipulation placed on the

record to waive the written order requirement. Case law says an oral order cannot be used, only a written order is enforceable. No agreement or stipulation between the parties or their attorneys will be effective unless the same shall, by consent, be entered in the minutes in the form of an order, or unless the same is in writing subscribed by the party against whom the same shall be alleged, or by the party's attorney.

- Why Judge Hughes did not ask the child "why she does not want to live with dad"?
- Why did Judge Hughes isolate the mother from this decision in court appearing to take advantage of the mother, because she had no attorney representing her?
- When Judge Hughes was a candidate on 3/12/14 she stated in a radio interview PR Connections, that compassion is one of her strong suites. Where was Judge Hughes compassion with this minor child?
- Why did Judge Hughes place this child into that kind of a setting, threaten a child with Child Haven and tell the minor child it's like sitting in a holding cell.
- Where is the child's attorney or advocate for her rights?!
- Why did the Judge not order counseling for both parties?
- Why was the Judge discussing adult issues in front of the child, to the child and without child have any support or representation?!
- Why was the mother who is in proper person not present while these adult decisions took place? The mother's rights

were grossly disregarded.

This Judge has psychologically damaged this child.

This judge appears to be nonchalant and insensitive to this child as she takes custody away from her mother (whom the child has been with her whole life). This is one of the most traumatizing situations a child can go through (removal from the most important person in their life unjustly and for no good reason).

More damage to this child was done on this day, instead of solving a problem, getting supports who can assist this family to co-parent the Judge rips this child away from her mother without just cause!

This judge threatened this child like a criminal!

Judge Rena Hughes should be tossed off the bench!

Please watch the video in full and come to your own conclusion.

State of Nevada
Commission on Judicial Discipline

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To: veteransinpoliti <veteransinpoliti@cs.com>

Subject: Law Frowns on Nevada Attorney Jennifer Abrams' "Seal-Happy" Practices

Date: Sun, Nov 6, 2016 10:11 pm

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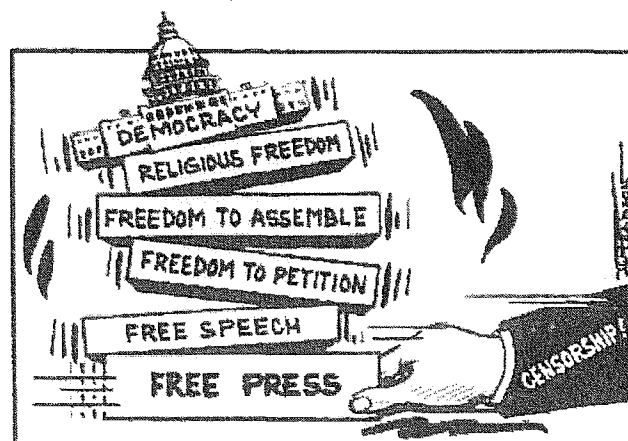


Law Frowns on Nevada Attorney Jennifer Abrams' "Seal-Happy" Practices

Clark County, Nevada
November 6, 2016

Free access to civil court proceedings is protected by the First Amendment to the U.S. Constitution.

[FIND OUT MORE](#)



Its importance cannot be overstated!

State and federal courts, including Nevada's Supreme Court, recognize that public access to court proceedings serves vital public policy

interests, including, serving as a check on corruption, educating the public about the judicial process, promoting informed discussion of government affairs, and enhancing the performance of the judge, the lawyers and all involved.

As former Nevada Supreme Court Justice Nancy Saitta wrote earlier this year regarding the Supreme Court's rules on sealing civil records, *"the cornerstones of an effective, functioning judicial system are openness and transparency. Safeguarding these cornerstones requires public access not only to the judicial proceedings but also to judicial records and documents."*



At least one lawyer in Nevada, however, Jennifer Abrams, appears to be **"seal happy"** when it comes to trying to seal her cases. She appears to have sealed many of her cases in the past few years, including filing a petition to seal in at least four cases just this past week, on 11/3/2016!

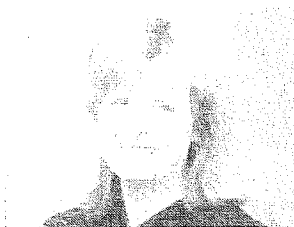


It also appears, however, that at least one of her cases, and perhaps more, may have been sealed to protect her own reputation, rather than to serve a compelling client privacy or safety interest.

[illegible]

Learn More

Veterans In Politics International (VIPI) recently released a video of Abrams bullying Judge Jennifer Elliot during a family court hearing in a case entitled Saiter v. Saiter, Case No. D-15-521372-D.



Click onto Nevada Attorney attacks a Clark County Family Court Judge in Open Court

In response to our article, Abrams sought and obtained a court order from Judge Elliott which does not name VIPI, but which purports to apply to the entirety of the general population. VIPI, however, was served with the Order. The document orders all videos of Abrams' September 29, 2016 judicial browbeating to be taken off the internet.

Click onto District Court Judge Bullied by Family Attorney Jennifer Abrams

The Order further prohibits anyone from "publishing, displaying, showing or making public any portion of these case proceedings." The order goes on to state that "nothing from the case at bar shall be disseminated or published and that any such publication or posting by anyone or any entity shall be immediately removed."

While the order claims in a conclusory fashion to be "in the best interests of the children," nothing in the order explains why. Indeed, the September 29, 2016 video of the proceedings that is on the internet focuses on Abrams's disrespectful exchange with the judge, and does not materially involve the children in the case.



Start 12:13:00 in the video the following conversation took place in open court.

[Learn More](#)

Moreover, while the Court Order is broadly stated and purports to prohibit the public viewing or dissemination of "any portion of these case proceedings," such blanket prohibition on public access to the entire case is specifically **disallowed by law.**

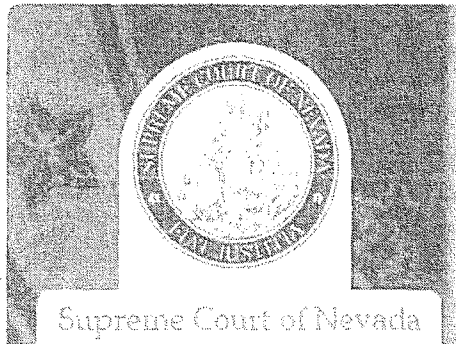
Entire cases cannot be sealed. Moreover, even if a judge wants to seal part of the case, the judge must specifically justify such sealing and must seal only the minimum portion necessary to protect a "compelling privacy or safety interest."

The issue of open proceedings is so important that in 2008 the Review Journal reported the Nevada Supreme Court convened a special task force to address the issue of over-sealing.

Click onto Standards for sealing civil cases tougher

The Supreme Court thereafter enacted rules requiring judges to specify in writing why sealing a record or redacting a portion of it is

justified. (Supreme Court Rules, Part VII, Rule 3.) Judges must identify *"compelling privacy or safety interests that outweigh the public interest in access to the court record."*



This requirement applies even when a party in a family law case tries to seal a case under NRS 125.110, the statute on which Abrams seems to routinely rely. This statute provides that certain evidence in a divorce case, such as records, exhibits, and transcripts of particular testimony, may be deemed "private" and sealed upon request of one of the parties. However, the Court must justify why these records have to be sealed, and cannot seal the entire case - complaints, pleadings and other documents must remain public.

In the 2009 case of Johansen v. District Court, the Nevada Supreme Court specifically held that broad unsupported orders sealing documents in divorce cases are subject to reversal given the important public policies involved.

The Court stated:

"We conclude that the district court was obligated to maintain the divorce proceedings' public status under NRS 125.110 and manifestly abused any discretion it possessed when it sealed the entire case file. We further

conclude that the district court abused its discretion when it issued an overly broad gag order sua sponte, without giving notice or a meaningful opportunity to be heard, without making any factual findings with respect to the need for such an order in light of any clear and present danger or threat of serious and imminent harm to a protected interest, and without examining the existence of any alternative means by which to accomplish this purpose. Gag orders must be narrowly drawn if no less restrictive means are available; they may be entered only when there exists a serious and imminent threat to the administration of justice. This was certainly not the case here."

Click onto *Johanson v. Dist. Ct.*, 182 P. 3d 94 - Nev: Supreme Court 2008

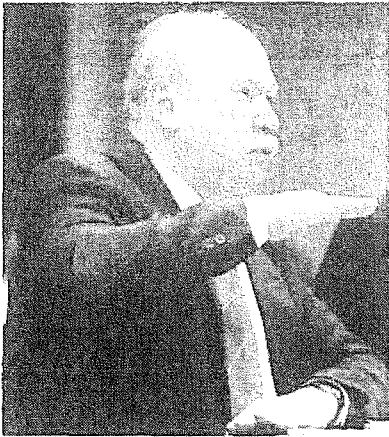
In the *Saiter* case, no notice was given to the general public for a hearing before the Order was issued, there was no opportunity for the public to be heard, no specific findings were made in the Order, and the Order was not drafted narrowly.

Indeed, it was drafted in the broadest possible terms to effectively seal the entire case! It is also questionable whether Judge Elliott had jurisdiction to issue the Order against the general public, who was not before her in court.

This all raises the question: What basis and justifications were given in the other cases which Abrams sought to seal?

Indeed, after issuing our initial story about Abrams' behavior in the *Saiter* case, we were contacted by judges, attorneys and litigants eager to share similar battle-worn experiences with Jennifer Abrams.

Sources indicate that when Abrams was asked in one case by Judge Gerald Hardcastle whether she understood his order, *she replied that she only understood that the judge intended to bend over backwards for her opposing counsel.*



In another case, Northern Nevada Judge Jack Ames reportedly stood up and walked off the bench after a disrespectful tirade from Jennifer Abrams.



So, who is to blame here?

Of course Jennifer Abrams should be responsible and accountable for

her own actions.

But, what judge allows a lawyer to bully her in court and then gets her to issue an overbroad, unsubstantiated order to seal and hide the lawyer's actions?

Shouldn't we expect more from our judges in controlling their courtrooms, controlling their cases, issuing orders in compliance with the law, and protecting the people against over-zealous, disrespectful lawyers who obstruct the judicial process and seek to stop the public from having access to otherwise public documents?

Surely, we should have this minimum expectation. Even in Nevada.

Learn More

Case No. 13-13-5213/2-0
DEPT NO. 1

Alan L. Schaefer
CLERK OF THE COURT

DISTRICT COURT
FAMILY COURT DIVISION
CLARK COUNTY, NEVADA

BRANDON PAUL SAITIR,

Plaintiff,

CASE NO. 13-13-5213/2-0
DEPT NO. 1

TINA MARIE SAITIR,

Defendant.

HEARING DATES: 9/29/16
HEARING TIMES: 10:00 a.m.

**ORDER PROHIBITING
DISSEMINATION OF CASE MATERIAL**

This matter having come before the Court for several pending matters on the 2nd day of September at 10:00 a.m., Plaintiff Brandon Saitir represented by Jennifer Abrams, Esq. and Brandon Leavitt, Esq. and Defendant, Tina Marie Saitir represented by Linda Schneider, Esq., and the Court hearing preliminary matters, entertained and granted Ms. Abrams request for a closed hearing pursuant to FICR 5.02, with the exception of permitting the parents of Defendant to remain pursuant to NRS 125.060

(2) (c)

Thereafter, the videotape of this hearing was posted on youtube and a link to the video was emailed to multiple third parties not involved in the case on or about the 3rd day of September, 2016.

On October 3, 2016, the parties resolved all issues required for a Decree of Divorce. Counsel then stipulated to seal the case and to disallow any further release of

FILED
10/10/16
CLERK OF COURT
CLARK COUNTY, NEVADA

case information and to demand that the current post of the September 29, 2016 hearing video, or any other hearing video from this case be immediately removed from the internet and to prohibit any portion of these proceedings from being disseminated or published and that any such publication or posting by anyone be immediately removed, as the September 29, 2016 hearing was a closed hearing. Additionally, counsel and the parties recognize that the case has been settled and that such an Order is in the best interest of the four (4) children in this case and is also authorized by NRS 125.080, NRS 125.110, EDCR 5.02, and Supreme Court Rules, Part VII, Rule 2(2)(a) and 3(4).

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS HEREBY ORDERED that the current post of the September 29, 2016 hearing video, or any and all other hearing video(s) from this case shall be immediately removed from the internet. All persons or entities shall be prohibited from publishing, displaying, showing, or making public any portion of these case proceedings; nothing from the case at bar shall be disseminated or published and that any such publication or posting by anyone or any entity shall be immediately removed as the Court finds the stipulation of the parties and this Court's Order to be in the best interest of the four (4) children in this case and to be fully supported by law (NRS 125.080, NRS 125.110, EDCR 5.02, and Supreme Court Rules, Part VII, Rule 2(2)(a) and 3(4)).

DATED this 6th day of October, 2016


Jennifer Elliott, District Court Judge,
Family Division, Dept. 1.

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Steve Sanson President
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702 283 8088

TO: Judicial Discipline Commission

Fax: 775 687 3607

Date: December 20, 2016

Memo: Ethics Violation on Judge Rena Hughes on behalf of Veterans In Politics International (Original will be in today's mail).