

SENATE BILL NO. 442—COMMITTEE ON JUDICIARY
(ON BEHALF OF THE NEVADA JUDGES ASSOCIATION)

MARCH 29, 2005

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to Commission on Judicial Discipline. (BDR 1-218)

FISCAL NOTE: Effect on Local Government: No.
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 Commission on Judicial Discipline; requiring the appointment of two justices of the peace and two municipal judges for proceedings against such justices or judges; requiring that an investigation of a complaint be completed within a certain time; 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.** NRS 1.440 is hereby amended to read as follows:
2 1.440 1. The Commission has exclusive jurisdiction over the
3 censure, removal, involuntary retirement and other discipline of
4 judges which is coextensive with its jurisdiction over justices of the
5 Supreme Court and must be exercised in the same manner and under
6 the same rules.
7 2. The Supreme Court ~~may~~ **shall** appoint two justices of the
8 peace or **two** municipal judges to sit on the Commission for
9 proceedings against a justice of the peace or a municipal judge,
10 respectively. Justices of the peace ~~for~~ **and** municipal judges so
11 appointed must be designated by an order of the Supreme Court to
12 sit for such proceedings in place of and to serve for the same terms
13 as the regular members of the Commission appointed by the
14 Supreme Court.



1 **Sec. 2.** NRS 1.4663 is hereby amended to read as follows:

2 1.4663 1. If the Commission determines pursuant to NRS
3 1.4657 that a complaint contains allegations which, if true, would
4 establish grounds for discipline pursuant to NRS 1.4653, the
5 Commission shall assign or appoint an investigator to conduct an
6 investigation to determine whether the allegations have merit.

7 2. Such an investigation must be conducted in accordance with
8 procedural rules adopted by the Commission and may extend to any
9 matter that is, in the determination of the Commission, reasonably
10 related to an allegation of misconduct or incapacity contained in the
11 complaint.

12 3. An investigator assigned or appointed by the Commission to
13 conduct an investigation pursuant to this section may, for the
14 purpose of investigation, compel by subpoena on behalf of the
15 Commission the attendance of witnesses and the production of
16 necessary materials as set forth in NRS 1.466.

17 4. *The investigator shall complete the investigation within*
18 *180 days after it is assigned.* At the conclusion of the investigation,
19 the investigator shall prepare a written report of the investigation for
20 review by the Commission.

