CLARK COUNTY
OFFICE OF THE DISTRICT ATTORNEY
Juvenile Division

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

Supreme Court of Nevada
201 South Carson Street, Suite 201
Carson City, Nevada 8701-4702

RE: ADKT 0571

Dear Chief Justice Hardesty and Justices of the Nevada Supreme Court,

On April 23, 2021, the Nevada Supreme Court issued ADKT 0571 adopting standardized order forms for child dependency proceedings statewide effective January 1, 2021. The Eighth Judicial District requests additional time for implementation to ensure a seamless transition of orders and to avoid a potential disruption to reimbursement of federal funding under Title IV-E of the Social Security Act.

Since issuance of ADKT 0571, the Clark County District Attorney's Office has been working diligently with community stakeholders to review and develop protocols to carry out this Court's order. The statewide orders contain basic language that cannot be deleted, but the language may be supplemented. It is necessary to supplement the orders to include specific additional language and formatting to meet the requirements of local rules. To date, the standardized forms have been formatted to comport with local practice and rules in the Eighth Judicial District, but this has been a time intensive project.

Currently, the orders have been completed by case workers. The new statewide orders are significantly different from the current dependency orders and require case specific legal drafting necessitating oversight by an attorney and further require additional training to both attorneys and staff completing them. Additionally, the statewide orders also encompass new orders not currently being used including adjudication orders and mental health orders. Currently, orders are generated from the Unity database, which is administered and maintained by the State.

The new orders are substantively ready for use; however, there are still challenges associated with development of processes and implementation. The Eighth Judicial District is situated differently than other Nevada jurisdictions in that the volume of cases is significantly higher in Clark County resulting in hundreds of orders issued every week.

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To compensate for the high volume, it is essential that the orders are semi-automated to auto populate various fields from the Unity data base to reduce the amount of time it takes to prepare each order. The Clark County District Attorney's Office is working with the Court Improvement Project and the Department of Health and Human Services to resolve technology issues associated with form orders in Unity. It is anticipated that this process could take more than six months.

In the event the technology issues are unresolvable in a reasonable period, an alternative plan to process orders manually has been developed but requires additional staff to implement. Under this plan each order will have to be generated and filled in manually in a word document. Neither the Eighth Judicial District Court nor the Clark County District Attorney's Office currently has sufficient staffing levels to handle the volume of orders to meet the timeframes tied to federal reimbursement. The Juvenile Division of the Clark County District Attorney's Office is requesting funding to hire additional support staff in its supplemental budget request for fiscal year 2022-23. If approved, hiring, or contracting for staff would not occur until late 2022.

Clark County is unable to meet the January 1, 2022, effective date and respectfully requests an extension to January 1, 2023. If the issues can be resolved earlier than anticipated, the statewide orders will be implemented as soon as practicable. Thank you for your time and consideration.

Respectfully,

Brigid Duffy
Chief Deputy District Attorney
Director – Juvenile Division

Rebecca L. Burton
Eighth Judicial District Court
Presiding Judge - Family Division

Jennifer I. Kuhlman
Chief Deputy District Attorney
Juvenile Division - Assigned to
implement the Statewide Orders

cc: Elizabeth Brown
Supreme Court Clerk