

(REPRINTED WITH ADOPTED AMENDMENTS)  
SECOND REPRINT A.B. 429

ASSEMBLY BILL NO. 429—ASSEMBLYMAN HETTRICK

MARCH 19, 2001

Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning protection of children from abuse and neglect, termination of parental rights and guardianships of minors. (BDR 38-294)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the protection of children; providing that a child may be represented by an attorney in certain proceedings that involve the child and that his attorney has certain authority and rights; requiring each person who submits a report or information to a court for consideration in certain proceedings concerning protective services for a child to provide a copy of the report or information to the parent or guardian of the child and the attorney of the parent or guardian within a certain time before the proceeding; providing that such a proceeding may be continued under certain circumstances; providing that the parent or guardian and the attorney of the parent or guardian is entitled to receive a copy of the recording or transcript of such a proceeding under certain circumstances; reducing the period within which the placement of a child with a person other than his parent must be reviewed under certain circumstances; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     **Section 1.** Chapter 432B of NRS is hereby amended by adding thereto  
2     the provisions set forth as sections 2 and 3 of this act.  
3     **Sec. 2. 1. *A person who submits a report or information to the***  
4     ***court for consideration in a proceeding held pursuant to NRS 432B.500***  
5     ***to 432B.590, inclusive, shall provide a copy of the report or information,***  
6     ***to the extent that the data or information in the report or information is***  
7     ***available pursuant to NRS 432B.290, to each parent or guardian of the***  
8     ***child who is the subject of the proceeding and to the attorney of each***  
9     ***parent or guardian not later than 72 hours before the proceeding.***  
10    **2. *If a person does not provide a copy of a report or information to a***  
11    ***parent or guardian of a child and an attorney of the parent or guardian***  
12    ***before a proceeding as required by subsection 1, the court or master:***



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1 (a) Shall provide the parent or guardian and his attorney an  
2 opportunity to review the report or information; and

3 (b) May grant a continuance of the proceeding until a later date that  
4 is agreed upon by all the parties to the proceeding if the parent or  
5 guardian or his attorney requests that the court grant the continuance so  
6 that the parent or guardian and his attorney may properly respond to the  
7 report or information.

8 3. As used in this section, "person" includes, without limitation, a  
9 government, governmental agency or political subdivision of a  
10 government.

11 **Sec. 3.** 1. If a proceeding held pursuant to NRS 432B.410 to  
12 432B.590, inclusive, is recorded using sound recording equipment or is  
13 transcribed, the clerk of the court shall, upon request, provide to a parent  
14 or guardian of the child who is the subject of the proceeding and the  
15 attorney of the parent or guardian a copy of the sound recording or  
16 transcript of the proceeding if:

17 (a) Such a copy is available or could be made available; and

18 (b) The parent or guardian or the county in which the proceeding is  
19 held, as appropriate, pays the fee for the copy in accordance with  
20 subsection 2.

21 2. Each board of county commissioners shall adopt a sliding scale  
22 for determining the amount to be paid for a copy of a sound recording or  
23 transcript of a proceeding pursuant to subsection 1 for a proceeding that  
24 was held in a court in its county. The sliding scale must be based on the  
25 ability of the parent or guardian to pay. The court shall review each case  
26 and make a finding as to the reasonableness of the charge in relation to  
27 the ability of the parent or guardian to pay. To the extent that the court  
28 determines that a parent or guardian is unable to pay for a copy of the  
29 recording or transcript pursuant to subsection 1, the cost of providing the  
30 copy of the sound recording or transcript is a charge against the county  
31 in which the proceeding was held.

32 **Sec. 4.** NRS 432B.190 is hereby amended to read as follows:  
33 432B.190 The division of child and family services shall adopt  
34 regulations establishing reasonable and uniform standards for:

- 35 1. Protective services provided in this state;  
36 2. Programs for the prevention of abuse or neglect of a child;  
37 3. The development of local councils involving public and private  
38 organizations;  
39 4. Reports of abuse or neglect, records of these reports and the  
40 response to these reports;  
41 5. The management and assessment of reported cases of abuse or  
42 neglect;  
43 6. The protection of the legal rights of parents and children;  
44 7. Emergency shelter for a child;  
45 8. The prevention, identification and correction of abuse or neglect of  
46 a child in residential institutions;  
47 9. Evaluating the development and contents of a plan submitted for  
48 approval pursuant to NRS 432B.395;



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1 10. Developing and distributing to persons who are responsible for a  
2 child's welfare a pamphlet that sets forth the procedures for taking a child  
3 for placement in protective custody and the legal rights of persons who are  
4 parties to a proceeding held pursuant to NRS 432B.410 to 432B.590,  
5 inclusive, *and sections 3 and 4 of this act*, during all stages of the  
6 proceeding; and  
7 11. Making the necessary inquiries required pursuant to NRS  
8 432B.397 to determine whether a child is an Indian child.  
9 **Sec. 5.** NRS 432B.280 is hereby amended to read as follows:  
10 432B.280 1. Reports made pursuant to this chapter, as well as all  
11 records concerning these reports and investigations thereof, are  
12 confidential.  
13 2. Any person, law enforcement agency or public agency, institution or  
14 facility who willfully releases data or information concerning such reports  
15 and investigations, except:  
16 (a) Pursuant to a criminal prosecution relating to the abuse or neglect of  
17 a child; ~~to~~  
18 (b) As *otherwise* authorized *or required* pursuant to NRS 432B.290 ~~to~~;  
19 *or*  
20 (c) *As otherwise required pursuant to section 2 of this act*,  
21 is guilty of a misdemeanor.  
22 **Sec. 6.** NRS 432B.290 is hereby amended to read as follows:  
23 432B.290 1. Except as otherwise provided in subsections 2 and 3 ~~to~~  
24 *and section 2 of this act*, data or information concerning reports and  
25 investigations thereof made pursuant to this chapter may be made available  
26 only to:  
27 (a) A physician, if the physician has before him a child who he has  
28 reasonable cause to believe has been abused or neglected;  
29 (b) A person authorized to place a child in protective custody, if the  
30 person has before him a child who he has reasonable cause to believe has  
31 been abused or neglected and the person requires the information to  
32 determine whether to place the child in protective custody;  
33 (c) An agency, including, without limitation, an agency in another  
34 jurisdiction, responsible for or authorized to undertake the care, treatment  
35 or supervision of:  
36 (1) The child; or  
37 (2) The person responsible for the welfare of the child;  
38 (d) A district attorney or other law enforcement officer who requires the  
39 information in connection with an investigation or prosecution of the abuse  
40 or neglect of a child;  
41 (e) A court, for in camera inspection only, unless the court determines  
42 that public disclosure of the information is necessary for the determination  
43 of an issue before it;  
44 (f) A person engaged in bona fide research or an audit, but information  
45 identifying the subjects of a report must not be made available to him;  
46 (g) The attorney and the guardian ad litem of the child;  
47 (h) A grand jury upon its determination that access to these records is  
48 necessary in the conduct of its official business;



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- 1 (i) A federal, state or local governmental entity, or an agency of such an  
2 entity, that needs access to the information to carry out its legal  
3 responsibilities to protect children from abuse and neglect;
- 4 (j) A team organized pursuant to NRS 432B.350 for the protection of a  
5 child;
- 6 (k) A team organized pursuant to NRS 432B.405 to review the death of  
7 a child;
- 8 (l) A parent or legal guardian of the *child and an attorney of a parent*  
9 *or guardian of the* child, if the identity of the person responsible for  
10 reporting the alleged abuse or neglect of the child to a public agency is kept  
11 confidential;
- 12 (m) The persons who are the subject of a report;
- 13 (n) An agency that is authorized by law to license foster homes or  
14 facilities for children or to investigate persons applying for approval to  
15 adopt a child, if the agency has before it an application for that license or is  
16 investigating an applicant to adopt a child;
- 17 (o) Upon written consent of the parent, any officer of this state or a city  
18 or county thereof or legislator authorized, by the agency or department  
19 having jurisdiction or by the legislature, acting within its jurisdiction, to  
20 investigate the activities or programs of an agency that provides protective  
21 services if:
  - 22 (1) The identity of the person making the report is kept confidential;
  - 23 and
  - 24 (2) The officer, legislator or a member of his family is not the person  
25 alleged to have committed the abuse or neglect;
- 26 (p) The division of parole and probation of the department of motor  
27 vehicles and public safety for use pursuant to NRS 176.135 in making a  
28 presentence investigation and report to the district court or pursuant to  
29 NRS 176.151 in making a general investigation and report;
- 30 (q) The rural advisory board to expedite proceedings for the placement  
31 of children created pursuant to NRS 432B.602 or a local advisory board to  
32 expedite proceedings for the placement of children created pursuant to  
33 NRS 432B.604; or
- 34 (r) The panel established pursuant to NRS 432B.396 to evaluate  
35 agencies which provide protective services.
- 36 2. An agency investigating a report of the abuse or neglect of a child  
37 shall, upon request, provide to a person named in the report as allegedly  
38 causing the abuse or neglect of the child:
  - 39 (a) A copy of:
    - 40 (1) Any statement made in writing to an investigator for the agency  
41 by the person named in the report as allegedly causing the abuse or neglect  
42 of the child; or
    - 43 (2) Any recording made by the agency of any statement made orally  
44 to an investigator for the agency by the person named in the report as  
45 allegedly causing the abuse or neglect of the child; or
  - 46 (b) A written summary of the allegations made against the person who  
47 is named in the report as allegedly causing the abuse or neglect of the  
48 child. The summary must not identify the person responsible for reporting  
49 the alleged abuse or neglect.



1 3. An agency which provides protective services shall disclose the  
2 identity of a person who makes a report or otherwise initiates an  
3 investigation pursuant to this chapter if a court, after reviewing the record  
4 in camera and determining that there is reason to believe that the person  
5 knowingly made a false report, orders the disclosure.

6 4. Any person, except for:

7 (a) The subject of a report;

8 (b) A district attorney or other law enforcement officer initiating legal  
9 proceedings; or

10 (c) An employee of the division of parole and probation of the  
11 department of motor vehicles and public safety making a presentence  
12 investigation and report to the district court pursuant to NRS 176.135 or  
13 making a general investigation and report pursuant to  
14 NRS 176.151,

15 who is given access, pursuant to subsection 1, to information identifying  
16 the subjects of a report and who makes this information public is guilty of a  
17 misdemeanor.

18 5. The division of child and family services shall adopt regulations to  
19 carry out the provisions of this section.

20 **Sec. 7.** NRS 432B.420 is hereby amended to read as follows:

21 432B.420 1. A parent or other person responsible for the welfare of a  
22 child who is alleged to have abused or neglected the child may be  
23 represented by an attorney at all stages of any proceedings under NRS  
24 432B.410 to 432B.590, inclusive. Except as otherwise provided in  
25 subsection 2, if the person is indigent, the court may appoint an attorney to  
26 represent him. The court may, if it finds it appropriate, appoint an attorney  
27 to represent the child. *The child may be represented by an attorney at all  
28 stages of any proceedings held pursuant to NRS 432B.410 to 432B.590,  
29 inclusive. If the child is represented by an attorney, the attorney has the  
30 same authority and rights as an attorney representing a party to the  
31 proceedings.*

32 2. If the court determines that the parent of an Indian child for whom  
33 protective custody is sought is indigent, the court:

34 (a) Shall appoint an attorney to represent the parent;

35 (b) May appoint an attorney to represent the Indian child; and

36 (c) May apply to the Secretary of the Interior for the payment of the fees  
37 and expenses of such an attorney,  
38 as provided in the Indian Child Welfare Act.

39 3. Each attorney, other than a public defender, if appointed under the  
40 provisions of subsection 1, is entitled to the same compensation and  
41 payment for expenses from the county as provided in NRS 7.125 and 7.135  
42 for an attorney appointed to represent a person charged with a crime.  
43 Except as otherwise provided in NRS 432B.500, an attorney appointed to  
44 represent a child may also be appointed as guardian ad litem for the child.  
45 He may not receive any compensation for his services as a guardian ad  
46 litem.

47 **Sec. 8.** NRS 432B.530 is hereby amended to read as follows:

48 432B.530 1. An adjudicatory hearing must be held within 30 days  
49 after the filing of the petition, unless good cause is shown ~~H~~ *or the*



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1 *hearing has been continued until a later date pursuant to section 2 of this*  
2 *act.*

3 2. At the hearing, the court shall inform the parties of the specific  
4 allegations in the petition and give them an opportunity to admit or deny  
5 them. If the allegations are denied, the court shall hear evidence on the  
6 petition.

7 3. In adjudicatory hearings all relevant and material evidence helpful  
8 in determining the questions presented, including oral and written reports,  
9 may be received by the court and may be relied upon to the extent of its  
10 probative value. The parties or their attorney must be afforded an  
11 opportunity to examine and controvert written reports so received and to  
12 cross-examine individuals making reports when reasonably available.

13 4. The court may require the child to be present in court at the hearing.

14 5. If the court finds by a preponderance of the evidence that the child  
15 is in need of protection, it shall record its findings of fact and may proceed  
16 immediately or at another hearing held within 15 working days, to make a  
17 proper disposition of the case. If the court finds that the allegations in the  
18 petition have not been established, it shall dismiss the petition and, if the  
19 child is in protective custody, order the immediate release of the child.

20 **Sec. 9.** NRS 432B.580 is hereby amended to read as follows:

21 432B.580 1. Except as otherwise provided in this section ~~§~~ *and*  
22 *section 2 of this act*, if a child is placed pursuant to NRS 432B.550 other  
23 than with a parent, the placement must be reviewed by the court at least  
24 semiannually ~~§~~ *, and within 90 days after a request by a party to any of*  
25 *the prior proceedings*. Unless the parent, guardian or the custodian objects  
26 to the referral, the court may enter an order directing that the placement be  
27 reviewed by a panel appointed pursuant to NRS 432B.585.

28 2. An agency acting as the custodian of the child shall, before any  
29 hearing for review of the placement of a child, submit a report to the court,  
30 or to the panel if it has been designated to review the matter, which  
31 includes an evaluation of the progress of the child and his family and any  
32 recommendations for further supervision, treatment or rehabilitation. A  
33 copy of the report must be given to the parents, the guardian ad litem and  
34 the attorney, if any, representing the parent or the child.

35 3. The court or the panel shall hold a hearing to review the placement,  
36 unless the parent, guardian or custodian files a motion with the court to  
37 dispense with the hearing. If the motion is granted, the court or panel may  
38 make its determination from any report, statement or other information  
39 submitted to it.

40 4. Notice of the hearing must be given by registered or certified mail  
41 to:

- 42 (a) All the parties to any of the prior proceedings; and  
43 (b) Any persons planning to adopt the child, relatives of the child or  
44 providers of foster care who are currently providing care to the  
45 child,  
46 except a parent whose rights have been terminated pursuant to chapter 128  
47 of NRS or who has voluntarily relinquished the child for adoption pursuant  
48 to NRS 127.040.



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1 5. The court or panel may require the presence of the child at the  
2 hearing and shall provide to each person to whom notice was given  
3 pursuant to subsection 4 an opportunity to be heard at the hearing.  
4 6. The court or panel shall review:  
5 (a) The continuing necessity for and appropriateness of the placement;  
6 (b) The extent of compliance with the plan submitted pursuant to  
7 subsection 2 of NRS 432B.540;  
8 (c) Any progress which has been made in alleviating the problem which  
9 resulted in the placement of the child; and  
10 (d) The date the child may be returned to, and safely maintained in, his  
11 home or placed for adoption or under a legal guardianship.  
12 7. The provision of notice and an opportunity to be heard pursuant to  
13 this section does not cause any person planning to adopt the child, or any  
14 relative or provider of foster care to become a party to the hearing.  
15 **Sec. 10.** NRS 432B.585 is hereby amended to read as follows:  
16 432B.585 For the purposes of conducting ~~the semiannual~~ a review  
17 required by NRS 432B.580, the judge or judges of the court may by mutual  
18 consent appoint a panel of three or more persons. The persons so appointed  
19 shall serve without compensation and at the pleasure of the court.  
20 **Sec. 11.** NRS 432B.590 is hereby amended to read as follows:  
21 432B.590 1. Except as otherwise provided in NRS 432B.600 ~~H~~ and  
22 *section 2 of this act*, the court shall hold a hearing concerning the  
23 permanent placement of a child:  
24 (a) Not later than 12 months after the initial removal of the child from  
25 his home and annually thereafter.  
26 (b) Within 30 days after making any of the findings set forth in  
27 subsection 3 of NRS 432B.393.  
28 Notice of this hearing must be given by registered or certified mail to all  
29 ~~to~~ the persons to whom notice must be given pursuant to subsection 4 of  
30 NRS 432B.580.  
31 2. The court may require the presence of the child at the hearing and  
32 shall provide to each person to whom notice was given pursuant to  
33 subsection 1 an opportunity to be heard at the hearing.  
34 3. At the hearing, the court shall establish a plan for the permanent  
35 placement of the child and determine whether:  
36 (a) The child should be returned to his parents or other relatives;  
37 (b) The child's placement in the foster home or other similar institution  
38 should be continued; or  
39 (c) It is in the best interests of the child to initiate proceedings to:  
40 (1) Terminate parental rights pursuant to chapter 128 of NRS so that  
41 the child can be placed for adoption; or  
42 (2) Establish a guardianship pursuant to chapter 159 of  
43 NRS.  
44 If the court determines that it is in the best interests of the child to  
45 terminate parental rights, the court shall use its best efforts to ensure that  
46 the procedures required by chapter 128 of NRS are completed within 6  
47 months after the date the court makes that determination, including,  
48 without limitation, appointing a private attorney to expedite the completion  
49 of the procedures.



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1 4. If a child has been placed outside of his home and has resided  
2 outside of his home pursuant to that placement for 14 months of any 20  
3 consecutive months, the best interests of the child must be presumed to be  
4 served by the termination of parental rights.

5 5. This hearing may take the place of the hearing for review required  
6 by NRS 432B.580.

7 6. The provision of notice and an opportunity to be heard pursuant to  
8 this section does not cause any person planning to adopt the child, or any  
9 relative or provider of foster care to become a party to the hearing.

10 **Sec. 12.** NRS 3.370 is hereby amended to read as follows:

11 3.370 1. Except as otherwise provided in subsection 3, for his  
12 services the official reporter or reporter pro tempore is entitled to the  
13 following fees:

14 (a) For being available to report civil and criminal testimony and  
15 proceedings when the court is sitting during traditional business hours on  
16 any day except Sunday, \$150 per day, to be paid by the county as provided  
17 in subsection 4.

18 (b) For being available to report civil and criminal testimony and  
19 proceedings when the court is sitting beyond traditional business hours or  
20 on Sunday:

21 (1) If the reporter has been available to report for at least 4 hours, \$35  
22 per hour for each hour of availability; or

23 (2) If the reporter has been available to report for fewer than  
24 4 hours, a pro rata amount based on the daily rate set forth in  
25 paragraph (a),  
26 to be paid by the county as provided in subsection 4.

27 (c) For transcription:

28 (1) Except as otherwise provided in subparagraph (2), for the original  
29 draft and any copy to be delivered:

30 (I) Within 24 hours after it is requested, \$7.10 per page for the  
31 original draft and one copy, and \$1.10 per page for each additional copy;

32 (II) Within 48 hours after it is requested, \$5.32 per page for the  
33 original draft and one copy, and 83 cents per page for each additional copy;

34 (III) Within 4 days after it is requested, \$4.43 per page for the  
35 original draft and one copy, and 69 cents per page for each additional copy;  
36 or

37 (IV) More than 4 days after it is requested, \$3.55 per page for the  
38 original draft and one copy, and 55 cents per page for each additional copy.

39 (2) For civil litigants who are ordering the original draft and are  
40 represented by a nonprofit legal corporation or a program for pro bono  
41 legal assistance, for the original draft and any copy to be delivered:

42 (I) Within 24 hours after it is requested, \$5.50 per page and \$1.10  
43 per page for each additional copy;

44 (II) Within 48 hours after it is requested, \$4.13 per page and 83  
45 cents per page for each additional copy;

46 (III) Within 4 days after it is requested, \$3.44 per page and 69  
47 cents per page for each additional copy; or

48 (IV) More than 4 days after it is requested, \$2.75 per page and 55  
49 cents per page for each additional copy.





- 1 (3) For any party other than the party ordering the original draft, for  
2 the copy of the draft to be delivered:
- 3 (I) Within 24 hours after it is requested, \$1.10 per page;  
4 (II) Within 48 hours after it is requested, 83 cents per page;  
5 (III) Within 4 days after it is requested, 69 cents per page; or  
6 (IV) More than 4 days after it is requested, 55 cents per page.
- 7 (d) For reporting all civil matters, in addition to the fees provided in  
8 paragraphs (a) and (b), \$20 for each hour or fraction thereof actually spent,  
9 to be taxed as costs pursuant to subsection 5.
- 10 (e) For providing an instantaneous translation of testimony into English  
11 which appears on a computer that is located at a table in the courtroom  
12 where the attorney who requested the translation is seated:
- 13 (1) Except as otherwise provided in this subparagraph, in all criminal  
14 matters in which a party requests such a translation, in addition to the fees  
15 provided pursuant to paragraphs (a) and (b), \$140 for the first day and \$90  
16 per day for each subsequent day from the party who makes the request.  
17 This additional fee must be paid by the county as provided pursuant to  
18 subsection 4 only if the court issues an order granting the translation  
19 service to the prosecuting attorney or to an indigent defendant who is  
20 represented by a county or state public defender.
- 21 (2) In all civil matters in which a party requests such a translation, in  
22 addition to the fees provided pursuant to paragraphs (a), (b) and (d), \$140  
23 for the first day and \$90 per day for each subsequent day, to be paid by the  
24 party who requests the translation.
- 25 (f) For providing a diskette containing testimony prepared from a  
26 translation provided pursuant to paragraph (e):
- 27 (1) Except as otherwise provided in this subparagraph, in all criminal  
28 matters in which a party requests the diskette and the reporter agrees to  
29 provide the diskette, in addition to the fees provided pursuant to paragraphs  
30 (a), (b) and (e), \$1.50 per page of the translation contained on the diskette  
31 from the party who makes the request. This additional fee must be paid by  
32 the county as provided pursuant to subsection 4 only if the court issues an  
33 order granting the diskette to the prosecuting attorney or to an indigent  
34 defendant who is represented by a county or state public defender.
- 35 (2) In all civil matters in which a party requests the diskette and the  
36 reporter agrees to provide the diskette, in addition to the fees provided  
37 pursuant to paragraphs (a), (b), (d) and (e), \$1.50 per page of the  
38 translation contained on the diskette, to be paid by the party who requests  
39 the diskette.
- 40 2. For the purposes of subsection 1, a page is a sheet of paper 8 1/2 by  
41 11 inches. The left margin must not be more than 1 1/2 inches from the left  
42 edge of the paper. The right margin must not be more than three-fourths of  
43 an inch from the right edge of the paper. Each sheet must be numbered on  
44 the left margin and must contain at least 24 lines of type. The first line of  
45 each question and of each answer may be indented not more than five  
46 spaces from the left margin. The first line of any paragraph or other  
47 material may be indented not more than 10 spaces from the left margin.  
48 There must not be more than one space between words or more than two  
49 spaces between sentences. The type size must not be larger than 10



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1 characters per inch. The lines of type may be double spaced or one and  
2 one-half spaced.

3 3. If the services of more than one reporter are required by the court in  
4 a criminal proceeding, each reporter is entitled to receive:

5 (a) The fees set forth in paragraphs (a) and (b) of subsection 1 and  
6 subparagraph (1) of paragraph (e) of subsection 1, as appropriate; and

7 (b) A fee of \$5.33 per page for the original draft and one copy, and 83  
8 cents per page for each additional copy for transcribing a proceeding of  
9 which the transcripts are ordered by the court to be delivered on or before  
10 the start of the next day the court is scheduled to conduct business.

11 4. The fees specified in paragraphs (a) and (b) of subsection 1, the fees  
12 for transcripts in criminal cases ordered by the court to be made, *the fees*  
13 *for transcripts in civil cases ordered by the court pursuant to NRS*  
14 *12.015, the fees for transcripts for parents or guardians or attorneys of*  
15 *parents or guardians who receive transcripts pursuant to section 3 of this*  
16 *act*, the fees in criminal cases that are ordered by the court pursuant to  
17 subparagraph (1) of paragraph (e) and subparagraph (1) of paragraph (f) of  
18 subsection 1 and the fees specified in subsection 3 must be paid out of the  
19 county treasury upon the order of the court. When there is no official  
20 reporter in attendance and a reporter pro tempore is appointed, his  
21 reasonable expenses for traveling and detention must be fixed and allowed  
22 by the court and paid in the same manner. The respective district judges  
23 may, with the approval of the respective board or boards of county  
24 commissioners within the judicial district, fix a monthly salary to be paid  
25 to the official reporter in lieu of per diem. The salary, and also actual  
26 traveling expenses in cases where the reporter acts in more than one  
27 county, must be prorated by the judge on the basis of time consumed by  
28 work in the respective counties and must be paid out of the respective  
29 county treasuries upon the order of the court.

30 5. ~~But~~ *Except as otherwise provided in subsection 4, in* civil cases ,  
31 the fees prescribed in paragraph (d) of subsection 1 and for transcripts  
32 ordered by the court to be made must be paid by the parties in equal  
33 proportions, and either party may, at his option, pay the whole fee. In either  
34 case, all amounts so paid by the party to whom costs are awarded must be  
35 taxed as costs in the case. The fees for transcripts and copies ordered by the  
36 parties must be paid by the party ordering them. No reporter may be  
37 required to perform any service in a civil case until his fees have been paid  
38 to him or deposited with the clerk of the court.

39 6. Where a transcript is ordered by the court or by any party, the fees  
40 for it must be paid to the clerk of the court and by him paid to the reporter  
41 upon the furnishing of the transcript.

42 7. The testimony and proceedings in an uncontested divorce action  
43 need not be transcribed unless requested by a party or ordered by the court.

44 **Sec. 13.** NRS 128.100 is hereby amended to read as follows:

45 128.100 1. In any proceeding for terminating parental rights, or any  
46 rehearing or appeal thereon, the court may appoint an attorney to represent  
47 the child as his counsel and, if the child does not have a guardian ad litem  
48 appointed pursuant to NRS 432B.500, as his guardian ad litem. *The child*  
49 *may be represented by an attorney at all stages of any proceedings for*



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1 *terminating parental rights. If the child is represented by an attorney, the*  
2 *attorney has the same authority and rights as an attorney representing a*  
3 *party to the proceedings.*

4 2. If the parent or parents of the child desire to be represented by  
5 counsel, but are indigent, the court may appoint an attorney for them.

6 3. Each attorney appointed under the provisions of this section is  
7 entitled to the same compensation and expenses from the county as  
8 provided in NRS 7.125 and 7.135 for attorneys appointed to represent  
9 persons charged with crimes.

10 **Sec. 14.** Chapter 159 of NRS is hereby amended by adding thereto a  
11 new section to read as follows:

12 *A minor ward or proposed minor ward who is the subject of*  
13 *proceedings held pursuant to this chapter may be represented by an*  
14 *attorney at all stages of the proceedings. If the minor ward or proposed*  
15 *minor ward is represented by an attorney, the attorney has the same*  
16 *authority and rights as an attorney representing a party to the*  
17 *proceedings.*

18 **Sec. 15.** This act becomes effective on July 1, 2001.

