MINUTES OF THE MEETING OF THE SENATE COMMITTEE ON JUDICIARY

SIXTY-FIRST SESSION NEVADA STATE LEGISLATURE March 27, 1981

The Senate Committee on Judiciary was called to order by Chairman Melvin D. Close at 8:05 a.m., Friday, March 27, 1981, in Room 213 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

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

STAFF MEMBERS PRESENT:

Iris B. Parraguirre, Committee Secretary

SENATE BILL NO. 425--Increases numbers of district judges in eighth judicial district.

Judge Charles Thompson, Eighth Judicial District Court, Department 1, Las Vegas, Nevada, stated they have some statistics they have compiled. See Exhibit C attached hereto. He stated that two years ago he was contacted by the committee informally and asked whether he felt additional judges were needed at that time. He replied that he was not sure at that point because they were lacking in statistics and information about the court and he was not sure they could justify them.

Judge Thompson stated they are now getting meaningful information from the Clerk's office and two things have become apparent during the past two years. The case load has increased substantially, and they are going to need some additional judges in the district.

Judge Thompson felt they could justify four additional judges in Clark County, and that is exactly what they are asking for. There are many measuring sticks by which judges perform their work and case load is demonstrated. In Clark County right now, each judge handles approximately 2500 cases per year. referred to the graph on page 2 of Exhibit C attached hereto, which also indicates the projected case load per judge for the next two years. The increases have been primarily in the civil area, not in the criminal case filings. The last three years have shown a tremendous increase in the total number of civil case filings, almost 10,000 cases in the last four years. Las Vegas has about twice the number of cases per judge per year as the national average. Reno has always been about 500 cases per judge less than Las Vegas and they have received an additional two judges.

Judge Thompson stated the number of case filings is only one statistic by which they measure the need for additional judges. They know from experience what the increase will be in future years. In their statistics they have not taken into consideration any impact that the MX would have in Clark County, nor have they taken into consideration the impact of property damage cases from the MGM fire. The personal injury cases will be handled in federal court, but the property damage cases and insurance construction problems will be filed in state district court. They have no idea how many cases that will be and it is impossible to estimate.

Senator Hernstadt stated two years ago the committee decided to give Clark County two additional judges but they could not come to any kind of agreement and Clark County strenuously objected. He asked Judge Thompson whether they have reached an agreement with Clark County for facilities for four additional judges. Judge Thompson replied that Clark County is vacating portions of the present courthouse and are expecting to have to make facilities available for new judges. He did not feel the space would be that much of a problem. Clark County sees the need for new judges but they will argue that it is expensive and they do not have the money budgeted. It is always a matter of priorities. Judge Thompson stated he could not put the judges on the top of the priority list two years ago but now they should be in that area and he feels the County will have to spend the money.

Judge Thompson stated the County will probably say that it is going to cost a half million dollars per judge per year as each judge is added; however, he disagrees with those figures.

He discussed the fiscal analysis which is attached hereto as Exhibit D. The bottom line would be approximately \$800,000 for the four additional judges. One of the disagreements he has with the county over the additional cost is the other support services beyond salaries, jury fees and so forth. The county will state that as judges are added, district attorneys will have to be added to try cases. He disagrees with that. The increase in case load is in civil cases, not criminal cases. They do not anticipate trying anymore criminal cases than they are right now.

Judge Thompson stated another measuring stick for determining the need for additional judges is how long it takes cases to get through the system. Criminal cases are fairly current and they intend to keep them current. Civil cases are getting farther and farther behind and it now takes seven months to get a contested divorce trial heard from the time they are requested. It takes approximately 12 months for jury cases and 11 months for non-jury cases. This is not from the time they are filed but is from the time the parties request a trial date. Las Vegas is starting to get serious, heavy litigation and that is why the additional judges are essential. Judge Mendoza is the juvenile judge and it is a full-time job. In 1980, there were 27,914 hearings by the juvenile judge and by the masters.

Senator Ford asked whether there were any alternatives to continuing to have so many civil cases go through the district court. Judge Thompson replied they have been using more alternatives than most people know about. See Exhibit E attached hereto. Many cases are handled by masters under the direction of the Chief Judge. They are using their courtrooms in the afternoons when they are available, trying to make full utilization of the courtrooms. Referees are being considered for use in some of the domestic matters; however, the supreme court has recently held that the judges have no right to simply assign domestic disputes to a referee or a master.

Senator Hernstadt asked whether they would need four additional courtrooms if four additional judges are appointed, since some of them have a one-month vacation period so one courtroom could be rotated. Judge Thompson stated they really do need the courtooms and they are used for other things. When judges are on vacation, they use them for visiting judges and for master's hearings.

David Russell, attorney with the law office of Guild, Hagen & Clark, stated he is appearing on behalf of Tony Clark, President of the Washoe County Bar Association. He indicated both the

Washoe County Bar Association and the Clark County Bar Association are in favor of <u>S. B. No. 425</u> and will support the passage of any bill which would increase the district judges in Clark County.

Senator Wagner asked whether both bar associations would be in favor of allowing masters if both parties agree to hear divorce matters and things like that. He felt the attorneys would generally support any mechanism which would expedite the trial time, as long as they were guaranteed they were not injuring their clients. He did not know how the bar associations would feel since they have done no studies on it.

William Maupin, Vice President of the Nevada Federation of Defense Counsel, a newly formed group of law firms in Las Vegas made up of the major law firms defending business people and the insurance industry in Las Vegas, stated they are in support of S. B. No. 425. He stated at this point there are 12 department in Las Vegas, and there are always four departments tied up with criminal litigation. There is one juvenile judge and two that are tied up as rotation judges in overlow criminal matters so that leaves four civil departments to deal with. The problem is that there is usually one major piece of litigation going on that ties up one courtroom and sometimes two for periods of months. It has been estimated that there may be two to three thousand property damage claims arising out of the MGM fire, which will create a tremendous burden on the court system.

Senator Keith Ashworth asked whether the bar association has given any thought to users fees of the courts in civil cases for people who use the courts to pay additional fees to help pay for the costs of running the courts.

Mr. Maupin stated no one to his knowledge has given any thought to that aspect. He personally felt there would be problems getting attorneys to agree to that kind of proposal because there are two sides to every litigation and the questions would be who would pay the fees. To restrict access to the courts in civil litigation to people who can buy the time would be a fundamental equal protection problem.

Mr. Maupin stated the judges have to spend a great deal of time hearing motions every morning and do not have time to review all the necessary information to hear the motions. Every case is important to the litigants that are involved in it but the judges do not have enough time to handle their case loads.

He stated the repeal of the no-fault insurance will have a great impact upon the court system. In their office alone, the new cases have been increased 50 to 60 percent as a result of the repeal.

Thomas Kummer, attorney with the law firm of Vargas & Bartlett and a member of the Nevada Federation of Defense Counsel, confirmed that one of the most important problems is the delay in getting a case to trial. There can be as many as 15 or 20 cases set in each department on the same date, which is called a stacked calendar. The only way the problem can be alleviated is to increase the number of judges in the Clark County area. Even with additional judges, criminal cases always take priority. With regard to paying additional fees to get a case to trial, Mr. Kummer stated the civil litigants are already paying a lot of the expenses by paying the jury fees, court reporting fees and a lot of the other costs that are incurred. The filing fee for filing the action is \$53 and the fee to respond is \$28.

Senator Keith Ashworth asked what happens to the filing fees.

Anna Peterson, District Court Administrator, explained that of the \$53 for civil filings, 51.8 goes to the county general fund, which would amount to \$27.50; 14.1 percent goes to help the law library or \$7.50; 28.3 percent goes to the state supposedly to help cover judges salaries or \$15 out of every filing fee; 5.6 percent goes to the county legal aid, or \$3, which totals the \$53.

Senator Keith Ashworth asked when the fees were raised last. Ms. Peterson stated she thought it was two years ago. Chairman Close asked what the total civil filing fee would be. Judge Thompson stated they would estimate \$300,000 a year would go to the state general fund.

Senator Keith Ashworth asked whether the filing fees support the County Clerk's office. Ms. Peterson stated additional funds are needed beyond that; however, the County Clerk has other functions besides the court system.

Vic Perry, attorney from the law firm of Cromer, Barker, Michaelson, Gillock & Rawlings, indicated their law firm is very much in support of S. B. No. 425. In his opinion, 2500 cases per judge per year is a great burden on any individual. He stated their law firm represents Clark County and the City of Las Vegas in a number of cases and if there were more judges, many of the lawsuits might be disposed of by way of motions.

Senator Keith Ashworth asked whether the filing fees could be increased for trials extending over a long period of time. He stated he agrees that additional judges may be needed but feels alternative methods have to be found to help pay for the additional expenses of the court system.

Mr. Perry stated he would not object to additional fees as long as it would not restrict the court system and access to the system to those individuals who have the ability to pay.

Mr. Patrick Pine, representing Clark County, stated the fees paid in civil practice do not come close to covering the cost incurred by local governments in those processes. Clark County's position is that regardless of the case load projections, work load projections or any testimony that has been given, S. B. 425 has a dramatic fiscal impact. He discussed the fiscal analysis of the bill, which is attached hereto as Exhibit F. He stated it is difficult to estimate the cost and impacts of additional district courts. If the rate of growth in the court system exceeds the rate of growth allowed through taxation or local government financing, more money has to be put into the court system at the expense of some other service that is being provided. Mr. Pine stated there are a number of other difficulties in evaluating both the work load and the fiscal impact of additional district courts. it is assumed that any new courts would handle both civil and criminal cases, different conclusions and implications will be drawn than if it is assumed the new courts will handle either criminal cases only or civil cases only. In criminal matters, the additional burden on the county clerk, the district attorney and public defender has to be considered. They disagree with any implication that additional courts can be placed without significant capital costs. They will pay for additional space in one of two ways. Either the costs will be incurred directly against the district court budget as remodeling is done or new space is obtained or the costs may be incurred somewhere else in the county budget, which would not show up against the district court budget. If to make room or to relocate certain courts or to fit them into the courthouse other offices have to be relocated somewhere else, the cost of remodeling and moving the other agency would be cost borne by the other agency but would be a cost created by the need to expand the district He stated they did acquire additional office court system. space to absorb all the various offices that are on lease space; however, even with that additional space, they will not be able to accommodate all of the county operations and will have to continue to lease space.

Mr. Pine stated the present courthouse needs some work but it is a difficult facility to get into to get the work done because it is such a heavily used facility. It is very expensive to build a courtroom and they have estimates from architects involved who are quoting \$70 per square foot for remodeling.

Senator Raggio asked Judge Thompson if they had any figures for new courtrooms. Ms. Peterson stated for the last two courtrooms they divided an old commissioner's room and it cost the county about \$25,000 for each courtroom. The estimate the county is using is not taking into consideration any county labor whatsoever. They were using county labor and county maintenance and were hopeful the same county people could be used again. (See Exhibit D attached hereto.)

Mr. Pine stated he had reduced the costs from some of the estimates he had received but the renovation, remodeling and acquiring furnishings has been quoted to them as \$70 per square foot for courtroom-type space and approximately \$50 for office-type space if new offices were needed for other agencies. They also disagree with any implication that they can add additional courts without placing a burden on a number of other county agencies.

Senator Raggio asked how many deputies are in the District Attorney's office now. Mr. Curran replied there are 55 in the criminal and civil departments. Mr. Pine stated he has been advised they will require additional staff if the new courts are established. Some consideration has to be given to how the county is going to accommodate additional costs and additional growth in the justice system. The impact in the first year for all four courts being added would be close to a five million dollar total cost. The second year after capital costs have been taken care of the cost would be approximately two and one-half million for four courts. Mr. Pine asked the committee that before they act on S. B. 425 they look at a number of different alternatives that impact the entire system. fees have to be considered, ways to reduce the case load should be investigated and ways to help out the entire court system should be considered without simply adding more courts.

Senator Wagner asked what other states have done to alleviate some of the work load that judges have.

Judge Thompson replied there has been disagreement between the judges for many years over whether divorce matters and smaller civil litigation should be handled by other than elected officials through the use of a constitutional amendment authorizing that. He stated he has always favored people other than judges handling

matters that it does not take a judge to decide, such as certain kinds of accounting matters. He saw no reason why a lay person or a lawyer could not do just as good a job deciding that kind of a dispute as an elected judge could. He stated he favored Senator Wagner's constitutional amendment regarding that practice; however, it would take five years and approval of the people so it would not solve the problem now. They are deviating around the constitution already to a certain extent in the use of masters for URESA matters, paternity matters and so forth.

Senator Wagner stated the constitutional amendment she proposed was actually based on the Arizona law which makes provisions for both court commissioners and judges pro tem.

Judge Thompson stated the California bill has been used more extensively and is being used well. He hopes to see that same concept in Nevada 10 or 15 years from now but thinks it will take that long before it would have an affect.

Bill Curran, attorney from the Clark County District Attorney's Office, stated their office certainly endorses S. B. No. 425 and feel it is extremely imperative they do have the additional judges for the sake of justice in Clark County. Their office and the Public Defender's office have analyzed what the fiscal impact would be and feel it would have minimal or no impact whatever. They would not have to add another employee, and changing the number of judges would not change the number of attorneys they would need.

Ms. Anna Peterson stated the major difference has been shown that the court's need is in the civil matters. She explained that when Mr. Pine quoted five million dollars, he was giving a track setup for each judge and the courts are saying they do not need a track at all. She explained a track is a team from the district attorney's office and the public defender who follow a case from justice court so that the judges from justice court feed in on a track to district court. The case has the same attorneys from its inception until concluded. It helps in that the cases move more quickly or are disregarded if they are not worthy of going to district court. The figure of \$200,000 is for district court costs per judge. She stated the figures presented by the county were entirely different from the figures she recently received. Their stand is additional judges can be added without affecting the money in the other departments.

With regard to Senator Hernstadt's question regarding whether all of the judges were pulling their own weight, Ms. Peterson referred the committee again to the statistics which have been presented. (See Exhibit C attached hereto.)

<u>SENATE BILL NO. 272--Permits imposition of fine where imprisonment is suspended for certain first offenders possessing controlled substances.</u>

Judge Thompson stated there has been a statute relating to drug offences which allowed a court to place an individual on probation without adjudication after he had agreed to plead guilty to an offence without accepting the plea and adjudging the defendant guilty. The court placed the individual on probation and the probation department supervised him and if he made his probation, the case was then dismissed. They call that "subsection 6 treatment." The judges have used it frequently in the lesser narcotics cases and particularly for young, first offenders. He has no quarrel with it and none of the judges do. felt, however, that it was important if they were going to let someone get away with having his case dismissed and no jail time, no prison time, not even a felony conviction, he at least should have to pay a fine commensurate with the type of offense. have wanted for a long time to fine someone but because of the mechanics, the person was never adjudged guilty so could not be They would not want to put him in jail but feel they should have a right to fine him. When he discussed the matter with Mr. Daykin, he was advised they should not be putting someone on probation who had never been convicted of a crime. Mr. Daykin suggesting rewriting the law whereby a person actually is convicted of an offense and is fined but the case remains sealed. At the conclusion of the case, if he makes his probation the case is dismissed or a way is found of expunging it. S. B. No. 272 corrects a problem they have had all along by rewording the whole thing and adding the provision for imposing fines. The law would apply primarily to cases of possession of marijuana.

Senator Don Ashworth moved that the minutes of the meeting of March 18, 1981 be approved.

Respectfully busmitted by:

Senator Ford seconded the motion.

The motion carried unanimously.

APPROVED BY:

Senator Melvin D. Close, Jr., Chairman

DATED: 4-2-8/

EXHIBIT A

SENATE AGENDA

COMMITTEE MEETINGS

Committee	on	JUDICIARY		· · · · · · · · · · · · · · · · · · ·	Room	213
Day _	Friday		Date	March 27	Time	8:00 a.m.

S. B. No. 425--Increases numbers of district judges in eighth judicial district.

COMM FEE MEETINGS

SENATE	COMMITTEE	ON	JUDICIARY	EXHIBIT E
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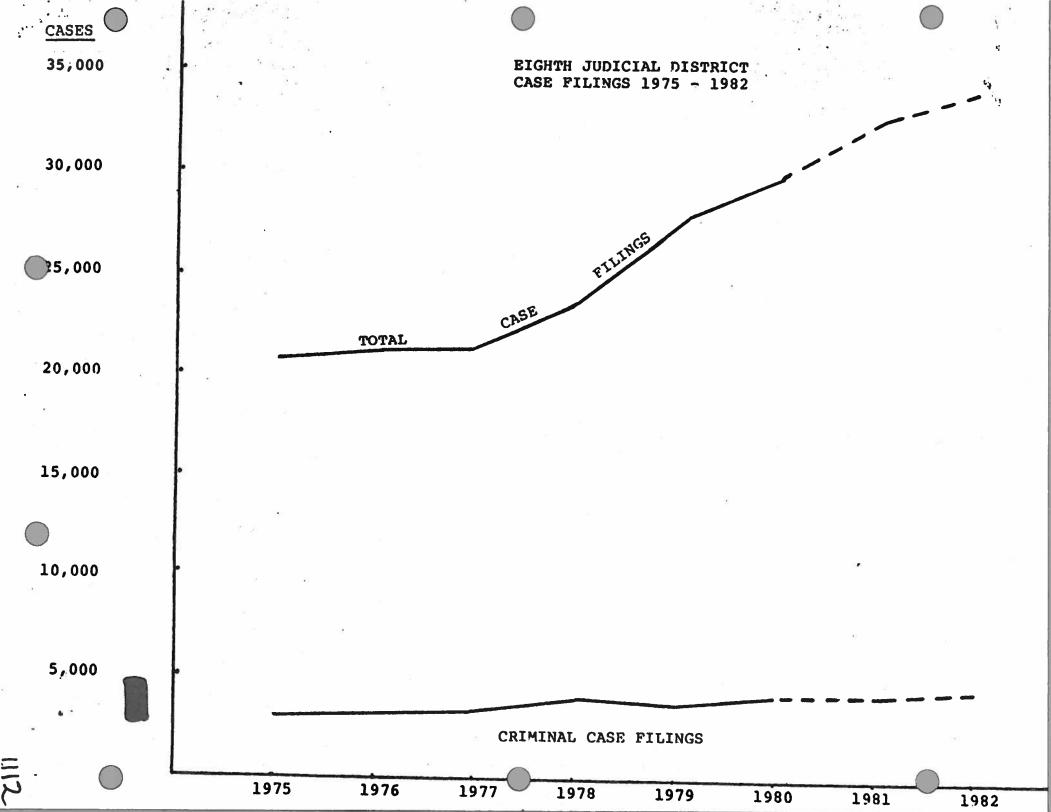
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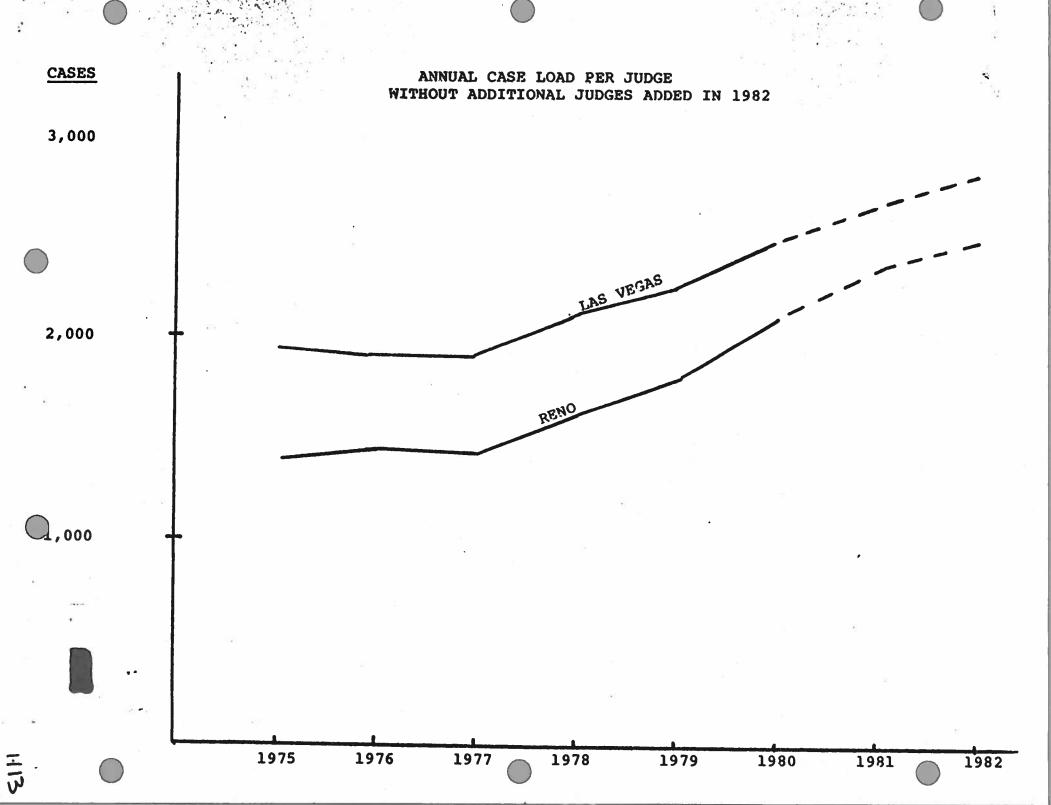
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NAME	ORGANIZATION & ADDRESS	TELEPHONE
Jana Peterson	Destrict Court 200 E Canson Las Vegas New.	386-4218
Bill Sunseath	Public Selender Remo	185 4333
VIC PERRY	CROMER, BARKER, Michaelson, Gillock &	323-100/
PHOMAS F. KUMMB		585-4700
A. William Manpin	Thorndal, Backus, Lyks and Maugin Ltd	382-9760
C. Davio Pursal	Gaild, Hagen & Clark LTD	201366
BOL SHRIVER	NEV. TRIAL LAWGERS ASSN.	883.3577
Spice R. Filepatric	& Clark Co	883-557
PATRICK PINE	CHRK COWSTY	883-5575
1/1:4 Re11 Lana		885-4190
Bill Curran	Clark County D. A. office	386-4765
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SUMMARY

CASE FILINGS - EIGHTH JUDICIAL DISTRICT

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	1975	1976	1977	1978	1979	1980
CRIMINAL CASES FILED	3,140	3,255	3,477	4,069	3,844	4,383
CIVIL CASES FILED	6,273	6,436	6,920	6,965	7,822	8,420
DIVORCE CASES FILED	. 6,638	6,582	6,097	7,502	8,308	9,445
OTHER CASES FILED	4,626	4,740	4,724	5,037	7,266	7,660
TOTAL CASE FILINGS	20,677	21,013	21,218	23,573	27,300	29,908
ANNUAL CASE LOAD PER JUI	OGE					E.
1. Las Vegas Judges	1,962	1,910	1,928	2,143	2,275	2,492
2. Reno Judges	1,408	1,469	1,435	1.624	1.812	2 110





ANNUAL CASE LOAD PER JUDGE 4 JUDGES ADDED IN CLARK COUNTY (1982) 2 JUDGES ADDED IN WASHOF COUNTY (1982) **CASES** 3,000 LAS VEGAS 2,000 7,000 1976 1977 1978 1979 1982

1980	MAL	PEB	MAR	APR	MAY	JUNE	JUI.Y	AUG	SEPT	OCT	NOV	DEC	TOTAL
CIVIL	742	689	646	753	760	744	703	739	_699	_730	573	652	8420
CRIHINAL :	374	340	251	399	_149	357	_411	_336	_368	_415	ىدد	350	4383
DOMESTIC	880	775	851	965	917	924	1042	992	1014	_914	752	762	10808
ADOPTIONS	_28	27	بف			22	42	ىد	32	دد	_23_	_32	385
ANHULMENTS	عنا			15	15	و		5		6	5.		9.8
BIRTH CERTIFICATIONS			a		a		a	0	مـــــــ				
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CHILD CUSTODY	6	-;4		2	3	5	5	6	5	5	6_		58
DIVORCES	213.	دهق	بدد	825	802	_:B24	ARA	_858	_882	833	-698	-666	9445
FOREIGN JUDGHENTS				ندنا	نـــٰـــ	2	1	4	2	ı			29
NAME CHANGES	16.		هد	_12	28	20	29	18	20	16		12_	233
PARENTAL RIGHTS	عد		عد_		23	22	30	11	32	29	19.	20_	285
PATERNITY SUITS			ய	15	هنـــ	В	20	22	17	16		6_	148
PERHISSION TO HARRY	ــــــــــــــــــــــــــــــــــــــ		خ			10	12	8	6	3	11-	_2	94
SEPARATE MAINTENANCE		4			2		6		5	6			44
GUARDIANSHIPS	_22	_24_		27	24	24	16	27	24	16	26_	11	259
JUVENILES	.193	بدت	1112	_150	_190	_167	وتد	_127	118	186	-152	_126_	1921
MENTALS	_60	63_	_33	_52	ىد	1	88	46	54	48	_32	_56.	568
PROBATES	_58	_66	_63	76	68	_71	69	ىت	52	54	_42	_69_	764
URA	280	280	180	259	232	160	_173	_ 139	218	402	_161	222	2805
TOTAL	2626	2366	2339	365L	2593	2480	2606	2469	2552	2765	208	2298	29908
DIVORCE DECREES	648	689	725	308	918	781	866	815	831	846	654	750	8831
MARRIAGE LICENSES ISSUED	3729	4562	4838	4597	5307	5028	5048	5444	4236	4563	4890	4905	57147

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/AUOPTIONS	35	25	25	32	42	24	36	39	29	31	25	28	371
, ANNULHENTS	1	0	12	9	· 5	5	9		9	9	_10:	12	92
BIRTH CERTIFICATIONS	0	0	. 0	0	0	0	0	0		0		0	0
CIVILS	660	643	748	699	784	699	607	700	590	602	577	573	7882
CIVIL WRITS	1	1	5	4		1	3	1	0	4	2	1	39
CRIMINĀLS	340	319	310	328	322	331	254	339	311	37.3	314	303	3844
bivorces	664	639	703	. 681	779	711	720	763	655	789	663	541	8308.
CUÁRDIANSHIPS	12	20	22	12	25	21	28	23	19	17	11	12	222
JUVENILES	158	171	204	203	188	164	152	207	140	202	_141	108	_2045
IJENTALS	53	26	42	37	54	54	45	50	38_	48	_11	49	
HANE CHANGES	17	21	17	13	16	15	21	25	18	19_	20	12_	214
/ PARENTAL RIGHTS	29	31	22	26	29	14	15	24		22		30	<u> 308</u>
PATERNITY	7	11	13	15	15	2	0	17	20	3	12	. 8	123
PERHISSION TO HARRY	. 6	8	13	12	8	13	9	10	. 8	15	19		128
PROBATES .	7,1	26	73	56	61	47	62	57	63	61	56	56	689
SEPÄRÄTE HÄINTENÄNCE	3	. 5	5	4	3	2	4	3	4	3	3	9	48
·URA	139	176	219	241	338	234	226	169	116	174	181	250	2463
TOTAL	2196	2122	2433	2372	2676	2337	2198	2438	2053	2372	2104	1999	27300 4
DIVORCE DECREES	525	533	572	617	707	655	627	695	591	731	710	625	7588
MARRIACE LICENSES 185UED	3819	4315	5022	4919	4276	5221	4863	5150	4768	4339	4963	5297	56957
HARRIÁGES PERFORHED	1866	1218	142	1337	1159	1384	1015	1113	1063	1025	1177	1330	15114

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CIVIL ACTIONS			HVII	APR	- hay_		निर्मार	VIIO	BEPT	1001	Hö'A"	DEC_	ATOLA	ł
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DIVORCES	614	536	734	616	644	707	581	204	634	598	646	_RRT_	.2502	1
APOLT 1 OHS	29	25	30	33	37	38	35	41	21	25	10	a	385	l
LYBRULYI' BIOBLR	22	13	28	26	22	23	21_	17	28	21	21	7	2.5.3	l
CHANGE OF HAHR	12	15	19	17	30	18	14	14	13	7	9	14	183	l
CUARDIANSUIT8	0	7	20	6	8	24	9	14	. 3	9	7	10	117	
PERHISSIONS TO HARRY		6	_نــــــــــــــــــــــــــــــــــــ	_ 5	12	12	20	4	17	10	8	9	126	l
CRIMINAL.	334	328	367	310	365	397	361	353	262	281	372	-339 -	4069-	١
PROBATES	76	61	62	67	56	77	65_	78	_63	6.5	51	52	223.	
HEHTALS	_26_	_22_		_15_	_1_	15	14	41	21	17	35		291	
INARUCER	168	120	174	174	173	172	126	.143_	154	142	199	163	1908	
RECIPROCAL.	230	168	323	1.12	<u>87</u>	_106_	201	_101_	373	216	64	_64.	2065	
CIVIL HRITS	2_					0	5	1	3_	7	6		11	
SEPARATE HAINTENANCE	<u>a</u>	0	0_	7	2	5	4	3	. 2	9	3	2	22	£
AHHULHEHTB	0_		0_		10-	_21_	_11		14	12	9		102	
TOTAL.	1977	1796	. 2472	1968	.2121	2244	2008	2168	2148			1756	.24.808	١.
DIAOUCE DECURES	501	467	630	569	666	666	588	648	596	623	638	488	7080	
HVRHIVER FICENSES ISABED	3618	4077	4211	4680	4702	5128	5272	4852	6.204.	4301	4853		56010	
MANRIAGES PERFORMED	1022	1077	1123	1254	1296	1344	1438	1271	1284	1130		1660	(0)	

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•	CASES FILED	Jan.	FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.	OCT.	. Nov.	DEC.	TOTAL
)	CIVIL ACTIONS	578	518	657	496	566	747	493	621	541	539	583	581	6,920
	DIVORCES	558	499	644	594	573	726	615	630	564	538	576	463	6,980
	CRININAL .	262	204	320	284	311	295	254	308	334	314	307	284	3,477
1	ZHOITICAL	32	21	. 37	. 29	- 44	40	34	31	38	33	25	24	388
(0)	JUVENILE	177	134	199	139	112	150	97	115	127	97	114	143	1,604
1.	MI & INEBRIATES	22	18	30	18	19	16	19	10	12	7	17	16	204
	RECIPROCAL	178	. 198	110	217	- 71	238	133	167 .	199	93	205	243	2,052
	PROBATE HTSCECLANEOUS FILINGS	67	78	80	82	62	64	82	68	93	. 51	69	68	864
ر در یا	(Chg. of Name, Parental rights, Compromise claim)	49	, 50	64	· 66°	55	74	. 54	61	60	45	48	34	660
**	TOTAL	1,923	1,720	2,191	1,925	1,813	2,350	1,781	2,011	1,968	1,717	1,944	1,856	23,149
	DIVORCE DECREES	437	. 433	552	510	513	576	512	574	524.	485	489	492	6,097
1	HARRIAGE LICENSES ISSUED	3,431	3,707	4,053	4,593	4,425	4,551	4,989	4,402	4,349	4,254	4,509	5,154	52,415
(*)	HARRIAGES CEREMONIES PERFORMED	1,11 0	1,128	1,256	831	1,379	1,369	1,417	1,275	1,270	1,273	1,319	==	15,145

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CASESCHILED	JAN,	FEB.	MARCH	APRIL	MAY	June	JULY	AUGUST	.SEPT,	OCT.	NOV.	DEC.	TO
CASESCANOLED POR CIVIL ACTIONS	542	497	627	510	545	594	593	568	. 555	484	480	483	6,
DIVORCES	523	493	603	570 ·	590	. 593	565	598	581	517	495	454	6,
CRININAL	245	228	338	347	284	316	131	220	269	270	255	292	3,
ע. Adoptions	21	22	47	35	24	24	38	17	24	30	22	33	i
Juvenile	170	129	294	162	119	117	141.	118	170	125	177	135	1,
HI & INEBRIATES	14	22	21	27	27	36	30	19	22	20	54	25	
RECIPROCAL	184	124	149	211	68	176	190	160	. 74	187	177	138	1,
PROBATE	74	61	69	75	60	.53	74	56	70	. 77	511	. 60	
HISCELLANEOUS FILINGS (Thg. of Name, Parenta) Hights, Compromise claim)	: 38· -	40	. 39	43	35	49	64	5.0	. 50	42	45	իկ	
TOTAL	.1,811	1,616	2,097	1,988	1,752	1,958	1,036	1,814	1,815	1 752	1,694	1,664	21,3
DIVORCE DECREES	458	405	566	496	460	.542	463	512	533 •	503	471	465	5,0
HARWIAGE LICENSES ISSUED	3,450	3,664	3,354	4,108	4,208	4,300	4,514	4,285	4,029	4,118	3,766	4,567	48,0
MARRIAGES CEREMONIES PERFORMED	1,145	1,137	1,070	1,170	1,292	1,254	1,380	1,312	1,217	1,212	1,199	j ern	

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CASES FILED	JAN.	FEB.	MARCH	APRIL	MAY	June	JULY	AUGUST	SEPT.	OCT.	NOV.	DEC:	TOT
CIVIL ACTIONS	602	\$36	SSO	545	508	485	525	534	499	501	472	51C	6,27
DIVORCES	557	419	524	593	578	657	665	590	560	561	472	462	6,63
CRIMINAL .	191	218	206	225	238	259	263	330	323	397	256	324	3,14
SKOTTIONS .	· 28	26	.27	30	. 29	46	31	33	41	26	22	33	37
IUVEHI LE	150	153	159	156	129	136	108	112	-123	175	135	141	1,8
41 & INEBRIATES	. 41	35	25	28	28.	39	26	23	. 30	17	22	26	31
RECIPROCAL	181	179	162	186	80	99	130	103	115	203	261	160	1,8
PROBATE	80	69	63	59	67	63	67	70	57	. 59	. 49	46	.,
HISCELLANEOUS FILINGS. (Chg. of Name, Parental rights/ Compromise claim)	.29	. 32	75	78	73	87	46	53	40	32	36	40	6
rotal .	1,859	1,667	1,790	1,900	1,730	1,871	1,861	1,848	1,788	1,881	1,725	1,758	21,6
DIVORCE DECREES	485	. 363	467	496	529	516	537	558	487	. 464	396	453	5,7
ARRIAGE LICENSES ISSUED	3,314	3,582	4,122	4,123	4,557	4,583	4,108	4,884	3,788	3,801	4,139	1 ,340	49,3

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annular Tour Company and the second decomposition of the second s	CIVIL	HISC	DIVORCE .	CRIMINAL	PROBATE	GUARD		
L CASES ASSIGNED	13659	1030	3914	\$0 6 8	2552	1278	Transference of the state of th	
CASES	0665	0085	0678	0331	125	011		
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	NOTE TO TRIAL	DOCKET		* ************			The state of the s	10 Mar 10
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TOTAL NOTES SET JURY NON-JURY	319 538	000	002 119					
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TOTAL CASES ASSIGNED	1227	0044	0178	0135	0005	oonj			* ************************************	* ** ***
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TOTALS					2.69			,		
JURY NON-JURY MISC & DIY	034 036 030					***************************************		de serviciones se deserviciones de casas		4 () 2 ()
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TOTALS							************		
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NEW CASES	0061	0006	0041		000	000			
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NEW CASES		0054		0004	0035	0034	000	000				
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¥	UDGE HENDOZA CIVIL	HISC	DIVORCE .	DECEMBER 1 CRIMINAL	PROBATE	GUARD	
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	UDGE BABCOCK	DEPT"	DIVORCE *	CRIHINAL	PROBATE	GUARD			To the
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	CIVIL NOGE NEWVELL	DEPŢ VI	OLVORCE .	CRIHINAL	PROBATE	GUARD		•
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	JUDGE LEGAKE	S DEPT	XII	DECEMBER 1	980	entre e publicação do cuita de la puese e e e e e e e e e e e e e e e e e e	THE PERSON NAMED IN COLUMN	\$ £
	CIVIL	HISC	DIVORCE .	CRIHINAL	PROBATE	GUARD		
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1980 Bighth Judicial District Court

				DE	PARTMEN	TS .								
	1	2	3	4	5	6	7	8 .	9	10	11	12	****	Total
Criminal Cases								S						Pilings
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	4,000
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	330
Ending Inventory	••	-	· -	-	**	-	-	-	-	-	-	-	178	
Juvenile Petitions Filed					1,921*								-	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	20,020
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	# 2	692	703	693	690	703	677	694	843	8,434
Disposed of in 1980	542	59 9	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	-	-	-	-	-	_	-	-	_	-	_	<u>.</u>	764	764
Guardianships	-	_	-	-	-		_	-	-	-	-	'	259	259
Mental Commitment Proceedings	-	-	= -	-	-	-	-	-	-	-	-	-	548	548
Support Case Pilings	-	-	-	=	-	-	-	-	-	-	-	-	2,805	2,805
Total Pilings	_	-	-	-	-	-	-	-	-	-	-	-		29,943

* 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 quardianship 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.

C C9U9U4U6 CLARK COUNTA PRACTICE CONTRACT RUN DATE 41/01/81 PAGE 1 MONTH OF DEC *** COURT HEARING SUMMARY *** CLUMI & COUNT HE AR ING ITPE C UE! HAG C 70 2416 C DET HING REV CURR Y-7-D1 59 49- 63 49- 47 60- 100 39: 107 7: 64 12: 75 4- 95 22: 105 33: 125 44: 106 29: 127 119: 1073 2: LASI Y-1-D1 115 124 117 72 100 57 80 78 79 87 82 58 1049 REVUC HRG LUNA Y-1-D1 2 10- 10 25: 10 23- 8 60: 5 72- 5 38- 12 71: 7 75: 20 300: 21 163: 11 120: 11 38: 126 21: LASI Y-1-D1 9 8 13 5 18 8 7 C O DIV HRG MEF CURR Y-1-D: 50 260 59 280 78 340 65 70 41 280 55 18- 30 24- 31 550 25 36- 31 690 59 180 33 1090 653 200 LASI Y-1-D: 46 46 58 61 32 67 50 20 39 42 50 35 546 C CURR V-1-01 19 44- 33 210 24 11- 45 360 36 800 39 500 32 190 30 250 0 LASI V-1-01 34 26 26 27 33 44 691 9 10- 2 92- 313 10 C CURR Y-1-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+ 1615 10+ 1451 Y-1-D1 142 88 121 120 164 108 140 145 135 123 130 102 1518 PC HAG MEY CURR Y-1-D1 106 4+ 160 72+ 134 20- 110 10- 109 13- 135 7+ 94 10- 99 26- 91 43- 118 2- 126 26- 48 31- 1310 12-93 167 122 125 126 105 134 159 120 171 128 1550 LASI Y-1-01 100 CHINS HING CURR Y-1-D1 64 2- 29 29- 34 10: 29 34- 42 147: 41 18: 38 17- 41 7-41 31 46 47 16 21 31 13 35-

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EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY COURTHOUSE LAS VEGAS, NEVADA 89101

COURT ADMINISTRATION

702/386-4011, Ext. 4278

Anticipated cost breakdown by Department for FY 80/81 is as follows:

Supplies	\$ 1,043
Services	91,186
Jury Fees	30,160
Total per Dept.	\$122,389

If a new judge were added, the current supplies, services and jury fees should stay approximately the same. The additional expenses per department would be:

Personnel Capitol/Furnishings	\$ 70,491 (on going) 10,000 (one time)
Total	\$ 80.491

Total additional funding for one new judge would be \$202,880. Four judges would be \$811,520.

Factors to Consider:

If the new judges heard civil matters only, portions of the services account, such as court-appointed attorneys, psychiatrists and court reporters, would not be an expense, and the figure could realistically be reduced by approximately \$70,000 per new judge. Also, to be considered as revenue would be additional filing fees which would go into the general fund. Jury fees would also be reduced, but not considerably, as civil juror fees are only paid by private counsel when they are seated. Major expenses would be personnel, which will be on going, and capitol office furnishings, which are one-time expenses.

Factors not considered in these figures are capitol, office spaces and court rooms. These figures will be presented by a representative from the County Manager's office.

	1980	
Bighth	Judicial District	Court

EXIIIBIT E

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DEPARTMENTS														
	1	2	3	4	5	6	'	8	9	10	11.	12	****	Total Filings
Priminal Cases Beginning Inventory Filed in 1980 Disposed of in 1980 Ending Inventory	147 408 469 86	165 356 367 154	176 397 416 133	175 429 520 84	**	42 399 381 · 60	155 387 456 86	195 429 469 157	27 27 22 32	***	110 383 374 128	***	320 841 605 597	4,066
Criminal Appeals Beginning Inventory Piled in 1980 Disposed of in 1980 Ending Inventory	-	-	-	-	**	-	-	-	- - -	- - -	-	-	106 330 258 178	330
Juvenile Petitions Piled					1,921*			20.27					-	1,921
Pomestic Cases Piled in 1980 Judgments or Decrees Entered	618 1,041	605 977	628 1,102	518 912	84 149	605 1,051	611	571 980	529 923	523 906	500 865	494 786	4,527 704	10,816
Civil Cases Beginning Inventory Filed in 1980 Disposed of in 1980 Ending Inventory	974 691 542 1,123	941 670 599 1,012	834 689 556 967	999 687 441 1,245	**	1,120 692 455 1,357	1,067 703 471 1,299	936 693 471 1,158	1,095 690 442 1,343	1,179 703 472 1,410	1,099 677 416 1,360	1,015 694 441 1,268	70 843 1,342 117	8,434
Probate and Administration Guardianships Mental Commitment Proceedings Support Case Pilings	-	- - -	-	-	-	= .	-	-	- - - -	-	- 9 - -	-,	764 259 548 2,805	764 259 548 2,805
Total Filings	-	-	-	-	-	-	-	-	-	- "	-	-	45	29,943

^{*} 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.

CLARK COUNTY FISCAL ANALYSIS OF SB 425 "ADDITIONAL DISTRICT COURTS" SENATE JUDICIARY COMMITTEE

FRIDAY, MARCH 27, 1981

The following data has been furnished to estimate the various potential fiscal impacts of SB 425 on Clark County.

A. Estimated Costs Per District Court If Additional Court Handles Criminal Cases Only:

	Year 1	Year 2
Salaries & Wages	\$ 88,230	\$ 97,053
Rent & Utilities	69,000	69,000
Services & Supplies	17,975	19,773
Remodeling & Capital	350,000	1,000
Total	\$525,205	\$186,826

If all four courts were solely devoted to criminal cases, the estimated fiscal impact would be approximately \$2.1 million in Year 1 and approximately \$750,000 in Year 2.

B. Estimated Costs Per District Court If Additional Court Handles Civil Cases Only:

	Year 1	Year 2
Salaries & Wages Rent & Utilities Services & Supplies Remodeling & Capital	\$158,092 69,000 17,975 350,000	\$173,720 (includes addi- 69,000 tional costs for 19,773 County Clerk) 1,000
Total	\$595,067	\$ <u>263,493</u>

If all four courts were solely devoted to civil cases, the estimated fiscal impact would be approximately \$2.4 million in Year 1 and approximately \$1.05 million in Year 2.

- C. Potential Additional Costs Associated With Supporting New District Courts
 - For each 2 District Courts which handle criminal caseloads, it is presumed that an additional Justice Court is necessary to process arraignments.
 - 2. Since Clark County has a "Track and Team" program, for each criminal case there are support personnel teams from the District Attorney's Office and the Public Defender's Office assigned for each two District Courts.
 - 3. The summary of additional support service costs necessary for each two District Courts is displayed on the following page.

Estimated Additional Support Costs Per Two District Courts Year 1

	Justice Court	Public Defender	District Attorney	Total
Salaries & Wages	\$127,059	\$193,203	\$354,091	\$ 674,353
Rent & Utilities	69,000	7,350	28,350	104,700
Services: & Supplies	13,863	15,048	26,572	55,483
Remodeling & Capital	275,000	73,500	141,750	490,250
Total	\$484,922	\$289,101	\$550,763	\$ <u>1,324,786</u>

Estimated Additional Support Costs Per Two District Courts Year 2

Salaries & Wages Rent & Utilities Services & Supplies Remodeling & Capital	Justice Court \$139,764 69,000 15,249 1,000	Public Defender \$212,523 7,350 16,553 1,000	Attorney \$389,500 28,350 29,229 1,000	Total \$741,787 104,700 61,031 3,000
Total	\$225,013	\$237,426	\$448,079	\$ <u>910,518</u>

Estimated Additional Support Costs Per Two District Courts or Four District Courts Years 1 and 2

	If 2 Courts	If 4 Courts
Year 1	\$1,324,786	\$2,649,572
Year 2	\$ 910,518	\$1,821,036

D. Summary of Estimated Fiscal Impacts:

	Year 1	Year 2
Direct Costs Support Costs	\$2.1 M or \$2.4 M \$2.65 M	\$750,000 or \$1.05 M \$1.82 M
Total	\$4.75 M to \$5.05 M	\$2.57 M to \$2.87 M

Note: The above estimates are based on current dollar (1980-81) values with 10% inflation for Year 2. If the courts are initiated in 1982, the cost estimates above should be further inflated.

E. Equivalent Property Tax Rate Necessary to Fund Four District Courts:

In 1981-82 tentative budget, each 1 cent of property tax generates approximately \$400,000 in revenue, therefore, an equivalent countywide tax rate to fund four new courts is approximately 12.5 cents.

A TAX RATE OF 12 CENTS OR MORE IN CLARK COUNTY IS NEEDED TO FUND FOUR NEW COURTS

Analysis of Budgeted, Estimated and Actual Direct District Court Expenditures

	1979-80 Actual	1980-81 Estimate	1981-82 Budget (w/12 Depts.)
Total	\$2,951,254	\$3,015,552	\$2,921,597
Per Dept.	245,938	251,296	243,466

Our estimate of direct cost ranges from \$186,826 to \$263,493 per department. Our estimate is conservative.

Bill Curran, testified as follows:

I will be very brief. First, say that on behalf of our office we certainly endorse the bill and feel it is extremely imperative that we have these additional judges for the sake of justice in Clark County. Next, then, on behalf of our office and Morgan Harris in the public defender's office in Clark County, our offices have analyzed what the fiscal impact would be to our particular office and as the judges are presently conceived the utilization of the four new judges we feel would have minimal or no impact whatever fiscally on our office. We wouldn't have to add another employee because under the team and track system that is presently in effect, we have the public defender's office has four attorneys per track, our office has six attorneys per track and changing the number of judges would not change the number of attorneys we would need. We have the same number of cases, the new judges would essentially be devoted to the resolution of civil cases. As presently planned, there would be no impact on our office. If there was a lesser number of judges or another tract was created then obviously there would be an impact but under the present proposal, I don't think there will be any.