



# ANNUAL REPORT OF THE NEVADA JUDICIARY

Fiscal Year 1999-2000



*The Work of Nevada's Courts - July 1, 1999, to June 30, 2000*

## SUPREME COURT OF NEVADA

Administrative Office Of The Courts  
201 South Carson Street, Carson City, Nevada 89701



# SUPREME COURT OF NEVADA

ROBERT E. ROSE, Chief Justice

CLIFF YOUNG, Justice

MIRIAM SHEARING, Justice

A. WILLIAM MAUPIN, Justice

DEBORAH A. AGOSTI, Justice

MYRON E. LEAVITT, Justice

NANCY A. BECKER, Justice

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Photograph on previous page:

(seated, from left)

Justice Cliff Young, Justice Deborah A. Agosti, Justice Nancy A. Becker, Chief Justice Robert E. Rose

(standing, from left)

Justice A. William Maupin, Justice Myron E. Leavitt, Justice Miriam Shearing

The Nevada Supreme Court seals in this Annual Report were illustrated by Sheffield Abella, based on the seal hanging in the Supreme Court in Carson City. The courtroom seal (shown on page 29) was designed and sculpted by Eugene Daub .



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## A Message From The Chief Justice

It is a productive time for the Judicial Branch of government in Nevada - an era of progress and professionalism destined to serve the state well into the millennium.

The continuing growth across much of Nevada has challenged the judicial system, but with the help of the Nevada Legislature and the dedication, cooperation and plain hard work of our judges and their staffs we are meeting that challenge. The past few years have brought statewide advances to the judicial system and given taxpayers more bang for the buck. Many of our latest achievements are included in this annual report.

There is now more accountability required from the courts because of rules passed by the Supreme Court - such as the Strong Chief Judge systems in Clark and Washoe Counties and a rule mandating the collection and reporting of judicial statistics from every court at every level. These statistics show how the Nevada courts are handling the public's business and provide a great management tool for fine tuning the judicial system.

The Supreme Court has continued to recognize that domestic violence is a major problem. We have directed that standardized forms be used in processing these cases to ensure consistency. The Supreme Court also joined with the Attorney General in sponsoring a Court Monitoring Project to assess how domestic violence cases are being processed by our courts.

The collegiality and effectiveness of the courts and all judges continue to improve as we work more closely together. A new chapter was written with the Summit 2000 Judicial Leadership Conference at Lake Tahoe in May. This conference was the first time in modern history that judges at every level in the judicial system gathered to discuss our overlapping problems and matters of mutual interest.

At the Supreme Court, there has been the addition of two new justices - bringing the total to seven and allowing cases to be heard by three-justice panels. This has reduced our backlog of cases and given justices more time to spend on our increasingly complex cases. The consensus of the legal community is that the quality of our decisions has improved and the law of the land is clearer for attorneys, trial judges and citizens.

Nevada now has a law school to support the legal community - the William S. Boyd School of Law at the University of Nevada, Las Vegas. This year the law school sponsored a conference including judges, legislators and representatives of the executive branch. We talked through current concerns and shared ideas for the future to ensure that Nevada has the best possible court system.

While the future of Nevada's judicial system is bright, we are not complacent.

At the dawn of the new millennium, we are on-track and moving forward.

A handwritten signature in black ink, reading "Robert E. Rose". The signature is stylized and fluid.

Chief Justice Robert E. Rose





## A Report From The Administrative Office Of The Courts

Fiscal year 1999-2000 was an exciting year for the Administrative Office of the Courts (AOC), full of new ventures and accomplishments. The highlight was the establishment of the Supreme Court-ordered, legislatively mandated Uniform System for Judicial Records (USJR) program for statewide court statistical reporting. The USJR produces the statistical data for this report. Other notable achievements in fiscal year 1999-2000 included:

- Implementation of several integrated justice system projects throughout the state
- Participation on a Supreme Court appointed committee that develops standardized domestic violence forms to be used by law enforcement and courts statewide
- Continuation of our Court Improvement Project, a federally funded endeavor to help move children effectively and efficiently through our courts
- Implementation of a statewide Judicial Collections Task Force for the purpose of identifying ways to improve the collection of court-imposed fines, fees, forfeitures and administrative assessments
- Planning the first-ever, statewide education conference for judges from all courts in the state, held in May 2000
- Assisting the State Judicial Council in defining a new, more enhanced role for itself in the judiciary

Our Planning & Analysis Division was in its third full year of operation in fiscal year 1999-2000, working with the courts and judges to collect and publish statewide court workload statistics for the first time. There were those who thought the USJR would never happen. A 1995 Legislative audit stated “there is no assurance that a uniform system (for judicial records) will ever be achieved.” But now the USJR exists and, although not yet complete, is already producing meaningful information about Nevada’s courts, as evidenced by this report. We are proud of the fact that every one of Nevada’s 91 trial courts contributed data for this first USJR report.

Automating our trial courts was another major focus for the AOC in fiscal year 1999-2000. Most of the rural courts needed technology, but have no technical staff to help them. In fiscal year 1999-2000 the AOC, with the Supreme Court’s approval, began its “NVCourts” project to connect the rural courts electronically. At the same time, the AOC began to develop its highly successful federal grant proposal function to obtain additional funds for these projects.

The AOC will continue to publish an annual, expanded report on Nevada’s judiciary. Each year, more statistical information will be added to enable the reader to gain a better understanding and appreciation of our statewide court system.

Thanks to the vision of the Supreme Court justices, strong collaboration with and cooperation of the trial courts and the dedication of our AOC employees, fiscal year 1999-2000 was a full and rewarding year for the AOC and the court system. I hope you find this report informative.

A handwritten signature in black ink that reads "Karen Kavanau". The script is fluid and cursive.

Karen Kavanau  
State Court Administrator  
Supreme Court of Nevada



# The Nevada Judicial System

The Nevada Judiciary is one of the three branches of government - as co-equal and independent as the Executive and Legislative branches - with the responsibility for providing impartial, efficient and accessible dispute resolution in legal matters brought before it.

The judicial system consists of one appellate court and three divisions of trial courts:

- SUPREME COURT
- DISTRICT COURTS
- JUSTICE COURTS
- MUNICIPAL COURTS

The **SUPREME COURT** is the state's highest court and its primary responsibility is to review and rule on appeals from District Court cases. The court determines if legal errors were committed that require reversal of a verdict or judgment or if evidence was sufficient to support a trial court's action. The Supreme Court is the ultimate judicial authority in the state and its decisions interpreting the law and defining statutes have become the "law of the land."

However, the Supreme Court's authority goes far beyond that. The seven justices also oversee Nevada's entire legal system. The Court issues rules governing everything from court procedures to the ethical and professional conduct of judges. To help in that responsibility, the Supreme Court can create committees or commissions to study the judicial system and make recommendations for improvements - something that has been done on several occasions in recent years.

The Court's authority also extends over Nevada's lawyers. Establishing rules governing the admission of new lawyers and the imposition of discipline for attorneys who violate professional standards of conduct are included in the Court's oversight.

The justices also sit as Commissioners on the state's Board of Pardons to determine if sentences for convicted criminals should be changed. Other members of the Board include the Governor and Attorney General.

The **DISTRICT COURTS** comprise the second level of the judiciary, with the most authority of any of the trial courts. These are the courts where major criminal and civil trials are conducted - where citizens can get their "day in court" before a jury of their peers. The district judges also decide a

variety of complex legal disputes that do not require jury trials, including appeals from Justice and Municipal Court cases. The District Courts are constitutionally authorized and the judges have statewide jurisdiction. Judges' salaries are paid by the state, however, the financial responsibility for providing actual court facilities and support staffs falls on the county governments where the judges sit.

Although there are 17 counties in Nevada, the vast majority of the population is centered in just two. Nevada's two largest cities - Las Vegas and Henderson - are located in Clark County at the southern tip of the state. Washoe County in the northwest is home to the third largest city - Reno. In many of the remaining counties, wide-open spaces separate small communities that also need the services of the district judges. As a result, five of Nevada's nine Judicial Districts cover multiple counties to best utilize the judges' time and taxpayer resources. A map illustrating the Judicial Districts is on Page 11.

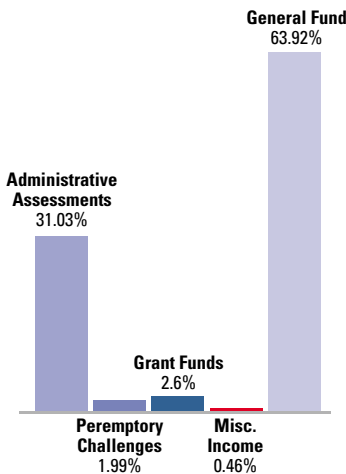
The **JUSTICE COURTS** have responsibility over a wide variety of cases. The judges must handle felony arraignments and conduct preliminary hearings to determine if sufficient evidence exists to hold criminal defendants for trial. They also must preside over small claims disputes, evictions and minor civil matters. Justice Courts, which are county courts, also handle many cases of misdemeanor crimes and traffic matters, but usually do not do so if the offenses occur within the city limits of incorporated communities (those cases are the responsibility of the Municipal Courts). In small communities that are not incorporated, the justices of the peace preside over all lower court cases. Funding

for the Justice Courts comes from the county governments and the majority of funds collected by the courts flow back to that governmental entity. In rural Nevada, many Justice Courts have part-time judges.

The **MUNICIPAL COURTS** handle cases involving violations of traffic and misdemeanor ordinances that occur within the city limits of incorporated municipalities. Municipal Courts also have limited jurisdiction in civil cases under NRS 5.050. These are city-funded courts and most of the funds collected by them go into the municipalities' general funds. In rural Nevada, many of the municipal judges work part-time.

## NEVADA JUDICIARY

Where the court system received its \$21,001,031 in funding



### GENERAL FUND

63.92%

Provided by the State Legislature

### ADMINISTRATIVE ASSESSMENTS

31.03%

Fees charged to defendants in criminal cases.

### PEREMPTORY CHALLENGES

1.99%

Fees paid by lawyers and litigants to exclude particular judges in civil cases

### GRANT FUNDS

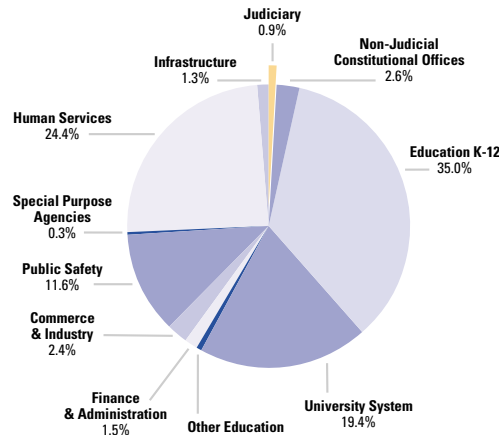
2.6%

### MISCELLANEOUS INCOME

0.46%

## Nevada General Fund Appropriations

Approved By The Nevada Legislature, 1999-2001 Biennium



# The Nevada Court System – Structure & Function

## Supreme Court Of Nevada

The state's highest court. **Seven justices** sitting in 3-judge panels or as the full court in the most important matters.

**Responsibility:** Court of last resort. Decide all appeals of civil and criminal cases from the District Courts. Supervise the entire judicial system in Nevada as well as the State Bar Association.

**Caseload:** 1,940 new cases filed in fiscal year 1999-2000.

Avenue of Appeal

## District Courts

**Fifty-one judges**

**Responsibility:** Court of general jurisdiction. Preside over cases of felony and gross misdemeanor crimes, civil matters above \$7,500 and family law issues, including juvenile crimes, abuse and neglect. Conduct jury and non-jury trials. Rule on legal issues. Hear appeals of Justice and Municipal Court cases.

**Caseload:** 94,884 cases.

Avenue of Appeal

## Justice Courts

**Sixty-nine judgeships\***

**Responsibility:** Court of limited jurisdiction. Preside over preliminary matters in felony and gross misdemeanor cases. Preside over misdemeanor and traffic cases, civil matters up to \$7,500, and landlord-tenant disputes. Issue temporary protective orders and warrants.

**Caseload:** 161,101 non-traffic cases, 406,551 traffic cases.

## Municipal Courts

**Twenty-nine judgeships\***

**Responsibility:** Court of limited jurisdiction. Preside over misdemeanor and traffic cases in incorporated communities and some civil matters under NRS 5.050.

**Caseload:** 69,663 non-traffic cases, 253,078 traffic cases.

## Clerk Of The Court

Responsible for all Supreme Court files and documents. Manages the court's caseload and dockets, coordinates public hearings and releasing court decisions. Janette Bloom is Clerk of the Court.

## Law Library

Houses law books and other documents in its facility at the Supreme Court in Carson City. The library is used not only by the court's law clerks, but also by the general public. Susan Southwick is the Law Librarian.

## Administrative Office Of The Courts

Performs all administrative functions for the Supreme Court and provides support services in such areas as training and technology to the trial courts. Karen Kavanau is the State Court Administrator.

\* Many of these positions are part-time, and 11 Justices of the Peace are also Municipal Court Judges.



# From Humble Beginnings...



The first Supreme Court building - 1937

*Before Nevada was a state and even before the Nevada Territory had been carved out of the Utah Territory, a judicial system was put into place to handle the myriad of legal disputes inevitable in the old west. But it would be decades before the first courthouse would be built.*

The first Territorial Supreme Court likely met at the same location the District Court held sessions - in a livery stable in Genoa, according to Ron James in his book *Temples of Justice*. From there, the court held sessions in a series of rented locations, including a mill and hotels in Carson City.

In 1871, the Supreme Court was provided space in the newly completed Capitol building, but it was not until 1937 that a separate Supreme Court building and Library finally was constructed to give the justices a home of their own.

The 21,000 square-foot building served well until the state and the high court's workload began to grow in earnest in the 1960s. Staff members were added and the court was expanded from three to five justices in 1967 to deal with the increased workload the population boom brought.

Yet it was not until 1992 that the current 120,000 square-foot building was completed at a cost of \$17 million (\$141.00 per square foot) - compared to the \$163,000 (\$7.71 per square foot) it required to build the Art Deco 1937 building.

## Nevada's Courts Began In Turmoil

The beginning of a formal court system in the early days of the Nevada Territory is what might have been expected in a territory that grew out of the tumultuous times of the gold rush. Much of Nevada's early history was defined by its mining heritage - wild and colorful towns filled with characters looking for quick riches and the excitement the west offered. Camps sprang up and sometimes turned into towns like Virginia City with its Comstock Lode. Disputes over mining rights and a variety of other legal matters naturally followed.

Nevada's first territorial court system was created in 1861 and a three-justice Supreme Court was appointed by President Abraham Lincoln, with the same three also serving as district judges. Ironically, as the Supreme Court, they heard appeals on their own decisions.

But none of the three justices lasted in their jobs until Nevada won statehood on October 31, 1864. A high court decision that went against powerful mining interests resulted in relentless charges of corruption by mine owners and local newspapers - primarily the *Territorial Enterprise* and its reporter at the time, Mark Twain, who was writing as "Josh," a simple miner.

The allegations resulted in the three justices resigning in disgust in August 1864. During their tenure, they had produced 88 decisions.

With statehood, the first official Supreme Court justices were elected on November 8, 1864 - James F. Lewis, Henry Oscar Beatty and Cornelius M. Brosnan. In 1867, Brosnan died. The next year Beatty resigned and ultimately returned to California.

His son, William Henry Beatty, had been elected in 1864 as a judge in the Seventh Judicial District and followed in his father's footsteps to win a seat on the Supreme Court in 1874 - becoming the first district judge to move up to the high court. But six years later he was defeated as the Republican candidate for re-election and moved to California, where he served as Chief Justice of the California Supreme Court from 1888 until his death in 1914.

Nevada Territory is created from the western portion of the Utah Territory. Three Supreme Court justices are appointed by President Abraham Lincoln. The justices doubled as district judges, sometimes deciding appeals from their own rulings.

Eighty-eight decisions are authored by the territorial Supreme Court despite allegations of corruption from mining interests and local newspapers - primarily the *Territorial Enterprise*. None of the three completed the four-year terms.

Nevada becomes a state on October 31, 1864. Three new Supreme Court justices are elected, taking office December 5, 1864. Under the Constitution, the court could expand to five members when necessary.

1861

1864



# A Continued Era of Progress

## Drug And Other Specialty Courts

**Drug Courts** in Nevada have been in operation for the past few years from one end of the state to the other, taking an aggressive but realistic stance against those who have committed drug crimes or whose crimes are directly related to drug use. Intensive rehabilitation is coupled with drug testing - all under the patriarchal eye of the Drug Court judge.

The programs offer participants the opportunity to avoid jail or prison if they address their drug-driven, destructive behavior. Statistics show that about 80 percent successfully complete the year-long programs and can start their lives anew. Where there are juvenile drug courts, offenders have been turned back before their behavior carried them into the adult justice system. Dozens of babies have been born drug-free because the Drug Court programs worked to ensure their mothers did not indulge in narcotics during pregnancy.

## Innovative Programs

During fiscal year 1999-2000, steps were taken for an innovative expansion of Drug Court programs that operate in Clark and Washoe Counties.

In both counties, a joint effort of the Judicial Branch and Governor Kenny Guinn has created **Early Release Drug Court** programs for state prison inmates who were incarcerated for non-violent, drug-related crimes. Statistically, 80 percent of those inmates will again commit crimes and return to the criminal justice system. Governor Guinn and the judges believe that recidivist rate is unacceptable. The early release programs based in Reno and Las Vegas will permit those inmates to be paroled from prison up to two years early providing they enter the drug court programs to address their underlying problems. They also must have jobs, consent to frequent drug tests and attend counseling sessions. The hope is that instead of an 80 percent recidivist rate, the programs can have the same 80 percent success rate of the current Drug Courts.

In Washoe County, the **Alcohol & Other Drug Court** was established in July 1999 at Sparks Municipal Court by Judge Larry Sage. The program strives to address the underlying causes of criminal behavior before the cases escalate to the felony level. The Alcohol & Other Drug Court not only focuses on drug dependent defendants, but also the alcohol-related problems of first and second offense drunken drivers. Judge Sage reports that nearly 90 percent

of domestic battery cases and nearly 60 percent of all non-traffic cases are alcohol related.

## Child Abuse Drug Court

In addition to the traditional Drug Courts that address the problems of adult and juvenile law-breakers, the Family Court in Clark County has a Drug Court to deal with people who abused or neglected their children. The intent is to break the cycle of abuse and drug-related crimes by addicted parents and re-establish a positive family unit.

## Truancy Court

A juvenile Truancy Court Program was launched in 1999 in Clark County's Juvenile Court to provide intervention for youngsters who have demonstrated through repeated trancies that they are at risk of dropping out of school. The Truancy Court is operated in cooperation with Family and Youth Services and the Clark County School District.



The current home of the Supreme Court

*It was not until 1992 that the current 120,000 square-foot building was completed at a cost of \$17 million (\$141.00 per square foot) - compared to the \$163,000 (\$7.71 per square foot) it required to build the 21,000 square-foot Art Deco 1937 building.*

The position of Supreme Court justice becomes a non-partisan post.

The Supreme Court expands to five justices. John Mowbray and Cameron Batjer are appointed.

The Nevada Constitution is amended to allow further expansion of the Supreme Court and for the division of the court into panels.

The Supreme Court expands to seven justices. Judges Myron Leavitt and Nancy Becker are elected. Northern and Southern panels of three justices each are created. The seven justices sit *en banc* in Carson City when it is necessary that the entire court decide a precedent-setting case.

1915

1967

1976

1999



# THE SUPREME COURT OF NEVADA

## CHIEF JUSTICE ROBERT E. ROSE



Chief Justice Robert E. (Bob) Rose's job as a Nevada Supreme Court law clerk in 1964 inspired him to pursue a judicial career that eventually led him back to the high court in 1988 - although the path passed through other public service jobs. After the high

court clerkship, the New York University School of Law graduate practiced law in Reno before he was elected Washoe County District Attorney in 1970. Four years later he was elected Nevada Lieutenant Governor. In 1979, he returned to the fulltime practice of law - although this time in Las Vegas.

His career path turned back to the judiciary in 1986 when he was appointed to the Eighth Judicial District Court bench. He only spent two years there before a vacancy occurred at the Supreme Court and provided him with the opportunity to fulfill a dream that began nearly a quarter century before. He won the election and was re-elected in 1994. In 2000, Chief Justice Rose was unchallenged for re-election to a third six-year term that will expire in 2007.

Twice serving as Chief Justice - 1993-1994 and 1999-2000 - he built a reputation in the legal community and on the court as a reformer. During his years, Chief Justice Rose promoted the creation of the Court's blue ribbon Judicial Assessment Commission to conduct a broad study of the judicial system and recommend improvements. Chief Justice Rose also pushed the Supreme Court to adopt rules that require all courts to keep reliable uniform statistics to more efficiently manage their pending caseloads.

## JUSTICE CLIFF YOUNG



Justice Cliff Young is the most senior judge on the bench. He was elected in 1984 following a legislative career that included spending 4 years in Washington, D.C., as a U.S. Congressman and 14 years as a Nevada State Senator. He was inducted into the

Nevada State Senate Hall of Fame in 1995. Re-elected to the Nevada Supreme Court in 1990 and 1996, his current term expires in January 2003.

A Lovelock, Nevada, native who graduated from Harvard Law School in 1949, Justice Young also spent 35 years practicing law in the private sector in Reno. At the same time, much of his energy went into a variety of community service organizations. Justice Young was the first Nevadan to serve as president of the National Wildlife Federation, an organization with 4.5 million members. He also donated time to the Nevada Area Council of the Boy Scouts of America, the Desert Research Institute, the Reno YMCA and the Nevada Cancer Association, among others.

Justice Young is a founding member of the Nevada Judicial

Historical Society and authored a study of the Justice Courts in Nevada entitled *From Kings' Courts to Justice Courts*.

In 1988, the Federal Building and United States Courthouse in Reno was named in his honor.

During World War II, Justice Young served as an officer in the 103rd Infantry Division and saw action in France, Germany and Austria.

## JUSTICE MIRIAM SHEARING



Justice Miriam Shearing's judicial career has provided nearly a quarter century of "firsts" for women in Nevada. In 1976, the Cornell University and Boston College Law School graduate became the first woman elected as justice of the peace in Las Vegas.

By then she already had practiced law in Las Vegas for seven years. In 1982, she became the first woman elected as a District Court judge in Nevada, serving a decade on the Clark County bench with three of those years spent as juvenile judge. During that time she was president of the Nevada Council of Juvenile and Family Court Judges.

Justice Shearing became the first woman on the Nevada Supreme Court with her election in 1992 and served as Chief Justice in 1997 - again the first woman to hold that position. Re-elected in 1998, her current term ends in January 2005.

As a district judge, Justice Shearing served as chief judge and was elected president of the Nevada District Judges Association. Justice Shearing received the Distinguished Jurist Award by the Nevada Judges Association and the Chris Schaller Award by WECAN for "dedication to children" because of her work to prevent child abuse.

She also won the Professional Mother of the Year Award and was named Woman of the Year in Law by the Women's Council of the Las Vegas Chamber of Commerce.

## JUSTICE A. WILLIAM MAUPIN



By the time Justice A. William Maupin was appointed to the District Court bench in Clark County in 1993, his legal career had already spanned 22 years in both the public and private sectors. While he handled murder cases as a public defender, he eventually focused on major civil litigation as a partner in the law firm of Thorndal, Backus, Maupin and Armstrong. Justice Maupin was retained as a district judge by popular election in 1994 and elected to the Supreme Court in 1996. His term ends in January 2003.

A graduate of the University of Nevada, Reno and University of Arizona Law School, Justice Maupin dedicated much of his professional life to improving the justice system. He was chairman



of the Nevada Supreme Court committee on Alternate Dispute Resolution from 1992 to 1996, and is considered to have been a driving force behind the judicial system's successful arbitration program. He served four years on the board of governors of the State Bar of Nevada and was chairman of a Supreme Court study committee to review judicial elections. In 1986-1987, he served as president of the Defense Trial Lawyer's of Nevada and on the boards of directors of Nevada Legal Services and Clark County Legal Services.

In 1997, Justice Maupin was honored with the Roger D. Foley Professionalism Award and was named in Who's Who in America.

## JUSTICE DEBORAH A. AGOSTI



In 1985, Justice Deborah Agosti was named "One of America's 100 Young Women of Promise" by *Good House-keeping Magazine*. With her election to the Nevada Supreme Court in 1998, she fulfilled that prediction. Justice Agosti

already had become the first woman to sit as justice of the peace in Reno when she was elected to that seat in 1982. That was followed two years later by her election as a district judge in Washoe County - a post she held for 14 years. Before that election, no woman had ever served as a district judge in Washoe County. She was re-elected twice without opposition. Her Supreme Court term expires in January 2005.

A graduate of the University of Toledo College of Law in Ohio, Justice Agosti's legal career in Nevada began in 1977 when she was the Senior Staff Attorney for the Senior Citizens Legal Assistance Program in Reno. She moved on to serve as Washoe County Deputy District Attorney before embarking on her judicial career.

In 1993, Justice Agosti traveled to Russia with five other judges from around the United States to teach Russian judges the fundamentals of the American jury trial system. The same year she was named Outstanding Woman Lawyer by the Northern Nevada Women Lawyers Association. She was named District Judge of the Year in 1997 by the Nevada District Judges Association.

Justice Agosti is a faculty member at the National Judicial College and past president of the Nevada District Judges Association. She is the proud mother of two fine young men.

## JUSTICE MYRON E. LEAVITT



Justice Myron E. Leavitt is a Las Vegas native who has had one of the most diverse careers of any justice - from a stint as sports editor for the *Las Vegas Review-Journal* as a young man to his current position as a justice on the highest court in the state. In

between, there were elections to positions at most levels of local and state government intertwined with 28 years in the private practice of law. He also found time to coach sports teams for his 11 children. Five of them are now lawyers and one, Michelle Fitzpatrick, is a Municipal Court judge in Las Vegas.

Justice Leavitt began his elective career in the judiciary - as Las Vegas Township Justice of the Peace in 1961-1962 - then turned to local and state politics. He served on the Clark County Commission and Las Vegas City Council before winning election in 1978 as Nevada Lieutenant Governor. He returned to the judiciary in 1984 when he was appointed to the District Court bench in Clark County. Justice Leavitt twice served as chief judge, where he earned a reputation as an effective and progressive leader. He also served as president of the Nevada District Judges Association. In 1998, he won election to the Nevada Supreme Court when the court was expanded from five to seven members. He was unopposed for re-election in 2000 to a term that expires in January 2007.

Justice Leavitt attended the University of Nevada, Reno on an athletic scholarship and graduated with a degree in journalism before attending the University of Utah College of Law.

## JUSTICE NANCY A. BECKER



Justice Nancy Becker is a native Las Vegas and the youngest of the seven members of the Supreme Court. And, like the other justices, she brought a wealth of experience and a long list of accomplishments with her to the high court.

She was the top student in her class at United States International University in San Diego and then attended George Washington University National Law Center, where she earned her law degree in 1979 while working for then-U.S. Senator Howard Cannon. Her return to Nevada and a job at the Las Vegas City Attorney's Office ignited a desire to become a judge. Her election in 1987 to a seat on the Las Vegas Municipal Court bench made her the first woman to preside in that city court.

In 1989, she was named to a vacant seat at the Eighth Judicial District Court, making her the first woman appointed as a district judge in Nevada. She was unopposed in the 1990 and 1996 elections and served as chief judge in 1993 and 1994. As district judge, she was one of the driving forces for the new Regional Justice Center under construction in downtown Las Vegas, consolidating the four levels of courts in one building.

In 1993, Justice Becker was named Jurist of the Year by the Clark County Bar Association. She has also been named one of the National Top Ten Women of the Year by the American Businesswomen's Association and is a recipient of the Liberty Bell Award from the American Bar Association.



Judge Sally Loehrer

# Nevada District Judges Association

*The Nevada District Judges Association (NDJA) represents the 51 judges in the nine Judicial Districts. Its purpose is to maintain and strengthen the District Courts through education, mutual response and aid among the district judges and to promote the common good through the exchange of information.*

## Nevada District Judges Association Officers

	1999-2000	2000-2001
President	Sally Loehrer, Las Vegas	Janet Berry, Reno
Vice President	Janet Berry, Reno	Dianne Steel, Las Vegas
Secretary	Dianne Steel, Las Vegas	Dan Papez, Ely
Permanent Treasurer	David Gamble, Gardnerville	David Gamble, Gardnerville
Director at Large	Dan Papez, Ely	James Hardesty, Reno

The NDJA, with the Administrative Office of the Courts, organizes an annual conference with educational programs that allow the District Court judges to fulfill the continuing education standards that are required

each year by the Nevada Supreme Court. At this annual meeting, traditionally held in the Spring, the NDJA elects its five person governing board and develops strategic plans for the upcoming year

## Educational Awards

At the NDJA's 2000 annual conference, District Judges Janet Berry of Reno and John McGroarty of Las Vegas were honored as the first district judges to achieve 1,000 hours of continuing judicial education. The judges were awarded statues of Themis, the Goddess of Law and Justice, for their "Outstanding Achievement in Judicial Education."

## Retirement and Salary Issues

In fiscal year 1999-2000, the association's Comprehensive Benefits Committee helped develop a new retirement proposal that was presented to a Legislative Interim Study Committee considering changes in the Judicial Retirement plan for District Court judges and Supreme Court justices. Currently, about half of them are enrolled in the Judicial Retirement program. The other half are in the Public Employees Retirement System (PERS)

because they came to the bench from other public service jobs and had accrued retirement credits under PERS. The two retirement plans have different requirements and different terms of service before benefits can be collected.



Judge Janet Berry

The NDJA recommended provisions that would unify the two systems while leaving the Judicial Retirement program intact. Many of the NDJA's suggestions were adopted for presentation to the 2001 Legislature.

The NDJA will be seeking a salary increase from the 2001 Legislature, to take effect in January 2003. It would be the first pay raise for district judges since 1997.

The Nevada Constitution states that judges cannot receive increases in salary during their terms of office. Since the terms of 44 of the 51 District Court judges expire in January 2003, the Legislature must address the compensation issue at the 2001 session or most judges could not receive a pay raise until 2009.

## Growth of the Judiciary

Three judgeships will be added in 2001 because of significant increases in the Family Court caseload in Clark County. Workload increases also will bring one new judgeship each to the Third and Fifth Judicial Districts. The NDJA voted to support the addition of five more District Court judges for Clark County in the 2001 Legislature.

## Judicial District Court Caseload

Court	Judicial positions	Population as of 7-1-99	Cases filed	Avg. cases per judge
First Judicial District	2	56,290	3,289	1,645
Second Judicial District	11	323,670	15,100	1,373
Third Judicial District	2	59,460	4,202	2,101
Fourth Judicial District	2	50,620	2,699	1,350
Fifth Judicial District	1	42,420	1,841	1,841
Sixth Judicial District	2	32,370	1,812	906
Seventh Judicial District	2	17,330	642	321
Eighth Judicial District	27	1,343,540	63,578	2,355
Ninth Judicial District	2	42,590	1,721	861
<b>Totals</b>	<b>51</b>	<b>1,968,290</b>	<b>94,884</b>	<b>1,860</b>

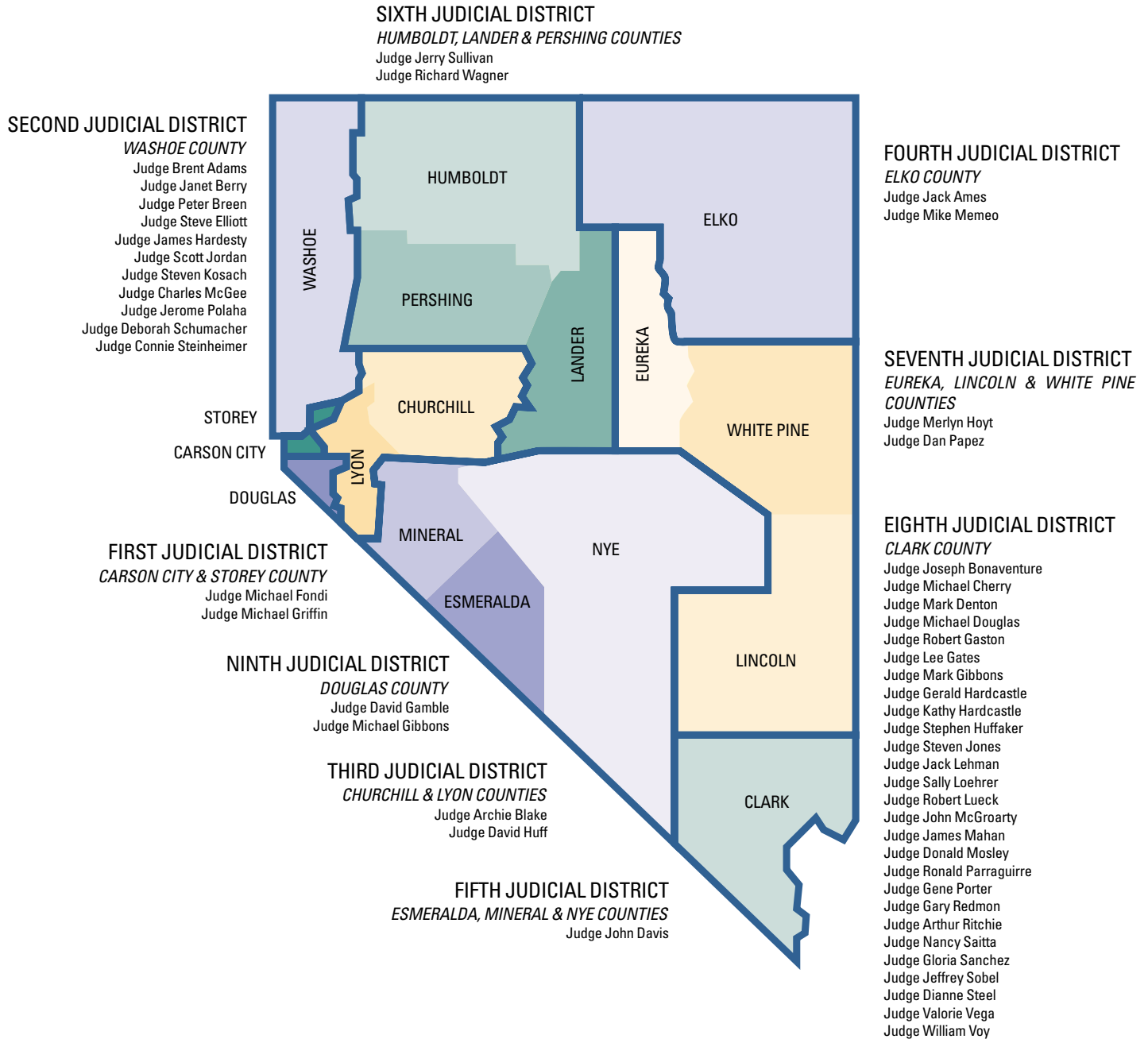




# Nevada's District Courts

## JUDICIAL DISTRICTS & JUDGES

(as of June 30, 2000)



In Nevada, the 17 counties are divided into 9 Judicial Districts. The sparse populations in some rural counties resulted in their being combined into Judicial Districts. The District Judges elected in those areas must travel from county to county - like circuit judges of old - to preside over court cases and trials.

In more populated counties, the Judicial Districts follow county boundaries. Judges usually preside over cases only in their Judicial Districts. However, with authority statewide, district judges can sit as visiting judges in other Judicial Districts whenever it is necessary.

Generally, cases are heard in the county seats, but a constitutional amendment and legislative action now offers the opportunity for trials to be conducted anywhere within a county. Nye County, the state's largest, has already taken advantage of this because the population center is in Pahrump, more than 100 miles from the county seat of Tonopah.



Judge Frances White

# Nevada Judges Association

*The Nevada Judges Association (NJA) represents courts of limited jurisdiction - Justice and Municipal Courts - and has a membership as unique and diverse as the state itself.*

While many NJA members have backgrounds as lawyers and work in the packed courtrooms of Nevada's urban centers, others serve in courts where the judges need not be attorneys. Many rural judges serve only part-time.

The purpose of the NJA is "to maintain and strengthen all of Nevada's courts of initial jurisdiction by promoting and providing education for judges, procedural improvements in the courts and improved public confidence and respect in courts and judges."

The current NJA president is Smith Valley Justice of the Peace Frances White, who is also Yerington Municipal Judge. Both are part-time posts. Judge White succeeded Carson City Justice of the Peace and Municipal Judge Robey Willis as head of the lower court association in January 2000.

Judge White is excited about the advances she has seen being implemented in the judicial system that directly affect NJA members. The improvements in communication between all levels of the judiciary have helped organize and guide many of the lower courts. Many of the rural courts have felt somewhat isolated until now.



Judge Robey Willis

## Nevada Judges Association Officers

	1999-2000	2000-2001
President	Robey Willis, Carson City	Frances White, Smith Valley
President-elect	Frances White, Smith Valley	Ron Dodd, Mesquite
1st Vice President	Ron Dodd, Mesquite	Max Bunch, Battle Mountain
2nd Vice President	Douglas Smith, Las Vegas	Daniel Ward, Fallon
Secretary	Daniel Ward, Fallon	Annette Daniels, Virginia City
Treasurer	Barbara Nethery, Carlin	Barbara Nethery, Carlin

Conferences, such as the Judicial Leadership Conference at Lake Tahoe in May 2000, have helped the lower court judges network more effectively with their colleagues and move toward becoming a cohesive group. The interaction between the Supreme Court justices, the district judges and the lower court judges at the Judicial Leadership Conference can only lead to an improved court system.

NJA conferences currently are the primary source of judicial education for the members. Judge White praised the quality of the educational programs that have been arranged at the NJA conferences by the Education Committee and the Administrative Office of the Courts.

## The Five Busiest Justice Courts

Justice Court	Population as of 7/1/99	Judicial Positions	Non-traffic cases filed	Cases filed per judge*	Total Traffic violations
Las Vegas	983,750	7	87,919	12,559	220,665
Reno	213,660	5	25,329	5,066	26,308
North Las Vegas	136,760	1	4,850	4,850	833
Sparks	94,353	2	7,119	3,560	9,111
Carson City	52,620	2	6,639	3,320	15,297

## The Five Busiest Municipal Courts

Municipal Court	Population as of 7/1/99	Judicial Positions	Non-traffic cases filed	Cases filed per judge*	Total Traffic violations
Las Vegas	465,050	6	47,783	7,964	156,935
North Las Vegas	117,250	1	5,895	5,895	33,249
Henderson	177,030	2	4,006	2,003	20,732
Reno	176,910	4	6,420	1,605	17,209
Sparks	64,210	2	2,471	1,236	15,129

\*Traffic violations may be resolved by payment of fines and not require judicial time, therefore, are not included in "cases filed per judge."





## Judges Must Maintain High Standards

*Being a judge involves more than just winning an election, grabbing a gavel and donning a black robe. A high standard of performance is expected from judges throughout the state and to help ensure that they have the necessary skills, the Nevada Supreme Court requires annual education.*

“Continuing Legal Education” (CLE) keeps judges abreast of such things as changes in the law, ethical requirements and innovations in courtroom techniques. CLE course content often differs to correspond with the needs and duties of judges at different levels.

Educating the judges actually begins shortly after they take the bench. Each new judge is required by the Supreme Court to attend comprehensive training on basic law and judicial techniques at the National Judicial College in Reno. It must be completed within a year of taking the bench and is supplemented with CLE courses during their years of public service.

CLE courses in basic law and courtroom procedures have proven to be particularly important at the Municipal Court and Justice Court levels because many of the rural communities and counties in Nevada do not require those judges to be lawyers. In most urban centers, however, municipal judges and justices of the peace must be attorneys under Nevada law. All District Court judges and Supreme Court justices are required to be attorneys.

### Judges honored in fiscal year 1999-2000 for attaining more than 1,000 hours of Judicial Education:

Janet Berry	Washoe District Court
Seymore Brown	Las Vegas Municipal Court
Annette Daniels	Virginia City Justice Court
Jay Dilworth	Reno Municipal Court
Eugene Gates, Jr.	Mina Justice Court
Sarah (Pete) Getker	Meadow Valley Justice Court
Edward Johnson	Dayton Justice Court
Marjean Kidner	Wells Justice Court & Municipal Court
Eloise McDaniel	Beowawe Justice Court
John McGroarty	Clark District Court
Ronald Niman	Ely Justice Court
W. E. Teurman	Fallon Municipal Court
Larna Volk	Sparks Justice Court
Margaret Whittaker	Pahrump Justice Court

## Judicial Milestones

**JULY 1999** - BERT BROWN joined the Municipal Court in Las Vegas following his election to the seat that became vacant when Judge Valorie Vega was appointed to the Eighth Judicial District Court.

**AUGUST 1999** - Goodsprings Justice of the Peace JANET C. SMITH retired after 12 years on the bench of the court that serves the rural areas in southwest Clark County. The Clark County Commission replaced her the same month with the appointment of DAWN HAVILAND.

**SEPTEMBER 1999** - Las Vegas Municipal Court Judge RONALD PARRAGUIRRE was appointed to fill the seat vacated on the Eighth Judicial District Court in June when Judge Joseph Pavlikowski retired. At the time, Judge Pavlikowski was the most senior district judge in Nevada, having served 28 years. Judge Parraguirre had served eight years as municipal judge.

**OCTOBER 1999** - Clark County Deputy Public Defender JESSIE WALSH was appointed to the Las Vegas Municipal Court bench to replace Judge Ronald Parraguirre, who had been appointed a month earlier to the Eighth Judicial District Court.

- GENE WAMBOLT was appointed justice of the peace in Union Township (Winnemucca) to replace Judge OREN MC DONALD, who resigned in August.

**MAY 2000** - Henderson Justice of the Peace KENT DAWSON was confirmed by the U.S. Senate for one of two newly created U.S. District Court seats in Nevada. U.S. Magistrate Roger Hunt was confirmed for the second seat.

**JUNE 2000** - First Judicial District Judge MICHAEL FONDI announced his retirement from the post he has held for more than 23 years. His resignation was effective in August. Judge Fondi spent 37 years in public service, previously serving as Carson City District Attorney and in Governor Grant Sawyer's administration.

- Las Vegas Municipal Court Judge SEYMORE BROWN, 70, died just 2 weeks after retiring from the seat he had held for 27 years. Before taking the bench, Judge Brown spent 14 years as a police officer with the Las Vegas Police Department. As a judge, he initiated the video arraignment system in the city court and created the “John School” for men caught soliciting prostitutes.
- Deputy Attorney General ELIZABETH (BETSY) KOLKOSKI was appointed to fill Judge Seymore Brown's vacancy on the Las Vegas Municipal Court Bench. Kolkoski was an attorney in the Division of Aging Services for the Attorney General's Office.



## Clark County Justice Center Combines Courts

After decades of patchwork on Clark County's aging courthouse, construction was begun on a **Regional Justice Center** that will be the new home for the Las Vegas Justice Courts and the District Courts that handle civil and criminal cases. Joining those courts will be the Las Vegas Municipal Courts and the southern office of the Nevada Supreme Court. Several of the six Municipal Court judges have operated for years in pre-fabricated, makeshift courtrooms on the edge of City Hall. At the same time, the Supreme Court has been renting space for offices and a tiny courtroom near the current Clark County courthouse.

Consolidation of most of the judicial services in Las Vegas into one building for the public's convenience was the goal for the \$123 million facility, located two blocks south of the current courthouse. Construction is scheduled to be completed in the Spring of 2002. The facility is being funded in large part by a bond issue passed by voters in 1996. Only the Family Division of the Eighth Judicial District Court will remain at a separate location.

Even before construction began, the Regional Justice Center was honored with the American Institute of Architects Award of Merit for its design features. The Tate & Snyder designed facility was the only courthouse in the United States to win a national design award in 1999.

## Technology Changing The Courts

Fiscal year 1999-2000 was a year of technological change for Nevada's judicial system. For the first half of the year it also was a time of worry - as it was for most other governmental entities and private businesses. After all, it was **Y2K** and safeguards were needed against the possibility of doom and gloom. For a court system with responsibility over people's lives and property, ensuring there would be no Y2K disaster was paramount.

Technological steps were taken during the year to make the judicial system more accessible and accountable. The **Eighth Judicial District Court** opened the door of Internet access through Clark County's website and became a major resource for those involved with the court system, or those just curious about it.

Detailed information is available about court cases, services and programs. Users also can download a variety of legal forms from the website.

**Clark County Justice Courts** also finalized its website in fiscal year 1999-2000 and opened it in late Summer 2000 to provide easy access to case and calendar information.

The **Reno Justice Court** improved efficiency by establishing a web-based program to relay information to the **Second Judicial District Court** about cases that have been "bound over" for trial. The link allows cases to be calendared more quickly and that can reduce the time a defendant must spend in custody.

In the Spring of 2000, Las Vegas Justice of the Peace Jennifer Togliatti launched a **video arraignment program**, using cameras and monitors to link her courtroom with defendants held in the Clark County Detention Center and their lawyers. The system, which prevents the need to transport prisoners from the jail facility to court, is expected to be utilized by other justices of the peace when the county's new Regional Justice Center is completed in 2002.

A similar system was successfully pioneered by **Las Vegas Municipal Court** several years ago.

Through the Administrative Office of the Courts, a **Multi-County Integrated Justice Information System** is being implemented in Carson City and Storey, Churchill and Lyon Counties to streamline the collection and sharing of information in criminal cases. The project, under the executive leadership of First Judicial District Judge Michael Griffin, is a collaborative effort of the courts, district attorneys' offices and law enforcement agencies. It will eliminate the need to re-enter the same information each time a defendant takes another step through the justice system.

The Administrative Office of the Courts also is coordinating the **Nevada Rural Courts System** to acquire a case management system for more than 30 of the state's smaller courts that have insufficient resources to implement computer technology on their own.

*Websites for the Eighth Judicial District Court and the Justice Courts in Las Vegas and Henderson can be accessed through the Clark County website: [co.clark.nv.us](http://co.clark.nv.us)*





## SUMMIT 2000 - A Judicial First

*The first judicial conference of the new millennium - appropriately nicknamed SUMMIT 2000 - was a historic occasion for Nevada.*

This conference was the first time that judges from every level of the judiciary - Supreme Court, District Court, Justice Court and Municipal Court - attended the same conference to discuss their accomplishments in addition to their mutual problems and concerns.

In all, 103 of the state's 145 judges gathered for four days at Lake Tahoe in May for the conference entitled Judicial Leadership 2000: An Independent Judiciary in an Interdependent World.

Summit 2000 was actually a combined conference of the Nevada Judges Association, composed of Justice and Municipal Court judges, and the Nevada District Judges Association. This unique session was expanded to include the Supreme Court justices, court administrators and court clerks.

Chief Justice Rose called it a reflection of the growth and professionalism in the court system in general and of a more effective and open Supreme Court.

During sessions at Summit 2000:

- The judges discussed how to deal with pro se litigants - those who exercise their right to represent themselves in court cases at virtually every level, including death penalty murder cases.
- The judges advocated a greater role for themselves in how the judiciary operates - previously the exclusive job of the Nevada Supreme Court - by voting to endorse changes in the Nevada Judicial Council. The judges endorsed changes in the Council's composition to allow a better balance of limited and general jurisdiction judges from across the state. While the new Council would have a greater role in policy decisions about the judiciary's operation, the Supreme Court would continue to have ultimate authority in some matters. A final plan will have to be approved by the high court.
- Along with the educational and planning sessions, the judges heard from several nationally known speakers including: Christina Crawford, the author of *Mommie Dearest*, talking about curbing family violence; Fox Television news analyst and syndicated columnist Susan Estrich giving insights into politics and the judicial system; and former Tennessee Supreme Court Justice Penny White discussing judicial independence.

## Domestic Violence Forms Can Save Lives

As the criminal justice system has opened its doors more and more to the victims of domestic violence, the inherent problems that follow any such expansion have bubbled to the surface. Major stumbling blocks included such seemingly simple things as gathering information from victims and translating it into the necessary court orders on forms easily recognizable by law enforcement.

But that is no longer the case. On June 7, 2000, the Supreme Court voted unanimously for a rule standardizing a series of forms involving protective orders in domestic violence cases to ensure uniform recognition - particularly by law enforcement personnel in other states.

Prior to that, forms and court orders differed across Nevada, sometimes confusing law officers and prompting them to question the validity of the orders. A Supreme Court committee determined the problem was particularly serious in communities bordering other states when officers in those adjoining states were being asked to honor the Nevada documents. As a result, the court orders sometimes were not being served and enforced. Victims were not being protected. Perpetrators were not held accountable.

The Supreme Court knew the stakes were high because of the potential for domestic violence to escalate. In Carson City alone, about 40 percent of homicides are domestic violence related, according to the office of the state's Domestic Violence Ombudsman. Thus, the justices created the study committee to standardize the forms that will be used to process the thousands of protective orders sought each year in Nevada.

The seven forms mandated for use were recommended following a two-year project conducted by the Supreme Court committee chaired by Second Judicial District Judge Scott Jordan and Susan Meuschke, executive director of the Nevada Network Against Domestic Violence.

## Nevada Looks At Business Courts

Fiscal year 1999-2000 saw the Nevada Supreme Court take steps toward the creation of **Business Courts** as part of the District Court system in Clark and Washoe Counties. A task force of judges and business leaders appointed by the Supreme Court favored the approach as a way of promoting a positive business climate needed to attract corporations to Nevada and to diversify our economy.

Business Courts are intended to focus on complex civil cases requiring expeditious resolution to prevent corporations and businesses from risking financial ruin while involved in ongoing litigation. Chief Justice Bob Rose predicted that a Business Court could resolve disputes in perhaps three to six months while the current court system can take four or five years.

Chief Justice Rose said a Business Court would focus on corporate power struggles, shareholder disputes and litigation over trade secrets. The judges also handle a variety of other business-related cases. Implementation of the Business Court is a priority for the court system and the 2001 Nevada Legislature.

While the Business Courts would have a narrow focus, the Chief Justice emphasizes their creation will not be at the expense of other types of cases nor consume disproportional judicial assets.

Only seven other states have implemented Business Courts. Nevada would be the first state west of the Mississippi to have such courts.

## Judicial Assessment Commission

The Supreme Court's Judicial Assessment Commission - still carrying the Rose Commission nickname it was given in 1994 for its sponsor, Chief Justice Bob Rose - was resurrected in fiscal year 1999-2000 to take a fresh look at a judicial system that had experienced plenty of change during the previous five years.

The Commission's assignment has always been simple: make recommendations for needed changes without regard for politics or special interests. While many of the commission members were connected to the legal community and familiar with the current system, many others were not. Chosen for their skills, business knowledge or community involvement, they brought a fresh perspective to the Commission.

The Commission was divided into four task forces: *Access to and Quality of Justice*, *Court Administration*, *Criminal Justice*, and *Special Court Structures*.

Recommendations made by the original Rose Commission led to the passage of new laws by the Legislature and new rules by the Nevada Supreme Court, already making the court system at every level work better for the people.

Implemented 1994 recommendations included:

- Truth in sentencing laws to keep prisoners behind bars
- Establishing Strong Chief Judge systems in the state's urban District Courts
- The statewide collection of judicial statistics
- Creating a Division of Planning & Analysis at the Administrative Office of the Courts
- Expanding Drug Court programs

The fiscal year 1999-2000 Rose Commission fine-tuned many of its prior recommendations, reaffirming its position on sometimes politically sensitive issues - such as the appointment rather than election of judges (the so-called *Nevada Plan*), consolidation of the Municipal and Justice Courts under state funding, and re-categorizing minor traffic offenses and "neighborhood disputes" from misdemeanor crimes to civil infractions.

The Rose Commission also renewed its 1994 call to reduce the penalty for possession and use of small quantities of marijuana from a felony to a misdemeanor or gross misdemeanor. Passage of the controversial law was supported in newspaper editorials.

Other fiscal year 1999-2000 recommendations:

- Prompt lawyers to donate 20 hours of their time or \$500 to help people too poor to afford legal representation
- Expand the rights of citizens to represent themselves in all types of court cases
- Work toward the electronic filing of court documents to eliminate the paper-dependent system currently in place
- Ensure the Judicial Branch receives its statutory share of administrative assessments
- Revise bail laws to give courts and jailers more control and minimize jail overcrowding
- Create a "blended" system to deal with serious juvenile offenders that would let them be processed in adult courts but rehabilitated in the juvenile system

### COMMISSION CHAIRMAN

CHIEF JUSTICE BOB ROSE

### TASK FORCE CHAIRPERSONS

DR. BILL BERLINER  
*Access to & Quality of Justice*

ANNA PETERSON  
*Court Administration*

JUDGE NANCY OESTERLE  
*Criminal Justice*

LARRY HYDE, Esq.  
*Special Court Structure*



## Creative Court Programs

### Self Help Center Completes Its First Year

Clark County's **Family Law Self-Help Center** completed its first year of operation in April 2000, providing user-friendly assistance to several thousand citizens a month who cannot afford or choose not to hire attorneys in Family Court cases. During that first year, the staff of five distributed packets of legal forms and provided free notary services and other assistance. There were 21,505 walk-in customers and 12,407 telephone customers.

### Children's Attorneys Project

In November 1999, the **Children's Attorneys Project** was established in the Clark County Juvenile Court to provide attorneys for youngsters - particularly in abuse and neglect cases. Providing a lawyer to represent a child's interests in court can expedite permanent and safe placement, whether that is in or out of the home.

The project is coordinated through the Court Appointed Special Advocate (CASA) program, which has operated for years to provide specially trained volunteers and personnel to advocate for the rights and safety of children in a variety of Family Court cases.

### First Offender Prostitution Program

Las Vegas Municipal Court utilizes a program aimed at reducing prostitution and related sexually transmitted diseases by educating first time offenders who are caught soliciting prostitutes. The one-day, eight-hour program emphasizes the effects of prostitution on neighborhoods, businesses, the women involved and children.

### Enforcement Of Domestic Violence Court Orders

In September 1999, Reno Municipal Court began a grant-funded project to enforce court orders in domestic violence cases - putting teeth in the judges' sentences. A court marshal was hired specifically to locate violators with outstanding arrest warrants. He has managed to serve more than 40 percent of the warrants despite the transient nature of many who pass through the courts.

Once issued, the warrants undergo expedited processing and the court marshal goes into action. Although the **Warrant Service Program** is still young and only has one officer, hundreds of violent offenders have been jailed.

### Courtesy Letters In Small Claims Cases

Austin Justice Court is sending courtesy letters to defendants in small claims matters before the cases are filed. The defendants are informed of the impending litigation and given an opportunity to settle out of court to avoid court costs. Justice of the Peace James Andersen said about 60 percent of these cases are resolved without court intervention. He emphasizes that this has kept minor disputes from escalating into "Hatfield and McCoy" feuds in the rural community. The letters are sent with the consent of plaintiffs.

### Options To Jail Provided In Misdemeanors

The East Fork Justice Court has an **Alternative Sentencing** program aimed at diverting misdemeanor offenders from jail sentences by providing services that will help them address the problems that brought them to court. The program can provide direct supervision of offenders, residential confinement, drug testing, and psychological counseling to curb substance abuse and anger management.

### Pooling Staff Saves Money

Reno Justice Court has pooled its court reporters and judicial secretaries, saving taxpayers tens of thousands of dollars annually. Three full-time court reporters and two secretaries are shared by the five justices of the peace. The chief judge, with many administrative duties, does not carry a regular calendar but does fill in for judges who are on vacation, at training sessions or off the bench because of other court-related business.

## Alternatives to Trial

While jury trials are generally considered to be the traditional way to resolve court cases, they are neither the quickest nor the most economical. The reality is that the vast majority of civil and criminal cases are resolved through negotiated settlements.

In many civil cases, a full trial is not necessarily the answer. It is expensive for litigants and time consuming for the courts. The Supreme Court has responded by initiating alternatives - such as the mandatory arbitration program and, as of June 2000, the "Short Trial" system.

■ In Clark and Washoe Counties, civil cases involving claims of less than \$40,000 are subject to mandatory but **non-binding arbitration** in an effort to obtain a prompt and equitable resolution short of a full trial. In Douglas County and Carson City, the figure is less than \$25,000. Arbitration laws allow dissatisfied litigants to proceed to trial.

■ **Voluntary arbitration** programs to circumvent courtroom litigation are available in other Nevada counties.

■ When cases involving \$40,000 or less reach the point of a jury trial, the new **Short Trial** system is one of the options. These one-day trials are decided by four-member juries and many of the usual legal requirements of a trial are relaxed. Presentations by each side are limited to three hours and judgments are generally limited to \$40,000 per plaintiff.

■ In many courts, judges work to help those embroiled in legal disputes resolve their cases expeditiously and avoid the costs of prolonged civil litigation. In **Washoe County District Court**, judges meet with lawyers and clients at an early stage in active lawsuits to determine a course of action and set a firm trial date. The approach, which can get cases to the trial in less than a year, has won praise from the National Center for State Courts.



## Uniform System for Judicial Records



# The Nevada Judiciary Caseload Statistics Report



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*Congratulations to all the  
Nevada courts and their staffs!*

*The Division of Planning and Analysis is  
proud to present, for the first time, the  
Nevada Judiciary Caseload Statistics Report*

*All 91 trial courts submitted  
caseload data for fiscal year 1999-2000.  
In order to comply with the USJR Model,  
many courts compiled their monthly  
reports manually while courts  
with automation had to modify their  
programs to gather the statistics  
contained herein.*

*The Supreme Court and  
Administrative Office of the Courts  
recognize the hard work and cooperation  
of all judicial personnel and the  
countless others who contributed  
during this inaugural year.*

---

# Uniform System For Judicial Records

In June 1999, the Supreme Court issued a court order implementing the Uniform System for Judicial Records Nevada Court Statistical Reporting Model (USJR Model). The order requires trial courts to submit information defined in the USJR Model to the Administrative Office of the Courts (AOC) monthly. This act was more than one year in the planning stage and brought the Nevada judiciary in line with other states for the reporting of statewide court information.

The information in the USJR Model is divided into four case categories: civil, criminal, family, and juvenile. Ultimately, each category will have four types of statistics:

- Caseload inventory (number of cases filed),
- Dispositions (number and type),
- Specific events in case processing (number and type), and
- Status of pending cases (number of cases at certain milestones).

All these statistics will yield valuable information, both at the local and state levels. However, it was neither practical, nor financially feasible, to require Nevada courts to capture and report all four types of statistics immediately. The collection of each statistic type was prioritized in terms of complexity and expense of measurement. Collection of caseload inventory<sup>1</sup> was first and collection of dispositions will be added next.

*This annual report provides caseload inventory (filing) statistics only.* Future reports will contain additional information as the USJR Model is expanded to meet judicial and legislative information needs.

Caseload inventory statistics are useful only if the case categories (case types) are defined and then consistently categorized and reported by every court. To provide for consistent analysis, case types and sub-types were carefully defined and documented in the USJR Model. Almost 50 individuals representing the courts and county clerks' offices assisted with the development of the USJR Model. A national model developed by the National Center for State Courts and the Conference of State Court Administrators was used as a guide. The Appendix contains a glossary of case types included in this report.

The USJR Model standardizes the information collected from Nevada courts to facilitate comparisons among courts. This is the first year courts were required to report caseload information; many are still modifying their systems to follow the Supreme Court approved definitions. The courts are required to report their information to the AOC even if they are unable to comply completely with the case-type definitions. Footnotes are used in the Appendix tables to identify those courts that are unable to completely comply with the approved definitions.

Meeting the requirements of the USJR Model was a hardship for most trial courts. The courts, recognizing the benefits of statewide statistics, managed the additional workload of the data collection and submission despite no new resources. Many of the courts had systems for counting their caseload that may or may not meet minimum requirements for data collection. Court staffs must focus on counting cases according to the approved USJR Model definitions and categories. These definitions sometimes required changes to the way staff managed court processes or environment. Some courts had to change what they were counting, such as changing from counting traffic citations to traffic violations (many citations have more than one violation). The AOC will continue to work with all the trial courts to assist them in modifying their systems and to ensure that the definitions are consistently applied. However, expanding the USJR requirements without advanced technology for the courts will be difficult.

(1) Felony, gross misdemeanor, and misdemeanor (non-traffic) cases are counted by defendants. Traffic and parking violations are counted by charges. Civil, family, and juvenile cases are counted by filing, petition, or complaint.



## Court Comparisons

### Using Judicial Statistics

The generally accepted method to assess a court's workload is to use cases per judicial position. Judicial positions are the number of judges authorized for a court. Cases per judicial position has become a standard that courts use to get some indication concerning the volume of their caseload and the need for additional resources. This is such a common measure that the cases per judicial position have been calculated for all Nevada courts and are discussed later in this report.

As this is the first year for the collection and reporting of judicial statistics, these numbers should be viewed **with caution**. Some courts were unable to comply with the Supreme Court approved definitions for this reporting period, thus their caseload may be either over or under stated. Some courts also have more judicial resources available to them than indicated by the number of judicial positions. Many urban courts use commissioners, referees, and masters appointed by the court and funded by the local jurisdiction to assist judges with their caseload. These quasi-judicial positions perform judicial tasks under the direction of a judge and free up a judge's time for trials and other pressing judicial responsibilities. Many of the busier courts also receive assistance from judges of courts that are not as busy. In addition, some courts make use of senior judges - retired judges who make themselves available for temporary assignments.

The USJR Model will eventually include a definition for quasi-judicial positions, thus allowing for the measurement of total judicial resources available to a court. At this time, the USJR Model is unable to consistently measure total judicial resources and, therefore, a very important part of the judicial resource picture for each court is not available for this report.

Reliable historical data is not available for comparison to previous years of statewide judicial workload. Lacking historical data for comparison, the proportion of population was compared to the proportion of caseloads. The analysis in the following pages is focused on the distribution of the many case types around the state. There should be a general correlation between population and court workload. Although a one-to-one relation is not expected, generally, as the population increases so do court cases. One would expect also to see the distribution of caseload across the state at least roughly at the same proportion as the population. This is indeed so, with a few exceptions.

## Statewide Summary

Some interesting comparisons are made using the statewide population estimates (Table A1 in the Appendix, Nevada State Demographer) and the caseloads of several areas. Washoe County has approximately 16 percent of the state population and an equal amount of the total District Court caseload. Clark County has approximately 68 percent of the population and 67 percent of the District Court caseload. Both of these areas see large influxes of tourists throughout the year, yet the comparisons are strikingly similar.

At the Justice Court level, Reno Justice Court has 11 percent of the population but twice as much of the statewide civil caseload (22 percent) while Las Vegas Justice Court has 50 percent of the population with 50 percent of the civil caseload.

Statewide, for District Courts, family case filings are almost twice civil case filings (Table 1). The number of juvenile cases ranks third with criminal cases last. In Justice Courts, traffic and parking violations are almost five times higher than the criminal or civil caseload filings. In Municipal Courts, traffic and parking violations are more than three times higher than the misdemeanor criminal caseload. Traffic and parking statistics represent violations or charges and not defendants as with the other criminal information. Combining defendants and violations significantly distorts the total caseload; therefore, traffic and parking violations are listed separately from the other criminal statistics.

The statewide number of cases filed per judicial position is 1,860 for District Courts; 2,335 for Justice Courts; and 2,402 for Municipal Courts (including the 11 justices of the peace who also hear Municipal Court cases). The number of cases filed per judicial position for each court (excluding traffic and parking violations) is discussed in this report (see Figures 2, 3, and 4). For fiscal year 1999-2000, the cases per judicial position for trial courts range from zero at several small rural courts to 12,559 at Las Vegas Justice Court.

Table 1

#### Reported Total Nevada Statewide Trial Court Caseload, Fiscal Year 1999-2000

	Criminal*	Civil	Family	Juvenile	Total Non-traffic	Traffic and Parking**
District Courts	11,477	23,427	41,363	18,617	94,884	NJ
Justice Courts	77,159	83,942	NJ	NJ	161,101	406,551
Municipal Courts	69,663	NJ	NJ	NJ	69,663	253,078
<b>Total</b>	<b>158,299</b>	<b>107,369</b>	<b>41,363</b>	<b>18,617</b>	<b>325,648</b>	<b>659,629</b>

NJ Not within court jurisdiction

\* Criminal includes felony, gross misdemeanor, and non-traffic misdemeanors and are counted by defendants.

\*\* Traffic and parking numbers are counted by charges, not defendants. Not all courts process parking violations.

## Supreme Court

The Nevada Supreme Court is the only appellate court in the state. The main constitutional function of the Supreme Court is to review appeals from the decisions of the District Courts. Death penalty cases have an automatic appeal. The Supreme Court does not conduct fact-finding trials, but rather determines whether legal errors were committed in the rendering of the lower court decision. The Court must consider all cases filed.

The numbers of cases filed and disposed for calendar year 1999 and fiscal year 1999-2000 are presented in Table 2. For the fiscal year, the Supreme Court disposed of almost the same number of cases as were filed. The main difference between the calendar year and fiscal year statistics is that the court wrote almost twice the number of opinions during the fiscal year while the number of cases disposed of by order is down almost 200. Comparatively, those cases disposed of by opinion are normally precedent setting cases and require much more time and effort than the cases that are disposed by order. For the 18-month period that includes the calendar year and fiscal year, the Court disposed of 275 more cases than filed. As shown in Figure 1, the Court has reduced the backlog a total of 535 cases since 1997.

The Court's main caseload is from appeals filed from the District Courts. The sources of appeals to the Supreme Court are provided in Table 3. The Eighth Judicial District (Clark County) had 63 percent of the total number of appeals filed by judicial district statewide (Table 3). The Second Judicial District (Washoe County) was next with 21 percent. The other seven judicial districts shared the remaining 16 percent of the appeals. The percentage for Clark and Washoe County District Courts is consistent with the percentage of the statewide caseload.

Table 2

### Nevada Supreme Court Cases Filed and Disposed, Fiscal Year 1999-2000

	Calendar Year 1999	Fiscal Year 1999 - 2000
<b>Cases Filed</b>		
Bar Matters	25	23
Appeals	1,607	1,661
Original Proceedings	249	240
Other	4	6
Reinstated	9	10
<b>Total Cases Filed</b>	<b>1,894</b>	<b>1,940</b>
<b>Cases Disposed</b>		
By Opinions	60	111
By Order	2,013	1,821
<b>Total Cases Disposed</b>	<b>2,073</b>	<b>1,932</b>
Cases Pending	1,986	1,890
<b>Number of Opinions Written*</b>	<b>63</b>	<b>106</b>

\* Includes opinions that do not dispose of cases.

Source: Nevada Supreme Court Clerk's Office.

Table 3

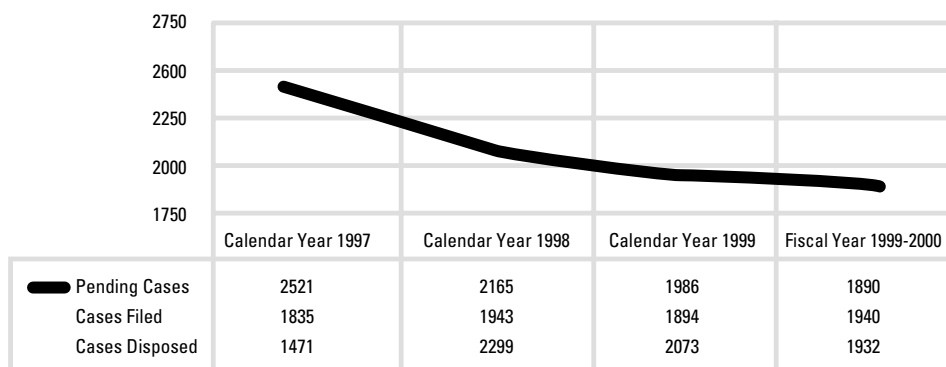
### Nevada Supreme Court Appeals Filed by Judicial District, Fiscal Year 1999-2000

Judicial District	Civil	Criminal	Total	Percent
First	34	42	76	5
Second	126	226	352	21
Third	14	29	43	3
Fourth	11	29	40	2
Fifth	6	26	32	2
Sixth	8	25	33	2
Seventh	7	16	23	1
Eighth	590	451	1,041	63
Ninth	13	8	21	1
<b>Total</b>	<b>809</b>	<b>852</b>	<b>1,661</b>	<b>100</b>

Source: Nevada Supreme Court Clerk's Office.

Figure 1

### Nevada Supreme Court Pending Cases, Calendar Years 1997-99 and Fiscal Year 1999-2000



## District Courts

The District Courts have general jurisdiction. Their jurisdiction is over all felony and gross misdemeanor cases, which are considered together as criminal cases, and civil cases where the amount in question exceeds \$7,500. They also have jurisdiction for all family and juvenile cases.

## Statistical Summary

The District Court case filing information is summarized in Table 4.

In District Court, criminal defendants are counted when the court receives the bind over from Justice Court or the grand jury files an indictment. Almost two-thirds of the statewide criminal cases were filed in Clark County (Table 4). Washoe County handled about 20 percent of the criminal cases with the remaining 16 percent spread throughout the rural judicial districts.

Civil caseloads are counted when a petition or complaint is filed with District Court. Almost three-quarters of the civil cases were filed in Clark County (Table 4), which is slightly more than the 68 percent of the state population residing in Clark County. Washoe County handled about 16 percent of the civil cases (and has 16 percent of the population) with the remaining 11 percent spread throughout the rural judicial districts.

Family-related cases, handled only by District Courts, are counted when a petition, request, or complaint is filed with the court. Again, Clark County led the filings, which were largely dominated by marriage dissolution cases, with 70 percent (Table 4). Washoe County handled about 18 percent of the family cases with the remaining 12 percent spread throughout the rural judicial districts.

Juvenile cases (except traffic) are handled by District Court and are counted when a petition or complaint is filed. Clark County had 55 percent of the juvenile cases with Carson City, Washoe County, and Lyon County at 8 percent each (Table 4). The remaining 21 percent was spread throughout the rural judicial districts.

Table 4

### Summary of District Court Case Filings, Fiscal Year 1999-2000

Court	Criminal Caseload (%)	Civil Caseload (%)	Family Caseload (%)	Juvenile Caseload (%)	Total Caseload (%)
<b>First Judicial District</b>					
Carson City District Court	334 (3)	569 (2)	793 (2)	1,504 (8)	3,200 (3)
Storey County District Court	30 (<1)	26 (<1)	21 (<1)	12 (<1)	89 (<1)
<b>Second Judicial District</b>					
Washoe County District Court	2,345 (20)	3,698 (16)	7,632 (18)	1,425 (8)	15,100 (16)
<b>Third Judicial District</b>					
Churchill County District Court	171 (1)	160 (1)	825 (2)	712 (4)	1,868 (2)
Lyon County District Court	221 (2)	200 (1)	336 (1)	1,577 (8)	2,334 (2)
<b>Fourth Judicial District</b>					
Elko County District Court	259 (2)	380 (2)	856 (2)	1,204 (6)	2,699 (3)
<b>Fifth Judicial District</b>					
Esmeralda County District Court	19 (<1)	10 (<1)	23 (<1)	18 (<1)	70 (<1)
Mineral County District Court	58 (<1)	41 (<1)	91 (<1)	69 (<1)	259 (<1)
Nye County District Court	199 (2)	342 (1)	374 (1)	597 (3)	1,512 (2)
<b>Sixth Judicial District</b>					
Humboldt County District Court	165 (1)	121 (1)	305 (1)	410 (2)	1,001 (1)
Lander County District Court	47 (<1)	41 (<1)	77 (<1)	300 (2)	465 (<1)
Pershing County District Court	46 (<1)	73 (<1)	115 (<1)	112 (1)	346 (<1)
<b>Seventh Judicial District</b>					
Eureka County District Court	17 (<1)	21 (<1)	10 (<1)	26 (<1)	74 (<1)
Lincoln County District Court	23 (<1)	43 (<1)	45 (<1)	23 (<1)	134 (<1)
White Pine County District Court	39 (<1)	174 (1)	136 (<1)	85 (<1)	434 (<1)
<b>Eighth Judicial District</b>					
Clark County District Court	7,382 (64)	17,161 (73)	28,810 (70)	10,225 (55)	63,578 (67)
<b>Ninth Judicial District</b>					
Douglas County District Court	122 (1)	367 (2)	914 (2)	318 (2)	1,721 (2)
<b>Total</b>	<b>11,477</b>	<b>23,427</b>	<b>41,363</b>	<b>18,617</b>	<b>94,884</b>

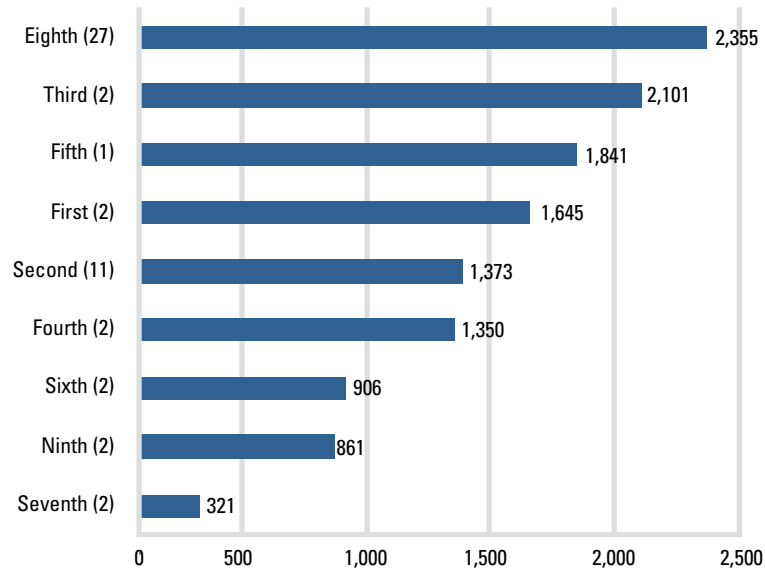
Percentages in parenthesis may not add up to 100 percent in each column due to rounding.



Figure 2

### Cases Filed Per Judicial Position By Judicial District, Fiscal Year 1999-2000

(Number of judicial positions in parentheses)



Statewide number of cases filed per judicial position for District Courts is 1,860.

## Cases per Judicial Position

The number of cases per judicial position for all District Courts in Nevada is shown in Figure 2. In the judicial districts that contain more than one county (First, Third, Fifth, Sixth, and Seventh), the cases for those counties in the district are summed and divided by the number of judges for that district. As expected, the Eighth Judicial District (Clark County District Court) has the largest number of cases per judicial position at 2,355. The Third Judicial District (Churchill and Lyon County District Courts) and Fifth Judicial District (Esmeralda, Mineral, and Nye County District Courts) are second and third with 2,101 and 1,841 cases per judicial position, respectively. The Eighth, Fifth, and Third Judicial Districts are each adding new judges<sup>2</sup> effective January 1, 2001.

Those District Court Judges with a smaller caseload assist the busier District Courts, however, the AOC and the courts are currently unable to quantify this assistance. Additionally, the multi-county judicial districts require judges to travel hundreds of miles each month among their counties to hear cases. This travel time cuts into the amount of time available to hear cases.

(2) Eighth Judicial District is adding three new family court judges; Third and Fifth Judicial Districts are each adding one new judge.

## Justice Courts

The Justice Courts (as well as Municipal Courts) are limited jurisdiction courts, meaning the caseload is restricted to particular types of cases or actions as prescribed by the Nevada Revised Statutes. Justice Courts determine whether felony and gross misdemeanor cases have enough evidence to be bound over to District Court. They hear misdemeanor non-traffic cases as well as general civil cases (amounts up to \$7,500), small claims (up to \$5,000), summary eviction cases, and requests for temporary protective orders (domestic violence or stalking and harassment). They also hear traffic and, in some communities, parking cases, which are counted by charge.

## Statistical Summary

The Justice Court case filing information is summarized in Table 5.

In Justice Court, criminal cases are counted when the courts receive the citation or complaint. Las Vegas Justice Court had more than half of the non-traffic (59 percent) and traffic (54 percent) cases filed in the state. Reno Justice Court followed with 9 percent non-traffic and 6 percent traffic. Several other jurisdictions followed with 3-5 percent each in one or both categories: Carson City Justice Court, Elko Justice Court, Henderson Justice Court, Laughlin Justice Court, and Sparks Justice Court. The rest of the Justice Courts, mostly rural, shared the remaining 18 percent.

Justice Court civil caseloads are counted when a petition or complaint is filed with the court. Las Vegas Justice Court also led the civil caseload with half of the statewide filings. Reno Justice Court followed with 22 percent. Carson City and Sparks Justice Courts each had 5 percent, Henderson and Laughlin Justice Courts each had 3 percent, with the remaining percentage spread throughout the other urban and rural areas. Interestingly, Henderson passed Reno as the second largest populated city in Nevada during fiscal year 1999-2000 but the civil caseload is notably higher in Reno.

Table 5

### Summary of Justice Court Case Filings, Fiscal Year 1999-2000

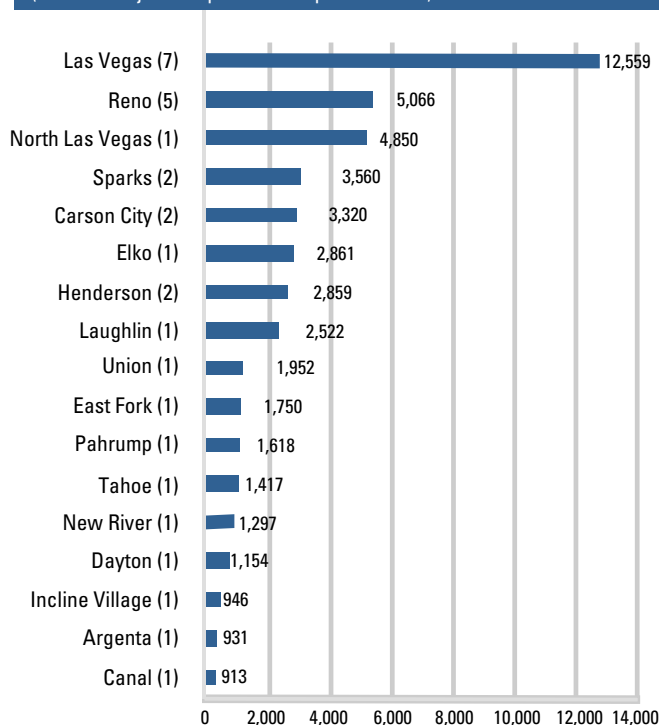
		Criminal		Civil		Traffic & Parking	
Court		Filings (%)		Filings (%)		Violations (%)	
First Judicial District							
Carson City							
Carson City Justice Court		2,628	(3)	4,011	(5)	15,297	(4)
Storey County							
Virginia City Justice Court		141	(<1)	126	(<1)	1,379	(<1)
Second Judicial District							
Washoe County							
Gerlach Justice Court		19	(<1)	6	(<1)	115	(<1)
Incline Village Justice Court		611	(<1)	335	(<1)	1,475	(<1)
Reno Justice Court		6,852	(9)	18,477	(22)	26,308	(6)
Sparks Justice Court		3,049	(4)	4,070	(5)	9,111	(2)
Verdi Justice Court		119	(<1)	24	(<1)	4,144	(1)
Wadsworth Justice Court		0	(<1)	8	(<1)	2,260	(<1)
Third Judicial District							
Churchill County							
New River Justice Court		540	(1)	757	(1)	2,157	(<1)
Lyon County							
Canal Justice Court		378	(<1)	535	(1)	5,497	(1)
Dayton Justice Court		540	(1)	614	(1)	2,678	(<1)
Mason Valley Justice Court		208	(<1)	291	(<1)	2,698	(<1)
Smith Valley Justice Court		22	(<1)	22	(<1)	280	(<1)
Fourth Judicial District							
Elko County							
Carlin Justice Court		90	(<1)	169	(<1)	817	(<1)
East Line Justice Court		129	(<1)	164	(<1)	174	(<1)
Elko Justice Court		1,409	(2)	1,452	(2)	10,469	(3)
Jackpot Justice Court		106	(<1)	65	(<1)	2,030	(<1)
Jarbridge Justice Court		1	(<1)	0	(<1)	0	(<1)
Mountain City Justice Court		25	(<1)	0	(<1)	65	(<1)
Tecoma Justice Court		6	(<1)	4	(<1)	473	(<1)
Wells Justice Court		63	(<1)	53	(<1)	5,093	(1)
Fifth Judicial District							
Esmeralda County							
Esmeralda Justice Court		36	(<1)	28	(<1)	3,373	(1)
Mineral County							
Hawthorne Justice Court		282	(<1)	251	(<1)	1,330	(<1)
Mina Justice Court		17	(<1)	2	(<1)	512	(<1)
Schurz Justice Court		4	(<1)	3	(<1)	8	(<1)
Nye County							
Beatty Justice Court		169	(<1)	52	(<1)	3,418	(1)
Gabbs Justice Court		4	(<1)	38	(<1)	5	(<1)
Pahrump Justice Court		681	(1)	937	(1)	3,441	(1)
Tonopah Justice Court		171	(<1)	169	(<1)	2,663	(<1)
Sixth Judicial District							
Humboldt County							
Goldrun Justice Court		0	(<1)	0	(<1)	0	(<1)
McDermitt Justice Court		0	(<1)	0	(<1)	0	(<1)
Paradise Valley Justice Court		0	(<1)	1	(<1)	0	(<1)
Union Justice Court		943	(1)	1,009	(1)	6,134	(2)
Lander County							
Argenta Justice Court		395	(<1)	536	(<1)	3,100	(<1)
Austin Justice Court		11	(<1)	11	(<1)	572	(<1)
Pershing County							
Lake Justice Court		195	(<1)	212	(<1)	3,811	(1)
Seventh Judicial District							
Eureka County							
Beowawe Justice Court		41	(<1)	10	(<1)	1,019	(<1)
Eureka Justice Court		48	(<1)	29	(<1)	1,414	(<1)
Lincoln County							
Meadow Valley Justice Court		39	(<1)	51	(<1)	1,739	(<1)
Pahrangat Valley Justice Court		16	(<1)	6	(<1)	3,191	(<1)
White Pine County							
Ely (No. 1) Justice Court		298	(<1)	364	(<1)	4,238	(1)
Lund (No. 2) Justice Court		2	(<1)	2	(<1)	265	(<1)
Baker (No. 3) Justice Court		0	(<1)	3	(<1)	33	(<1)
Eighth Judicial District							
Clark County							
Boulder Justice Court		118	(<1)	217	(<1)	1,158	(<1)
Bunkerville Justice Court		56	(<1)	12	(<1)	973	(<1)
Goodsprings Justice Court		264	(<1)	37	(<1)	9,901	(2)
Henderson Justice Court		2,958	(4)	2,759	(3)	8,667	(2)
Las Vegas Justice Court		45,933	(59)	41,986	(50)	220,655	(54)
Laughlin Justice Court		2,163	(3)	359	(<1)	10,158	(2)
Mesquite Justice Court		93	(<1)	209	(<1)	0	(<1)
Moapa Justice Court		185	(<1)	12	(<1)	4,681	(1)
Moapa Valley Justice Court		175	(<1)	47	(<1)	1,364	(<1)
North Las Vegas Justice Court		2,396	(3)	2,454	(3)	833	(<1)
Searchlight Justice Court		299	(<1)	17	(<1)	5,709	(1)
Ninth Judicial District							
Douglas County							
East Fork Justice Court		1,069	(1)	681	(1)	5,769	(1)
Tahoe Justice Court		1,162	(2)	255	(<1)	3,897	(1)
Total		77,159		83,942		406,551	

Percentages in parenthesis may not add up to 100 percent in each column due to rounding.

Figure 3

### Cases Filed Per Judicial Position By Justice Court, Fiscal Year 1999-2000

(Number of judicial positions in parentheses)



Statewide number of cases filed per judicial position for Justice Courts is 2,335.

## Cases per Judicial Position

Justice Courts present a unique problem when comparing cases per judicial position. Many of the Justices of the Peace only work part-time. Cases in Justice Courts tend to be much simpler than cases in District Courts, thus a Justice Court can handle a larger number of cases per judicial position. Traffic cases are not included in calculating the cases per judicial position for Justice Courts. To simplify the presentation in Figure 3, only those Justice Courts that have 750 cases per judicial position or more are shown<sup>3</sup>. The break at 750 was arbitrary based on the interval between Canal and Ely Justice Courts. The caseload information for Carson City Justice and Municipal Court is combined for the consolidated municipality and is provided in Figure 3 and Table 5 with Justice Courts.

As can be seen in Figure 3, the urban Justice Courts tend to have more than 2,000 cases per judicial position with Las Vegas Justice Court topping out at more than 12,000 cases per judicial position. The rural Justice Courts tend to have less than 2,000 cases per judicial position. Some Justice Courts hear juvenile traffic cases under the supervision of the District Courts. Those juvenile cases are included with the Justice Court criminal caseload.

(3) Here are the remaining Justice Courts and the cases per judicial position.

Court	Authorized Judicial Positions	Cases Filed per Judicial Position	Court	Authorized Judicial Positions	Cases Filed per Judicial Position	Court	Authorized Judicial Positions	Cases Filed per Judicial Position
Ely (No. 1) Justice Court	1	662	Beatty Justice Court	1	221	Mountain City Justice Court	1	25
Hawthorne Justice Court	1	533	Moapa Justice Court	1	197	Austin Justice Court	1	22
Mason Valley Justice Court	1	499	Jackpot Justice Court	1	171	Pahranagat Valley Justice Court	1	22
Lake Justice Court	1	407	Verdi Justice Court	1	143	Mina Justice Court	1	19
Tonopah Justice Court	1	340	Wells Justice Court	1	116	Tecoma Justice Court	1	10
Boulder Justice Court	1	335	Meadow Valley Justice Court	1	90	Wadsworth Justice Court	1	8
Searchlight Justice Court	1	316	Eureka Justice Court	1	77	Schurz Justice Court	1	7
Mesquite Justice Court	1	302	Bunkerville Justice Court	1	68	Lund (No. 2) Justice Court	1	4
Goodsprings Justice Court	1	301	Esmeralda Justice Court	1	64	Baker (No. 3) Justice Court	1	3
East Line Justice Court	1	293	Beowawe Justice Court	1	51	Jarbridge Justice Court	1	1
Virginia City Justice Court	1	267	Smith Valley Justice Court	1	44	Paradise Valley Justice Court	1	1
Carlin Justice Court	1	259	Gabbs Justice Court	1	42	Goldrun Justice Court	1	0
Moapa Valley Justice Court	1	222	Gerlach Justice Court	1	25	McDermitt Justice Court	1	0



## Municipal Courts

Municipal Courts are city courts and only handle cases that involve city ordinances. Their jurisdiction covers the handling of traffic and non-traffic misdemeanors and, in some cities, parking. (They generally do not handle civil cases although they have limited jurisdiction under Nevada Revised Statute 5.050.)

### Statistical Summary

The Municipal Court case filing information is summarized in Table 6.

The Municipal Courts are courts of limited jurisdiction. Their primary caseload is the handling of parking, traffic, and local non-traffic misdemeanor violations.

Criminal cases are counted when a complaint or citation is filed with the court. Las Vegas Municipal Court had the most non-traffic misdemeanors with 69 percent. Reno, North Las Vegas, and Henderson Municipal Courts followed with 9, 8, and 6 percent, respectively. Traffic numbers were slightly different, however, Las Vegas still led with 62 percent. North Las Vegas, Henderson, Reno, and Sparks followed with 13, 8, 7, and 6 percent, respectively.

### Cases per Judicial Position

The two Municipal Courts with the largest caseload per judicial position are Las Vegas and North Las Vegas (Figure 4). Henderson, Reno, Sparks, and Mesquite Municipal Courts are next and relatively equally spaced between about 1,000 and 2,000 cases per judicial position. All the remaining Municipal Courts are less than 500 cases per judicial position. The caseload information for Carson City Justice and Municipal Court is combined for the consolidated municipality and is provided in Figure 3 and Table 5 with Justice Courts.

Table 6

Municipal Court Caseload in Nevada, Fiscal Year 1999-2000

Court	Criminal Defendants Charged		Charges			
	Non-Traffic Misdemeanor (%)		Traffic Violations	Parking Violations	Traffic Total	(%)
Boulder City Municipal Court	329 <i>i</i>	(<1)	3,388 <i>a,i</i>	200 <i>i</i>	3,588 <i>a,i</i>	(1)
Caliente Municipal Court	10	(<1)	56	1	57	(<1)
Carlin Municipal Court	64	(<1)	196	5	201	(<1)
Carson City Municipal Court	( <i>b</i> )		( <i>b</i> )	( <i>b</i> )	( <i>b</i> )	
Elko Municipal Court	293	(<1)	1,029 <i>c</i>	( <i>c</i> )	1,029	(<1)
Ely Municipal Court	417	(1)	488	21	509	(<1)
Fallon Municipal Court	493	(1)	1,053	22	1,075	(<1)
Gabbs Municipal Court	0	(<1)	5	1	6	(<1)
Henderson Municipal Court	4,006	(6)	19,576 <i>a</i>	1,156	20,732 <i>a</i>	(8)
Las Vegas Municipal Court	47,783	(69)	156,935 <i>d</i>	( <i>b</i> )	156,935 <i>d</i>	(62)
Lovelock Municipal Court	49	(<1)	120	0	120	(<1)
Mesquite Municipal Court	1,039	(1)	2,417	25	2,442	(1)
North Las Vegas Municipal Court	5,895	(8)	28,261 <i>d</i>	4,988	33,249 <i>d</i>	(13)
Reno Municipal Court	6,420	(9)	17,209	( <i>e</i> )	17,209	(7)
Sparks Municipal Court	2,471	(4)	13,346	1,783	15,129	(6)
Wells Municipal Court	8 <i>i</i>	(<1)	334 <i>i</i>	0 <i>i</i>	334 <i>i</i>	(<1)
West Wendover Municipal Court	175 <i>i</i>	(<1)	200 <i>i</i>	0 <i>i</i>	200 <i>i</i>	(<1)
Yerington Municipal Court	211	(<1)	232	31	263	(<1)
<b>Total</b>	<b>69,663</b>		<b>244,845</b>	<b>8,233</b>	<b>253,078</b>	

Percentages in parenthesis may not add up to 100 percent in each column due to rounding.

*NJ* Not within court jurisdiction.

(a) Juvenile traffic numbers for six months are included in total. For Boulder City, 68 charges are included.

For Henderson, 602 charges are included.

(b) Municipal court data combined with Justice Court data (Table A6 in the Appendix) for the consolidated municipality of Carson City.

(c) Parking violations are included with traffic numbers.

(d) Court reported traffic or parking numbers by defendants; could not report by charges.

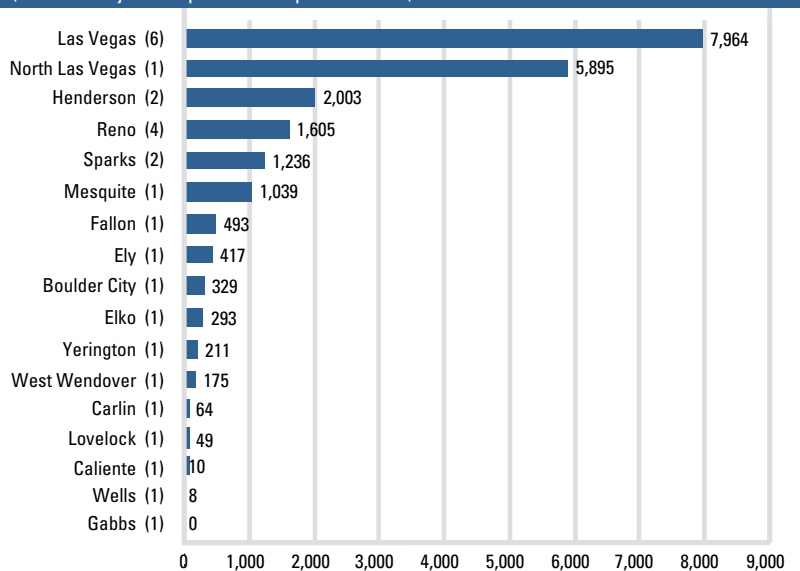
(e) Parking violations are handled administratively by the city.

(i) Data are incomplete. See Table A8 in the Appendix for details. Wells Municipal Court data for July through October were included with Wells Justice Court data.

Source: Uniform System For Judicial Records, Nevada AOC, Planning & Analysis Division.

Figure 4

**Cases Filed Per Judicial Position By Municipal Court, Fiscal Year 1999-2000**  
(Number of judicial positions in parentheses)



Statewide number of cases filed per judicial position for Municipal Courts is 2,402.



# UNIFORM SYSTEM FOR JUDICIAL RECORDS

## APPENDIX TABLES

Table A1

Summary of Judicial Positions, Population, and Total Filings by Court for Nevada Judiciary, Fiscal Year 1999-2000						
Court	Population as of 7/1/99(a)	Authorized Judicial Positions as of 6/30/00	Criminal Cases Filed(b)	Non-Criminal Cases Filed(c)	Total Non-Traffic Cases Filed	Traffic & Parking Violations
<b>First Judicial District Court</b>	<b>56,290</b>	<b>2</b>	<b>364</b>	<b>2,925</b>	<b>3,289</b>	<b>NJ</b>
<b>Carson City District Court</b>	<b>52,620</b>		<b>334</b>	<b>2,866</b>	<b>3,200</b>	<b>NJ</b>
<b>Storey County District Court</b>	<b>3,670</b>		<b>30</b>	<b>59</b>	<b>89</b>	<b>NJ</b>
Carson City						
Carson City Justice/Municipal Court(d)	52,620	2	2,628	4,011	6,639	15,297
Storey County						
Virginia City Justice Court	3,670	1	141	126	267	1,379
<b>Second Judicial District</b>	<b>323,670</b>	<b>11</b>	<b>2,345</b>	<b>12,755</b>	<b>15,100</b>	<b>NJ</b>
<b>Washoe County District Court</b>	<b>323,670</b>				<b>15,100</b>	<b>NJ</b>
Washoe County						
Gerlach Justice Court	627	1	19	6	25	115
Incline Village Justice Court	10,673	1	611	335	946	1,475
Reno Justice Court	213,660	5	6,852	18,477	25,329	26,308
Sparks Justice Court	94,353	2	3,049	4,070	7,119	9,111
Verdi Justice Court	2,852	1	119	24	143	4,144
Wadsworth Justice Court	1,504	1	0	8	8	2,260
Reno Municipal Court	176,910	4	6,420	NJ	6,420	17,209
Sparks Municipal Court	64,210	2	2,471	NJ	2,471	15,129
<b>Third Judicial District</b>	<b>59,460</b>	<b>2 e</b>	<b>392</b>	<b>3,810</b>	<b>4,202</b>	<b>NJ</b>
<b>Churchill County District Court</b>	<b>25,310</b>		<b>171</b>	<b>1,697</b>	<b>1,868</b>	<b>NJ</b>
<b>Lyon County District Court</b>	<b>34,150</b>		<b>221</b>	<b>2,113</b>	<b>2,334</b>	<b>NJ</b>
Churchill County						
New River Justice Court	25,310	1	540	757	1,297	2,157
Fallon Municipal Court	8,280	1	493	NJ	493	1,075
Lyon County						
Canal Justice Court	8,709	1	378	535	913	5,497
Dayton Justice Court	15,009	1	540	614	1,154	2,678
Mason Valley Justice Court	8,622	1	208	291	499	2,698
Smith Valley Justice Court	1,809	1	22	22	44	280
Yerington Municipal Court	3,070	(f)	211	NJ	211	263
<b>Fourth Judicial District</b>	<b>50,620</b>	<b>2</b>	<b>259</b>	<b>2,440</b>	<b>2,699</b>	<b>NJ</b>
<b>Elko County District Court</b>	<b>50,620</b>				<b>2,699</b>	
Elko County						
Carlin Justice Court	3,168	1	90	169	259	817
East Line Justice Court	3,756	1	129	164	293	174
Elko Justice Court	38,486	1	1,409	1,452	2,861	10,469
Jackpot Justice Court	1,159	1	106	65	171	2,030
Jarbridge Justice Court	92	1	1	0	1	0
Mountain City Justice Court	1,057	1	25	0	25	65
Tecoma Justice Court	217	1	6	4	10	473
Wells Justice Court	2,683	1	63	53	116	5,093
Carlin Municipal Court	2,390	(g)	64	NJ	64	201
Elko Municipal Court	18,510	(h)	293	NJ	293	1,029
Wells Municipal Court	1,510	(i)	8	NJ	8	334
West Wendover Municipal Court	3,540	(j)	175	NJ	175	200
<b>Fifth Judicial District</b>	<b>42,420</b>	<b>1 e</b>	<b>276</b>	<b>1,565</b>	<b>1,841</b>	<b>NJ</b>
<b>Esmeralda County District Court</b>	<b>1,520</b>		<b>19</b>	<b>51</b>	<b>70</b>	<b>NJ</b>
<b>Mineral County District Court</b>	<b>6,450</b>		<b>58</b>	<b>201</b>	<b>259</b>	<b>NJ</b>
<b>Nye County District Court</b>	<b>34,450</b>		<b>199</b>	<b>1,313</b>	<b>1,512</b>	<b>NJ</b>
Esmeralda County						
Esmeralda Justice Court	1,520	1	36	28	64	3,373
Mineral County						
Hawthorne Justice Court	5,304	1	282	251	533	1,330
Mina Justice Court	380	1	17	2	19	512
Schurz Justice Court	766	1	4	3	7	8
Nye County						
Beatty Justice Court	3,981	1	169	52	221	3,418
Gabbs Justice Court	671	1	4	38	42	5
Pahrump Justice Court	23,550	1	681	937	1,618	3,441
Tonopah Justice Court	6,248	1	171	169	340	2,663
Gabbs Municipal Court	671	(k)	0	NJ	0	6

NJ Not within court jurisdiction.

(a) Source: Nevada State Demographer. "Township boundaries may not correspond to incorporated areas, and are estimated using a different method than city estimates, therefore they may differ from city estimates."

Source: Uniform System For Judicial Records, Nevada AOC, Planning & Analysis Division.

(b) Criminal cases include felony, gross misdemeanor, and non-traffic misdemeanor defendants. They do not include traffic and parking violations.

(c) Non-criminal cases include civil, family, and juvenile cases for District Court and civil cases for Justice Court.

(d) Two Carson City Justice Court judges also serve as Carson City Municipal Court judges.

(e) Court will be adding one new judicial position effective January 1, 2001.



Table A1 (continued)

Summary of Judicial Positions, Population, and Total Filings by Court for Nevada Judiciary, Fiscal Year 1999-2000						
Court	Population as of 7/1/99(a)	Authorized Judicial Positions as of 6/30/00	Criminal Cases Filed(b)	Non-Criminal Cases Filed(c)	Total Non-Traffic Cases Filed	Traffic & Parking Violations
<b>Sixth Judicial District</b>	<b>32,370</b>	<b>2</b>	<b>258</b>	<b>1,554</b>	<b>1,812</b>	<b>NJ</b>
<b>Humboldt County District Court</b>	<b>18,090</b>		<b>165</b>	<b>836</b>	<b>1,001</b>	<b>NJ</b>
<b>Lander County District Court</b>	<b>7,010</b>		<b>47</b>	<b>418</b>	<b>465</b>	<b>NJ</b>
<b>Pershing County District Court</b>	<b>7,270</b>		<b>46</b>	<b>300</b>	<b>346</b>	<b>NJ</b>
<i>Humboldt County</i>						
<i>Goldrun Justice Court</i>	429	1	0	0	0	0
<i>McDermitt Justice Court</i>	1,290	1	0	0	0	0
<i>Paradise Valley Justice Court</i>	972	1	0	1	1	0
<i>Union Justice Court</i>	15,399	1	943	1,009	1,952	6,134
<i>Lander County</i>						
<i>Argenta Justice Court</i>	6,088	1	395	536	931	3,100
<i>Austin Justice Court</i>	922	1	11	11	22	572
<i>Pershing County</i>						
<i>Lake Justice Court</i>	7,270	1	195	212	407	3,811
<i>Lovelock Municipal Court</i>	2,820	1	49	NJ	49	120
<b>Seventh Judicial District</b>	<b>17,330</b>	<b>2</b>	<b>79</b>	<b>563</b>	<b>642</b>	<b>NJ</b>
<b>Eureka County District Court</b>	<b>1,930</b>		<b>17</b>	<b>57</b>	<b>74</b>	<b>NJ</b>
<b>Lincoln County District Court</b>	<b>4,250</b>		<b>23</b>	<b>111</b>	<b>134</b>	<b>NJ</b>
<b>White Pine County District Court</b>	<b>11,150</b>		<b>39</b>	<b>395</b>	<b>434</b>	<b>NJ</b>
<i>Eureka County</i>						
<i>Beowawe Justice Court</i>	627	1	41	10	51	1,019
<i>Eureka Justice Court</i>	1,303	1	48	29	77	1,414
<i>Lincoln County</i>						
<i>Meadow Valley Justice Court</i>	3,040	1	39	51	90	1,739
<i>Pahrnagat Valley Justice Court</i>	1,210	1	16	6	22	3,191
<i>Caliente Municipal Court</i>	1,130	(l)	10		10	57
<i>White Pine County</i>						
<i>Ely (No. 1) Justice Court</i>	10,345	1	298	364	662	4,238
<i>Lund (No. 2) Justice Court</i>	595	1	2	2	4	265
<i>Baker (No. 3) Justice Court</i>	210	1	0	3	3	33
<i>Ely Municipal Court</i>	5,400	1	417	NJ	417	509
<b>Eighth Judicial District</b>	<b>1,343,540</b>	<b>27 m</b>	<b>7,382</b>	<b>56,196</b>	<b>63,578</b>	<b>NJ</b>
<b>Clark County District Court</b>	<b>1,343,540</b>				<b>63,578</b>	<b>NJ</b>
<i>Clark County</i>						
<i>Boulder Justice Court</i>	14,940	1	118	217	335	1,158
<i>Bunkerville Justice Court</i>	880	1	56	12	68	973
<i>Goodsprings Justice Court</i>	1,400	1	264	37	301	9,901
<i>Henderson Justice Court</i>	177,030	2	2,958	2,759	5,717	8,667
<i>Las Vegas Justice Court</i>	983,750	7 e	45,933	41,986	87,919	220,655
<i>Laughlin Justice Court</i>	7,910	1	2,163	359	2,522	10,158
<i>Mesquite Justice Court</i>	14,070	1	93	209	302	0
<i>Moapa Justice Court</i>	440	1	185	12	197	4,681
<i>Moapa Valley Justice Court</i>	5,620	1	175	47	222	1,364
<i>North Las Vegas Justice Court</i>	136,760	1 e	2,396	2,454	4,850	833
<i>Searchlight Justice Court</i>	740	1	299	17	316	5,709
<i>Boulder City Municipal Court</i>	14,860	(n)	329	NJ	329	3,588
<i>Henderson Municipal Court</i>	177,030	2	4,006	NJ	4,006	20,732
<i>Las Vegas Municipal Court</i>	465,050	6	47,783	NJ	47,783	156,935
<i>Mesquite Municipal Court</i>	14,070	(o)	1,039	NJ	1,039	2,442
<i>North Las Vegas Municipal Court</i>	117,250	1	5,895	NJ	5,895	33,249
<b>Ninth Judicial District</b>	<b>42,590</b>	<b>2</b>	<b>122</b>	<b>1,599</b>	<b>1,721</b>	<b>NJ</b>
<b>Douglas County District Court</b>	<b>42,590</b>				<b>1,721</b>	<b>NJ</b>
<i>Douglas County</i>						
<i>East Fork Justice Court</i>	34,525	1	1,069	681	1,750	5,769
<i>Tahoe Justice Court</i>	8,065	1	1,162	255	1,417	3,897
<b>TOTALS</b>	<b>1,968,290</b>					
<b>District Court Judges</b>		<b>51</b>	<b>11,477</b>	<b>83,407</b>	<b>94,884</b>	<b>NJ</b>
<b>Justice Court Judges</b>		<b>69</b>	<b>77,159</b>	<b>83,942</b>	<b>161,101</b>	<b>406,551</b>
<b>Municipal Court Judges</b>		<b>29</b>	<b>69,663</b>	<b>NJ</b>	<b>69,663</b>	<b>253,078</b>

(f) Smith Valley Justice Court judge also serves as Yerington Municipal Court judge.

(g) Carlin Justice Court judge also serves as Carlin Municipal Court judge.

(h) Elko Justice Court judge also serves as Elko Municipal Court judge.

(i) Wells Justice Court judge also serves as Wells Municipal Court judge.

(j) East Line Justice Court judge also serves as West Wendover Municipal Court judge.

(k) Gabbs Justice Court judge also serves as Gabbs Municipal Court judge.

(l) Pahrnagat Valley Justice Court judge also serves as Caliente Municipal Court judge.

(m) Court will be adding three new judicial positions effective January 1, 2001.

(n) Boulder Justice Court judge also serves as Boulder City Municipal Court judge.

(o) Mesquite Justice Court judge also serves as Mesquite Municipal Court judge.

Table A2

**Criminal Caseload for District Courts in Nevada, Fiscal Year 1999-2000**

Criminal Defendants Charged				
Court	Felony	Gross Misdemeanor	Criminal Appeals from Lower Court	Total
First Judicial District				
Carson City District Court	290	26	18	334
Storey County District Court	16	12	2	30
Second Judicial District				
Washoe County District Court	1,892	300	153	2,345
Third Judicial District				
Churchill County District Court	130	41	0	171
Lyon County District Court	209	6	6	221
Fourth Judicial District				
Elko County District Court	237	12	10	259
Fifth Judicial District				
Esmeralda County District Court	19	0	0	19
Mineral County District Court	44	13	1	58
Nye County District Court	196	2	1	199
Sixth Judicial District				
Humboldt County District Court	123	21	21	165
Lander County District Court	33	14	0	47
Pershing County District Court	44 <i>i</i>	2 <i>i</i>	0 <i>i</i>	46 <i>i</i>
Seventh Judicial District				
Eureka County District Court	12	4	1	17
Lincoln County District Court	17	4	2	23
White Pine County District Court	19 <i>i</i>	17 <i>i</i>	3 <i>i</i>	39 <i>i</i>
Eighth Judicial District				
Clark County District Court	6,896 <i>a</i>	285 <i>a</i>	201	7,382 <i>a</i>
Ninth Judicial District				
Douglas County District Court	107	10	5	122
Total	10,284	769	424	11,477

(a) Data are by cases instead of defendants.

(i) Data are incomplete. See Table A8 for details.

Source: Uniform System For Judicial Records, Nevada AOC, Planning &amp; Analysis Division.

Table A3

**Civil Caseload for District Courts in Nevada, Fiscal Year 1999-2000**

Court	Real Property	Construction Defect	Civil Cases Filed				Total
			Torts-Negligence	Torts	Probate	Other	
First Judicial District							
Carson City District Court	30	0	112	34	106	287	569
Storey County District Court	7	NR	2	1	9	7	26
Second Judicial District							
Washoe County District Court	210	NR	588	302	542	2,056	3,698
Third Judicial District							
Churchill County District Court	13	0	23	20	53	51	160
Lyon County District Court	24	0	22	11	63	80	200
Fourth Judicial District							
Elko County District Court	38	2	62	15	84	179	380
Fifth Judicial District							
Esmeralda County District Court	1	0	2	1	3	3	10
Mineral County District Court	4	NR	5	5	16	11	41
Nye County District Court	37	0	28	13	167	97	342
Sixth Judicial District							
Humboldt County District Court	5	NR	10	4	47	55	121
Lander County District Court	6	1	4	0	16	14	41
Pershing County District Court	4	0	5	14	34	16	73
Seventh Judicial District							
Eureka County District Court	1	0	1	0	4	15	21
Lincoln County District Court	22	0	0	1	13	7	43
White Pine County District Court	8 <i>i</i>	0 <i>i</i>	6 <i>i</i>	10 <i>i</i>	102 <i>i</i>	48 <i>i</i>	174 <i>i</i>
Eighth Judicial District							
Clark County District Court	1,300	NR	5,047	1,041	1,765	8,008	17,161
Ninth Judicial District							
Douglas County District Court	29	1	58	30	83	166	367
Total	1,739	4	5,975	1,502	3,107	11,100	23,427

NR Not reported.

(i) Data are incomplete. See Table A8 for details.

Source: Uniform System For Judicial Records, Nevada AOC, Planning &amp; Analysis Division

Table A4

### Family Caseload for District Courts in Nevada, Fiscal Year 1999-2000

Family-Related Cases Filed											
Court	Marriage Dissolution	Support/ Custody	Uniform Interstate Family Support Act	Adoptions	Paternity	Termination of Parental Rights	Misc. Domestic Relations	Guardianship	Mental Health Case	Request for Domestic Violence Protective Orders (TPO's)	Total
<b>First Judicial District</b>											
Carson City District Court	510	11	71	29	10	22	42	82	16	0	793
Storey County District Court	17	NR	NR	NR	NR	1	1	2	NR	NR	21
<b>Second Judicial District</b>											
Washoe County District Court	2,903	50	991	168	72	148	785	364	561	1,590	7,632
<b>Third Judicial District</b>											
Churchill County District Court	605	0	156	10	3	12	21	18	0	0	825
Lyon County District Court	85	4	178	11	2	11	10	35	0	0	336
<b>Fourth Judicial District</b>											
Elko County District Court	327	18	159	38	28	26	27	25	0	208	856
<b>Fifth Judicial District</b>											
Esmeralda County District Court	10	1	10	0	0	0	0	2	0	0	23
Mineral County District Court	29	1	50	2	NR	1	2	6	NR	NR	91
Nye County District Court	216	13	101	2	2	7	15	18	0	0	374
<b>Sixth Judicial District</b>											
Humboldt County District Court	115	5	133	10	2	13	10	17	0	0	305
Lander County District Court	36	0	28	2	1	2	0	7	1	0	77
Pershing County District Court	36	2	52	1	1	1	8	14	0	0	115
<b>Seventh Judicial District</b>											
Eureka County District Court	4	0	5	0	0	1	0	0	0	0	10
Lincoln County District Court	15	1	17	2	0	2	1	7	0	0	45
White Pine County District Court	69	1	23	2	0	3	24	14	0	0	136
<b>Eighth Judicial District</b>											
Clark County District Court	11,507	863	5,264	532	180	531	711	1,021	823	7,378	28,810
<b>Ninth Judicial District</b>											
Douglas County District Court	768	19	44	18	8	15	12	30	0	0	914
<b>Total</b>	<b>17,252</b>	<b>989</b>	<b>7,282</b>	<b>827</b>	<b>309</b>	<b>796</b>	<b>1,669</b>	<b>1,662</b>	<b>1,401</b>	<b>9,176</b>	<b>41,363</b>

NR Not reported.

Source: Uniform System For Judicial Records, Nevada AOC, Planning &amp; Analysis Division.

Table A5

### Juvenile Caseload for District Courts in Nevada, Fiscal Year 1999-2000

Juvenile Cases Filed									
Court	Criminal-type Juvenile Petitions	Status Petitions	Child Abuse/ Neglect Petitions	Misc. Petitions	Informal Hearings	Detention/ Extradition Hearings	Protective Custody Hearings	Juvenile Traffic	Total
<b>First Judicial District</b>									
Carson City District Court	132 i	7 i	13 i	274 i	204 i	204 i	12 i	658 i	1,504 i
Storey County District Court	2 i	0 i	0 i	0 i	0 i	5 i	0 i	5 i	12 i
<b>Second Judicial District</b>									
Washoe County District Court	739 i	410 i	97 i	13 i	NR	NR	166 i	NR	1,425 i
<b>Third Judicial District</b>									
Churchill County District Court	159	23	16	100	112	67	19	216	712
Lyon County District Court	504	89	16	1	88	107	18	754	1,577
<b>Fourth Judicial District</b>									
Elko County District Court	326	2	16	48	113	115	68	516	1,204
<b>Fifth Judicial District</b>									
Esmeralda County District Court	0	0	0	0	0	0	0	18	18
Mineral County District Court	60	7	2	0	0	0	0	NR	69
Nye County District Court	134	235	15	2	0	0	0	211	597
<b>Sixth Judicial District</b>									
Humboldt County District Court	119	1	6	0	78	36	1	169 i	410
Lander County District Court	65	1	16	0	67	42	30	79	300
Pershing County District Court	36 i	3 i	3 i	16 i	27 i	1 i	2 i	24 i	112 i
<b>Seventh Judicial District</b>									
Eureka County District Court	4	4	0	7	11	0	0	(a)	26
Lincoln County District Court	14	0	1	5	0	0	3	(a)	23
White Pine County District Court	58 i	0 i	2 i	24 i	0 i	0 i	1 i	(a)	85 i
<b>Eighth Judicial District</b>									
Clark County District Court	7,807	3	620	105	3	748 i	939 i	0	10,225
<b>Ninth Judicial District</b>									
Douglas County District Court	216	8	11	2	0	55	26	0	318
<b>Total</b>	<b>10,375</b>	<b>793</b>	<b>834</b>	<b>597</b>	<b>703</b>	<b>1,380</b>	<b>1,285</b>	<b>2,650</b>	<b>18,617</b>

NR Not reported.

(a) Juvenile traffic violations handled by Justice Courts.

(i) Data are incomplete. See Table A8 for details.

Source: Uniform System For Judicial Records, Nevada AOC, Planning &amp; Analysis Division.



Table A6

## Criminal Caseload for Justice Courts in Nevada, Fiscal Year 1999-2000

Court	Criminal Defendants Charged					Charges		
	Felony	Gross Misdemeanor	Misdemeanor Non-Traffic	Juvenile Traffic	Total	Traffic Violations	Parking Violations	Total
<b>First Judicial District</b>								
Carson City								
Carson City Justice Court	805	94	1,729 <i>a</i>	<i>NJ</i>	2,628	15,003 <i>a</i>	294 <i>a</i>	15,297 <i>a</i>
Storey County								
Virginia City Justice Court	45	2	94	<i>NJ</i>	141	1,286	93	1,379
<b>Second Judicial District</b>								
Washoe County								
Gerlach Justice Court	0	1	18	<i>NJ</i>	19	115	0	115
Incline Village Justice Court	40	12	525	34	611	1,242	233	1,475
Reno Justice Court	2,628	258	3,966	<i>NJ</i>	6,852	26,308 <i>b</i>	<i>NJ</i>	26,308 <i>b</i>
Sparks Justice Court	973	146	1,930	<i>NJ</i>	3,049	9,111	<i>NJ</i>	9,111
Verdi Justice Court	25	1	93	<i>NJ</i>	119	4,065	79	4,144
Wadsworth Justice Court	0	0	0	<i>NJ</i>	0	2,260 <i>b</i>	0	2,260 <i>b</i>
<b>Third Judicial District</b>								
Churchill County								
New River Justice Court	233 <i>i</i>	20 <i>i</i>	287 <i>i</i>	<i>NJ</i>	540 <i>i</i>	2,157 <i>i</i>	0	2,157 <i>i</i>
Lyon County								
Canal Justice Court	99	18	261	<i>NJ</i>	378	5,497	0	5,497
Dayton Justice Court	93	7	440	<i>NJ</i>	540	2,678	0	2,678
Mason Valley Justice Court	47	22	139	<i>NJ</i>	208	2,698	0	2,698
Smith Valley Justice Court	7	2	13	<i>NJ</i>	22	280	<i>NJ</i>	280
<b>Fourth Judicial District</b>								
Elko County								
Carlin Justice Court	<i>NR</i>	<i>NR</i>	90	<i>NJ</i>	90	817	<i>NJ</i>	817
East Line Justice Court	<i>NR</i>	<i>NR</i>	129 <i>i</i>	<i>NJ</i>	129 <i>i</i>	174 <i>b,i</i>	0	174 <i>i</i>
Elko Justice Court	384	15	1,010	<i>NJ</i>	1,409	10,469 <i>c</i>	( <i>c</i> )	10,469
Jackpot Justice Court	0	0	106	<i>NJ</i>	106	1,996	34	2,030
Jarbridge Justice Court	0	0	1	<i>NJ</i>	1	0	0	0
Mountain City Justice Court	0	0	25	<i>NJ</i>	25	65	0	65
Tecoma Justice Court	0	0	6	<i>NJ</i>	6	473	0	473
Wells Justice Court	<i>NR</i>	<i>NR</i>	63 <i>a,i</i>	<i>NJ</i>	63 <i>a,i</i>	5,093 <i>a</i>	0	5,093 <i>a</i>
<b>Fifth Judicial District</b>								
Esmeralda County								
Esmeralda Justice Court	22 <i>i</i>	6 <i>i</i>	8 <i>i</i>	<i>NJ</i>	36 <i>i</i>	3,373 <i>i</i>	<i>NJ</i>	3,373 <i>i</i>
Mineral County								
Hawthorne Justice Court	74	5	203	<i>NJ</i>	282	1,330 <i>b,i</i>	0	1,330
Mina Justice Court	8	0	9	<i>NJ</i>	17	506	6	512
Schurz Justice Court	4	0	0	<i>NJ</i>	4	8 <i>b</i>	0	8
Nye County								
Beatty Justice Court	34	7	128	<i>NJ</i>	169	3,418	0	3,418
Gabbs Justice Court	3	0	1	<i>NJ</i>	4	5	0	5
Pahrump Justice Court	206	42	433	<i>NJ</i>	681	3,436	5	3,441
Tonopah Justice Court	75	7	89	<i>NJ</i>	171	2,659	4	2,663
<b>Sixth Judicial District</b>								
Humboldt County								
Goldrun Justice Court	0	0	0	<i>NJ</i>	0	0	0	0
McDermitt Justice Court	0	0	0	<i>NJ</i>	0	0	0	0
Paradise Valley Justice Court	0	0	0	<i>NJ</i>	0	0	0	0
Union Justice Court	202	29	712	<i>NJ</i>	943	5,895	239	6,134
Lander County								
Argenta Justice Court	70	8	317	<i>NJ</i>	395	3,093	7	3,100
Austin Justice Court	0	7	4	<i>NJ</i>	11	571	1	572
Pershing County								
Lake Justice Court	79	4	112	<i>NJ</i>	195	3,811	0	3,811
<b>Seventh Judicial District</b>								
Eureka County								
Beowawe Justice Court	6	2	31	2	41	1,019	<i>NJ</i>	1,019
Eureka Justice Court	7	5	30	6	48	1,394	20	1,414
Lincoln County								
Meadow Valley Justice Court	5	1	0	33	39	1,739	0	1,739
Pahranagat Valley Justice Court	2	1	2	11	16	3,191	<i>NR</i>	3,191
White Pine County								
Ely (No. 1) Justice Court	51	18	106	123	298	4,238	<i>NR</i>	4,238
Lund (No. 2) Justice Court	0	0	2	0	2	265	0	265
Baker (No. 3) Justice Court	0	0	0	0	0	33 <i>b</i>	0	33 <i>b</i>
<b>Eighth Judicial District</b>								
Clark County								
Boulder Justice Court	79	4	30	5 <i>i</i>	118	1,082	76	1,158
Bunkerville Justice Court	6	0	20	30 <i>i</i>	56	973	0	973
Goodsprings Justice Court	72	0	140	52 <i>i</i>	264	9,901	0	9,901
Henderson Justice Court	2,172	117	669	( <i>d</i> )	2,958	8,667 <i>d</i>	<i>NJ</i>	8,667
Las Vegas Justice Court	17,872	945	24,480	2,636 <i>i</i>	45,933	214,293	6,362	220,655
Laughlin Justice Court	829	24	1,223	87 <i>i</i>	2,163	9,742	416	10,158
Mesquite Justice Court	89	0	4	0	93	0	0	0
Moapa Justice Court	12	0	91	82 <i>i</i>	185	4,681	0	4,681
Moapa Valley Justice Court	33	0	58	84 <i>i</i>	175	1,364	0	1,364
North Las Vegas Justice Court	1,705	101	542	48 <i>i</i>	2,396	832	1	833
Searchlight Justice Court	44	6	204	45 <i>i</i>	299	5,709	0	5,709
<b>Ninth Judicial District</b>								
Douglas County								
East Fork Justice Court	239	30	800 <i>e</i>	<i>NJ</i>	1,069	5,655	114	5,769
Tahoe Justice Court	216	18	928 <i>e</i>	<i>NJ</i>	1,162	3,692	205	3,897
<b>Total</b>	<b>29,595</b>	<b>1,985</b>	<b>42,301</b>	<b>3,278</b>	<b>77,159</b>	<b>398,362</b>	<b>8,189</b>	<b>406,551</b>

*NJ* Not within court jurisdiction.*NR* Not reported.

(a) Municipal Court data included in totals.

(b) Court reported traffic numbers by defendants; could not report by charges.

(c) Parking violations are included with traffic violations.

(d) Juvenile traffic violations included with adult traffic violations.

(e) Misdemeanor driving under the influence charges are included in this category instead of in misdemeanor traffic.

(i) Data are incomplete. See Table A8 for details.

Source: Uniform System For Judicial Records, Nevada AOC, Planning &amp; Analysis Division

Table A7

Civil Caseload for Justice Courts in Nevada, Fiscal Year 1999-2000						
Court	General Civil	Small Claims	Civil Cases Filed			Total
			Summary Eviction	Requests for Domestic Violence Protective Orders (TPO's)	Requests for Protection Orders (non-domestic violence)	
First Judicial District						
Carson City						
Carson City Justice Court	1,616	504	1,144	502	245	4,011
Storey County						
Virginia City Justice Court	11	53	24	35	3	126
Second Judicial District						
Washoe County						
Gerlach Justice Court	0	5	0	1	0	6
Incline Village Justice Court	47	153	97	22	16	335
Reno Justice Court	7,550	3,024	7,609	(a)	294	18,477
Sparks Justice Court	671	1,151	2,235	(a)	13	4,070
Verdi Justice Court	2	9	12	0	1	24
Wadsworth Justice Court	1	4	3	0	0	8
Third Judicial District						
Churchill County						
New River Justice Court	117 i	275 i	201 i	137 i	27 i	757 i
Lyon County						
Canal Justice Court	74	275	127	59	0	535
Dayton Justice Court	183	105	188	105	33	614
Mason Valley Justice Court	80	163	15	33	0	291
Smith Valley Justice Court	1	17	1	3	0	22
Fourth Judicial District						
Elko County						
Carlin Justice Court	41	119	9	(a)	(a)	169
East Line Justice Court	42 i	99 i	17 i	6 i	0 i	164 i
Elko Justice Court	744	573	135	(a)	(a)	1,452
Jackpot Justice Court	5	55	2	3	0	65
Jarbridge Justice Court	0	0	0	0	0	0
Mountain City Justice Court	0	0	0	0	0	0
Tecoma Justice Court	0	2	0	2	0	4
Wells Justice Court	12	34	2	5	0	53
Fifth Judicial District						
Esmeralda County						
Esmeralda Justice Court	0 i	25 i	0 i	3 i	0 i	28 i
Mineral County						
Hawthorne Justice Court	2 i	200 i	18 i	31 i	0 i	251 i
Mina Justice Court	0 i	1 i	0 i	1 i	0 i	2 i
Schurz Justice Court	0	0	0	3	0	3
Nye County						
Beatty Justice Court	8	21	4	17	2	52
Gabbs Justice Court	0	35	1	2	0	38
Pahrump Justice Court	102	561	89	174	11	937
Tonopah Justice Court	12	118	11	26	2	169
Sixth Judicial District						
Humboldt County						
Goldrun Justice Court	0	0	0	0	0	0
McDermitt Justice Court	0	0	0	0	0	0
Paradise Valley Justice Court	0	1	0	0	0	1
Union Justice Court	330	493	75	111	0	1,009
Lander County						
Argenta Justice Court	62	437	4	31	2	536
Austin Justice Court	3	7	0	1	0	11
Pershing County						
Lake Justice Court	25	142	24	19	2	212
Seventh Judicial District						
Eureka County						
Beowawe Justice Court	1	8	1	0	(a)	10
Eureka Justice Court	9	15	2	2	1	29
Lincoln County						
Meadow Valley Justice Court	2	43	2	4	0	51
Pahranagat Valley Justice Court	1	2	0	3	0	6
White Pine County						
Ely (No. 1) Justice Court	128	169	16	46	5	364
Lund (No. 2) Justice Court	1	1	0	0	0	2
Baker (No. 3) Justice Court	0	0	0	3	0	3
Eighth Judicial District						
Clark County						
Boulder Justice Court	23	76	37	52	29	217
Bunkerville Justice Court	0	7	0	3	2	12
Goodsprings Justice Court	1	16	1	11	8	37
Henderson Justice Court	323	868	1,403	(a)	165	2,759
Las Vegas Justice Court	12,589	10,142	18,406	(b)	849 b	41,986
Laughlin Justice Court	20	217	72	24	26	359
Mesquite Justice Court	2	135	23	38	11	209
Moapa Justice Court	1	3	1	3	4	12
Moapa Valley Justice Court	1	21	4	10	11	47
North Las Vegas Justice Court	147	895	1,382	(a)	30	2,454
Searchlight Justice Court	0	6	4	7	0	17
Ninth Judicial District						
Douglas County						
East Fork Justice Court	184	295	87	115	0	681
Tahoe Justice Court	75	99	65	16	0	255
Total	25,249	21,679	33,553	1,669	1,792	83,942

(a) Temporary protective orders are processed and recorded at the District Court level.

(b) Temporary protective orders are not differentiated by case management system. Combined number is reported in one column.

(i) Data are incomplete. See Table A8 for details.

Source: Uniform System For Judicial Records, Nevada AOC, Planning &amp; Analysis Division.

Table A8

Courts with Incomplete Data	
Court	Missing Data
<b>First Judicial District</b>	
Carson City District Court	Juvenile Data July and August 1999
Storey County District Court	Juvenile Data July 1999 - February 2000
<b>Second Judicial District</b>	
Washoe County District Court	Juvenile Data July - December 1999
<b>Third Judicial District</b>	
New River Justice Court	Criminal Data July and August 1999 Civil Data July and August 1999
<b>Fourth Judicial District</b>	
East Line Justice Court	Criminal Data May - June 2000 Civil Data February, May, and June 2000
Wells Justice Court	Criminal Data December 1999 - June 2000
West Wendover Municipal Court	Criminal Data June 2000 Traffic Data July 1999 - February 2000
<b>Fifth Judicial District</b>	
Esmeralda Justice Court	Criminal Data July and August 1999 Civil Data July and August 1999
Hawthorne Justice Court	Traffic Data July - September 1999 and April - June 2000 Civil Data March 2000
Mina Justice Court	Civil Data October 1999 - January 2000 and April - June 2000
<b>Sixth Judicial District</b>	
Humboldt County District Court	Juvenile Data February and June 2000 Juvenile Traffic Data July 1999 - January 2000
Pershing County District Court	Criminal Data July 1999 Juvenile Data July 1999
<b>Seventh Judicial District</b>	
White Pine County District Court	Criminal Data July and August 1999 Civil Data February 2000 Juvenile Data July and August 1999
<b>Eighth Judicial District</b>	
Clark County District Court	Juvenile Data for July 1999 - February 2000 were incomplete.
Boulder Justice Court	Juvenile Traffic Data July - December 1999
Bunkerville Justice Court	Juvenile Traffic Data July - December 1999
Goodsprings Justice Court	Juvenile Traffic Data July - December 1999
Las Vegas Justice Court	Juvenile Traffic Data July - December 1999 and May 2000
Laughlin Justice Court	Juvenile Traffic Data July - December 1999
Moapa Justice Court	Juvenile Traffic Data July - December 1999
Moapa Valley Justice Court	Juvenile Traffic Data July - December 1999
Searchlight Justice Court	Juvenile Traffic Data July - December 1999
Boulder City Municipal Court	Criminal Data July 1999



## Criminal Case Types

<b>When to Count Filings</b>	Cases are counted by defendants in District Court when the court receives notification of a bind over from a lower court or receives the formal charging document from the District Attorney's Office. Felony and gross misdemeanor filings in Justice Court are counted by defendants when the court receives the formal charging document, generally a complaint or citation. Misdemeanor and traffic filings in Justice and Municipal Courts are counted when the court receives the citation or complaint. Misdemeanors are counted by defendants and traffic violations are counted by charges.
<b>Felony</b>	Cases heard at District Court with preliminary hearings at Justice Court for defendants charged with a violation of a state law that is punishable by death or imprisonment in the state prison.
<b>Gross Misdemeanor</b>	Cases heard at District Court with preliminary hearings at Justice Court for defendants charged with a violation of state law that involves an offense that does not fit within the definitions of felony, misdemeanor, or traffic case.
<b>Misdemeanor, Non-traffic</b>	Cases heard at Justice and Municipal Courts for defendants charged with the violation of a state law or local ordinance that involves an offense punishable by fine or incarceration or both for no more than \$1,000 or six months, respectively.
<b>Traffic Misdemeanor</b>	Cases heard at Justice and Municipal Courts for moving and non-moving violations of traffic law or ordinances that do not pertain to parking of a motor vehicle. (Counted by charges, not defendants.)
<b>Parking Violations</b>	Cases heard at Justice and Municipal Courts for parking of a motor vehicle in violation of a traffic law or ordinance. (Counted by charges, not defendants.)
<b>Appeal from Lower Court</b>	Cases heard at District Court in which the court reviews the judgment of a Justice or Municipal Court for a criminal case.

## Civil Case Types

<b>When to Count Filings</b>	Cases are counted when a petition or complaint is filed with the court or the court receives a motion.
<b>Real Property</b>	Cases heard at District Court that deal with ownership or rights in real property excluding construction defect or negligence; includes landlord and tenant disputes, title to property, condemnation, eminent domain, and other real property cases that do not fit in one of the above categories.
<b>Construction Defect</b>	Cases heard at District Court that deal with defects in construction.
<b>Negligence Torts</b>	Cases heard at District Court that deal with an omission to perform an act or use care to perform an act that causes personal injury, property damage, or wrongful death; includes auto, medical, dental, premises liability, and other negligence tort cases that do not fit in one of the above categories.
<b>Torts</b>	Cases heard at District Court that deal with an injury or wrong committed either against a person or person's property by a party who either did or did not do something they were not or were supposed to do; includes product liability, intentional misconduct, employment, and other tort cases that do not fit in one of the above categories.
<b>Probate</b>	Cases heard at District Court that deal with the probate of a will or estate of a deceased person; includes summary administration, general administration, special administration, set asides, probate trusts, and other probate cases that do not fit in one of the above categories.
<b>Other Civil</b>	Cases heard at District Court that include breach of contract, civil petition for judicial review, appeals from lower courts, civil writs, and all other civil matters that do not fit in one of the above categories or case types.
<b>General Civil</b>	Cases heard at Justice Court that deal with recovery of money or damages where the amount does not exceed the limit of \$7,500.
<b>Small Claims</b>	Cases heard at Justice Court that deal with recovery of money where the amount does not exceed the limit of \$5,000.
<b>Summary Eviction</b>	Cases heard at Justice Court that deal with the exclusion of tenant for default of rent or specific categories of unlawful detainer.
<b>Temporary Protective Orders</b>	Cases heard at Justice Court for temporary order for protection. TPOs are counted as domestic violence protective orders or stalking and harassment protective orders.

## Family Case Types

<b>When to Count Filings</b>	Cases are counted when the court receives an originating petition, request, or complaint.
<b>Marriage Dissolution</b>	Cases heard at District Court that involve either divorce or annulment.
<b>Support/Custody</b>	Cases heard at District Court that require maintenance of a spouse or child or determination with regard to maintenance. Both parties must reside in Nevada.
<b>Uniform Interstate Family Support Act</b>	Cases heard at District Court that require maintenance of a spouse or child when one party resides in another state.
<b>Adoptions</b>	Cases heard at District Court that involve a request for the establishment of a new, permanent relationship of parent and child between persons not having that relationship naturally.
<b>Paternity</b>	Cases heard at District Court that involve paternity issues as defined by Nevada statute.
<b>Termination of Parental Rights</b>	Cases heard at District Court that involve termination of the rights of a legal parent.
<b>Miscellaneous Domestic Relations Case</b>	Cases heard at District Court that involves a domestic relations issue that does not fit in one of the other family case types. Examples include name change or permission to marry.
<b>Guardianship</b>	Cases heard at District Court that deal with guardianship issues involving adults, minors, or trusts.
<b>Mental Health Cases</b>	Cases heard at District Court that deal with legal determination as to whether an individual is mentally ill or incompetent and should be placed or remain under care, custody, or treatment.
<b>Domestic Violence Protective Orders</b>	Cases heard at District Court for temporary order for protection when sufficient evidence exists that there has been domestic violence or the threat exists.

## Juvenile Case Types

<b>When to Count Filings</b>	Cases are counted when the court receives the petition or citation.
<b>Criminal-Type Juvenile Petitions</b>	Cases heard at District Court that include a behavior that would be a crime if committed by an adult.
<b>Status Petitions</b>	Cases heard at District Court that includes petitions involving a juvenile in need of supervision. The juvenile may require guidance, treatment, or rehabilitation because of habitual truancy, habitual disobedience, being ungovernable, or behavior that is injurious or dangerous to others.
<b>Child Abuse / Neglect Petitions</b>	Cases heard at District Court where the behavior of someone other than the juvenile causes the court to concern itself with the well being of the juvenile. Adults charged with abuse or neglect are counted in the appropriate criminal category.
<b>Miscellaneous Petitions</b>	Cases heard at District Court that involve juvenile cases that do not fit in one of the other juvenile categories. An example is Petition for Emancipation.
<b>Informal Hearing</b>	Any hearing by a judicial officer in which no formal charge has been filed with the court.
<b>Detention / Extradition Hearing</b>	Any hearing requesting a juvenile to be held in detention, or continued to be held in detention, pending further court action within the same or another jurisdiction.
<b>Protective Custody Hearing</b>	Any hearing held to determine if the risk to a child is great enough to warrant removal, or continued removal, from their custodian.