

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON JUDICIARY

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
May 28, 1981

The Senate Committee on Judiciary was called to order by Chairman Melvin D. Close at 10:00 a.m., Thursday, May 28, 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 MEMBER PRESENT:

Shirley LaBadie, Committee Secretary

ASSEMBLY BILL NO. 627--Makes various changes in provisions regarding juveniles and juvenile courts.

Mr. Ned Solomon, Deputy Director, Clark County Juvenile Court, stated the bill was from the juvenile court agency. It was generated from the employees of the court, rather than the judge. NRS 62 is being changed with respect to the day to day operation of the juvenile court. The bill drafted made many of the changes in language.

Mr. Solomon said there was a change in the assembly. He had asked for it to relate to prenatal care and this addresses the group with which they are concerned. This would be the child of an addict mother that needs special care. The State Welfare Department felt the language prenatal was much too broad and suggested that it be limited to that as well as the fetal alcohol syndrome.

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Mr. Solomon said there was a change on page 2, lines 23 through 25 which clarifies the language of this section and avoids a jurisdictional conflict. There is a municipal court judge who believes he can order the imprisonment of a child, however it was the intent that the child goes to the juvenile court.

Page 3, line 26, the word advice of was inserted, this was to relate to the paramount duty of the probation committee. All the next changes are relating to this.

He said the language on page 5, line 40 and 41, which refers to competitive examination conducted by the probation committee; they conduct the examinations and they approve the process and approve the eligibility list. This is the same as on page 6, line 31 which says recommend rather than provide the list.

On page 7, line 2, this makes it consistent with NRS 62.170 which deals with issuing a writ. For some reason it was left out that a child could be picked up. It is in the other section that you can issue a summons for them, this one provides for a writ.

Line 11 makes it clear that financial responsibility of a county and the state is while the state is in custody, not while they are a run away.

Page 7, line 43 and 44, this clarifies the language of this section to make it comply to NRS 62.187. The child referred to the court does not always have a petition filed. A child can be in the facility for up to 9 days without a petition filing. Some of these need to be handled informally.

Page 8, line 8, is to insert in NRS 179A.120 that children who have been certified to stand trial as adults. This is to make the language consistent with three other sections in NRS 62. NRS 62.200 subsection 3, says that children who are not certified and deemed as criminals and do not have the civil liabilities which are imposed upon criminals.

Senator Raggio stated this matter had been discussed before and he felt the victim of a crime should receive the name of the person committing it, even if a juvenile. Mr. Solomon said he agreed that it should. NRS 62.200 allows for the release of names of juveniles to victims who are pursuing civil actions. The juvenile court works with the victims and assist them in obtaining and tell them how to proceed. They are not prohibited from getting the name but allows that any child suspected of a crime, that the name be given to the victim of a crime.

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Chairman Close stated they are always suspected of a crime until they are convicted. If for some reason the person is exonerated, he may still want to file charges against him civilly because the exoneration may have been because of a technicality.

Mr. Solomon said the reason for this is to avoid the giving out of names by the police department without any discretion. In NRS 62.270, the names can be given out by the juvenile courts by victims who are pursuing civil action. The provision is in NRS 62.270 that they have to go to the juvenile court to obtain the name.

Senator Raggio stated he would not agree to this.

Mr. Solomon stated if a person is using the name for a proper reason, they will assist the victim, otherwise they would hesitate.

Chairman Close stated the name would not have to be given out unless a civil suit was initiated. Mr. Solomon stated that was correct, but he said the law cannot cover all the angles. He said he wants to give the child a chance and have a better association. They would possibly be ostracized if his name was given out.

Mr. Frank Carmen, Director of Juvenile Services, stated in answer to the concerns of Senators Raggio and Close, subsection 1, which indicates the director of the juvenile services or others entitled under this chapter to receive such information unless until otherwise permitted by the director. The director can use that section to release information. This is a safety valve within the statute that allows an administrative decision to release information without any civil action.

Mr. Solomon stated on page 8, line 41, it removes X-ray from the statute and allows for a skin test for tuberculosis. He said the last section, page 9, lines 49 and 50 allows that Spring Mountain Youth Camp and Also Child Haven be allowed to have fishing permits at the same rate as the other homes. They were originally included but were somehow taken out.

Mr. Frank Carmen stated on page 9 of the bill, subsection 2, line 23, it states that such payments should be made to the superintendent who shall deposit them in the state treasury. He said there is no mechanism established for the collection of that money. The collection has been left up in the air. The state ends up being a bill collector for the juvenile courts.

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They had tried to put this back with the juvenile probation department, they should be responsible for carrying out the judge's orders. The present policy of having the state attorney general involved is not working. The assembly committee had suggested make some kind of arrangement with a local collection agency.

ASSEMBLY BILL NO. 627

Senator Keith Ashworth moved to do Pass A. B. No. 627.

Senator Don Ashworth seconded the motion.

The motion carried. (Senators Close and Raggio voted against the motion.)

There being no further business, the meeting adjourned at 10:30 a.m.

Respectfully submitted:

Shirley LaBadie  
Shirley LaBadie, Secretary

APPROVED BY:

Mel D. Close  
Senator Melvin D. Close, Chairman

DATE: May 30, 1981

## Exhibit A

**THIS EXHIBIT IS MISSING FROM BOTH THE ORIGINAL  
MINUTES AND THE MICROFICHE.**

