

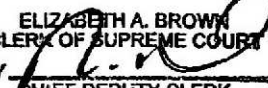
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
DESIGNATION OF A CRITICAL
LABOR SHORTAGE WITHIN THE
MARSHAL OFFICE OF THE NEVADA
SUPREME COURT

ADKT 0568

FILED

DEC 04 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER

WHEREAS, the Nevada Supreme Court is constitutionally empowered “to take actions reasonably necessary to administer justice efficiently, fairly, and economically.” *In re Petition to Recall Dunleavy*, 104 Nev. 784, 786, 769 P.2d 1271, 1272 (1988); and

WHEREAS, NRS 286.523(4)(b) requires this court to designate positions in the Judicial Branch for which there are critical labor shortages; and

WHEREAS, NRS 286.523 requires a designating authority who desires to employ a retired public employee to hold an open public meeting in order to make findings to support the designation of the position sought to be filled as one for which there is a critical labor shortage; and

WHEREAS, this court conducted a public hearing on December 2, at 2:00 p.m., at which time this court considered the requirements for a finding of a critical labor shortage, as enumerated in NRS 286.523(5); and

WHEREAS, the Supreme Court Marshal’s Office (Marshal’s Office) is tasked with maintaining the safety, security, and administration for the Justices, Judges, dignitaries, court employees, and the public; and

WHEREAS, considering the factors in NRS 286.523(5), this court has determined that:

(a) The Supreme Court Chief Marshal was hired in July 2012. The Marshal's Office was created July 2013 and provides security for the appellate courts in Carson City and Las Vegas. The turnover rates for the Marshal's Office were 12.5% in 2019 and 12.5% in 2020 compared to 37% in 2017 and 12% in 2018.

(b) During the past 2 years, the Marshal's Office has recruited for a full-time position and a lieutenant marshal position. For the full-time position, 10 candidates applied of which 5 were interviewed. Of the 5 candidates not interviewed, one was not POST certified and the other 4 had very limited law enforcement experience and no dignitary protection training or experience. For the lieutenant position, the Marshal's Office received 9 applications, including applications from currently employed Supreme Court Marshal's. An average of 9 candidates had prior PERS employment; and

(c) During the past 2 years, the length of time positions have been vacant ranged from 30 to 60 days; and

(d) The positions have been difficult to fill as other local governments offer more attractive benefits than state agencies, including paying 100% of retirement benefits. These agencies also have the ability to sponsor and/or employ individuals through a law enforcement academy. The Marshal's Office is unable to recruit in this manner because candidates must be POST Category I Certified officers. Other local law enforcement agencies have experienced difficulties in filling positions; and

(e) The most recent recruitment occurred in June 2020 and was advertised in NEOGOV, Careersingovernment.com, Indeed.com,

Ziprecruiter.com, Governmentjobs.com, Hr.nv.gov, and LinkedIn.com; accordingly,

IT IS HEREBY ORDERED that there is a critical shortage within the Marshal's Office; and

IT IS FURTHER ORDERED that the employment of retired public employees to fill the marshal positions is warranted, based upon the appropriate and necessary delivery of services to the public.

Dated this 4TH day of December, 2020.

Pickering, C.J.
Pickering

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

Cadish, J.
Cadish

Silver, J.
Silver

cc: Tina Leiss, CEO, Public Employees Retirement System
Rick Coombs, Director, Legislative Counsel Bureau
Administrative Office of the Courts