

FILED

FEB 22 2023

Christina A. Hoffman
CLERK OF COURT

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

IN THE MATTER OF The Formation of a
Committee to Examine the Minor Guardianship
Case Type

Administrative Order: 23-02

The Chief Judge is responsible for supervising the administrative business of the Eighth Judicial District Court, ensuring the quality and continuity of its services, supervising its calendar, reassigning cases as convenience or necessity requires, assuring the court's duties are timely and orderly performed, and otherwise facilitating the business of the District Court. NRS 3.025; *see also* EDCR 1.30(b).

The Court has a large number of adult and minor guardianship cases pending. Adult guardianship cases are controlled by NRS 159, and minor guardianship cases are controlled by NRS 159A or NRS 432B. The Current case assignment has all adult and minor guardianship cases (except NRS 432B minor guardianships) being handled by two judicial departments, physically located in the Regional Justice Center (RJC). The investigators and other guardianship compliance officers are currently located at the Phoenix Building.

A concern has been raised by our community partners in Southern Nevada, suggesting that the minors who are subject to this case type, and their families, struggle with the process, due to 1) procedural hurdles; 2) lack of resources and information, and 3) "hidden foster care." The Court recognizes and appreciates the importance of families, as well as the importance of protecting, caring for, and providing love and support for minor children who may, for some reason or another, require the care of someone other than their biological parents. If a guardianship is appropriate or necessary, it has been

1 suggested that the process, especially for unrepresented parents, petitioners, children, etc.,
2 can be difficult. The Court wants to make the process of obtaining such a guardianship
3 as “user-friendly” as possible, to provide all individuals the appropriate access to justice.
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5 In order to provide the most efficient service and access to justice to those
6 involved with minor guardianship cases, the minor guardianship case type needs to be
7 examined and evaluated, so that the Court can make any appropriate changes. This Court
8 finds that the establishment of a court-led special committee to examine this issue is in
9 the best interest of the community.

10 **IT IS THEREFORE ORDERED** that, pursuant to EDCR 1.30(b)(16), a special
11 committee is hereby established to examine access to justice in the Minor Guardianship
12 case type of the Eighth Judicial District Court.
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14 **IT IS FURTHER ORDERED** that the following District Court individuals are
15 appointed to such committee: Judge Jerry Wiese, Judge David Gibson, Judge Linda
16 Marquis, Judge Denise Gentile, Judge Rhonda Forsberg, Judge Art Ritchie, Court
17 Executive Officer Steve Grierson, Assistant Court Administrator DeNeese Parker, the
18 Assistant Court Administrator responsible for minor guardianship cases, and Clerk - Kris
19 O’Conner.

20 **IT IS FURTHER ORDERED** that Judge David Gibson be appointed as chair of
21 the committee. The committee must hold its initial meeting by March 17, 2023. The
22 chair shall be responsible for the agenda, coordinating staff assignments through the
23 Court Executive Officer, and preparing reports of findings and recommendations. The
24 chair shall invite community partners to participate. Representatives of Legal Aid of
25 Southern Nevada, The Department of Family Services, Clark County Manager, the Clark
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1 County District Attorney's Office, the Public Defender's Office, and the Office of
2 Parents' Counsel, are considered voting members as part of the Committee.
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4 **IT IS FURTHER ORDERED** that the committee examine issues including: 1)
5 the procedure and costs associated with the filing and service of a Petition for
6 Appointment of Guardian pursuant to NRS 159A, and the difficulties that a pro se litigant
7 may have in complying with these requirements; 2) the distribution/dissemination of
8 information to the litigants, parents, and/or guardians, involved in an NRS 159A
9 guardianship, and whether such litigants are provided with information sufficient to allow
10 them to make educated decisions, (relating to the guardianship itself, future termination
11 options, the duration of a guardianship, etc.), and if not, how information dissemination
12 could be improved and/or resources used, to better educate such litigants, to help them
13 understand the process; 3) litigants potentially being referred for an NRS 159A
14 guardianship, when an NRS 432B guardianship may be more appropriate; 4) the
15 feasibility of assigning minor guardianship cases to dependency judges; 5) whether any
16 other non-specified deficiencies in the minor guardianship process, which may be
17 improved, and provide more access to justice to the community; and 6) anticipated
18 costs/expenses associated with any proposed modifications or improvements.
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20 **IT IS FURTHER ORDERED** that, after thoroughly examining the Court's
21 current Minor Guardianship processes and practices, and identifying any appropriate
22 improvements thereto, the committee shall submit a Report and Recommendation for the
23 Chief Judge's consideration. If, during the course of its examination, the committee
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1 discovers a deficiency in the program that it regards as critical, the committee shall notify
2 the Chief Judge forthwith and present suggestions for improvement, if any.

3 Dated this 22nd day of February, 2023

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8 **Jerry A. Wiese**
9 **District Court Judge**

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