

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: AMENDMENT OF SUPREME
COURT RULES 8 AND 9 REGARDING
REGIONAL JUDICIAL COUNCILS
AND THE JUDICIAL COUNCIL OF
THE STATE OF NEVADA.

ADKT 0587

FILED

OCT 27 2021

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

ORDER SCHEDULING PUBLIC HEARING

On October 22, 2021, Katherine Stocks, Director and State Court Administrator for the Administrative Office of the Courts, filed a petition seeking to amend Supreme Court Rules 8 and 9 regarding Regional Judicial Councils and the Judicial Council of the State of Nevada. The proposed amendments are attached as Exhibit A.

The Nevada Supreme Court will conduct a public hearing on the petition on Monday, December 6, 2021, at 4:00 p.m. in the Nevada Supreme Court Courtroom, 408 East Clark Avenue, Las Vegas, Nevada. The hearing will be videoconferenced to the Nevada Supreme Court Courtroom, 201 South Carson Street, Carson City, Nevada.

Further, this court invites written comment from the bench, bar, and public regarding the proposed amendments. Comments may be submitted electronically or in hard-copy format to: Elizabeth A. Brown, Clerk of the Supreme Court, 201 South Carson Street, Carson City, Nevada 89701 or nvscclerk@nvcourts.nv.gov by 5:00 p.m., November 30, 2021. Persons interested in participating in the hearing must notify the Clerk no later than November 30, 2021.

Dated this 27TH day of October, 2021.

 _____, C. J.
Hardesty

21-30989

cc: Judicial Council Members
Ann Morgan, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
All District Court Judges
All Justice Court Judges
All Municipal Court Judges
Clark County Bar Association
Washoe County Bar Association
First Judicial District Bar Association
Elko County Bar Association
Douglas County Bar Association
Administrative Office of the Courts

Exhibit A

Rule 8. Regional Judicial Councils.

1. **Composition, terms.** Effective January 1, 2001, and superseding former Supreme Court Rule 8, there is hereby created a regional judicial council in each region. Each regional judicial council shall be composed of the individual judges whose courts are geographically located within the region. The regional councils shall be represented on the state judicial council by one district judge, who shall be chair, and one limited jurisdiction judge, each of whom shall be elected by a majority of his or her respective colleagues in the region for a term of three years; except in the judicial districts required to elect a chief judge pursuant to NRS 3.025, that chief judge, or the chief judge's designate, shall be the district judge member concurrent with his or her term as chief judge.

(a) The Clark regional judicial council shall be represented by:

(1) Two additional district judges to be elected by a majority of the district judges in the region. Of the two additional district judges, one must be from the criminal/civil division and one from the family division. *The chief judge may designate one of these two judges to serve as the chair of the Clark regional judicial council.*

(2) One additional limited jurisdiction judge to be elected by a majority of the limited jurisdiction judges in the region.

(b) The Washoe regional judicial council shall be represented by one additional limited jurisdiction judge to be elected by a majority of the limited jurisdiction judges in the region. Of the two limited jurisdiction judges, one must be a justice of the peace and one must be a municipal judge. *The chief judge may designate the additional district judge representative to serve as the chair of the Washoe regional judicial council.*

2. **Election.** Elections for regional judicial council representative shall be conducted as necessitated by prospective expiration of terms. Elections may be conducted in person, via mail, or via electronic means through the administrative office of the courts within sufficient time to ensure that the results of the necessary elections can be certified to the chief justice on or before the first ~~{business day}~~ *Monday after the first Sunday* in January in which any new term begins.

3. **Meetings.** The regional judicial councils shall meet at least ~~{once every four months}~~ *three times per calendar year, or more frequently* at the call of the chair.

4. **Purpose.** Each regional judicial council shall, subject to the direction of the chief justice, rule or order of the supreme court:

(a) Coordinate the implementation of, within its region, ~~{all}~~ administrative rules and orders of the supreme court or the chief justice.

(b) Provide a forum for the communication of information between the courts of the region and the supreme court.

(c) Define, develop and coordinate programs and projects for the improvement of courts in the region.

(d) *Undertake such other actions and activities as deemed necessary by the members of the region for the improvement of the individual courts and the court system within that region.*

5. **Voting authority.** Each judge in the region has one vote on regional judicial council matters at regional council meetings.

Rule 9. Judicial Council of the State of Nevada.

1. **Creation, composition.** There is hereby created a judicial council of the State of Nevada which shall supersede the council established by former Supreme Court Rule 9 and it shall be composed of the members of each regional judicial council, the chief justice, who shall serve as chair, and the ~~{vice chief}~~ *associate* chief justice. The chief judge of the Nevada Court of Appeals, or the chief judge's designee, shall be a member of the judicial council. If not otherwise a member, the presidents of the Nevada District Judges Association and Nevada Judges of Limited Jurisdiction Association shall each be an ex-officio member ~~{to provide additional information to the judicial council of the State of Nevada on behalf of their respective associations}~~. If otherwise a member, the presidents of the Nevada District Judges Association and the Nevada Judges of Limited Jurisdiction Association shall appoint a voting designate to represent their respective association. The state court administrator, Clark region district court administrator and Washoe region district court administrator shall each be an ~~{non-voting}~~ ex-officio member of the judicial council of the State of Nevada. All members of the council are voting members ~~{except the three court administrators}~~.

2. **Meetings.** The judicial council of the State of Nevada shall meet at least ~~{once every four months}~~ *three times per calendar year or more frequently at the call of the chair.*

3. **Purpose.** The judicial council of the State of Nevada shall, at a minimum:

(a) ~~{Develop and recommend}~~ *Make recommendations* to the supreme court *regarding policies and procedures* for the administration of the judiciary.

(b) Consider issues forwarded to it by the supreme court ~~and~~ or chief justice.

(c) Review and approve proposed legislation affecting the courts submitted by the Nevada District Judges Association, the Nevada Judges of Limited Jurisdiction Association, ~~and~~ or the various courts that make up the Nevada judicial branch.

(d) Recommend legislation and ~~for~~ rules affecting the courts to the supreme court.

(e) Establish *subcommittees* to ~~develop minimum standards, to be recommended~~ study and make recommendations to the supreme court ~~for, at a minimum~~ regarding topics such as, but not limited to:

- (1) Judicial ~~administrative performance~~ and court administration;
- (2) Education and training for judges;
- (3) Education and training for court ~~support~~ staff;
- (4) Court facilities;
- (5) Court security;
- (6) Court technology;
- (7) Court staffing; and
- (8) *Court data and statistical reporting.*

~~Resolving intra-court discrepancies submitted to the council by one or more courts;~~

~~(9) Resolving discrepancies between the courts and outside organizations submitted to the council by a court or by the outside organization.~~

Such *subcommittees* exist at the will of the council and may be convened, suspended, reconvened, or eliminated at the direction of the council at any time. Other committees may also be established to consider and make recommendations regarding other issues of concern to the Nevada judiciary.

(f) Develop recommendations to be approved by the supreme court for the improvement of Nevada's courts and the statewide court system.

(g) ~~Review and recommend changes as needed to the annual report on the judiciary published by the administrative office of the courts.~~

~~(h)~~ In coordination with the administrative office of the courts, seek and accept federal, state ~~and~~ or private funding for the improvement of Nevada's courts and statewide court system.

~~(i)~~ *(h)* Establish *bylaws, policies and procedures* to be followed by the council to achieve its purpose.

4. **Support.** The administrative office of the courts shall provide support services to the council including, at a minimum:

- (a) Developing and publishing regional judicial council and council of the State of Nevada agendas.
- (b) Recording and publishing the council of the State of Nevada's meeting minutes.
- (c) *Providing expert staff support and research to the regional and state councils.*