

MEMBERS PRESENT: Chairman Stewart
Vice Chairman Sader
Mr. Banner
Mr. Beyer
Mrs. Cafferata
Mr. Chaney
Miss Foley
Mrs. Ham
Mr. Malone
Mr. Thompson

MEMBERS ABSENT: Mr. Price (excused)

GUESTS PRESENT: See attached guest list.

Chairman Stewart called the meeting to order at 8:05 a.m. and called for testimony on SB 425.

SB 425: Increases number of district judges in eighth judicial district.

Judge Charles Thompson, District Judge in Las Vegas, said that he would address the necessity of additional judges in Clark County, Ardel Kingham would address the cost and implementation and then he would submit a proposed amendment. He distributed a statistical breakdown case filings, caseloads per judge, and projected caseloads with additional judges which is attached to these minutes as EXHIBIT A. He reviewed these statistics for the committee.

Ardel Kingham, representing Clark County, reviewed for the committee the report on costs of new district courts, the proposed plan for implementation of four additional judges and a fiscal summary which is attached to these minutes as EXHIBIT B. She indicated that the proposed amendment which will be submitted by Judge Thompson will make the effective date of this bill January 1, 1983 which will allow time for adding the four new courts to the existing courthouse facility. She added that a bill, SB 698, has been introduced which will increase the filing fees to offset the cost of this implementation. She noted that Clark County supports the addition of four judges and will fund the remaining costs for this addition.

Judge Thompson distributed a copy of a page from the Nevada Constitution which is attached as EXHIBIT C and read the underlined sentences in Section 5. He explained that this was originally written so that the legislature could not abolish a judge's office in the middle of his term, but it now presents a stumbling block which could cause a future lawsuit. He stressed that he did not feel that this should be a reason for not passing this bill.

Judge Thompson then explained the proposed amendment to SB 425 which is attached to these minutes as EXHIBIT D.

Mr. Malone inquired if a resolution had been introduced to correct the constitution as pointed out in EXHIBIT C, and Judge Thompson indicated that such a resolution has passed both houses this session and will be presented again in 1983.

Mr. Bill Curran from the Clark County District Attorney's office said he was speaking as a representative of the Nevada State Bar Association. He urged the passage of SB 425 to expand the number of judgeships because of the near-crisis type situation where "justice delayed is truly justice denied." He added that the widespread disrespect for the lawmaking process stems from lengthy and costly litigation and the addition of judges will be cost effective.

Mr. Bob Shriver, Nevada Trial Lawyers, said that they endorse adding judges in Clark County as well as in Washoe County and urge passage of SB 425.

Mr. Malone moved DO PASS AS AMENDED by EXHIBIT D with rereferral to Ways and Means, seconded by Miss Foley and carried unanimously by the members present with Mr. Price absent.

SB 272: Permits imposition of fine where imprisonment is suspended for certain first offenders possessing controlled substances.

Judge Thompson said this bill was the request of some judges in Clark County because they felt that first offenders, although adjudged not guilty, should be required to pay a fine, but under present law they are not allowed to do this. He indicated that SB 272 will allow judges to impose fines in cases of first offenders by judging them guilty but sealing the record until the end of probation at which time the record will be expunged if no other offense is committed.

Mr. Malone indicated concern with the sealing of records as he felt this was done all too often hindering law enforcement. Judge Thompson noted that failing to pass this bill would not remove Mr. Malone's objection because at present the first offender is not convicted.

Mr. Beyer moved DO PASS on SB 272, seconded by Miss Foley and carried unanimously by the members present with Mr. Sader and Mr. Price absent.

SJR 32: Proposes to amend Nevada constitution to establish staggered terms for district judges.

Judge Thompson noted that this resolution was on the ballot last election and was defeated by two to one. He indicated that he was not against staggered terms for judges but was not

in favor of the way it was being done. He said that he did not know who requested this bill and in discussing it with various people learned the following reasons: 1) That it is expensive to have all the district judges on the ballot at once, but in checking with election officials he found that this will cause a special election costing more money than could possibly be saved by less names on the ballot; 2) That judges should be staggered because it is easier to defeat them in small groups but he did not feel this was just cause for a constitutional amendment; 3) That someone ought to be able to run for a judge every two years; 4) That all judges would be defeated at the same time and there would be no continuity, but this is not realistic. Judge Thompson did not feel there was a good reason for this legislation.

Judge Thompson said he was mostly concerned with the implementation of this bill; that the way the bill is written at present all judges will be running for six year terms in 1984. He continued by saying that after election there will be a lottery, and one third of the judges will have their terms reduced to two years, one third will be reduced to four years and one third will keep the six terms. He said the majority of the judges are concerned with running for an unknown term.

In response to Miss Foley's question, Judge Thompson reiterated that this resolution was soundly defeated at the polls in 1980 which probably was because of the way the ballot explanation was written. He explained that this bill includes the raising of judges salaries in midterm which is necessary under a staggered term system.

Senator Mel Close indicated that it was the rationale of the Senate committee that it was not wise to have every judge in the state run for one term; that it was more appropriate to have judges on a staggered term so that every two years a third of the judges would be elected somewhere in the state. He added that the Senate combined this bill with another bill allowing judges to have increases in salaries during midterm. He noted that this resolution will not be on the ballot until 1985, and he felt with proper education the voters would approve.

Mr. Stewart asked Mr. Daykin if there was a more equitable way to stagger judgeships other than by lottery in light of the addition of four new judges in the future.

Mr. Frank Daykin, Legislative Counsel, said that the bill to create the two new judgeships in Washoe County has been signed by the governor; if upheld as to its immediate effect, it would call for the judges so appointed serving until 1983. He added that at the 1982 election judges would be elected for a term of two years, and then at the general election in 1984, everyone would be running for a six year term. He noted that there would be no authority under the present constitution unless so amended for provision that new judges be elected for

any term other than the unexpired portion of the current universal six year terms.

Senator Close asked Mr. Daykin if it would be possible to amend the resolution to provide that certain departments would have two year terms in the event that the staggered terms were required; if the four new judges were appointed now, could the resolution provide for two year terms for these judges. Mr. Daykin replied that this would be possible, but also noted the possibility of running two classes of judges for four year terms or two thirds of the judges; one class or one third for six year terms; then providing that the successors of one of the four year class must again run for four year terms; then eight years in the future the three classes are established.

Judge Thompson indicated that he would reluctantly support SJR 32 with this system of staggering rather than holding a lottery so that none of the judges is running for a two year term.

In response to Mrs. Cafferata's question, Mr. Daykin indicated that the staggered system that he outlined above was substantially the same as in the ballot question in 1980, but he pointed out that salary increases were emphasized at that time whereas this bill emphasizes the staggered terms.

Mr. Beyer moved to AMEND SJR 32 to reflect the staggered system as outlined by Mr. Daykin and DO PASS AS AMENDED, seconded by Mr. Stewart. The motion died for lack of a majority with three yes votes, four no votes and four members absent. Mr. Beyer, Miss Foley and Mr. Stewart voted for, Mrs. Cafferata, Mr. Chaney, Mrs. Ham, Mr. Malone voted no and Mr. Banner, Mr. Price, Mr. Sader and Mr. Thompson were absent at the time of the vote.

Mr. Stewart said that he would hold the bill for a future vote when all members were present. He then opened the hearing on SB 245.

SB 245: Allows certain justices of the peace to have partners who practice law.

Mr. Stewart read the minutes of the Senate Committee on Judiciary pertaining to Senate Bill No. 245, a copy of which is attached to these minutes as EXHIBIT E.

Miss Foley commented that she could see the need to practice law in the smaller counties, but she could also see so much potential for abuse if this law passes.

Mrs. Cafferata moved to INDEFINITELY POSTPONE SB 245, seconded by Mrs. Ham and carried unanimously by the members present with Mr. Banner, Mr. Chaney, Mr. Price, Mr. Sader and Mr. Thompson absent at the time of the vote.

2206

SB 432: Increases number and allowances of costs for expert witnesses.

Mr. Bob Shriver, Executive Director of Nevada Trial Lawyers Association, said that this bill emanated from the economic situation confronting both plaintiff and defense attorneys in trying civil litigation. He noted that the law presently restricts attorneys to calling only three witnesses that may be paid fees for appearing, and they would like to have this number raised to five; that they would also like to have the amount of the fees raised from \$250 to \$750. He pointed out that it is the losing party in civil litigation who pays these fees for these witnesses who are experts in certain areas, such as engineering, land planning, real property, etc.

Mr. Shriver pointed out that this bill passed out of the Senate Judiciary and Senate Finance committees with no problems and that it has a concurrent referral to Ways and Means.

Miss Foley moved DO PASS on SB 432, seconded by Mr. Stewart. The motion died for lack of a majority with Mr. Beyer, Miss Foley, Mrs. Ham, Mr. Malone and Mr. Stewart voting in favor and Mrs. Cafferata voting against. Mr. Banner, Mr. Chaney, Mr. Price, Mr. Sader and Mr. Thompson were absent at the time of the vote.

Chairman Stewart indicated that he would hold SB 432 for a future vote when more members were present and then adjourned the meeting at 10:10 a.m.

Respectfully submitted,



Patricia Hatch
Secretary

61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: May 22, 1981

SUBJECT: SB 425: Increases number of district judges in eighth judicial district.

MOTION: DO PASS AS AMENDED AND REREFER TO WAYS AND MEANS
 DO PASS XX AMEND XX INDEFINITELY POSTPONE _____
 RECONSIDER _____

MOVED BY: Mr. Malone SECONDED BY: Miss Foley

AMENDMENT:

See EXHIBIT D.

MOVED BY: _____ SECONDED BY: _____

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>X</u>	---	---	---	---	---
Foley	<u>X</u>	---	---	---	---	---
Beyer	<u>X</u>	---	---	---	---	---
Price	<u>absent</u>	---	---	---	---	---
Sader	<u>X</u>	---	---	---	---	---
Stewart	<u>X</u>	---	---	---	---	---
Chaney	<u>X</u>	---	---	---	---	---
Malone	<u>X</u>	---	---	---	---	---
Cafferata	<u>X</u>	---	---	---	---	---
Ham	<u>X</u>	---	---	---	---	---
Banner	<u>X</u>	---	---	---	---	---
TALLY:	<u>10</u>	<u>0</u>	---	---	---	---

ORIGINAL MOTION: Passed XX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

ATTACHED TO MINUTES OF May 22, 1981

61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: May 22, 1981

SUBJECT: SB 272: Permits imposition of fine where imprisonment is suspended for certain first offenders possessing controlled substances.

MOTION:

DO PASS XX AMEND _____ INDEFINITELY POSTPONE _____
 RECONSIDER _____

MOVED BY: Mr. Beyer SECONDED BY: Miss Foley

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>X</u>	---	---	---	---	---
Foley	<u>X</u>	---	---	---	---	---
Beyer	<u>X</u>	---	---	---	---	---
Price	<u>absent</u>	---	---	---	---	---
Sader	<u>absent</u>	---	---	---	---	---
Stewart	<u>X</u>	---	---	---	---	---
Chaney	<u>X</u>	---	---	---	---	---
Malone	<u>X</u>	---	---	---	---	---
Cafferata	<u>X</u>	---	---	---	---	---
Ham	<u>X</u>	---	---	---	---	---
Banner	<u>X</u>	---	---	---	---	---
TALLY:	<u>9</u>	<u>0</u>	---	---	---	---

ORIGINAL MOTION: Passed XX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

ATTACHED TO MINUTES OF May 22, 1981

61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: May 22, 1981

SUBJECT: SB 245: Allows certain justices of the peace to have partners who practice law.

MOTION:

DO PASS _____ AMEND _____ INDEFINITELY POSTPONE XX
 RECONSIDER _____

MOVED BY: Mrs. Cafferata SECONDED BY: Mrs. Ham

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>absent</u>	_____	_____	_____	_____	_____
Foley	<u>X</u>	_____	_____	_____	_____	_____
Beyer	<u>X</u>	_____	_____	_____	_____	_____
Price	<u>absent</u>	_____	_____	_____	_____	_____
Sader	<u>absent</u>	_____	_____	_____	_____	_____
Stewart	<u>X</u>	_____	_____	_____	_____	_____
Chaney	<u>absent</u>	_____	_____	_____	_____	_____
Malone	<u>X</u>	_____	_____	_____	_____	_____
Cafferata	<u>X</u>	_____	_____	_____	_____	_____
Ham	<u>X</u>	_____	_____	_____	_____	_____
Banner	<u>absent</u>	_____	_____	_____	_____	_____
TALLY:	<u>6</u>	<u>0</u>	_____	_____	_____	_____

ORIGINAL MOTION: Passed XX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

ATTACHED TO MINUTES OF May 22, 1981

ASSEMBLY JUDICIARY COMMITTEE

GUEST LIST

DATE: Friday, 22 May 1981

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
PAT MARCHESE	Clark County			
✓ J. CHARLES THOMPSON	DISTRICT JUDGES ASSN			
✓ Paul King PAUL KING	Clark County			
✓ Anna Petersen	District Court Adm.			
✓ Bill Curran	Nevada Bar Assn	✓		SB 425
PERICIA FINE	CLARK COUNTY			
Jim Soyceff	NEV Dist. Judges Assn			
ALLAN GUNIAN	Dist. Judge			
BOB SHRIVER	NEV. TRIAL LAWYERS ASSN	✓		SB 432

SUMMARY (Revised, April 1981)

CASE FILINGS - EIGHTH JUDICIAL DISTRICT COURT

	1975	1976	1977	1978	1979	1980	*1981	*1982
CRIMINAL CASES FILED	3,140	3,255	3,477	4,069	3,844	4,383	4,400	4,400
CIVIL CASES FILED	6,273	6,436	6,920	6,965	7,822	8,420	9,900	10,300
DIVORCE CASES FILED	6,638	6,582	6,980	7,502	8,308	9,445	10,250	10,700
OTHER CASES FILED	<u>5,626</u>	<u>5,524</u>	<u>5,772</u>	<u>6,272</u>	<u>7,266</u>	<u>7,660</u>	<u>8,200</u>	<u>8,600</u>
TOTAL CASE FILINGS	21,677	21,797	23,149	24,808	27,300	29,908	32,750	34,000
ANNUAL CASE LOAD PER JUDGE								
1. Las Vegas Judges	2,064	1,981	2,104	2,255	2,275	2,492	2,729	2,833
2. Reno Judges	1,408	1,469	1,435	1,624	1,812	2,119	2,312	2,404

*Projected

CASES

35,000

30,000

25,000

20,000

15,000

10,000

5,000

EIGHTH JUDICIAL DISTRICT CASE FILINGS 1975 - 1982

TOTAL CASE FILINGS

CRIMINAL CASE FILINGS

1975

1976

1977

1978

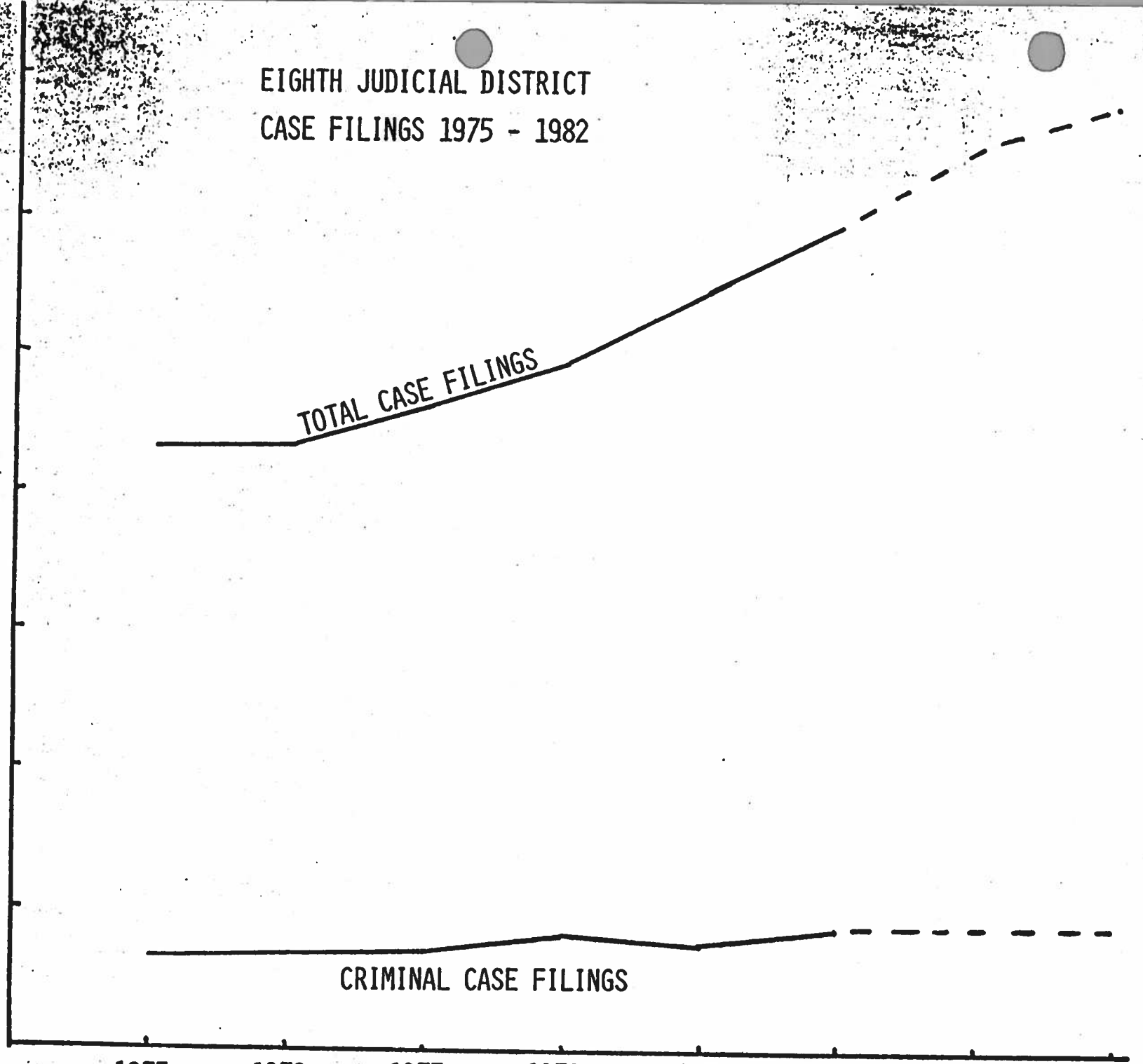
1979

1980

1981

1982

2213



CASES

ANNUAL CASE LOAD PER JUDGE
WITHOUT ADDITIONAL JUDGES ADDED IN 1982

3,000

2,500

2,000

1,500

1,000

LAS VEGAS

RENO

1975

1976

1977

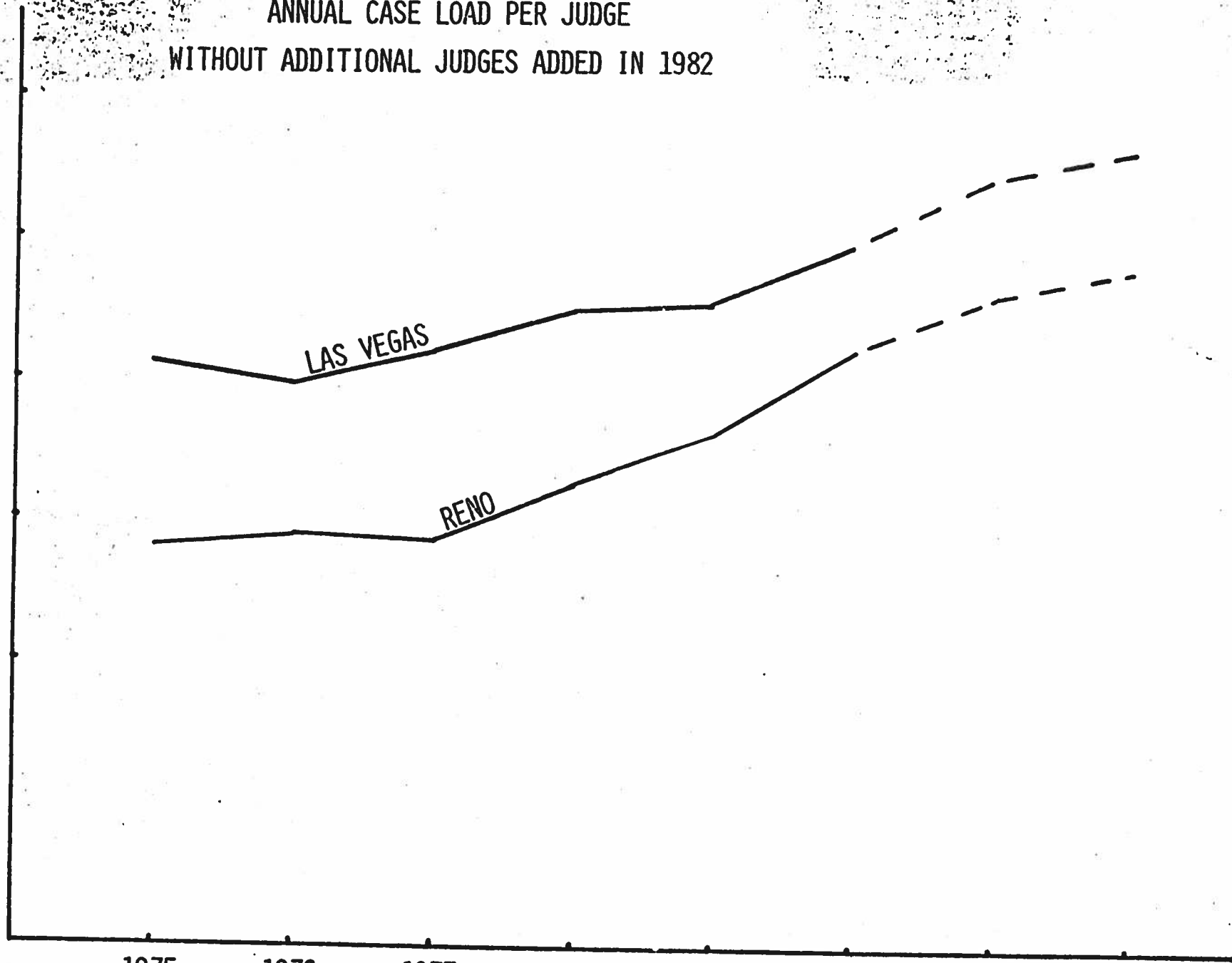
1978

1979

1980

1981

1982



CASES

ANNUAL CASE LOAD PER JUDGE

4 JUDGES ADDED IN CLARK COUNTY (1982)
2 JUDGES ADDED IN WASHOE COUNTY (1982)

3,000

2,500

2,000

1,500

1,000

LAS VEGAS

RENO

1975

1976

1977

1978

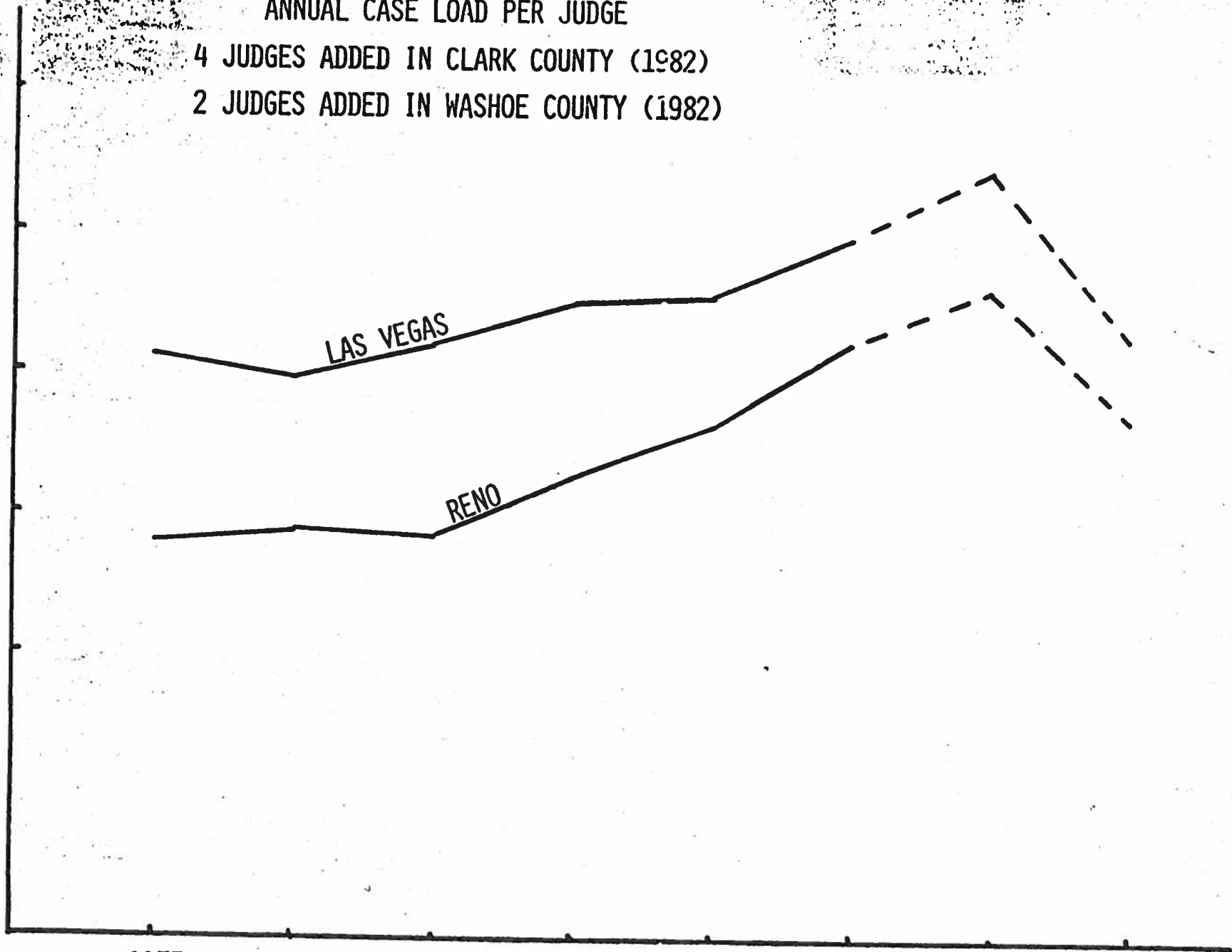
1979

1980

1981

1982

2215



1980
Eighth Judicial District Court

	DEPARTMENTS												****	Total Filings	
	1	2	3	4	5	6	7	8	9	10	11	12			
Criminal Cases															
Beginning Inventory	147	165	176	175	**	42	155	195	27	***	110	***	320		
Filed in 1980	408	356	397	429	**	399	387	429	27	***	383	***	841	4,066	
Disposed of in 1980	469	367	416	520	**	381	456	469	22	***	374	***	605		
Ending Inventory	86	154	133	84	**	60	86	157	32	***	128	***	597		
Criminal Appeals					**										
Beginning Inventory	-	-	-	-	**	-	-	-	-	-	-	-	106		
Filed in 1980	-	-	-	-	**	-	-	-	-	-	-	-	330	330	
Disposed of in 1980	-	-	-	-	**	-	-	-	-	-	-	-	258		
Ending Inventory	-	-	-	-	**	-	-	-	-	-	-	-	178		
Juvenile Petitions Filed					1,921 ^a								-		1,921
Domestic Cases					**										
Filed in 1980	618	605	628	518	84	605	611	571	529	523	500	494	4,527	10,816	
Judgments or Decrees Entered	1,041	977	1,102	912	149	1,051	1,044	980	923	906	865	786	704		
Civil Cases					**										
Beginning Inventory	974	941	834	999	**	1,120	1,067	936	1,095	1,179	1,099	1,015	70		
Filed in 1980	691	670	689	687	**	692	703	693	690	703	677	694	843	8,434	
Disposed of in 1980	542	599	556	441	**	455	471	471	442	472	416	441	1,342		
Ending Inventory	1,123	1,012	967	1,245	**	1,357	1,299	1,158	1,343	1,410	1,360	1,268	117		
Probate and Administration													764	764	
Guardianships	-	-	-	-	-	-	-	-	-	-	-	-	259	259	
Mental Commitment Proceedings	-	-	-	-	-	-	-	-	-	-	-	-	548	548	
Support Case Filings	-	-	-	-	-	-	-	-	-	-	-	-	2,805	2,805	
Total Filings															<u>29,943</u>

- * New juvenile petitions filed. See the following page for a breakdown of hearings held in the juvenile court.
- ** As the juvenile court, Department 5 is not assigned civil or criminal cases. It also receives a limited number of divorce matters.
- *** In 1980, Departments 10 and 12 served as overflow criminal departments. Their dispositions are included in the remaining departments.
- **** Unassigned cases and cases disposed of by the clerk without judicial intervention. Probate and guardianship matters were handled by Department 9. Mental Commitment Proceedings were rotated among all the trial judges and Support Cases were heard by masters under the direction of the chief judge.

COURT ADMINISTRATOR

DECEMBER 1980

	CIVIL	MISC	DIVORCE *	CRIMINAL	PROBATE	GUARD
TOTAL CASES ASSIGNED	13659	1030	3914	2068	2552	1278
NEW CASES	0665	0085	0670	0331	125	011
SETTLED CASES						
FILED THIS MONTH	0062	0031	0310	0062	029	000
FILED PRIOR MONTHS	0458	0126	0460	0347	033	002

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING						
JURY	209	000	000			
NON-JURY	395	005	130			
TOTAL NOTES SET						
JURY	319	000	002			
NON-JURY	538	007	119			
NTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)						
JURY	012	000	009			
NON-JURY	011	009	007			

2217

	JUDGE THOMPSON	DEPT I			DECEMBER 1980		
	CIVIL	MISC	DIVORCE *	CRIMINAL	PROBATE	GUARD	
TOTAL CASES ASSIGNED	1227	0044	0178	0192	0005	0001	
NEW CASES	0057	0004	0041	0029	000	000	
SETTLED CASES							
FILED THIS MONTH	0003	0001	0035	0005	000	000	
FILED PRIOR MONTHS	0040	0016	0045	0025	000	000	

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING						
JURY	014	000	000			
NON-JURY	016	000	015			
TOTAL NOTES SET						
JURY	020	000	000			
NON-JURY	020	001	014			
NTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)						
JURY	009	000	000			
NON-JURY	007	009	007			
TOTALS						
JURY	034					
NON-JURY	036					
MISC & DIV	030					
TOTAL NOTES	0100					

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

JUDGE BRENNAN DEPT 11 DECEMBER 1980

	CIVIL	MISC	DIVORCE *	CRIMINAL	PROBATE	GUARD
TOTAL CASES ASSIGNED	0948	0042	0159	0207	0010	0001
NEW CASES	0052	0005	0040	0030	000	000
SETTLED CASES						
FILED THIS MONTH	0000	0002	0032	0008	000	000
FILED PRIOR MONTHS	0048	0012	0044	0019	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING						
JURY	020	000	000			
NON-JURY	013	000	006			
TOTAL NOTES SET						
JURY	013	000	000			
NON-JURY	034	001	013			
MTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)						
JURY	008	000	000			
NON-JURY	008	009	007			

TOTALS						
JURY	033					
NON-JURY	047					
MISC & DIV	020					
TOTAL NOTES	0100					

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

JUDGE PAVLIKOWSKI DEPT III DECEMBER 1980

CIVIL MISC DIVORCE * CRIMINAL PROBATE GUARD

TOTAL CASES ASSIGNED 0945 0046 0177 0269 0007 0002

NEW CASES 0061 0006 0041 0021 000 000

SETTLED CASES

FILED THIS MONTH 0001 0006 0035 0006 000 000

FILED PRIOR MONTHS 0043 0018 0047 0032 000 000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING

JURY 007 000 000
NON-JURY 025 000 008

TOTAL NOTES SET

JURY 042 000 001
NON-JURY 055 001 009

NTD FILING TO TRIAL DATE

(AVERAGE TIME - MONTHS)

JURY 016 000 009
NON-JURY 015 004 006

TOTALS

JURY 049
NON-JURY 080
MISC & DIV 019

TOTAL NOTES 0148

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

MAY 1981

2220

	JUDGE O'DONNELL	DEPT IV	DECEMBER 1980			
	CIVIL	MISC	DIVORCE *	CRIMINAL	PROBATE	GUARD
TOTAL CASES ASSIGNED	1272	0029	0164	0170	0012	0000
NEW CASES	0054	0004	0035	0034	000	000
SETTLED CASES						
FILED THIS MONTH	0000	0003	0031	0009	000	000
FILED PRIOR MONTHS	0043	0010	0033	0048	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING						
JURY	008	000	000			
NON-JURY	044	000	012			
TOTAL NOTES SET						
JURY	032	000	000			
NON-JURY	037	000	013			
NTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)						
JURY	008	000	000			
NON-JURY	009	000	007			

TOTALS						
JURY	040					
NON-JURY	081					
MISC & DIV	025					
TOTAL NOTES	0146					

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

12/11/80

JUDGE MENDOZA DEPT V DECEMBER 1980

CIVIL MISC DIVORCE * CRIMINAL PROBATE GUARD

TOTAL CASES ASSIGNED	0006	0002	0021	0000	0002	0001
NEW CASES	0000	0000	0004	0000	000	000
SETTLED CASES						
FILED THIS MONTH	0000	0000	0003	0000	000	000
FILED PRIOR MONTHS	0000	0000	0002	0000	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING			
JURY	000	000	000
NON-JURY	000	000	000

TOTAL NOTES SET			
JURY	001	000	000
NON-JURY	001	000	000

NTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)			
JURY	057	000	000
NON-JURY	025	000	000

TOTALS	
JURY	001
NON-JURY	001
MISC & DIV	000
TOTAL NOTES	0002

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

C9090406
 RUN DATE 01/01/81
 MONTH OF DEC

CLARK COUNTY JUVENILE COURT SERVICES
 EIGHTH JUDICIAL DISTRICT

PAGE 1

*** COURT HEARING SUMMARY ***

HEARING TYPE	--JAN--	--FEB--	--MAR--	--APR--	--MAY--	--JUN--	--JUL--	--AUG--	--SEP--	--OCT--	--NOV--	--DEC--	--TOTAL--
	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &
DET HRG													
CURR Y-T-D:	213	9- 197	0- 237	0- 208	2- 221	23- 192	25- 208	22- 190	5- 212	9- 217	11- 199	19- 182	7- 2476
LAST Y-T-D:	233	182	219	204	179	153	157	201	194	245	167	170	2304
DET HRG REV													
CURR Y-T-D:	59	49- 63	49- 67	60- 100	39- 107	7- 64	12- 75	6- 95	22- 105	33- 125	44- 106	29- 127	119- 1073
LAST Y-T-D:	115	124	117	72	100	57	80	78	79	87	82	50	1049
REVOC HRG													
CURR Y-T-D:	2	70- 10	23- 10	23- 8	60- 5	72- 5	38- 12	71- 7	7- 75	2- 300	21- 163	11- 170	11- 38- 126
LAST Y-T-D:	9	8	13	5	18	8	7	4	6	8	5	8	99
JUD WEPH HRG													
CURR Y-T-D:	138	60- 124	138- 146	135- 82	9- 93	27- 134	54- 78	10- 64	12- 91	38- 88	13- 88	47- 104	25- 1230
LAST Y-T-D:	82	52	62	90	73	87	87	57	66	78	60	83	877
DIV HRG REF													
CURR Y-T-D:	58	26- 59	28- 78	34- 65	7- 41	28- 55	18- 38	24- 31	55- 25	36- 71	69- 59	18- 73	109- 653
LAST Y-T-D:	46	46	58	61	32	67	50	20	39	42	50	35	546
DIV HRG REVIEW													
CURR Y-T-D:	19	44- 33	27- 24	17- 45	36- 36	80- 39	50- 32	19- 30	25- 0	44- 69	9- 10	2- 92	313
LAST Y-T-D:	34	26	29	33	20	26	23	24	33	26	10	25	309
PC HRG													
CURR Y-T-D:	109	23- 131	49- 180	49- 126	5- 157	4- 124	15- 139	1- 130	10- 165	22- 145	18- 141	8- 128	25- 1675
LAST Y-T-D:	142	88	121	120	164	108	140	145	135	123	130	102	1518
PC HRG REV													
CURR Y-T-D:	106	6- 160	72- 134	20- 110	10- 109	13- 135	7- 94	10- 99	26- 91	43- 118	2- 126	26- 88	31- 1370
LAST Y-T-D:	100	93	167	122	123	124	105	134	159	120	171	128	1550
CHINS HRG													
CURR Y-T-D:	64	9- 47	38- 49	9- 49	4- 62	2- 29	29- 34	10- 29	34- 62	147- 67	18- 46	38- 11-	41- 7- 531
LAST Y-T-D:	64	76	45	51	63	41	31	44	17	40	46	44	562
CHINS REV													
CURR Y-T-D:	31	6- 39	33- 38	19- 24	11- 28	40- 18	77- 16	43- 22	0- 20	25- 25	19- 25	19- 15	55- 293
LAST Y-T-D:	33	58	67	27	47	44	28	22	16	21	31	33	401

2023

CY090406
 RUN DATE 01/01/01
 MONTH OF DEC

CLARK COUNTY JUVENILE COURT SERVICES
 EIGHTH JUDICIAL DISTRICT

*** COURT HEARING SUMMARY ***

HEARING TYPE	--JAN--	--FEB--	--MAR--	--APR--	--MAY--	--JUN--	--JUL--	--AUG--	--SEP--	--OCT--	--NOV--	--DEC--	--TOTAL--
	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &
NSM REVIEW HRG													
CURR Y-T-DI	0	0	0	0	0	0	0	0	0	0	0	16	16
LAST Y-T-DI	0	0	0	0	0	0	0	0	0	0	0	0	0
PLEA HRG													
CURR Y-T-DI	774	221 724	131 840	111 644	191 945	401 718	111 609	131 674	251 700	111 777	11 696	161 785	381 9062
LAST Y-T-DI	637	642	958	799	674	808	788	894	707	781	825	569	9082
CUNTO HRG													
CURR Y-T-DI	198	141 178	271 171	41 227	791 123	311 137	121 146	51 84	631 123	231 145	281 134	11 94	151 1760
LAST Y-T-DI	229	140	165	127	178	122	139	147	160	200	135	110	1852
SPECIAL HRG													
CURR Y-T-DI	5	831 9	311 1	831 11	101 9	441 0	4 331 3	641 2	401 26	1601 8	1671 20	4001 100	211
LAST Y-T-DI	29	13	6	10	16	11	6	14	5	10	3	4	127
CERT JUV HRG													
CURR Y-T-DI	0	0	3 2001	3 2001	0	0	0	4	1	6	0	0	17 131
LAST Y-T-DI	0	4	1	1	1	0	1	0	1	0	1	5	15
CERT HRG													
CURR Y-T-DI	0	0	0	0	0	0	0	0	0	0	0	0	0
LAST Y-T-DI	34	17	7	0	0	1	0	1	3	0	0	0	63
C/ADULT HRG													
CURR Y-T-DI	21	43	24	501 27	231 22	381 24	5001 23	641 19	121 20	331 11	661 7	861 38	31 279
LAST Y-T-DI	0	0	48	22	16	4	14	17	15	32	50	37	255
R & O													
CURR Y-T-DI	193	211 244	501 226	11 293	261 299	1 244	11 784	471 223	221 161	351 280	201 183	341 225	11 2857
LAST Y-T-DI	243	163	231	233	299	242	193	285	246	234	276	227	2872
R & O REV													
CURR Y-T-DI	252	381 198	91 191	351 273	951 256	511 219	121 190	71 195	51 220	121 189	91 260	71 183	6961 2626
LAST Y-T-DI	182	181	142	140	169	195	204	206	196	174	243	23	2055
TRAF PLEA													
CURR Y-T-DI	68	391 56	811 86	541 72	221 80	1221 125	2571 110	2931 66	111 80	431 87	231 115	851 22	571 967
LAST Y-T-DI	49	31	56	59	36	35	28	74	56	71	62	51	808

20224

CV090406
 RUN DATE 01/01/81
 MONTH OF DEC

CLARK COUNTY JUVENILE COURT SERVICES
 EIGHTH JUDICIAL DISTRICT

PAGE 3

*** COURT HEARING SUMMARY ***

HEARING TYPE	--JAN--	--FEB--	--MAR--	--APR--	--MAY--	--JUN--	--JUL--	--AUG--	--SEP--	--OCT--	--NOV--	--DEC--	--TOTAL--
	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &	COUNT &
TRAF CONTESTED													
CURR Y-T-D:	19	32	12	14	5	50	8	11	14	14	3	14	122
LAST Y-T-D:	28	12	14	10	9	7	0	10	18	7	10	6	131
MUCO													
CURR Y-T-D:	6	15	275	7	22	5	55	2	67	3	50	9	800
LAST Y-T-D:	6	4	9	11	6	2	1	12	3	9	2	4	63
APPEAL HRG													
CURR Y-T-D:	0	0	0	0	0	0	0	0	0	0	0	0	0
LAST Y-T-D:	0	2	0	0	0	0	0	0	0	0	0	0	2
TRUANCY HRG													
CURR Y-T-D:	41	141	14	18	32	68	24	40	8	100	1	0	175
LAST Y-T-D:	17	17	19	40	4	0	0	0	1	6	23	14	141
TRIAL													
CURR Y-T-D:	1	0	1	0	0	0	0	20	29	22	27	20	120
LAST Y-T-D:	0	4	1	3	0	0	1	0	2	0	0	0	991
GRAND TOTALS													
CURR Y-T-D:	12377	32356	192549	12401	72611	172266	62107	52002	162213	32467	72259	52226	2827914
LAST Y-T-D:	2312	1983	2535	2240	2229	2144	2083	2389	2157	2314	2382	1739	26507

2225
 2125

JUDGE BABCOCK DEPT VI DECEMBER 1980

CIVIL MISC DIVORCE * CRIMINAL PROBATE GUARD

TOTAL CASES ASSIGNED	1384	0044	0101	0139	0012	0000
NEW CASES	0053	0006	0046	0024	000	000
SETTLED CASES						
FILED THIS MONTH	0001	0001	0027	0003	000	000
FILED PRIOR MONTHS	0033	0011	0040	0028	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING						
JURY	016	000	000			
NON-JURY	025	001	021			
TOTAL NOTES SET						
JURY	049	000	000			
NON-JURY	072	001	008			
NTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)						
JURY	015	000	000			
NON-JURY	008	009	007			
TOTALS						
JURY	065					
NON-JURY	097					
MISC & DIV	031					
TOTAL NOTES	0193					

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

JUDGE CHRISTENSEN DEPT VII DECEMBER 1980

	CIVIL	MISC	DIVORCE *	CRIMINAL	PROBATE	GUARD
TOTAL CASES ASSIGNED	1295	0037	0098	0217	0013	0004
NEW CASES	0058	0006	0069	0019	000	000
SETTLED CASES						
FILED THIS MONTH	0000	0004	0052	0009	000	000
FILED PRIOR MONTHS	0046	0014	0039	0031	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING						
JURY	011	000	000			
NON-JURY	023	000	005			

TOTAL NOTES SET						
JURY	028	000	000			
NON-JURY	057	000	012			

NTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)						
JURY	009	000	000			
NON-JURY	008	000	008			

TOTALS						
JURY	039					
NON-JURY	080					
MISC & DIV	017					
TOTAL NOTES	0136					

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

JUDGE WENDELL DEPT VIII DECEMBER 1980

CIVIL MISC DIVORCE * CRIMINAL PROBATE GUARD

TOTAL CASES ASSIGNED	1206	0035	0186	0239	0005	0003
NEW CASES	0049	0007	0043	0042	001	000
SETTLED CASES						
FILED THIS MONTH	0000	0003	0024	0005	000	000
FILED PRIOR MONTHS	0037	0013	0051	0047	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING			
JURY	009	000	000
NON-JURY	025	000	002

TOTAL NOTES SET			
JURY	031	000	000
NON-JURY	035	000	009

NTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)			
JURY	012	000	000
NON-JURY	008	000	007

TOTALS			
JURY	040		
NON-JURY	060		
MISC & DIV	011		
TOTAL NOTES	011		

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

2228

JUDGE HUFFAKER DEPT IX DECEMBER 1980

CIVIL MISC DIVORCE * CRIMINAL PROBATE GUARD

TOTAL CASES ASSIGNED	1331	0034	0135	0032	0007	0001
NEW CASES	0052	0003	0026	0012	000	000
SETTLED CASES						
FILED THIS MONTH	0001	0003	0018	0000	000	000
FILED PRIOR MONTHS	0033	0008	0044	0001	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING			
JURY	016	000	000
NON-JURY	031	000	008

TOTAL NOTES SET			
JURY	021	000	000
NON-JURY	046	001	005

NTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)			
JURY	010	000	000
NON-JURY	008	009	004

TOTALS			
JURY	037		
NON-JURY	077		
MISC & DIV	014		
TOTAL NOTES	0128		

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

6229

JUDGE GOLDMAN DEPT X DECEMBER 1980

CIVIL MISC DIVORCE * CRIMINAL PROBATE GUARD

TOTAL CASES ASSIGNED	1237	0027	0118	0102	0005	0001
NEW CASES	0057	0003	0035	0000	000	000
SETTLED CASES						
FILED THIS MONTH	0000	0002	0030	0000	000	000
FILED PRIOR MONTHS	0037	0012	0045	0012	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING			
JURY	049	000	000
NON-JURY	115	002	022

TOTAL NOTES SET			
JURY	007	000	000
NON-JURY	040	000	004

MTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)			
JURY	036	000	000
NON-JURY	020	000	007

TOTALS			
JURY	056		
NON-JURY	155		
MISC & DIV	028		
TOTAL NOTES	0239		

* DIVORCE TOTALS INCLUDE DIVORCES, ANNUCMENTS AND SEPARATE MAINT.

2230

JUDGE GUY SEPT XI DECEMBER 1980

CIVIL MISC DIVORCE * CRIMINAL PROBATE GUARD

TOTAL CASES ASSIGNED	1324	0044	0162	0169	0009	0006
NEW CASES	0053	0003	0012	0036	000	000
SETTLED CASES						
FILED THIS MONTH	0000	0001	0008	0002	000	000
FILED PRIOR MONTHS	0019	0006	0033	0028	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING						
JURY	028	000	000			
NON-JURY	048	002	012			
TOTAL NOTES SET						
JURY	035	000	000			
NON-JURY	062	001	012			

MTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)						
JURY	009	000	000			
NON-JURY	013	009	008			

TOTALS						
JURY	063					
NON-JURY	110					
MISC & DIV	027					
TOTAL NOTES	0200					

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

1200

JUDGE LEGAKES DEPT XII DECEMBER 1980

CIVIL MISC DIVORCE * CRIMINAL PROBATE GUARD

TOTAL CASES ASSIGNED	1322	0025	0151	0006	0007	0000
NEW CASES	0051	0005	0022	0001	000	000
SLITLED CASES						
FILED THIS MONTH	0000	0001	0015	0001	000	000
FILED PRIOR MONTHS	0028	0006	0028	0002	000	000

NOTE TO TRIAL DOCKET

TOTAL NOTES PENDING						
JURY	028	000	000			
NON-JURY	026	000	015			
TOTAL NOTES SET						
JURY	029	000	001			
NON-JURY	060	001	020			
NTD FILING TO TRIAL DATE (AVERAGE TIME - MONTHS)						
JURY	012	000	009			
NON-JURY	010	010	008			

TOTALS						
JURY	057					
NON-JURY	086					
MISC & DIV	037					
TOTAL NOTES	0180					

* DIVORCE TOTALS INCLUDE DIVORCES, ANNULMENTS AND SEPARATE MAINT.

REPORT ON COSTS OF NEW DISTRICT COURTS

Prepared by:
Clark County

April 24, 1981

Assembly Judiciary Committee
Friday, 22 May 1981

REPORT ON COSTS OF NEW DISTRICT COURTS

The following analysis reflects the results of a series of meetings with Judge Charles Thompson and the Eighth District Court personnel, the Clark County Manager's office, the Clark County Public Defender's office and the Clark County District Attorney's office regarding the fiscal impact of S.B.425.

At these meetings previous differences of opinion between the agencies involved were addressed and resolved. This analysis presents a mutually agreeable plan for receiving four additional District Court judges, and is detailed in Exhibit A and the fiscal summary. This plan is the product of mutual agreement arrived at through these meetings and is predicated on the following points of concensus:

1. The existing Track and Team system currently utilized in the Eighth District Court has successfully demonstrated the effectiveness of such a system in expediting judicial business and equalizing the work of district judges. One of the previous concerns regarding the fiscal impact of adding new judges to the district court was whether the new judges would be devoted to civil matters only. Based on the reality of present Track and Team assignments, all concerned parties now concur that the addition of new judges would address both the need to handle a rapidly increasing civil case load and the need to keep pace with criminal cases.
2. A second previous concern was over estimated space required for new courtrooms and auxiliary service areas. At these meetings space requirements were clarified and it is now the common concensus that 2,400 square feet per court (inclusive of all office and service space) would be both functional and adequate for District Court needs. An additional 600 square feet will be required for a jury deliberation room which will be shared by all four courtrooms.
3. As a further result of these meetings, it is now the common concensus that the most effective way to maximize the judicial service level and minimize the fiscal impact would be to integrate four new judges into existing Track and Team units. Exhibit A and the fiscal summary detail the cost-savings of this plan.

4. In jointly supporting this plan, both Clark County and the Eighth District Court support the postponement of additional judges to the Eighth District Court until January 1, 1983. This new time frame would allow the flexibility needed for completion of County construction projects and will assure that the four courtrooms and auxiliary service space will be completed, furnished and ready for occupancy by the January 1, 1983 date.
5. The feasibility of a reasonable increase in court filing fees was a related topic of discussion in these meetings. Judge Thompson indicated that the District judges would not be opposed to this concept and noted that the opposition of attorneys might be less likely if they realized that a fee increase could provide funding for additional District Courts.

EXHIBIT A

PROPOSED PLAN FOR FOUR ADDITIONAL DISTRICT COURT JUDGES

This option, based on the results of a series of meetings with the Eighth District Court, the Clark County Manager's office, the Clark County Public Defender's office and the Clark County District Attorney's office, assumes the integration of four new judges into existing District Court Track and Team units (thereby adding one new judge and therefore a district court to each of four existing tracks). This option will permit the redistribution of the criminal case load among more judges thereby increasing the capacity to handle the growing number of civil cases. It is the concensus of the agencies listed above that this option will eliminate the need for an additional track and team and justice court and will require only eight new attorneys as supporting personnel to be added as needed (four each in the Public Defender's and District Attorney's offices). This plan will require four new courtroom facilities as a one time capital cost. Estimated costs for this plan are indicated in the fiscal summary.

FISCAL SUMMARY

Estimated Costs of Four Judges

	<u>YEAR 1</u> <u>(1-1-83)</u>	<u>YEAR 2</u> <u>(1-1-84)</u>
Four District Courts Supporting Personnel at Four Attorneys each in D.A./P.D. (to be added as needed)	\$1,641,400	\$ 927,300
	<u>342,580</u>	<u>350,743</u>
Total	\$1,983,980	\$1,278,043

Cost Detail for Four District Courts and Support Personnel

	<u>YEAR 1</u> <u>(1-1-83)</u>	<u>YEAR 2</u> <u>(1-4-84)</u>
Four District Courts (Personnel, Supplies/Services - Jury)	\$ 839,000	\$ 926,300
Capital (One Jury Deliberation Room @ 600 sq. ft. & 4 Courtrooms @ 2,400 sq. ft. x \$70 sq. ft., plus furnishings and equipment @ \$88,400)	802,400	1,000
Support Personnel (Four Attorneys each D.A. & Public Defender's office plus Supplies/Services @ \$16,476)	242,580	349,743
Capital (Remodeling Costs for Eight Offices @ 1,200 sq. ft. x \$70/sq. ft. plus Furnishings and Equipment @ \$16,000)	<u>100,000</u>	<u>1,000</u>
Total	\$1,983,980	\$1,278,043

NEVADA CONSTITUTION

Art. 6, § 5

Chief Justice, and after the expiration of his term, the one having the next shortest term shall be Chief Justice, after which the Senior Justice in Commission shall be Chief Justice; and in case the commission of any two or more of said Justices shall bear the same date, they shall determine by lot, who shall be Chief Justice.

Sec. 4. Jurisdiction of supreme court; appointment of district judge to sit for disqualified justice. The supreme court shall have appellate jurisdiction in all civil cases arising in district courts, and also on questions of law alone in all criminal cases in which the offense charged is within the original jurisdiction of the district courts. The court shall also have power to issue writs of *mandamus*, *certiorari*, prohibition, *quo warranto*, and *habeas corpus* and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of *habeas corpus* to any part of the state, upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable, before himself or the supreme court, or before any district court in the state or before any judge of said courts.

In case of the disability or disqualification, for any cause, of the chief justice or one of the associate justices of the supreme court, or any two of them, the governor is authorized and empowered to designate any district judge or judges to sit in the place or places of such disqualified or disabled justice or justices, and said judge or judges so designated shall receive their actual expense of travel and otherwise while sitting in the supreme court.

[Amended in 1920, 1976 and 1978. The first amendment was proposed and passed by the 1917 legislature; agreed to and passed by the 1919 legislature; and approved and ratified by the people at the 1920 general election. See: Statutes of Nevada 1917, p. 491; Statutes of Nevada 1919, p. 485. The second amendment was proposed and passed by the 1973 legislature; agreed to and passed by the 1975 legislature; and approved and ratified by the people at the 1976 general election. See: Statutes of Nevada 1973, p. 1953; Statutes of Nevada 1975, p. 1981. The third amendment was proposed and passed by the 1975 legislature; agreed to and passed by the 1977 legislature; and approved and ratified by the people at the 1978 general election. See: Statutes of Nevada 1975, p. 1951; Statutes of Nevada 1977, p. 1690.]

Sec. 5. Judicial districts; district judges; Election; terms. The state is hereby divided into Nine Judicial Districts of which the county of Storey shall constitute the First; The county of Ormsby the Second; the county of Lyon the Third; The county of Washoe the Fourth; The counties of Nye and Churchill the Fifth; The county of Humboldt the Sixth; The county of Lander the Seventh; The county of Douglas the Eighth; and the county of Esmeralda the Ninth. The county of Roop shall be attached to the county of Washoe for judicial purposes until otherwise provided by law. The Legislature may, however, provide by law for an alteration in the boundaries or divisions of the Districts herein prescribed, and also for increasing or diminishing the number of the Judicial Districts and Judges therein. But no such change shall take effect, except in case of a vacancy, or the expiration of the term of an incumbent of the Office. At the first general election under this

Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to..... Senate	EXHIBIT D
Lost <input type="checkbox"/>	Lost <input type="checkbox"/> Joint	
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Bill No. 425 Resolution No.
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR..... 1-958	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by.....	Committee on Finance
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>		

Amendment N^o 701



Amend sec. 10, page 4, by deleting line 27 and inserting:

"Sec. 10. 1. This act shall become effective upon the first occurrence of a vacancy in the eighth judicial district or on January 1, 1982, whichever first occurs, for the purpose of nominating and electing the additional district judges provided, and on the 1st Monday of January 1983 for all other purposes.

2. If no judges are so elected but a vacancy occurs in the eighth judicial district before the 1st Monday of January 1985, this act shall become effective immediately for the purpose of appointing the additional district judges provided, but those judges shall not enter upon the performance of their judicial duties before the 1st Monday of January 1983.

3. If it has not become effective earlier pursuant to subsection 1 or 2, this act shall become effective on January 1, 1984, for the purpose of nominating and electing the additional district judges provided, and on the 1st Monday of January 1985 for all other purposes."

SENATE COMMITTEE ON JUDICIARY
March 3, 1981

SENATE BILL NO. 190

Senator Keith Ashworth moved to Do Pass S. B. 190.

Senator Don Ashworth seconded the motion.

The motion carried unanimously.

Senator Raggio stated S. B. No. 225 which was passed out of committee on February 27, 1981, corrects a scrivener's error which was in S. B. No. 264 of the 59th Session of 1977. That statute provided an alternative method of selecting jurors. The crucial language from NRS 16.030 was inadvertently deleted. He said Judge Thompson requested that S. B. No. 225 be effective upon passage and approval.

~~SENATE BILL NO. 245~~ allows certain justices of the peace to have partners who practice law.

Mr. Jim Mancuso, Justice of the Peace, Incline Village, Nevada, stated he was appointed several months ago. He said he is an attorney and shortly after being appointed he was confronted with NRS 1.270 which interprets very restrictively that an attorney and a justice of the peace cannot have any kind of association with any other attorneys. This restricts the individual from being an employee or working for a professional corporation. He stated he has a part-time job with a part-time salary which requires full-time work. In order to make a living it is necessary to do private practice, and need to be in some sort of association. This law restricts this.

Chairman Close stated the rationale for the law was because a judge should not have a partner who could go before other judges, because of the possibility of favoritism. Mr. Mancuso stated he had checked into California laws which requires that all of the justice of the peace have to be attorneys. The law specifies that the language in the California law is similar to that drafted in S. B. No. 245, The law as originally drafted in the 1860's did not have the ethical restraints or code of judicial conduct that is present now. He said since justice courts are courts of record, attorneys should be encouraged to take these jobs. He stated a law was passed that covered townships with a population of greater than 60,000, which allows a justice of the peace to practice law, but may not appear in court.

Senator Wagner asked Mr. Mancuso if he was the only person who has encountered this problem. Mr. Mancuso stated he is the only attorney justice of the peace outside the metropolitan areas.

SENATE COMMITTEE ON JUDICIARY
March 3, 1981

SENATE COMMITTEE ON JUDICIARY
March 3, 1981

SENATE BILL NO. 245

Senator Raggio moved to Do Pass S. B. No. 245.

Senator Don Ashworth seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 33--Empowers attorney general to prosecute gaming offenses under certain conditions.

Chairman Close asked Mr. Richard Bunker, Gaming Control Board to answer questions regarding S. B. No. 33. Chairman Close asked why the attorney general should be involved in the prosecutions and does it do any harm to S. B. No. 33 if the district attorneys, when refusing to prosecute, if he has to respond back and tell the attorney general why. Senator Ford suggested the language in Section 2 should include a time limit.

Mr. Richard Bunker stated at the present time, the board cannot initiate action, they would like to have that right. He stated if a district attorney will not file because he felt there is not a case, the board cannot pursue the matter. He stated that if in small communities the case is marginal and the district attorney is closely connected to the people, it is a difficult decision for him to make to prosecute. There is little problem in Clark and Washoe counties but the smaller counties do present a problem. In a marginal case, the gaming board would like to have the authority to make a decision to prosecute.

Mr. Bunker explained the intent of Section 1 of the bill. If a case is taken to the district attorney and he refuses to prosecute the case, the attorney general or our legal counsel is advised to institute proceedings and this section gives him the authority to do so. Regarding the 15 day time limit, this gives the district attorney that time to review the complaint and come back with a decision. If an answer is not received in that time, the deputy attorney general will institute proceedings. Mr. Bunker stated if language is needed in the bill as to who will initiate proceedings, he would request the gaming control board have the authority. The board would request the attorney general to file a complaint. Chairman Close stated what Mr. Bunker is asking for in the bill is not how it is written.

SENATE COMMITTEE ON JUDICIARY
March 11, 1981

SENATE BILL NO. 358--Prohibits murderer from succeeding to community property.

Senator Don Ashworth moved to Do Pass S. B. No. 358.

Senator Keith Ashworth seconded the motion.

The motion carried unanimously.

~~SENATE BILL NO. 245~~--Allows certain justices of the peace to have partners who practice law.

Chairman Close said it should preclude him from practicing before that particular judge, any judge in that district, there are two Justice of the Peace. He cannot practice before the justice court in that township. There are no J. P.s in Washoe or Clark County that have partners, they are prohibited from practicing. Senator Raggio suggested an amendment which precluded his appearing before that judge. Senator Ford said the language should read, that he would never be able to appear before any court which his partner the judge presides.

Senator Don Ashworth moved to amend and Do Pass S. B. No. 245.

Senator Raggio seconded the motion.

The motion carried.

SENATE BILL NO. 270--Permits persons to register their willingness to serve as resident agents of foreign corporations with secretary of state.

Senator Keith Ashworth advised the committee Senator Blakemore raised the question, if the secretary maintains a list and that list becomes available to anyone requesting it, an attorney will have to pay \$500 to have his name included on the list. Senator Hernstadt suggested the person suggesting the bill wanted to fore-close the lawyers and trust companies and set it up in his news-paper in Las Vegas and make a business for himself.

Senator Hernstadt moved to have the exemption on lines 3 through 5 deleted on S. B. No. 270 and the bill become effective upon passage and approval.

Senator Don Ashworth seconded the motion.

The motion carried unanimously. . . .