

FILED

MAR 19 2020

Ann L. Johnson
CLERK OF COURT

EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

IN THE ADMINISTRATIVE MATTER OF
COURT OPERATIONS OF ABUSE AND
NEGLECT MATTERS IN RESPONSE TO
COVID-19

Administrative Order: 20-08

Rule 1.30(b) of the Rules of Practice for the Eighth Judicial District Court of the State of Nevada (“EDCR”) charges the Chief Judge of the Eighth Judicial District Court (“EJDC”) with various responsibilities, such as supervising the administrative business of the EJDC, ensuring the quality and continuity of its services, supervising its calendar, reassigning cases as convenience or necessity requires, assuring the court’s duties are timely and orderly performed, and otherwise facilitating the business of the EJDC.

On March 12, 2020, Governor Steve Sisolak declared a state of emergency in Nevada in response to the recent outbreak of the Coronavirus Disease (COVID-19). The District Court is closely monitoring local developments in response to COVID-19 and will continue to evaluate and implement measures to slow the spread of infection in our community. During this time, it is critical to prevent the spread of any illness among members of the court, counsel, staff, the public, and our valuable community partners. To further prevent the spread of disease, the Centers for Disease Control and Prevention recommends putting distance between yourself and other people. According to the CDC, the virus is spread mainly from people who are in close contact with one another—within about six feet.

1 Initial protective custody hearings are addressed in Administrative Order 20-01
2 and should continue to be heard as an essential case type.
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4 All in-custody appearances will be handled by video from the Clark County
5 Detention Center.

6 **I. Adjudicatory, Disposition, Semi-annual Reviews, Annual Reviews, and**
7 **Presumptions Proceedings**

8 Given the declared state of emergency, good cause appears to stay the statutory
9 time frames under NRS Chapter 432B (Protection of Children from Abuse and Neglect)
10 for 30 days by the court.

11 All pleas pursuant to NRS 432B.530 will be continued for 30 days. Clark County
12 Department of Family Services may continue to offer services to families during this 30-
13 day continuance. Pleas may be negotiated by the parties and electronically filed with the
14 court during this time frame. If the court accepts the plea, an order will be filed, and a
15 disposition hearing will be set within 15 working days.
16

17 All adjudicatory trials set pursuant to NRS 432B.530 during the next 30 days will
18 be continued. The court will provide notice of the new date to any parties who appear for
19 the trial.

20 Disposition hearings held pursuant to NRS 432B.540 and NRS 432B.550 currently
21 set will be decided on the report filed with the court. Attorneys for the parents, the
22 children, and any CASA may file a report to supplement the DFS recommendation for
23 disposition, placement, and services. All disputed dispositions will be heard via
24 teleconference. Dispositions set for the week of March 16, 2020, will be continued one
25 week to allow for notice of objection and teleconference.
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1 All semi-annual and annual reviews held pursuant to NRS 432B.580 and NRS
2 432B.590 set within the next 30 days will be decided on the reports submitted by DFS to
3 the court. Attorneys for parents, attorneys for children, and any CASA may file a
4 supplemental for the court's consideration. The court may notice parties of a court
5 hearing with an appearance by alternative means for disputed issues.
6

7 Hearings regarding presumptions held pursuant to NRS 432B.153, 432B.157,
8 432B.159 and 432B.555 shall be continued for at least 30 days unless the parties
9 stipulated to the facts, a decision can be made on the papers, and the judicial officer
10 determines extraordinary circumstances exist to proceed with the hearing.
11

12 **II. Termination of Parental Rights Proceedings**

13 For those matters in which a Motion to Terminate has been filed pursuant to
14 432B.5901, any related motions may be decided on the pleadings and papers filed unless
15 the court determines a hearing is required. All currently set initial hearings on
16 termination of parental rights pursuant to NRS 432B.5901-5905 will be held in-person as
17 essential hearings unless the court approves appearances by alternative means. Under
18 those circumstances, DFS personnel will appear by alternative means, and attorneys for
19 all parties may also appear by alternative means. The statutory requirement for the
20 parents to appear in person will be suspended as long as a parent can appear by
21 alternative means.
22

23 Any termination of parental rights trials currently in process will be concluded.
24 All termination of parental rights trials currently set for trial in the next 30 days will be
25 continued and re-noticed by the court unless the court makes determines compelling
26 reasons exist to hold the TPR trial. Appearances by alternative means are encouraged for
27 any party, witness or lawyer participating in the trial. See NRS 432B.5905.
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1 Other motions may be decided on the papers or continued unless the judicial
2 officer determines an appearance by alternative means is necessary because of
3 extraordinary circumstances. Status checks should be continued or handled with written
4 reports unless extraordinary circumstances would warrant a hearing by alternative means.
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6 All mediations conducted pursuant to NRS 432B.5904 will be continued for 30
7 days unless arrangements can be made to hold the mediation by alternative means.

8 All adoptions set for the week of March 16, 2020, will be completed in-person or
9 by alternative means at the discretion of the judge. Adoptions after that will be
10 conducted by alternative means unless the court determines otherwise.

11 **III. Specialty Court Proceedings**

12 All specialty court appearances will be continued except for any in-custody
13 participant. Participant issues will be dealt with by alternative means unless the court
14 determines extraordinary circumstances warrant an in-person appearance. No community
15 service sanctions will be imposed. The court will work with the treatment providers to
16 continue to provide treatment if possible while balancing the safety of the participants
17 and treatment provider staff.
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19 **IV. Court-ordered Admissions to Mental Health Facilities Proceedings**

20 Court-ordered admissions to mental health facilities pursuant to 432B.607 et. seq.,
21 will be considered essential hearings pursuant to Administrative Order 20-01, but may be
22 held by alternative means.
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24 **V. Child Haven and Parent Visitation**

25 Placements at child haven should be strongly discouraged. No out of state
26 visitation will be allowed. Visitation at child haven and other parental visitation of
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children in foster care shall be suspended unless the court determines that extraordinary circumstances warrant visitation, and the visitation poses no health risks to the child.

VI. Timely Filing Orders

Judicial departments will be responsible for timely filing orders from the hearings. DFS will electronically upload orders to the court for review, and the judicial departments will be responsible for reviewing and filing orders in a timely manner to prevent disruption of federal funding.

This order shall be reviewed no later than every 30 days and shall continue until modified or rescinded by a subsequent order.

Entered this 19th day of March 2020.


LINDA MARIE BELL
Chief Judge
Eighth Judicial District Court