

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON JUDICIARY

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE

February 24, 1981

The Senate Committee on Judiciary was called to order by Chairman Melvin D. Close at 9:00 a.m, Tuesday, February 24, 1981, in Room 213 of the Legislative Building, Carson City, Nevada. Exhibit A is a copy of the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

- Senator Melvin D. Close, Chairman
- Senator Keith Ashworth, Vice Chairman
- Senator Don Ashworth
- Senator Jean Ford
- Senator William Hernstadt
- Senator William J. Raggio
- Senator Sue Wagner

GUEST LEGISLATORS:

- Senator James N. Kosinski

STAFF MEMBERS PRESENT:

- Iris Parraguirre, Committee Secretary

SENATE BILL NO. 118:

Senator James Kosinski stated S. B. No. 118 is a product of his campaign efforts over the past years. He stated that in both his campaigns, he walked door to door throughout his district, registered and non-registered people, in an effort to register new voters within Washoe County. Frequently, he received a response from individuals that they could not afford to register to vote because they knew they would be called for jury duty, particularly at what they understood to be the low rates of compensation provided.

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Ken Creighton, Research Analyst, was asked by Senator Kosinski to contact some of the county clerks relating to both issues that are raised in S. B. No. 118. One dealt with a prohibition on the county clerks using the voter's registration list to select jurors and the second portion was the compensation for jurors. Mr. Creighton reported the response he received from the few clerks he was able to talk to indicated they did not believe residents were inhibited from registering to vote because of the possibility of serving on a jury.

Senator Kosinski stated the purpose of the bill in the first instance was to deal with the registration problem. They received information from some of the counties, particularly Clark County, indicating it does not select prospective jurors from the registration list and they are able to function under their existing system, which depends heavily upon the motor vehicle registration list. Utility company and telephone company books are also used. However, Carson City indicates it would have a great deal of difficulty if they were unable to use the registered voter's list.

Discussing compensation for jurors, Senator Kosinski stated it was a more complex problem and when he introduced the bill in the prior session, the feeling seemed to be that jury duty is an obligation of citizenship and maybe we should not be concerned with the level of compensation or even whether there should be compensation at all.

Referring to Section 3, page 2, Senator Kosinski stated the present figures are \$9.00 for a juror who is called and not sworn in and \$15.00 per day for a juror who is called and sworn to serve. Those figures were established in 1967 and since that time, there has been a consumer price index increase of 156 percent. He stated he used the proposed figure of \$30.00 before he knew what the consumer price index increase had been and did not know any other way to come up with what might be a reasonable compensation to jurors. \$30.00 per eight hours a day comes to \$3.75 per hour and \$20.00 for an eight hour day comes to \$2.50 an hour. Presently, minimum wage is \$3.35 an hour. Senator Kosinski stated he felt jury duty is a burden on many individuals who cannot afford to give up a day's work. In some instances, their regular salary continues; however, it is unknown at the present time what percentage of people are paid by their employers while on jury duty. A fiscal note was prepared by Mr. Creighton, which is attached hereto as Exhibit C, indicating the effect on the

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counties using the \$20.00 and \$30.00 figures.

Senator Kosinski concluded he felt the jurors should be justly compensated for giving up their time, breaking their daily routine and often suffering a reduction in salary to serve on juries. Many individuals feel it is a servitude of citizenship to some extent and for that reason, do not register to vote because they do not want to take the chance of being called for jury duty.

Senator Wagner asked what the common pattern is in other states in terms of getting names to serve on juries.

Senator Kosinski stated several years ago they surveyed a couple of states and for the most part, they use the same things that Nevada uses. He indicated some states use a list of sources for obtaining prospective jurors, which includes the voter registration list. Other states make no provision at all. The basic issue is the difficulty that the clerk has in establishing a list of qualified jurors who are available to serve. It has been found in Clark County that approximately 50 percent of the persons who show up for jury duty are excused for personal reasons.

Senator Hernstadt asked if the jurors were paid a more reasonable amount of money whether Senator Kosinski felt the 50 percent dropout would be less. Senator Kosinski was unable to speculate and no reasons were given in the research done by Mr. Creighton.

Judge John Barrett, District Court Judge, Washoe County, stated as Chief Judge he is the one that works directly with the jury commissioner. Judge Barrett read from an Attorney General's opinion from 1959 having to do with jury exemptions:

"Jury service is not a right or privilege which may be claimed but is an obligation imposed by law upon those who come within a designated class possessing the required qualifications. The state has an inherent and undisputable right to the service of citizens as jurors. Jury service is one of the burdens of citizenship and not merely one of the privileges. It is the duty of all citizens to undertake this burden when called upon to do so unless they are exempted or entitled to be excused."

Judge Barrett stated he is well aware after being a judge for 20

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years that people have problems and he deals with those who want to be excused. He stated the law says jurors shall be selected from qualified electors, which has nothing to do with registered voters. To be a qualified elector, an individual must be a citizen of the United States, a resident on the county in which he resides, must be 18 years of age or older, and must be able to read and write the English language. In his opinion, not registering to vote does not guarantee that someone is not going to be called as a juror, which is a very common misunderstanding. It goes back to the days when the list of registered voters was used exclusively by the courts in getting jurors, which has not been done in Washoe County in years. Lists from the power company, telephone company and list of registered voters, plus the lists from the Department of Motor Vehicles are used. Presently, the list from the Department of Motor Vehicles and the list of registered voters is melded in a computer, with any duplications being eliminated. Then the selection is made by the computer for the master list of jurors. They have found the problems come from so many people moving and the lists are not current.

Judge Barrett related he is well aware and has been for some time that people don't register to vote because they do not want to get on a jury list, and that is not confined to only people who are economically less well off than other people. Judge Barrett stated he did not feel increasing the amount paid to jurors would help with the increased registration of voters. People do not want to be on jury duty because they do not want to take the time. He felt the real answer to whether the list of registered voters should be used is educating the public because most people still think that a qualified elector is somebody who is registered to vote, and that is not the case.

Judge Barrett stated in Washoe County they would like to continue to use the list of registered voters in conjunction with other lists. As far as compensation is concerned, he stated that the persons who are paid \$9.00 are not in the courthouse that long, in fact, often are there only one hour. He stated that in the situations where the individuals are chosen to sit on the jury for \$15.00 a day, people who are wage earners who are not being paid if they are not at work, the circumstances are different and jury duty can be a burden. Some jurors aren't working anyway, as in the case of many senior citizens, and they are perfectly happy being there. Others receive their regular salary plus the compensation for jury duty. Federal employees are paid their regular salary but when they get the check for

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jury services, it must be turned in. Judge Barrett said most of the trials are finished within the week they are started.

Judge Barrett suggested no increase in the \$9.00 amount. Chairman Close commented that in many instances, when a person comes in for jury duty, he loses a full days work and he cannot go back to work after he has been released from jury duty by the court because he has been replaced by someone else for the day.

Judge Barrett agreed this could be a real problem for some people; however, there are people who go to work before the come to court and go back when they are excused. He stated the people he has concern about are the ones who get on a jury and get into a trial that is an extended trial. He felt some thought could be given to increasing the pay for jurors who are selected and serve on a jury, possible doubling the amount after one week. There is no way they can be paid at the same rate as their jobs.

Senator Raggio asked what the procedure of practice is in Washoe County if a person is selected as a member of a petit jury and serves on that jury as far as further service is concerned. For what period of time does that person continue to be a prospective juror?

Judge Barrett replied they have a policy of excusing someone if he gets on a jury, serves on that jury then he is not called again. If someone has reported three times for jury duty and has not been selected, he too is excused. There is no way of determining how long it would take for a person to be selected three times because it has to be a randome selection.

Judge Barrett repeated he felt education of the public has a lot to do with the problems of jury selection. He stated the first thing he does with a jury is explain to them how they were selected, and he explains the process all the way through. Many people do not know how they got there and have never been told they did not get there just because they were registered voters.

Mr. Claude Evans, Secretary-Treasurer of the Nevada AFL-CIO, stated they support S. B. No. 118 and think it is important. He indicated Secretary of State Swackhamer wrote a letter for him last year which he reproduced telling exactly how jurors are selected. The letter was posted in most of the union halls throughout the state but there are still people who do not

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understand. He stated he felt anything that precludes individuals from registering to vote or even the fear of registering to vote should be eliminated. He felt jurors could be found through other lists which have been mentioned. He stated S. B. No. 118 was something that was needed to take away the fear of registering to vote and should be passed.

Senator Wagner asked Mr. Evans whether we really know what the causes are for people not registering to vote. Mr. Evans said he would check with their national office to see if a poll has ever been taken.

Senator Keith Ashworth stated about 50 percent of the people who call him to see if they can be excused from jury duty are not registered to vote. He felt statistics should be compiled of the people who have been called for jury duty and are not registered to vote to help judges educate the people.

Mr. Evans stated people still think they are being called for jury duty because they have registered to vote and whether it is real or imagined, it still precludes them from registering. S. B. No. 118 would solve that problem and take away the argument which people use.

Judge Michael Fondi, District Court Judge for Carson City and Storey County, stated they are opposed to the first portion of the bill, Section 1 and Section 2, which requires elimination of registered voter lists for a resource for jury duty. Basically, he agrees and concurs with what Judge Barrett has said. He stated there are some real problems with the use exclusively of utility lists or Department of Motor Vehicle lists. The Department of Motor Vehicle list has been abandoned by them as a resource because they are not up to date, addresses are incorrect and the time spent in culling the lists and utilizing them is not worth the time that is put in to obtain names. Utility lists are usually only in the husband's name and do not contain all members of the household.

Judge Fondi stated there is another provision in the law which gives them some discretion. It says if a person has a personal hardship which is evident, they can be excused and many times they are excused. People are not serving on juries who really should not be when it is perfectly obvious they cannot afford to be there. He stated he feels the jury pay is atrocious and he cannot object to increasing the amount. In information he

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has received regarding other states, Judge Fondi said Nevada is on the low side but if the fees were increased as provided in S. B. No. 118, the state would probably be on the high side of what juries are paid country wide. Some states break down jury fees to a one-half day basis. He felt the persons who were not responsible enough to register to vote because of being called for jury duty are not very responsible citizens in any event and might not be desirable for juries anyway.

Judge Michael Griffin stated they would like to be able to use any reliable list that has an address where a person could be reached. Story County uses the registered voter list and then checks the phone book.

Senator Ford asked whether the persons who want to be excused call before the day they are to appear for jury duty. Judge Fondi replied that most people call when they receive the summons but there are people who just show up the day they are to report and express their hardship at that time. He has found that many people who are reluctant to serve but are required to do so state they found jury duty rewarding.

Judge Fondi explained they have a jury venire of approximately 2000 names to start out with but are lucky to end up with 1000 who are qualified electors eligible to serve on a jury after they have gone through the questionnaire process. They are more liberal with individuals who have served at least once and are called again and want to be excused. He felt the best jurors are the senior citizens; however, in many cases, the only place they could get the names of those people would be from the registered voters list.

Senator Raggio stated if S. B. No. 118 were processed, it could eliminate some of the senior citizens and deprive them from serving on juries.

With regard to jury fees, Judge Griffin stated people are taken from their normal lives and especially in criminal cases, they have to decide whether the offender is going to walk the street, go to prison, or even receive the death penalty. He felt it is hard enough for them to sit on the jury but paying them only \$15.00 and aggravating their financial circumstances is not right. Judge Griffin stated the jurors are the most important people in our present system of justice and everything possible should be done so they do not have to necessarily worry about financial situations while serving. He felt very strongly that some additional compensation should be given to them.

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Senator Ford asked Judge Fondi to explain the policy of people volunteering for jury duty. He explained there is a state law which says a name cannot be specifically selected but can be put in to be chosen at random. There are not many people who volunteer.

Mr. Ted Thornton, Carson City Clerk and Treasurer, stated his office is the one which puts the jury list together. He felt the voter's registration list gives them the most reliable, up-to-date list they could possibly get, and individuals who do not register to vote because of being put on the jury list are just using an excuse and do not have a valid reason. He stated the most any one person could serve on a jury would be once every two years.

Mr. Thornton stated if other types of lists are relied upon rather than the registered voter list, for instance, the utility lists, many persons in a household are not included. They have found the Department of Motor Vehicle list very unreliable and had as high as a 70 percent return of undelivered mail because of bad addresses. Two years ago, they had an estimated number of 1500 names to start with and ended with approximately 600 to use for the entire year. Once this list is established, they cannot add to it for that year. In that instance, some people were called five and six times for jury selection.

Mr. Thornton stated Carson City at the present time has an estimated population of 32,000 people. Of that 32,000, 15,500 are registered voters. There are approximately 8500 children in the school system and approximately 4,000 young people of preschool age. This accounts for approximately 28,000 people, which would leave approximately 4,000 unregistered voters, showing the people of Carson City are very community minded. In his opinion, there are very few people who do not register to vote because of possibly being selected for jury duty.

In response to Senator Don Ashworth's question regarding how long an individual remains on the list of prospective jurors, Mr. Thornton explained once they have served on a jury for a period of a year, they are exempted the following year.

Senator Hernstadt stated he felt there should be more diligence shown in turning over the names of the people from the Department of Motor Vehicle list who had not changed addresses as

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required by law.

Mr. Dan Fitzpatrick, representing Clark County, stated Clark County principally uses a computerized list from the Department of Motor Vehicles and have not used the registered voter's list for over a year.

Senator Wagner asked Mr. Fitzpatrick what determined the change from using the registered voter list. Mr. Fitzpatrick said it was primarily for the very reasons that have been discussed. They felt it would be an encouragement for people to register to vote since they got many complaints. He stated he did not have any statistics on how many more people had registered to vote since they made the change but will check for Senator Wagner to see if there has been any increase in the past year.

Senator Raggio asked if Clark County is using only the Department of Motor Vehicle list, how they can deprive persons who do not have a driver's license from serving on juries. Mr. Fitzpatrick was asked to check with the jury commissioner in Clark County to provide further information for the committee.

Mr. Fitzpatrick stated the second part of the bill is the principal concern of Clark County. There would be a fiscal impact attached to S. B. No. 118 in Clark County of approximately \$386,000 for the increase in jury fees per year. They would need additional sources of revenue in order to pay the fees.

Senator Hernstadt asked Mr. Fitzpatrick to find out whether the fiscal note was for all jurors or whether civil jurors were included inadvertently.

Senator Raggio asked whether the fiscal note includes the possibility of two additional departments in Clark County. Mr. Fitzpatrick replied they had not even prepared the cost for additional judges. Their concern at the present time is the additional increase of \$386,000 and where they will be able to obtain the money. The jury fee increase would involve only several days' time of each person who serves on a jury, or in some instances, only a few hours time. He stated they are doing everything possible in Clark County to cut down the cost incurred for the selection of jurors. He stated they are averaging \$368,000 annually for the fee to jurors; however, increasing the fee would not only wipe out the savings they have made but would add to the cost. The money has to be spent

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out of the general fund.

Ms. Nancy Jennings of the State of Nevada Employees Association stated they are in support of S. B. No. 118. They want as many of their people to vote as they can possibly get and feel this legislation would encourage more people to register.

Senator Raggio asked Ms. Jennings what the state's policy is for employees who have been called for jury duty. Ms. Jennings replied they are paid their salary. Senator Raggio asked if she knew why state employees would not want to serve on juries if they know they are getting paid anyway. Ms. Jennings said there still are people who do not want to serve for various reasons. She stated she did not feel a lot of people are aware that their names are selected from lists other than the registered voter's list.

Senator Wagner stated she felt the Nevada Employees Association would have a good opportunity to educate their employees in terms of letting them know how jury lists are derived. Ms. Jennings stated she was not even aware of it.

Mr. Bob Shriver, Executive Director of Nevada Trial Lawyers Association, stated they do not agree with Sections 1 and 2 of S. B. No. 118. They feel the more fully developed the criteria for the selection of prospective jurors the better the system works. By narrowing that criteria, a responsible citizen of the state may be eliminated and they feel the scope should be widened. They feel the jury system is the fundamental means of justice in this country and one of the basic responsibilities of the citizens is the jury system and jury duty. They oppose Sections 1 and 2. He stated the Nevada Trial Lawyers Association does have available a film strip which outlines jury duty responsibility that they have made available to school districts. He suggested the possible use of the film strip for the AFL, Nevada Employees Association, etc.

Mr. Stan Jones, Northern Nevada Central Labor Council, stated they support S. B. No. 118. He said they conduct exhaustive voter registration campaigns throughout the year, and one of the reasons they hear constantly is that people do not care to register because they believe they are going to be called for jury duty. The council believes that the political process would best be served with a much larger base of registered voters if S. B. No. 118 were passed. Mr. Jones agreed with Chairman Close that many people who are called for jury duty

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and dismissed have to be replaced for the day.

Mr. Louis Dawson, representing the Communication Workers Local 9413 from Reno stated that last year he volunteered as a deputy registrar in Washoe County and participated as a deputy registrar until the completion of the general election in 1980. He stated he had to be a registered voter to be eligible to work as a deputy registrar. Mr. Dawson felt using the registered voter list may not be the best process but it is the most expedient right now.

Senator Wagner suggested that the Registrar of Voters and the deputies be better informed in their educational background in terms of registering voters, providing them basic information on how their names might be drawn for jury duty and advising them that it is not just from the registered voter list.

SENATE BILL NO. 190:

Alters population classification relating to impaneling grand juries.

Chairman Close asked if there was anyone present to testify on S. B. No. 190. No one came forward to testify.

SENATE BILL NO. 199:

Revises laws relating to consents for adoption and subsidized adoptions.

Ms. Mary Lee from the State Welfare Division explained that there were two purposes for the bill. First is to allow for the payment of attorney's fees and court costs for families adopting special needs children if the families cannot afford to pay the fees. By special needs children they mean children who are physically handicapped, children over age 9, children with serious behavior problems, children who are mentally retarded or sibling groups. She stated the other part of the bill deals with allowing the court to void a consent to a specific adoption if the court finds the specific placement is not suitable for the child. See Exhibit D attached hereto.

Ms. Lee stated the changes in Section 1, lines 4 through 12, were made by the Legislative Council Bureau.

In response to Chairman Close's question as to whether the

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attorney's fees and court costs have been budgeted, Ms. Lee explained that they have them included in their budget for subsidized adoptions. She stated they felt there would only be from one to three cases a year where they would be paying the attorney fees. What they usually do is try to find attorneys who will waive the fee. The amount they had budgeted was \$750.00.

Mr. Terrance Marren, Chief Deputy Attorney General, stated \$750.00 would be the maximum but it could be significantly less than that amount. He said he had never contacted an attorney and been refused on a request to waive the attorney's fee.. He stated the reason they requested the \$750.00 was mainly for the rural areas where an attorney should be compensated at least for his travel and lodging expenses if they are related. There are few private attorneys in the rural counties. This would enable the Welfare Division to bring someone else in. He stated there was no fee for filing a petition for adoption.

Concerning Section 2, Ms. Lee Stated a consent to adopt cannot be revoked. If the court finds a home is unsuitable and determines to either have the child removed from that home or not allow the placement in the home, there is no provision in the statute to revoke that consent if it has already been signed. What this legislation would do is allow the court to void a specific consent to adoption if they find that the prospective adoption home is unsuitable. The mother in this instance is consenting to the adoption by a specific person.

Mr. Marren stated there is an apparent conflict in the statute at this time. 127.080 (1) says that a consent or relinquishment for adoption is absolutely irrevocable; however, 127.285 (b) says if the court determines that the placement should be prohibited, the court may order the return of the child to the care and control of the natural parent or parents but if the parental right of the parent has been terminated by relinquishment or final order of the court, then he can give the child to the Welfare Division or a licensed child placement agency. In his opinion, it gives the court the discretion to do this now.

Senator Raggio agreed that the conflict could cause problems and if someone found the statute, they could conceivably litigate on it.

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Senator Ford said she did not feel proposed S. B. No. 199 addresses the conflict. Mr. Marren explained that it does in the sense that it only relates to the consent which is the only issue in the second statute, 127.285 (b). Relinquishments are already required to be handled by giving the child to Welfare for placement, so a parent who has given a child to a licensed child placing agency, if that adoption falls through, automatically the child comes back to that placing agency. The problems are in the private adoption context that the child would either come back to a placement agency or back to the natural parent.

Senator Ford asked if there should not be some irrevocable provision. Mr. Marren felt that would be a good addition. He stated 127.080 is the irrevocability provision and 127.285 (b) is the provision enabling the court to return a child to the parent in a consent situation.

Senator Ford asked if there was some sort of judicial process that comes into effect when the new language is added. Mr. Marren explained they are talking about the petition for adoption hearing and at that hearing, if the court concluded the petition should not be sustained at that time, an order would be entered to that effect and either commit the child to the parent or to the agency. S. B. No. 199 would further clarify that power of the court.

Chairman Close asked whether, in a specific consent for adoption, it would go through the Welfare Division. Ms. Lee said that it does. Frequently, they are notified with a specific consent to adoption that there is a prospective adoptive placement. They would then investigate and by statute, if their investigation finds that the home is unsuitable, they can file an injunction to prevent the placement. If the prospective adoptive parents want, they can have their day in court.

Mr. Marren stated they are required to receive notice on any proposed adoption, however, they very seldom are required to do a study on a situation where the child is within the third degree of consanguinity to the natural parents. He said they have not had problems with delays in the procedure. A petition to adopt may be filed any time after the child has been in the home one month and the decree can be entered after the child has been in the home six months.

Chairman Close requested Mr. Marren prepare some language for the committee on his recommended changes to the statutes on 127.080 and 127.285.

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Ms. Lee stated they would also like to add an amendment to S. B. No. 199. The purpose for it is that some hospitals have interpreted NRS 449.25 to mean that a hospital cannot release a child under the age of six months from a hospital to anyone other than the parent, guardian or relative without written authorization from the parent and once authorization is mailed to the Welfare Division, which is also required under that section, the hospital may release the child to the prospective adoptive parents. She felt this is in direct conflict with the requirements under NRS 127.280 and they feel it was the intent of the legislature originally that hospitals should be required to comply with NRS 127.280 also. That section prohibits the placement of a child in an adoptive home prior to notification and approval of the Welfare Division. Ms. Lee stated what hospitals have been doing is using a loophole around Chapter 127. To correct this, the first section, the word hospitals would be added to the definition of the person and that term is used throughout the last part of Chapter 127 which deals with specific adoptions. They would like the hospitals to be required to comply with those sections.

In reply to questions regarding the reason Welfare has to be notified, Mr. Marren stated in private adoptions the Nevada State Welfare Division is the sole independent investigating authority. They want to be able to check the background of the prospective adoptive parents, talk with the mother to make sure the consent was executed freely and voluntarily without duress. If the Welfare Division has been notified prior to adoption or the birth of the child, they have time to arrange the studies beforehand.

Senator Wagner asked how many cases apply to this situation. Ms. Lee replied there were approximately 58 independent adoptions last year. NRS 127.280 requires that the Welfare Department be notified prior to placement and in approximately 50 percent of the cases, they do receive notice. The cases they are concerned about are the ones where they do not receive notice.

Senator Close asked in situations where they are not notified where the mother agrees to sign a consent for adoption but does not notify the Welfare Division, the hospital then has the baby and someone other than the mother takes the child out of the hospital, in those situations, the Welfare Division wants to be notified by the hospital of that fact. If the mother takes the baby out of the hospital, there is no problem.

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Senator Keith Ashworth asked if there was a problem as a result of the hospital not notifying the Welfare Division. Mr. Marren replied it is not a big problem but it has happened about five times a year. When it does happen, it is frustrating because a consent is received in the mail to adoption done under Nevada law then the child, the adoptive parents or the parents cannot be found anywhere. Mr. Marren stated the whole purpose of Chapter 127 is to minimize risk to the child that is involved.

There being no further business, the meeting was adjourned at 10:55 a.m.

Respectfully submitted by:

Iris Parraguirre
Iris Parraguirre, Secretary

APPROVED BY:

Melvin D. Close

Senator Melvin D. Close, Chairman

DATED:

3-3-81

SENATE AGENDA

EXHIBIT A

COMMITTEE MEETINGS

Committee on JUDICIARY, Room 213.
Day Tuesday, Date February 24, Time 9:00 a.m.

S. B. 118--Prohibits use of list of registered voters for selection of jurors and increases fees for jurors.,

S. B. 190--Alters population classification relating to impaneling grand juries.

S. B. 199--Revises laws relating to consents for adoption and subsidized adoptions.

S. J. R. 20--Proposes constitutional amendment to provide for selection of supreme court justices by merit.

SENATE COMMITTEE ON JUDICIARY

EXHIBIT B

DATE: 2-24-81

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NAME ORGANIZATION & ADDRESS TELEPHONE

Claude Furnas AFL-CIO P.O. 2115 C.C. 882-7490

~~John Inghel~~ ~~AFL-CIO PO 2115 EC~~ ~~882-7490~~

Michael Jordan District Judge C.C. 882-1619

John Barnett District Judge Reno 785-4260

GWEN CHASE CARSON CITY CLERK 883-6444

TED THORNTON CC. CLERK-TEARS 882-1594

L. MARREN ATTY. GEN'S OFFICE 895-5735

J. MARTIN MINOR 8782-5582

Mary State Welfare Division C.C. 885-4771

Sandra M... public 882-8410

David Cook Law Clerk - (Mr) W. ... 785-4260

Bob SHRIVER NEV. TRIAL CHURCHES 883-3577

Mike Griffin DIST. Judge C.C. 882-1996

James Gardner Pro Family ... 430 ... Dr 883-7954

DON DENISON CAS VEGAS ... 1-386-3438

T. ... DMH/... 885-5743

Jean Bonar 865 LYMAN AVE 716-2532

K.A. TERRY 970 ... 223-4971

LOCAL GOVERNMENT FISCAL IMPACT
(Legislative Counsel Bureau Use Only)

Date February 23, 1981

The Administrative Office of the Courts has advised that this bill would have no financial effect on the state.

EFFECT ON COUNTIES:

Based on the information we have obtained to date, we estimate that the annual statewide jury cost under this bill would increase from approximately \$625,000 to \$1,280,000. Several counties were able to provide us specific figures on the annual increase as follows: Carson City - \$30,000, Clark - \$386,000, Elko - \$7,000, Humboldt - \$10,000 to \$15,000, Lincoln - \$5,000, and Washoe - \$140,000.

Those counties that currently rely on a list of registered voters to make jury selections could anticipate a one-time cost in the range of \$500 to \$1,000 to convert to another system. Ongoing costs would be minimal.

Signature E.A. Schow
Title Deputy Fiscal Analyst 492

CHAPTER 127

1. Currently there is no provision to nullify a consent to a specific adoption.

The bill allows for the court to nullify a consent to adoption.

2. Currently some children must remain in foster care because their prospective adoptive parents cannot afford the attorney's fees and court costs in the adoption proceeding.

The bill allows for payment of these fees if the adoptive parents cannot afford them and the family is eligible for an adoption subsidy. The payment of these costs are additions to what can already be paid as part of the adoption subsidy program. The subsidy program has been a large help in finding adoptive homes for special needs children who would otherwise have remained in foster care indefinitely.