

**MINUTES OF THE SUBCOMMITTEE OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-Eighth Session
April 7, 2015**

The subcommittee of the Senate Committee on Judiciary was called to order by Chair Greg Brower at 1:20 p.m. on Tuesday, April 7, 2015, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

SUBCOMMITTEE MEMBERS PRESENT:

Senator Greg Brower, Chair
Senator Scott Hammond
Senator Ruben J. Kihuen
Senator Tick Segerblom
Senator Aaron D. Ford

GUEST LEGISLATORS PRESENT:

Senator Mark A. Manendo, Senatorial District No. 21

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Nick Anthony, Counsel
Lynette Jones, Committee Secretary

OTHERS PRESENT:

Dianne Steel, District Judge, Department G, Eighth Judicial District

Chair Brower:

I will open the subcommittee hearing on Senate Bill (S.B.) 388.

SENATE BILL 388: Establishing additional fees for filing certain motions in a divorce action. (BDR 2-1046)

Senator Mark A. Manendo (Senatorial District No. 21):

I worked with District Judge Dianne Steel on the drafting of S.B. 388.

Dianne Steel (District Judge, Department G, Eighth Judicial District):

I will provide testimony with a proposed amendment in support of S.B. 388 ([Exhibit C](#)). This gap-fee bill intends to equalize fees charged by the county for divorce. When you file for an uncontested divorce through a joint petition, you pay one fee. If the divorce is later contested, an additional fee should be charged. We find many uncontested divorce cases are later contested.

This bill provides that if a district court has issued a final order in a divorce action through a joint petition, the county clerk will charge an additional fee of \$129 the first time a party files a motion to modify the final order and an additional \$57 the first time the other party files an answer to the motion. This bill puts those who modify a final order on the same monetary level as those who open a complaint. It fills the gap.

Chair Brower:

Can you walk us through a hypothetical situation that would implicate the fee aspect of this bill.

District Judge Steel:

When parties file a joint petition divorce, they pay \$270 or \$135 each. When opening a complaint, the cost is \$155 more for the complainant and an additional \$82 for the respondent. It is fair the difference should be paid by the parties when they reopen an uncontested case. The bill will bring those who file a motion to modify a final order up to the same level as those who did service and filed a complaint, putting the court system and others on notice there will be ongoing proceedings from the agreement to divorce.

Chair Brower:

There would be no loss of revenue to the system but perhaps an increase.

District Judge Steel:

The bill would create an increase in revenue. As written, the bill gives additional funds to the county. The proposed amendment to S.B. 388 gives the funds to the county for the benefit of the court. The funds will be used to embellish our self-help centers and provide additional programs for family courts.

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Chair Brower:

We have the proposed amendment and will work with Senator Manendo regarding our intentions on the final language. I will close the hearing on S.B. 388 and adjourn the subcommittee meeting at 1:26 p.m.

RESPECTFULLY SUBMITTED:

Lynette Jones,
Committee Secretary

APPROVED BY:

Senator Greg Brower, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	3		Attendance Roster
S.B. 388	C	1	Eighth Judicial District Court	Proposed Amendment