

ASSEMBLY BILL NO. 141—ASSEMBLYMEMBER NGUYEN

PREFILED JANUARY 29, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the Judicial Department of the State Government. (BDR 1-857)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the Judicial Department of the State Government; revising provisions relating to the deliberative sessions of the Commission on Judicial Discipline; revising the qualifications for district judges; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the Commission on Judicial Discipline has exclusive
2 jurisdiction over the public censure, removal, involuntary retirement and other
3 discipline of judges. (NRS 1.440) Existing law requires that all deliberative
4 sessions of the Commission remain private and any minutes of such sessions
5 remain confidential. (NRS 1.4687) **Section 1** of this bill instead requires the
6 Commission to make any minutes of such sessions accessible to the public while
7 maintaining the privacy of the deliberative sessions themselves. **Section 3** of this
8 bill makes a conforming change to reflect that the minutes of a deliberative session
9 of the Commission are no longer confidential.

10 Existing law prescribes the qualifications for district judges. Among other
11 requirements, existing law provides that a district judge or candidate for district
12 judge must have been an attorney licensed and admitted to practice law in this State
13 or any other state for a total of not less than 10 years, at least 2 years of which must
14 have been in this State. (NRS 3.060) **Section 2** of this bill revises the qualifications
15 for district judges or candidates for district judge to require any such person to have
16 acted as trial counsel in at least 10 trials in a district court of this State. **Section 4**
17 of this bill provides that the additional qualifications prescribed by **section 2** do not
18 abrogate or affect the current term of office of any district judge who is serving in
19 that office on the effective date of this bill.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 1.4687 is hereby amended to read as follows:

2 1.4687 1. Except as otherwise provided in subsection 2:

3 (a) Upon the filing of a formal statement of charges with the
4 Commission by the special counsel, the statement and other
5 documents later formally filed with the Commission must be made
6 accessible to the public, and hearings must be open.

7 (b) If a formal statement of charges has not been filed with the
8 Commission and the Commission holds a hearing to suspend a
9 judge pursuant to NRS 1.4675, any transcript of the hearing and any
10 documents offered as evidence at the hearing must be made
11 accessible to the public.

12 (c) If the Commission holds a hearing to order a justice of the
13 peace or municipal judge to forfeit his or her office pursuant to NRS
14 1.4654, any transcript of the hearing and any documents offered as
15 evidence at the hearing must be made accessible to the public.

16 2. Regardless of whether any formal statement of charges has
17 been filed with the Commission, medical records and any other
18 documents or exhibits offered as evidence which are privileged
19 pursuant to chapter 49 of NRS must not be made accessible to the
20 public.

21 3. The Commission's deliberative sessions must remain private
22 . ~~[and any]~~ Any minutes of such sessions must ~~[remain confidential.]~~
23 *be made accessible to the public.*

24 4. The filing of a formal statement of charges does not justify
25 the Commission, its counsel, staff or independent contractors
26 retained by the Commission in making public any correspondence,
27 notes, work papers, interview reports or other evidentiary matter,
28 except at the formal hearing or with explicit consent of the judge
29 named in the complaint.

30 **Sec. 2.** NRS 3.060 is hereby amended to read as follows:

31 3.060 1. A person may not be a candidate for and is not
32 eligible to the office of district judge unless the person:

33 (a) Has attained the age of 25 years.

34 (b) Is an attorney licensed and admitted to practice law in the
35 courts of this State at the time of the election or appointment.

36 (c) Has been an attorney licensed and admitted to practice law in
37 the courts of this State, another state or the District of Columbia for
38 a total of not less than 10 years at any time preceding the election or
39 appointment, at least 2 years of which have been in this State.

40 (d) *Has acted as trial counsel in at least 10 trials in a district*
41 *court of this State.*



1 (e) Is a qualified elector and has been a bona fide resident of this
2 State for 2 years next preceding the election or appointment.

3 ~~(e)~~ (f) Has not ever been removed from any judicial office by
4 the Legislature or removed or retired from any judicial office by the
5 Commission on Judicial Discipline.

6 2. For the purposes of this section, a person is eligible to be a
7 candidate for the office of district judge if a decision to remove or
8 retire the person from a judicial office is pending appeal before the
9 Supreme Court or has been overturned by the Supreme Court.

10 **Sec. 3.** NRS 239.010 is hereby amended to read as follows:

11 239.010 1. Except as otherwise provided in this section and
12 NRS 1.4683, ~~H-4687J~~ 1A.110, 3.2203, 41.0397, 41.071, 49.095,
13 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,
14 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
15 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
16 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
17 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
18 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
19 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
20 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,
21 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,
22 130.712, 136.050, 159.044, 159A.044, 164.041, 172.075, 172.245,
23 176.01334, 176.01385, 176.015, 176.0625, 176.09129, 176.156,
24 176A.630, 178.39801, 178.4715, 178.5691, 178.5717, 179.495,
25 179A.070, 179A.165, 179D.160, 180.600, 200.3771, 200.3772,
26 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923,
27 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040,
28 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350,
29 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 218G.615,
30 224.240, 226.462, 226.796, 228.270, 228.450, 228.495, 228.570,
31 231.069, 231.1285, 231.1473, 232.1369, 233.190, 237.300,
32 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040,
33 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270,
34 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264,
35 244.335, 247.540, 247.545, 247.550, 247.560, 250.087, 250.130,
36 250.140, 250.145, 250.150, 268.095, 268.0978, 268.490, 268.910,
37 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680,
38 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086,
39 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830,
40 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870,
41 293.906, 293.908, 293.909, 293.910, 293B.135, 293D.510, 331.110,
42 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593,
43 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,
44 353A.049, 353A.085, 353A.100, 353C.240, 353D.250, 360.240,
45 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138,



1 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300,
2 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626,
3 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750,
4 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120,
5 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317,
6 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975,
7 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143,
8 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685,
9 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,
10 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,
11 425.400, 427A.1236, 427A.872, 427A.940, 432.028, 432.205,
12 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430,
13 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360,
14 439.4941, 439.4988, 439.5282, 439.840, 439.914, 439A.116,
15 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
16 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
17 442.774, 445A.665, 445B.570, 445B.7773, 449.209, 449.245,
18 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164,
19 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056,
20 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407,
21 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063,
22 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340, 483.363,
23 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833,
24 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285,
25 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110,
26 598A.420, 599B.090, 603.070, 603A.210, 604A.303, 604A.710,
27 604D.500, 604D.600, 612.265, 616B.012, 616B.015, 616B.315,
28 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137,
29 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
30 628B.760, 629.043, 629.047, 629.069, 630.133, 630.2671,
31 630.2672, 630.2673, 630.2687, 630.30665, 630.336, 630A.327,
32 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415,
33 632.3423, 632.405, 633.283, 633.301, 633.427, 633.4715, 633.4716,
34 633.4717, 633.524, 634.055, 634.1303, 634.214, 634A.169,
35 634A.185, 634B.730, 635.111, 635.158, 636.262, 636.342, 637.085,
36 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183,
37 639.2485, 639.570, 640.075, 640.152, 640A.185, 640A.220,
38 640B.405, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,
39 640C.760, 640D.135, 640D.190, 640E.225, 640E.340, 641.090,
40 641.221, 641.2215, 641A.191, 641A.217, 641A.262, 641B.170,
41 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320,
42 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050,
43 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130,
44 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947,
45 648.033, 648.197, 649.065, 649.067, 652.126, 652.228, 653.900,



1 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275,
2 669.285, 669A.310, 670B.680, 671.365, 671.415, 673.450, 673.480,
3 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
4 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
5 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
6 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
7 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
8 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
9 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
10 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
11 711.600, sections 35, 38 and 41 of chapter 478, Statutes of Nevada
12 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and
13 unless otherwise declared by law to be confidential, all public books
14 and public records of a governmental entity must be open at all
15 times during office hours to inspection by any person, and may be
16 fully copied or an abstract or memorandum may be prepared from
17 those public books and public records. Any such copies, abstracts or
18 memoranda may be used to supply the general public with copies,
19 abstracts or memoranda of the records or may be used in any other
20 way to the advantage of the governmental entity or of the general
21 public. This section does not supersede or in any manner affect the
22 federal laws governing copyrights or enlarge, diminish or affect in
23 any other manner the rights of a person in any written book or
24 record which is copyrighted pursuant to federal law.

25 2. A governmental entity may not reject a book or record
26 which is copyrighted solely because it is copyrighted.

27 3. A governmental entity that has legal custody or control of a
28 public book or record shall not deny a request made pursuant to
29 subsection 1 to inspect or copy or receive a copy of a public book or
30 record on the basis that the requested public book or record contains
31 information that is confidential if the governmental entity can
32 redact, delete, conceal or separate, including, without limitation,
33 electronically, the confidential information from the information
34 included in the public book or record that is not otherwise
35 confidential.

36 4. If requested, a governmental entity shall provide a copy of a
37 public record in an electronic format by means of an electronic
38 medium. Nothing in this subsection requires a governmental entity
39 to provide a copy of a public record in an electronic format or by
40 means of an electronic medium if:

- 41 (a) The public record:
42 (1) Was not created or prepared in an electronic format; and
43 (2) Is not available in an electronic format; or
44 (b) Providing the public record in an electronic format or by
45 means of an electronic medium would:



1 (1) Give access to proprietary software; or
2 (2) Require the production of information that is confidential
3 and that cannot be redacted, deleted, concealed or separated from
4 information that is not otherwise confidential.

5 5. An officer, employee or agent of a governmental entity who
6 has legal custody or control of a public record:

7 (a) Shall not refuse to provide a copy of that public record in the
8 medium that is requested because the officer, employee or agent has
9 already prepared or would prefer to provide the copy in a different
10 medium.

11 (b) Except as otherwise provided in NRS 239.030, shall, upon
12 request, prepare the copy of the public record and shall not require
13 the person who has requested the copy to prepare the copy himself
14 or herself.

15 **Sec. 4.** The amendatory provisions of section 2 of this act do
16 not abrogate or affect the current term of office of any district judge
17 who is serving in that office on October 1, 2025.



