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**ASSEMBLY BILL 132 (REQUESTED BY LEGISLATIVE COMMITTEE ON
CHILDREN, YOUTH AND FAMILIES) HEARING 4/30/03**

Provides that certain proceedings concerning abuse or neglect of children are presumptively open to public. (BDR 38-689)

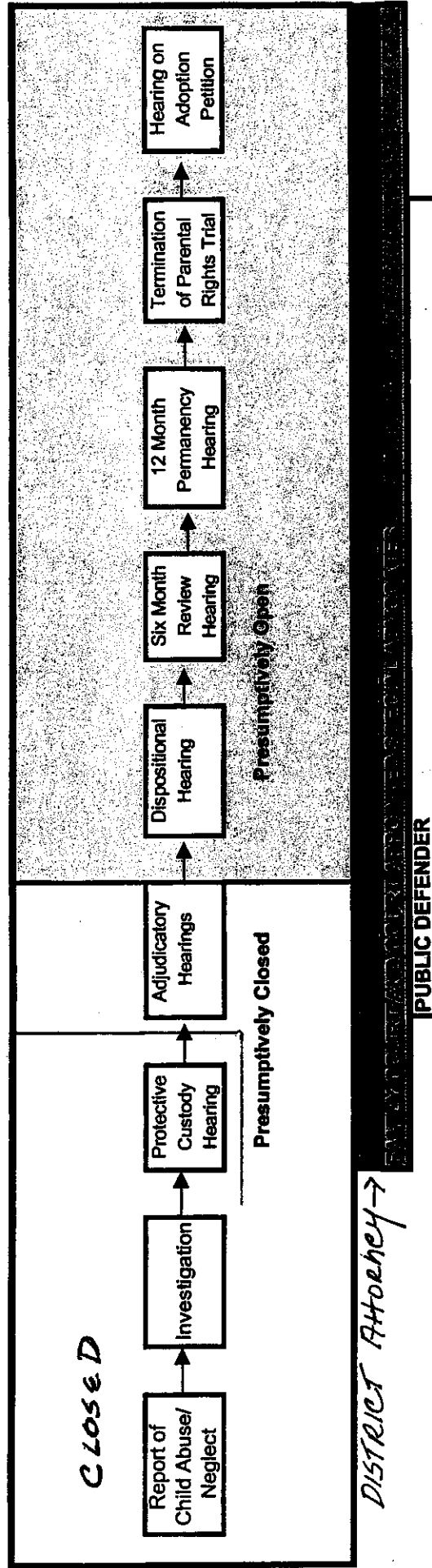
The following amendment was proposed by Judge Deborah E. Schumacher, Family Division, Second Judicial District, Washoe County, and Ed Cotton, Administrator of the Division of Child and Family Services:

1. Revise the measure throughout to specify that all hearings covered by the measure are *presumed closed*. The current reprint specifies that the initial hearing prior to adjudication be presumed closed, and subsequent hearings be presumed open. (see attached chart)

The next amendment was proposed by a Committee member:

2. Adopt the approach utilized in the Utah legislation – that is a pilot program in one judicial district in the state, expiring on July 1, 2005, with reports about the impact upon the child required for the interim Legislative Subcommittee on Children, Youth and Families and the 2005 Legislature (an excerpt of the Utah bill [H.B. 222] is included).

Washoe County Department of Social Services
CHILD WELFARE HEARING PROCESS



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(10) The Judicial Council may by rule designate municipalities in addition to those designated by statute as a location of a trial court of record. There shall be at least one court clerk's office open during regular court hours in each county. Any trial court of record may hold court in any municipality designated as a location of a court of record. Designations by the Judicial Council may not be made between July 1, 1997, and July 1, 1998.

(11) The Judicial Council shall by rule determine whether the administration of a court shall be the obligation of the administrative office of the courts or whether the administrative office of the courts should contract with local government for court support services.

(12) The Judicial Council may by rule direct that a district court location be administered from another court location within the county.

(13) The Judicial Council shall establish and supervise the Office of Guardian Ad Litem Director, in accordance with the provisions of Sections 78-3a-911 and 78-3a-912, and assure compliance of the guardian ad litem program with state and federal law, regulation, and policy, and court rules.

(14) The Judicial Council shall establish and maintain, in cooperation with the Office of Recovery Services within the Department of Human Services, the part of the state case registry that contains records of each support order established or modified in the state on or after October 1, 1998, as is necessary to comply with the Social Security Act, 42 U.S.C. Sec. 654a.

(15) (a) On or before November 1, 2003, the Judicial Council, by rule, shall select one or more districts as pilot districts for purposes of Sections 78-3a-115, 78-3a-115.1, and 78-3a-116.

(b) Prior to the 2005 Annual General Session, the Judicial Council shall report to the Child Welfare Legislative Oversight Panel and the Judiciary Interim Committee on the effects of this act and recommend whether the provisions of this act should be continued, modified, or repealed.

Section 2. Section 78-3a-115 is amended to read:

78-3a-115. Hearings – Public excluded, exceptions – Victims admitted – Minor's cases heard separately from adult cases – Minor or parents or custodian heard separately – Continuance of hearing – Consolidation of proceedings involving more than one minor.