

FILED

APR - 8 2022

Sharon A. Hoffman
CLERK OF COURT

EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

IN THE ADMINISTRATIVE MATTER OF
MODIFYING JUVENILE DELINQUENCY
PROCEDURES.

Administrative Order: 22-06

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

In line with those responsibilities, this administrative order modifies certain procedures relating to juvenile delinquency matters before this Court pursuant to NRS Title 5, Juvenile Justice. Title 5 provides the Juvenile Court with exclusive original jurisdiction over a child who is on probation or released on parole from a state facility for the detention of children and who violates any condition of the child's parole. NRS 62B.340. The Juvenile Court may continue any proceeding under Title 5 for a reasonable period to receive reports, material, or evidence that may be helpful in determining the issues presented. NRS 62D.320(1). Finally, the Juvenile Court may terminate its jurisdiction concerning the child at any time, either on its own volition, for good cause shown, or upon the child reaching the age of 21 years. NRS 62B.410(1).

To promote judicial quality in juvenile delinquency matters, this administrative order (1) requires filed Motions to Terminate Probation with proof of completion of terms; (2) creates a Probation Progression Calendar; and (3) requires filed summaries in matters pending a reduction or dismissal or in matters seeking early termination of probation.

1 **Motion to Terminate Probation**

2 Following adjudication, the Juvenile Court frequently enters disposition orders that
3 include terms of probation, where termination of probation is conditional upon completion of
4 those terms. Upon a Court’s finding of satisfactory completion of probation, the Juvenile Court’s
5 jurisdiction over that child shall also terminate. In order to more efficiently process cases where
6 probation should terminate due to satisfactory completion of the terms and ultimately divest the
7 Juvenile Court’s jurisdiction:
8

- 9 • The Department of Juvenile Justice Services shall file a Motion to Terminate
10 Probation fifteen (15) calendar days prior to the scheduled date of probation
11 termination.
12
- 13 • Motions to Terminate Probation will be heard on the “Probation Progression
14 Calendar” (discussed below) in chambers. Matters where compliance appears at
15 issue will be set for separate hearing.
16
- 17 • The Motion to Terminate Probation shall include an affidavit signed pursuant to
18 NRS 53.045 by the supervising probation officer, affirming the completion of the
19 court-ordered probation terms.
20
- 21 • The Motion to Terminate Probation shall include proof of satisfactory progress on
22 treatment, service, or program provisions; exhibits shall also include, but are not
23 limited to, any certificates or letters of completion.
24
- 25 • The Motion to Terminate Probation and the accompanying affidavit and exhibit(s)
26 shall be filed into Odyssey.
27
- 28 • Upon filing the Motion to Terminate Probation, a proposed Order Terminating
Probation shall be submitted to the department.

- 1 • The Court will not enter an order terminating probation and its jurisdiction of the
2 case until the requisite motion, affidavit, and exhibit(s) have been filed to the
3 Court's satisfaction.
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5 **Probation Progression Calendar**

6 The Probation Progression Calendar shall be designated as a regular, in-chambers review
7 hearing calendar, in which the progress of probation terms is examined in every post-
8 adjudication matter, excluding formal probation cases where hearings are already pending for a
9 reduction or dismissal of charges.
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11 All Motions to Terminate Probation shall be set for the Probation Progression Calendar.
12 In addition, following the effective date of this order, upon the entry of a disposition order, the
13 Court shall request the clerk schedule the matter for hearing on the Probation Progression
14 Calendar at or around the time probation is expected to complete, or earlier if the Court deems
15 necessary. At that hearing date, the Court will examine the progress of the case, and either
16 terminate probation, continue to another hearing on the Probation Progression Calendar, or
17 schedule for separate hearing when compliance appears to be at issue. A department other than
18 the one assigned to the case may hear the Probation Progression Calendar, but that shall not be
19 construed as an event that reassigns the case to another department.
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21 **Summary of Completion for Pending Reductions, Dismissals, or Early Terminations**

22 In formal probation cases, the Juvenile Court routinely schedules hearings when the
23 matter is pending for a reduction or dismissal of charges. Additionally, the Department of
24 Juvenile Justice Services or counsel for the child may file motions for early termination of
25 probation that are set for hearing before the Court. In order to efficiently streamline cases where
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1 hearings are scheduled and are either pending a reduction or dismissal or are pending a motion
2 for early termination of probation:

- 3 • The Department of Juvenile Justice Services shall file a Summary of Completion
4 with the Court at least fifteen (15) calendar days prior to the scheduled hearing.
- 5 • The Summary of Completion shall include, but is not limited to, details regarding:
 - 6 • Case plan progress
 - 7 • Obstacles
 - 8 • Interventions
 - 9 • Reduction of Risk Levels
 - 10 • Compliance with probation terms and Court orders
- 11 • The Summary of Completion shall include all documentation evidencing any of
12 the aforementioned details, including, but not limited to, any certificates or letters
13 of completion.
- 14 • The Summary of Completion shall include an affidavit signed pursuant to NRS
15 53.045 by the supervising probation officer, affirming the veracity of the
16 statements included in the Summary.
- 17 • The Summary of Completion shall be filed on Odyssey.
- 18 • Upon filing the Summary of Completion, a proposed Order Terminating
19 Probation shall be submitted to the department.
- 20 • The Court may sua sponte order a continuance of any hearing if the Summary of
21 Compliance is not filed fifteen (15) calendar days prior to the scheduled hearing.
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1 **Waiver of Motion to Terminate Probation or Summary of Compliance**

2 This Administrative Order does not contravene NRS 62B.410(1), which permits the
3 Court to terminate jurisdiction at any time, on its own volition or for good cause shown. As such,
4 the Court may waive the requirements of this Administrative Order, including the filing of the
5 Motion to Terminate Probation or Summary Compliance, for good cause.
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7 **Applicability and Effective Date**

8 This Administrative Order is limited to all open cases in which probation has not yet been
9 completed as of the date of this order, and will not complete within thirty (30) days following the
10 date of this order. This Administrative Order is effective immediately.
11

12 **Dated this 7th day of April, 2022**

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14

15 **1EB 604 61FB 9773**
16 **Linda Marie Bell**
17 **District Court Judge**