

State of the Judiciary  
Chief Justice Lidia S. Stiglich, Nevada Supreme Court  
Message to the Legislature  
March 14, 2023

Lieutenant Governor Anthony, Speaker Yeager, Majority Leader Cannizzaro, Majority Leader Jauregui, Attorney General Ford, distinguished members of the Senate and the Assembly, honorable constitutional officers, and honored guests, thank you for the opportunity to speak to the Nevada Legislature on behalf of our state's judicial system. My name is Lidia Stiglich, and I am the Chief Justice of the Nevada Supreme Court. I have had the privilege of serving in the Judiciary since 2012 and have worked alongside my colleagues to uphold the principles of fairness, impartiality, and justice for all Nevadans. I am honored to have this opportunity to share with you the progress we have made and the challenges we face as we work to strengthen the Judicial Branch of our state government.

I would like to acknowledge my colleagues on the Nevada Supreme Court: Associate Chief Justice Elissa Cadish, Justice Kristina Pickering, Justice Linda Bell, Justice Ron Parraguirre, Justice Douglas Herndon, and Justice Patty Lee. It is my privilege to serve with these distinguished jurists, and I am honored that they have selected me as their Chief. From the Nevada Court of Appeals, I would like to acknowledge Chief Judge Michael Gibbons, who is here with us tonight; Judge Bonnie Bulla; and Judge Deborah Westbrook. I would like to acknowledge retired Justice James Hardesty, who is also with us today. I would like to recognize and thank the Clerk of the Supreme Court, Elizabeth Brown; our legal counsel, Phaedra Kalicki; the Supreme Court's extraordinary legal staff; the Director of the Administrative Office of the Courts, Katherine Stocks; Assistant Court Administrator John McCormick, as well as all of the dedicated and hardworking staff of the Supreme Court and the AOC [Administrative Office of the Courts]. I would also like to extend my personal appreciation to Chief Clerk Susan Furlong and her incredible team for their warm and gracious welcome today.

Our mission of service to the residents of the Silver State is to provide timely access to impartial justice—in fact, it is our fundamental purpose. We are privileged to be charged with this duty. The pandemic had a tremendous impact on our society as a whole, including, of course, the Judiciary. As a branch, we can be slow to change, and we are often too busy adjudicating disputes to comprehensively examine our processes. The pandemic, though, compelled us to reflect on why and how we serve the people of Nevada. We took a critical look at our institutions, and we identified where we can improve our delivery of timely access to impartial justice. Tonight, I ask you to join me in looking forward and focusing on the who, why, and how of the Nevada Judiciary.

Who are we and who do we serve? I am privileged to appear on behalf of our 7 Supreme Court justices, 3 court of appeals judges, 90 district court judges, 68 justices of the peace, 31 municipal court judges, and the nearly 2,000 judicial employees throughout the state of Nevada. In the appellate courts, we are served by a staff of highly skilled attorneys and subject matter experts, responsible for managing the business of the courts and supporting the business of the trial courts to promote timely access to impartial resolution of all the cases filed. We proudly serve every

Nevadan, along with those who visit our great state. We serve those with civil disputes, criminal charges, and administrative matters.

According to a report by The Pew Charitable Trusts, 47 percent of households had at least one civil legal issue that involved a court in a 12-month period. When traffic is added, that number jumps to 56 percent of households that had an interaction with a court. More than half of all households have some sort of civil matter that is going to come before a court in any given year. Broadly published estimates indicate that about a third of the adult population has been involved in some fashion in the criminal justice system. We serve litigants whether they choose to use our system or are required to participate. But, regardless of how someone gets to our courts, it is our responsibility to ensure that they are treated fairly.

So, why do we serve? For each of us, there are unique motivations to become public servants, yet all of us are here to do just that—to serve. Some of us came to the Judiciary because of a positive experience and a desire to pay that service forward. There are others among us that came to the Judiciary with a motivation to improve a system that they felt may have fallen short. For most, it is both, but we serve because it is both our duty and our distinct privilege to provide an impartial forum for the resolution of disputes and to ensure access to the courts for all.

So, we ask: How do we serve and how will we serve? To answer this question, we started with a survey of the entire Nevada Judiciary in the form of a strategic planning process. By engaging with statewide stakeholders, we identified existing innovations that are scalable to improve service delivery across Nevada: guided interviews for self-represented litigants, self-help forms, and improved websites as well. We also identified areas where improvements are needed—training for court staff and a living wage for our employees.

Ultimately, the “how” for the Supreme Court became Senate Bill 58, the Nevada Judicial Branch budget reform act, which is before you now. Senate Bill 58 and its corresponding reforms offer long-term improvements in the administration of Nevada’s Judiciary. These reforms are essential to ensuring that the Judiciary meets its core constitutional functions. Senate Bill 58 brings stability and consistency to our budget as well as ensures that the Court will be able to be responsible to the needs of our branch and have that flexibility to ensure our business processes meet the needs of those that we serve and the priorities set here by the Legislature.

Time is of the essence to implement these long-overdue improvements to the systems and structures of the Supreme Court. Our current strategic plan, as supported by S.B. 58 and our proposed budget, is guided by three primary strategies: stability, flexibility, and responsiveness. Those are designed to improve the way the Judiciary provides fair, timely, equal, and universal access to justice. We are duty bound to simplify and improve public access to the courts, and we need to do that while we continue to ensure that all parties are treated fairly.

Through the use of American Rescue Plan Act funds, we embarked on improvements in access to justice in response to the needs of those that we serve. As an example, three projects are either months away from completion or are already in deployment. Our statewide online temporary protection order portal will allow a victim of abuse or stalking to be able to file a petition for a

temporary restraining order online, from anywhere in the state of Nevada. States that have already deployed this option see at least 50 percent of petitions completed through that platform.

A statewide self-help portal utilizes guided interviews to create court pleadings and provides resources in written and video formats. There are currently three iterations of self-help websites in Nevada, and we are combining the three together in one place for court users. We are thankful to be partnering with Legal Aid Center of Southern Nevada to ensure the initial and ongoing success of this critical resource for access to justice.

Our family case management—as a follow-up to a recent study of Nevada’s family courts, we are utilizing federal funds to bring differentiated case management for family law cases. Our trial courts will have access to an evidence-based tool that places a case into tracks of complexity. Each case will still receive individual attention; however, a court is able to dedicate necessary internal resources to cases of higher complexity. This project is coming out of the initial research phase. We are excited about it, and pilot courts are being recruited.

Alongside these particular projects, we have worked to develop methods for Nevada courts to be supported by sustainable, appropriate funding of judicial and personnel resources, as well as technological improvements and systems at all levels of the branch. For this biennium, we took a two-tier approach that works together to stabilize the Supreme Court’s current and future operations. We are seeking to reduce reliance on administrative assessments through statutory and budget request changes. Administrative assessments revenues peaked in 2010, have dropped steadily since, and have dropped 50 percent in the last few years. These revenues are not showing signs of recovering, and even with a reduced AA [administrative assessments] budget request, we are 30 percent below the budget for this biennium.

We have submitted a budget that includes a living wage salary based upon the cost of living in Nevada. That is for a household with two children and two working adults and establishes operations, professional, and managerial career paths for our employees. Our classification and compensation schedule reflects the court’s commitment to recruiting and retaining a diverse workforce that is paid a living wage. A factor in stabilizing turnover and being an employer of choice is the ability for our employees to have only one job. We demand a special set of skills for our employees, and those employees deserve to be compensated appropriately. All of our employees are required to have legal knowledge, an understanding of the Judiciary, and familiarity with the Nevada Revised Statutes and court rules.

Once we determined an appropriate minimum living wage, we overhauled our classification and compensation schedule. Thank you to the team from the AOC that spent months scouring vacancy announcements, pay tables, and wage and labor data in order to establish and validate the revised system that is based on the specific skill set required to effectuate our duty to the people of Nevada. We are, in effect, a midsize law firm, and we rely heavily on both our attorneys and subject matter experts to help us do the work of the appellate courts and support the 74 trial courts in the state of Nevada.

I have personally received some feedback that our requests may have created some confusion. I would like to take this opportunity to clarify our intent. Senate Bill 58 and our budget request are

designed to work in tandem, and they reflect our operating needs. Specifically, S.B. 58 creates the Judicial Fund that allows the court to retain appropriations across the biennium. This fund is subject to legislative oversight, and we do not seek to change that. The court's proposals in S.B. 58 and our budget are designed to provide the flexibility the court needs to effectuate the Legislature's priorities and fulfill our constitutional purpose. Our specialty courts are an example of this current predicament, and it is a predicament which hinders our ability to provide critical resources to treatment courts when AA revenues fall short. Currently, because they are funded in part with administrative assessments, we must cut funding to our specialty court programs even when there are funds available in another Supreme Court account. That is what S.B. 58 does—it gives the court the flexibility to meet those needs as they arise.

Speaking of specialty courts, which are near and dear to my heart, I would like to highlight the success of our programming here in Nevada. The Nevada specialty court's transition to virtual and remote hearings exemplifies the resiliency of our Judiciary and our participants. As a result of the pandemic, online status checks, telehealth counseling, virtual 12-step meetings, GPS-enabled breathalyzers, and drug patches allowed treatment courts to continue to monitor sobriety while providing necessary treatment and access. This contributed to a significant decrease in arrests and criminal filings across the state. Moreover, the recidivism rates for people in the specialty court programs, even those individuals who do not complete the programs, are lower than those who do not receive the intervention. I am proud to report that 91.8 percent of the people who graduated from a Nevada specialty court program in 2018 have not had a new conviction within three years, and 81 percent of the people who did not successfully complete a program have not reoffended as well. Some treatment is better than no treatment, and our treatment is excellent.

Looking forward, with the assistance of the AOC, the specialty court program is exploring utilizing drug testing equipment at a fixed rate, which could leverage statewide collaboration to lower testing costs, streamline testing, and ensure consistency across the state. This will dovetail with the peer review program, as the AOC endeavors to connect the courts and grow those programs that we already have in place. We have many achievements that received a push from the adversity of the last few years that are worth celebrating. We have identified areas for improvement, and we are actively addressing them. With your help, the future is encouraging.

In closing, I would like to take a moment to remember some of the distinguished members of our Nevada Judiciary family who passed away. We mourn the loss of Justice Robert Rose; Judge Brent Adams; Judge Mathew Harter; Justice of the Peace Melanie Tobiasson; Justice of the Peace Kent Jaspersen; Justice of the Peace Cassandra Jones; Justice of the Peace Juanita Colvin; treasured court employee Lilliette Brooks, who we lost just a week ago; and, of course, the incomparable Ben Graham. These individuals dedicated their careers to serving our communities and upholding the principles of justice and fairness. Their contributions to the Judiciary will not be forgotten, and we extend our deepest sympathies to their families and their loved ones. As we move forward, let us continue to honor their legacy by upholding the values and ideals that they held dear.

Thank you for allowing me to provide you this summary of the courts and our 2023 legislative agenda. I am excited to work with you—we all are—to continue to improve and expand timely

access to impartial justice for every Nevadan. And thank you, legislators, for your service. We ask a lot of our public servants in Nevada, but especially of our legislators. God bless you and your families, who are going at it alone for these 120 days—hopefully, just 120 days—and may God bless the great State of Nevada.