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DISTRICT COURT

CLARK COUNTY, NEVADA

Ann L. Johnson
CLERK OF THE COURT

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IN THE MATTER OF)
Access to Justice)
For Victims of Child Abuse)
In the Eighth Judicial District Court)

Administrative Order: 13-03

WHEREAS, on December 5, 2012, Chief Judge Jennifer Togliatti issued Administrative Order 12-09 which established a special committee to examine access to justice in the Dependency Court of the Eighth Judicial District Court; and,

WHEREAS, the committee was chaired by Judge Arthur Ritchie, Jr., and included Justice Nancy Saitta, Judge Charles Hoskin, Judge Frank Sullivan, Judge Robert Teuton, Court Executive Officer Steve Grierson, Assistant County Manager Jeff Wells, and the Executive Director of Legal Aid of Southern Nevada Barbara Buckley; and,

WHEREAS, the charge of the committee was to examine issues of court rules, court case management, case assignment, whether case processing delays are related to hearing master resources and duties as defined in EDCR 1.46, timeliness of trials and hearings, judicial resources, statistics and their definitions, statutory timeliness, trial stacks, and other related matters; and,

WHEREAS, the committee met and reviewed the court's approach to permanency for children and their families on December 12, 2012, January 11, 2013, January 23, 2013, February 8, 2013, and February 22, 2013; and,

WHEREAS, after three months of diligent work the committee submitted its comprehensive report and recommendations on March 21, 2013, with twelve recommendations; and,

WHEREAS, the implementation of the following recommendations are intended to make significant changes to the dependency court that were deemed necessary by the committee in order to ensure timely permanency for children in Clark County NV; and,

1 **WHEREAS**, on behalf of the Eighth Judicial District Court and the citizens of
2 this State, we offer our appreciation to the committee for their time, dedication, and
3 commitment; and,

4 **WHEREAS**, the court, by this order, intends to implement the recommendations
5 from the committee which will improve the management of dependency cases, services,
6 and access to justice to the dependency population:

7 **IT IS THEREFORE ORDERED**, pursuant to EDCR 1.30(b)(5), EDCR
8 1.30(b)(14), and EDCR 1.30(b)(18), that one additional family court judge be assigned
9 to hear juvenile dependency matters effective April 22, 2013.

10 **IT IS THEREFORE ORDERED**, pursuant to EDCR 1.30(b)(5), EDCR
11 1.30(b)(14), and EDCR 1.30(b)(18), that the Honorable Judge Cynthia N. Giuliani,
12 Department K, be appointed as the additional dependency court judge.

13 **IT IS FURTHER ORDERED**, pursuant to EDCR 1.30(b)(5), EDCR
14 1.30(b)(14), and EDCR 1.30(b)(18), that for each family court judge in the juvenile
15 dependency court, that there be one hearing master assigned to the one family court
16 judge.

17 **IT IS FURTHER ORDERED**, pursuant to EDCR 1.30(b)(5), EDCR
18 1.30(b)(14), and EDCR 1.30(b)(18), that there be even distribution and assignment of
19 cases to each family court judge except in the mental health case type.

20 **IT IS FURTHER ORDERED**, pursuant to EDCR 1.30(b)(5), EDCR
21 1.30(b)(14), and EDCR 1.30(b)(18), that family court judges hear preliminary protective
22 hearings, initial adjudicatory hearings, sexual abuse adjudicatory hearings, six-month
23 review hearings, and permanency planning hearings, and will decide on a case-by-case
24 basis what matters can be appropriately heard by their hearing master; and

25 **IT IS FURTHER ORDERED**, pursuant to EDCR 1.30(b)(5), EDCR
26 1.30(b)(14), and EDCR 1.30(b)(18), family court judges may assign their respective
27 hearing master any uncontested adjudicatory hearing or trial, dispositional hearing,
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1 review hearing, permanency planning hearing, and any other ministerial related matter
2 that is critical and necessary to timely resolve permanency.

3 **IT IS FURTHER ORDERED**, that the Clerk's Office shall adopt reasonable
4 policies and procedures regarding appointment of counsel, case plans, and case
5 initiation.

6 **IT IS FURTHER ORDERED**, that the Clerk's Office implement the model
7 court hearing titles as recommended by the committee.

8 **IT IS FURTHER ORDERED**, that the use of Pro Tem masters is prohibited
9 from hearing dependency matters.

10 **IT IS FURTHER ORDERED**, pursuant to EDCR 1.30(b)(8) and EDCR
11 1.30(b)(18), that district court administration require that discovery received from
12 partner agencies in juvenile dependency cases be E-filed into the court's case
13 management system so that it can be immediately served to pertinent parties.

14 **IT IS FURTHER ORDERED**, pursuant to EDCR 1.30(b)(8) and EDCR
15 1.30(b)(18), that district court administration approve the use of automated orders in the
16 dependency courts and support any technology expense necessary to implement.

17 **IT IS FURTHER ORDERED**, that the committee reconvene in six months to
18 review the impact of adding one additional judge and make further recommendations to
19 the Chief Judge if necessary.

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21 Entered this 21st day of March, 2013.

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23
24 By: Jennifer P. Togliatti
25 JENNIFER P. TOGLIATTI
26 Chief Judge
27 Eighth Judicial District Court
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