MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY

Eighty-second Session
March 6, 2023

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 1:04 p.m. on Monday, March 6, 2023, in Room 2135 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.

COMMITTEE MEMBERS PRESENT:

Senator Melanie Scheible, Chair
Senator Dallas Harris, Vice Chair
Senator James Ohrenschall
Senator Marilyn Dondero Loop
Senator Rochelle T. Nguyen
Senator Ira Hansen
Senator Lisa Krasner
Senator Jeff Stone

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Pat Devereux, Committee Secretary

OTHERS PRESENT:

Leslie Nino Piro, General Counsel, Office of the Attorney General
Tonja Brown, Advocates for the Inmates and the Innocent
Homa Sayyar Woodrum, Senior Deputy Attorney General, Office of the Attorney General
Colleen Baharav, Chief Deputy District Attorney, Clark County Office of the District Attorney
Teresa Benitez-Thompson, Chief of Staff, Office of the Attorney General
John Jones, Jr., Nevada District Attorneys Association
Cadence Matijevich, Washoe County
Steve Walker, Lyon County; Douglas County

Colin Haynes, Senior Financial Intelligence Analyst, Las Vegas Metropolitan Police Department
Kathleen Jones, Public Guardian, Elko County
John J. Piro, Clark County Public Defender's Office
Erica Roth, Washoe County Public Defender's Office
Jim Hoffman, Nevada Attorneys for Criminal Justice

CHAIR SCHEIBLE:
We will open the hearing on Senate Bill (S.B.) 34.

SENATE BILL 34: Revises provisions relating to legal representation in certain actions or proceedings. (BDR 3-422)

LESLIE NINO PIRO (General Counsel, Office of the Attorney General):
You have my written testimony (Exhibit C). Senate Bill 34 and the proposed amendment (Exhibit D) would make needed changes to existing law by explicitly authorizing the official attorney to provide legal services to government actors when they are not named defendants in a lawsuit.

The bill would also allow the Attorney General to independently determine that it is impracticable, uneconomical or a conflict of interest to provide legal services to Executive Branch agencies on particular matters. The bill conforms with related statutes since section 1 would affect both State and political subdivisions. I will use the term "official attorney," which Nevada law defines as the Attorney General or the chief legal officer of a political subdivision such as a county district attorney or a city attorney.

Section 1, subsection 1 would authorize the official attorney to provide legal services to a government actor who is summoned or subpoenaed to appear in a legal action. The section addresses a statutory deficiency for situations when a government actor is not a named party but receives a summons or subpoena for his or her testimony.

For example, the Office of the Attorney General has encountered this scenario when a Nevada Highway Patrol trooper is subpoenaed for deposition testimony in a lawsuit between two private parties based on an accident report authored by the trooper. Section 1 would provide explicit statutory authority to prepare the trooper to testify and represent him or her at the deposition. This codifies the longstanding practice of multiple administrations.

Section 1, subsection 1, paragraph (b) will allow the official attorney to determine whether providing legal services is in the best interest of the State or political subdivision. Representation is not mandatory. As a general example, when a government actor provides sworn testimony in a deposition, the plaintiff in a civil lawsuit may amend his or her complaint to name that government actor as a defendant. If the government actor seeks legal advice before the deposition, the official attorney may examine the nature of the case and the allegations. The official attorney may determine that providing legal services is in the best interest of the State or political subdivision because it may help limit potential liability exposure.

Section 1, subsection 4 models existing law by authorizing the official attorney to employ special counsel under certain circumstances. Subsections 5 and 6, respectively, also provide a path to withdraw from the representation if a government actor retains his or her own counsel or a court authorizes the withdrawal. Section 1, subsection 8 clarifies it does not alter or otherwise affect any immunity or protection under the law.

The Office is proposing three minor conceptual amendments, Exhibit D, to section 1 of S.B. 34. The Office would amend section 1, subsection 1 to delete the term "State Legislator" since the Legislative Counsel Bureau represents Legislators. The term "political subdivision" will be added to section 1, subsection 1, paragraph (b) to reflect the official attorney will consider either the best interest of the State or political subdivision, depending on the government entity affected.

Section 1, subsection 4 would be amended to correct a scriveners' error, changing the term "impractical" to "impracticable" to mirror the term used in other applicable statutes.

Section 2 of S.B. 34 makes conforming changes to align with section 1. Section 3 would delete the phrase "at any time prior to trial" from *Nevada Revised Statutes* (NRS) 41.03435. The change is necessary because the Attorney General may need to employ special counsel for a range of civil matters that do not culminate in trial, including the scenarios I described for section 1.

Civil matters are not all lawsuits leading to trial; nevertheless, the expertise of special counsel is sometimes needed. As an example, the Office has employed

special counsel to assist in collective bargaining negotiations when no Deputy Attorney General had experience in that highly specialized area. Further, the pretrial time limitation is no longer workable because the Office may identify a conflict of interest after trial in the appellate stage.

Section 3 would allow the Office flexibility it needs to meet the demands of modern law practice. The Office has a conceptual amendment, Exhibit D, to the original section 3. The Office will keep the phrase "other than the State General Fund" because the Office does not fund special counsel through that Fund.

Section 4 harmonizes NRS 228.110 with other statutes, addressing the Attorney General's decision regarding the need for alternate counsel with limited exception. *Nevada Revised Statutes* 228.110 designates the Office as the exclusive legal counsel for all State matters arising in the Executive Branch. A single exception is provided when the Office is disqualified to act in a matter. Disqualification is a specific finding of fact and conclusions of law by a court. This can pose a problem because the Office routinely provides advice to Executive Branch agencies when no judicial proceeding exists. Thus, no judge is presiding to disqualify the Office.

Multiple statutes authorize the Attorney General to independently determine that providing legal services would be "impracticable, uneconomical or could constitute a conflict of interest." Section 4 of S.B. 34 seeks to add the same phrase to NRS 228.110.

As an example, legal services from the Office may be impracticable or uneconomical in limited circumstances when deputy attorneys general lack experience in a highly specialized practice area, such as debt collection, bankruptcy or privacy and data breaches. A conflict of interest may arise between two State agency clients or between the Office and one agency client. In those situations, the Office must act quickly to comply with rules of professional responsibility. Employment of special counsel may be necessary.

Section 4 would make conforming statutory changes necessary for the Attorney General to independently determine whether alternative counsel is needed to allow for the most efficient and effective client services. The Office proposes adding a paragraph (c) to section 4, subsection 1. It will state compensation for any attorney or counselor employed pursuant to section 1, subsection 1, paragraph (b) must be paid in accordance with the requirements

for special counsel prescribed by NRS 41.03435. The proposed amendment, Exhibit D, would allow the Office to swiftly identify alternate counsel and, if necessary, negotiate favorable rates and contract terms. Section 5 provides effective dates for each section of the bill.

CHAIR SCHEIBLE:
Did you indicate the bill's provision would conform with current practice?

MS. NINO PIRO:
Yes, that has been our practice for multiple Administrations.

CHAIR SCHEIBLE:
Would the Attorney General advise members of the State police?

MS. NINO PIRO:
Yes.

SENATOR KRASNER:
You said the Attorney General could independently determine if it is impracticable and uneconomical to provide legal services or if it constitutes a conflict of interest. The Attorney General then appoints independent counsel. Who does the Attorney General go to now, rather than doing it unilaterally as this bill suggests?

MS. NINO PIRO:
Nevada Revised Statutes suggests the Office would have to go to the court. However, on a routine basis of providing legal advice, there is not always a pending legal matter. There would not be a court matter to, say, file a motion for disqualification. This is a gray area within statute we are trying to clarify.

SENATOR KRASNER:
In private practice, if an attorney or law firm wanted to ask for independent counsel, would they have to go before a court with a proper motion?

MS. NINO PIRO:
In private practice, disqualification is a legal term of art. It always seeks involvement of the court. When we provide data and advice to State agencies, there is not always a court matter about which to file a motion. The changes to NRS would contemplate filing a writ petition or another original matter with the

court, which could take days or even weeks. The bill's provision would be a far more efficient and effective resolution for State agencies, rather than filing original matters with the court.

SENATOR KRASNER:
If a district attorney's office wanted to appoint an independent counsel, what would that procedure be?

MS. NINO PIRO:
Nevada Revised Statutes 228.110 only affects the Office and Executive Branch agencies. It does not affect political subdivisions or offices of county district attorneys.

SENATOR KRASNER:
What would be the procedure if a district attorney's office wanted to appoint independent counsel? Could we ask the Committee's legal counsel?

SENATOR OHRENSCHALL:
Senate Bill 34 could expedite certain procedures, such as if private counsel needs to be appointed. In 2022, there was a disagreement between the offices of the Secretary of State and Attorney General over interpretation of statute when private counsel needs to be appointed for the Secretary of State. Am I reading the bill correctly, that it would expedite obtaining private counsel in the event of an appeal?

MS. NINO PIRO:
That is correct. It is intended to streamline and speed up the process.

TONJA BROWN (Advocates for the Inmates and the Innocent):
What happens when a plaintiff such as an inmate sues the State due to wrongful acts committed by the Nevada Department of Corrections (DOC)? The Office represents the State in that situation.

At times, counsel will submit information captured for the protection of the DOC staff, which I understand. However, in court, the judge makes a decision on evidence and information provided via cameras. If it is wrong information or a violation of the Brady disclosure law by the Attorney General, the court may rule in favor of the State. Later, if it turns out the Attorney General withheld exculpatory evidence supporting the decision on the plaintiff, how does that

come into play? By the time the Office gets around to it, the statute of limitations has run out for the plaintiff. The inmate has been harmed with reputational damage, and no one pays the consequences.

I am basing this testimony on information I am privy to because I learned about the Office withholding evidence. It was in a wrongful death suit in which I was able to access DOC files pertaining to myself. It resulted in a settlement agreement the State breached. When inmates have lawsuits, how can we trust the Office to do its job properly? We must ensure inmates receive fair trials and that the Office staff representing them are held accountable. Who oversees the Office?

CHAIR SCHEIBLE:
I will close the hearing on S.B. 34 and open the hearing on S.B. 61.

SENATE BILL 61: Revises provisions relating to crimes involving the deposits or proceeds of an account held in joint tenancy. (BDR 15-427)

HOMA SAYYAR WOODRUM (Senior Deputy Attorney General, Office of the Attorney General):
Let us say there is a joint bank account—not a gift—when you add a person to your account. Are you intending to give them all the money in that account at the moment of opening it? The Office believes the answer is no.

Senate Bill 61 clarifies in statute the rights of vulnerable and older persons who add other persons to their bank accounts. The bill's intent is to ensure he or she is not wiped out financially in the moment of addition and is protected by law from exploitation, theft, conversion and property theft.

Senate Bill 61 is narrowly tailored to make the law consistent with the expectations and practices of those who use joint accounts to manage their affairs. Senate Bill 61 does not create new legal penalties. Instead, it clarifies the legislative intent that when evidence supports a criminal conviction, that case can be pursued if a joint account holder was part of the crime.

Without S.B. 61, courts will continue to require proof of criminal intent at a specific moment: on the part of the added individual at the time he or she is placed on a joint account, not for the life of the account. By its nature,

misappropriation comes days, months and even years after the creation of joint accounts.

Section 1 adds language to NRS 200 expressly stating the mere fact that an account held jointly does not preclude charges against a person for exploitation of an older or vulnerable adult. Sections 2 to 4 make conforming adjustments in reference to the new section.

Section 5 addresses NRS 100.085, which relates to accounts held in joint tenancy. It adds language to clarify a joint account holder may be subject to criminal liability. Without passage of S.B. 61, there is little to no recourse for the misplaced trust of a vulnerable person who has added a joint account holder or named a person with power of attorney (POA) who makes changes to the bank account. The bill is not intended to interfere with the common practice of using joint accounts to gain assistance with estate management, rather to allow for criminal penalties when evidence supports it.

Cases of exploitation are devastating for victims and deprive them of the benefit of the care and comfort of their own savings and income. When victims seek public assistance because of exploitation, statute forces them to seek hardship waivers, instead of their being directly eligible for programs such as Nevada Medicaid.

It also costs the State to cover services that individuals use to protect themselves when public guardians must step in to assist. Guardians are left with little to no funding to provide for the protected person's needs.

Has it always been this way? No. The Nevada Supreme Court's interpretation evolved between 1996 and 2018. In *Walch v. State*, 112 Nev. 25, 909 P.2d 1184 (1996), the Court held the mere fact that an account is held jointly does not preclude a theft conviction. In *Natko v. State*, 134 Nev. 841, 435 P.3d 680 (2018), the Nevada Court of Appeals found criminal intent must be proven at the moment of joint titling for prosecution.

The shift occurred despite the statute regarding joint accounts being on the books since 1977 and amended in 1995. With no legislative history related to exploitation matters to indicate otherwise, the policy dealt a devastating blow to law enforcement efforts to fight financial exploitation of vulnerable adults. Cases that could have been brought before 2018 are now impossible.

The reality of joint accounts is people add others to their accounts as an informal estate management and planning tool. Vulnerable people may need help with bill paying and online banking with the expectation that a person they trust will treat those funds appropriately and not wipe out the account.

Senate Bill 61 does not hinder the customary or even shared use of joint accounts. It stands for the proposition that if person A adds person B to an account, person B is not immune from consequences if he or she deprives person A of the rightful use of that account.

Senate Bill 61 stands for the proposition that if person B says, "I will help you pay your bills"—only to misappropriate those funds later—he or she can be held accountable. Senate Bill 61 stands for the proposition that if person B is the financial POA of person A and creates a jointly titled account only to empty it for his or her own benefit, law enforcement can investigate and refer the case for prosecution.

I think often of an elderly man whose son took more than $327,000 from a joint account. The father was then required to obtain more than $70,000 of public assistance from Nevada Medicaid until he died. I think about how he never expected that adding his son to his account would leave him destitute.

It bears repeating a joint account is not a gift. The law does not intend that to be the case, and Nevadans have no expectation their property rights would be affected in this way.

I am presenting S.B. 61 on behalf of the Office of the Attorney General and its law enforcement and social services partners Statewide who have wrung their hands time and time again as bad actors walk away with the resources of people who trusted them.

The Office has been approached by its colleagues in public defenders' offices about provisions in section 5 referencing older and vulnerable adults. The Office will continue to work with them to clarify the section and their concerns.

COLLEEN BAHARAV (Chief Deputy District Attorney, Clark County Office of the District Attorney):
I would echo Ms. Woodrum's question, is a joint bank account a gift? Typically for elderly and vulnerable persons, it is not meant to be a gift when a person is added for the sake of helping that individual with his or her daily life, things like going to the doctor or grocery shopping.

Senate Bill 61 would allow prosecution when circumstances or facts support it. It would allow the totality of the circumstances to be taken into consideration, whereas currently it is not.

I have a case in which when a person was added to a bank account, luckily there was a witness to the conversation prior to the addition. Absent that witness, my office would not be able to prosecute the case. This person was added to the bank account for the sole purpose of assisting an elderly man who was living with her family with paying his bills, buying groceries and things of that nature. He was very generous with this family. There is no allegation monetary gifts prior to him entering hospice were in any way not given freely.

However, because the bank account was titled in joint tenancy, when the elderly man went into hospice for end-of-life care, the other tenants on the account emptied out $441,000 over the span of a couple of days.

We are able to prosecute the case solely because there was an independent witness who observed the conversation as to why this person was being added to the elderly man's account. However, even if we can prosecute through jury trial, it is possible and probable, given the law, this individual will not be convicted of the crime. The way the law is focused, this woman was entitled to that money because she is a joint account holder.

The Clark County Office of the District Attorney is asking that S.B. 61 be made retroactive to clarify the intent of the Legislature all along. We understand that when the laws were changed—in 2003 and even 2015—the intent was elderly and vulnerable people should not be taken advantage of by persons who are trying to help them or even asked to help them.

Most of these crimes are crimes of opportunity. Tenants are not predisposed to commit them prior to being added to accounts. It is generally only after

something happens to the holder of the original bank account that the intention to steal arises.

SENATOR HARRIS:
What is the difference between "an older person and a vulnerable person," as opposed to vulnerable persons, given that we are assuming older means 60 years old? Should not the default thinking be that an older person maintains capacity until he or she becomes a vulnerable person?

MS. WOODRUM:
The scheme in NRS 200 features all the language related to abuse and neglect of older adults and people with disabilities who are over the age of 18. The catchall language to match the pattern of NRS 200 is individuals over the age of 18 who are vulnerable may have been deemed to lack capacity. However, even with people with a diagnosis of disability, this is not saying they do not have the capacity to make the decision to add someone to a joint account.

The intent of S.B. 61 is to give older or vulnerable people enhanced protection. The likelihood they are adding someone to get assistance with their affairs makes it more likely it is not their intention that money from their social security or Supplemental Security Income was intended as a gift.

The distinction throughout NRS 200 is older and vulnerable persons. We are not presuming individuals over the age of 60 lack capacity to manage their affairs. We already have enhancements under statute addressing why we would consider a crime against those individuals as possibly something to which we should pay more attention. In part, that is because of the cost to the State and our communities when someone's life savings are wiped out and they become subject to public assistance.

SENATOR HARRIS:
Is there anything in S.B. 61 that would require people to be put under guardianship after something happens? Ideally, that is the mechanism in place. If you are incapable of managing your financial affairs, you would not add a joint tenant to your bank account; you would get a financial guardian or POA for finances. We already have legal structures and protections to ensure joint tenants are using that money to take care of account holders.

MS. WOODRUM:
The issue is guardianship is at the extreme end of the spectrum; we call it the civil death. It is an incredible intrusion into somebody's life. We have engaged many reforms saying people must be able to choose who manages their affairs and decide whom they trust.

Senate Bill 61 is not trying to say that if you get this kind of help, you need a guardianship. We do have the statutory framework for when someone ends up in guardianship, which usually happens when the person has already been exploited. Adult protective services or law enforcement come in. As someone who has litigated civil recovery actions and guardianship, I know it is difficult without the assistance of law enforcement, the criminal side of the house, to bring these cases.

In a case in which I represented the Clark County Public Guardian, a woman had $70,000 stolen from her by someone she trusted. Until a judge says you lack capacity, it does not even matter if a doctor speculates about your capacity, you have the right to contract and go about your affairs. The Office of the Clark County Public Guardian had no funds to pursue the thief. We had to use a petition for instructions under NRS 159 to allow the court to hear the case, walking away from that recovery. It would have been double damages, but there were no resources to pursue it.

When the Office of the Attorney General has been approached with cases such as the aforementioned, our investigators are unable to go the next step with joint account abuse. The law cuts them off from the ability to start the case because we know it is going to get dismissed due to the narrow proof of what transpired at the moment the joint account was established. Usually, someone is using less restrictive alternatives to secure access to an account.

In a perfect world, as an estate planning attorney, I would love for everybody to have a complete bells-and-whistles Cadillac estate plan. The reality is people do what works for them; it is really easy to just add your children to the account so they can make bill payments.

We are not implying in any way the decision to trust someone implies a lack of or diminishment of capacity. However, we are saying on the back end, when we see egregious cases, we need to be able to bring criminal prosecutions

against people who betrayed the trust of those who thought these people would give them some help.

SENATOR HARRIS:
Are we saying people have the capacity to do this because sometimes you get scammed? We are arguing that if you sign over your account and are then wiped out, you signed over because you were worried in the first place you could not manage your finances, indicating you maybe lack the capacity to manage your finances any longer. Elderly people should be able to enter into a joint tenancy like anybody else. We are trying to find middle ground, but there is a little tension between those two ideas.

Could this potentially have a chilling effect on people who might be willing to step in to help? What if a person who takes out all the money for a legitimate reason is then investigated? How do you prove you took it out because there was some big purchase that needed to be made? Is there any concern the bill may result in fewer people willing to do that intermediary step before guardianship is imposed?

MS. WOODRUM:
You are asking if the law creates a kind of catch-22 situation in which asking for help creates an implication that you need that help. *Nevada Revised Statutes* 159 is the supported decision-making act. It makes a broad statement that the act of asking for help should not be used as an implication you need a guardianship. Asking for help can even be used as evidence in the guardianship hearing.

Senate Bill 61 would fit within that framework because no one would say that because you we are exploited, now you need a guardian. The goal is often people use the guardianship to get someone to help after they have been exploited. If our law enforcement partners can pursue the bad actor, we can cobble together social services measures to help elderly or vulnerable people in a better way than making them reach into guardianship to get that assistance.

You asked if the law could have a chilling effect. In the best-practices scenario, people take measures to protect their rights and document their wishes when they ask for help with decision-making agreements like POA. If S.B. 61 causes someone to pause and put that seat belt on, that is a positive measure. It would

have a chilling effect on the day-to-day operations of family members who are helping each other.

Unfortunately, the Office sees egregious exploitation and abuse of elderly and disabled persons. We do not see the 99 percent of times when a family comes up with a plan to help Mom and everything goes great. The law would not have a chilling effect on your run-of-the-mill joint account.

In family law, when there is a divorce with a joint account, we do a joint preliminary injunction. There is an implication both parties heading into the divorce had joint rights to the account. We are not touching that; it is purely the case when we have other evidence of exploitation. The door is closed to bringing that case because there is a joint account, and we cannot prove specific exploitative intent at the moment of the addition of the tenant.

If a senior vulnerable person adds another individual to an account, the new person may not have had bad intent at the time but then developed it. Either he or she fell on hard times, as in your example, Senator Harris, or were told, "So, go take a loan out of that account." The other criminal evidence would have to be present to bring a case; that is not meant to be a gotcha.

The concern of our colleagues in public defenders' offices with S.B. 61 is narrowly tailored to older and vulnerable persons' accounts and specific kinds of exploitation in which other elements must be proven. The law would match communities' expectations that when you add a person to an account and something goes badly, law enforcement will help make you whole.

SENATOR DONDERO LOOP:
I went down this road with my mother, and I could not open an account without her sitting there and signing the piece of paper. We missed one little account, and I could not take that money out of it even after she died even though I was the POA, even though she had a gold Cadillac estate plan.

I am confused why we need S.B. 61. I understand the vulnerability aspect and that people do things wrong. Your definition of an older person is scary. Why is the magic number aged 60?

MS. WOODRUM:
The Legislature passes laws and may not see how they might be employed through our courts. In *Natko v. State*, the Appellate Court formulated a specific interpretation of kind of an unassuming law. The joint account law says when you add someone to an account, both signatories have rights to it. The next decision said you would have to prove specific criminal intent at the moment a person was added to the account.

For example, if somebody is being added to Mom's account, the day that person is in the bank, he or she would have to be sitting there thinking, "I am going to empty this account for my benefit." If that intent is not there, the court case will not occur. The door is closed to prosecution of cases in which someone is added to the account on Monday, logs into the bank account by Friday, sees it contains $300,000 and then decides to remove that sum.

Concerning the age cutoff of over the age of 60, NRS 200 is a criminal chapter. The law has always defined older adults as aged 60; nationally, the cutoff is aged 55 and up. We need to do some more branding with the bill. The words we use matter, and words are evolving.

We use the term "older person," but do not want to create an impression that once you hit a certain age, we assume things about your capacity or your ability to manage your affairs or choice of whom you trust. It is the framework we have. The idea is that age cutoff will be adjusted over time. Now when the law talks about adult protective services, it is addressing people who are over the age of 18 with disabilities and people who are over the age of 60.

Specifically, language in *Natko vs. State* closed the door to prosecuting cases in 1977. Only a provision about joint accounts has been added to NRS 200. All the testimony in favor of the 1995 amendment was from the banking side, seeking clarification. The Legislature has never said, "Here is what we meant to say" or "Here is how we intend this to be read." Instead, courts have been reading the tea leaves to say this is a fine-line kind of thing. When you added your daughter to your account, you just gave her the account. We are concerned about the resulting cases of exploitation we are unable to pursue.

SENATOR DONDERO LOOP:
A problem arises when people over the age of 60 get married. People over that age allow other people on their accounts for other reasons; people of all ages

add somebody to their accounts for any reason. When I go to the bank, all the accounts I hold jointly with my mom require an employee to sit there with me while I sign a piece of paper. I just cannot go in and say, "Oh, hey, my mom told me she wanted me to be on her account" or "My husband said we are going to have a joint account now because we got married yesterday." If I go in to take that money out, the bank does not say, "Did you think about doing this the day that you made that account?"

How do you prove I had ill intentions or a husband who takes 50 percent of the money out of an account before telling the wife he is going to divorce her had ill intentions? The wife could take the money out before she tells her husband, "Oh, by the way, we are getting a divorce." How do you show that ill intent, because a person could have that intent from Day 1 or on Day 101?

MS. WOODRUM:
Section 2, subsection 3 of S.B. 61 defines "exploitation." I appreciate the concern we do not want to catch people who are going about their day-to-day lives in sort of this web.

The married couple over the age of 60 is not going to be in an exploitation situation because you described a run-of-the-mill expected use of a joint account.

You are talking about, for example, a sweetheart scam: a newlywed sitting in the bank being added to an account with the sole intention of ultimately emptying it. It is incredibly difficult to prove what is on someone's mind at that time. What we want to do is look at the person's conduct and how he or she manages the account. Say, it only had an annuity or social security check paid into it for months or years. Suddenly, actions are taken inconsistent with the pattern of account ownership. Exploitation of older, vulnerable adults already has a high bar of proof.

Our concern is since 2018, we have been unable to bring those type of cases, like the one in which $375,000 was taken out of an account in Elko. We are unable to parse out what happened maybe 10, 15 years ago when someone was originally added to the account. The idea is we want to pursue a case with proper evidence. It is not meant to catch individuals who are sharing an account or maybe taking out 50 percent of it.

If the concern is the aged 60 cutoff implicates people who are engaging in certain activities, the exploitation requirements do not define those cases as such, whatever the age. Exploitation must involve undue influence and taking decisive actions to deceive and trick somebody into letting one's guard down while you access his or her funds. It is part of a context in NRS 100.

If we are talking about a run-of-the mill spousal situation or someone's son or daughter helping an elderly parent or that sort of thing, a case would not be brought. If we have insufficient evidence, that is something for a judge and jury to decide. The way courts are now interpreting this, we cannot bring the case because there is no way we can prove what was on somebody's mind at the moment he or she was added to the account. Often that ill intent comes later, say, when a person falls on hard times or develops a gambling addiction and then deprives someone of his or her life savings and financial resources.

CHAIR SCHEIBLE:
If I may clarify things, is there a reason S.B. 61 is better than simply stating that holding an account with joint tenancy is not an affirmative defense to any of the crimes enumerated in NRS 200.5091 to NRS 200.50995?

MS. WOODRUM:
The bill was crafted to mirror the jurisprudence of how courts have been looking at the joint account statute. Courts have been parsing out NRS 100 to ask what it means when someone is added to a joint account. Is there some kind of bright-line moment when you no longer are the only owner of the account, that someone else now owns it?

The original draft of the bill mirrored a Florida statute that came from the opposite approach. It said, if a senior or vulnerable person is deprived of funds to the point where he or she lacks food, shelter, etc., then you could criminally pursue the joint account holder or trusted caregiver. However, that interpretation was judged overbroad.

Saying a joint account is not an affirmative defense does not address the existence of *Walch vs. State*. We have not been saying the criminal intent must be established prior to the funds being deposited into a joint account. That is an unreasonably difficult burden of proof.

MS. BAHARAV:
I understand it might be easier to say the way the account is titled is not an affirmative defense. The bill came about because of a couple of recent court decisions indicating we have a barrier to prosecute persons unless we can prove ill intent prior to them being added to the account or the funds being deposited.

The questions by Senator Dondero Loop and Senator Harris are all valid. Why do we need something like S.B. 61 to protect vulnerable and elderly persons? We can all agree aged 60 today is not the same as it was in 1919 when the laws were written. That age was determined to be elderly for purposes of statute.

The reason we are bringing this bill is exactly because of the concerns Senator Dondero Loop outlined. When we have all the facts and circumstances that the POA and the requirements have been met of someone who is supposed to just help with the bills, the fact cannot be ignored the account is held in joint tenancy, even if someone does not understand the difference between adding a signer on their account and adding someone in joint tenancy. We cannot prosecute the joint tenant for the crime of cleaning out that person.

Senate Bill 61 is a clarifying bill. It allows prosecution when currently we cannot prosecute—no matter what the other facts and circumstances are—because as soon as his or her name is added, that bank account belongs to that person who can take all of the money to the exclusion of somebody else.

Senator Dondero Loop brought up a good point: when you first go to the bank to access the account, you must have the other person with you. For the most part, that is true. However, if somebody is a co-owner of an account, you do not have to have that other person for every transaction that occurs thereafter. For example, in the case I mentioned earlier, when the original account owner was in hospice care and $441,000 was removed over a period of mere days, there was no requirement the joint owner had to be there to remove those funds. Senate Bill 61 would allow the facts and circumstances for that type of case to allow for prosecution.

It may be wise to eventually consider addressing whether an affirmative defense could be the fact that someone is added to an account. This bill just allows us to consider all the possible facts and circumstances for prosecution. It does not foreclose prosecution just because someone's name happens to be on an account.

SENATOR NGUYEN:
Similar to Senator Dondero Loop's divorce scenario, what happens if a grandparent puts a favorite grandchild on an account that the other grandchildren then start fighting over? We see how often families fight about the intent of inheritances, money and the equal distribution among heirs.

In regard to *Walch vs. State* and *Natko vs. State*, was it easier to determine the intent when the joint tenancy was formed, as opposed to what happened a week, even five years later? There is no time limit on betrayal.

Let us say a 53-year-old person has long been married to a 60-year-old and they have a joint account. You could be married to someone for 40 years, change your mind and clear out the bank account of your spouse, who happens to be older than you even by a year. Suddenly, you could be accused of financial exploitation of an older person. Some of those cases would not be brought, but it opens the potential for litigation, conflict and fraud in that area.

MS. WOODRUM:
In the scenario of the couple aged 53 and 60, that would not open the door to an exploitation case because exploitation requires undue influence. Betraying trust in a marital situation would not be evidence of undue influence at the moment of adding a spouse to the joint account.

An additional concern is NRS 200 relating to joint accounts—at the moment you created joint ownership—does not take into consideration the ensuing conduct of the new tenant. That is why it is important to address egregious cases with language Legislators might prefer.

Nevada Revised Statutes 200 says the mere fact that there is a joint account does not close the door to exploitation. It does not say a joint account opens you to a claim of exploitation. It says the door is not closed to bringing an exploitation case.

That distinction has been the concern ever since *Natko vs. State*. Various stakeholders met and decided to make the argument in S.B. 61. We created brochures and began outreach to convince people to not add others to their accounts unless the intention is to essentially give them complete access to that money.

Unfortunately, two Sessions have passed and NRS 200 is unchanged. There is a culture of expectation that if you add someone to your account, he or she is going to abide by unwritten rules. For vulnerable and older people, we have concerns about exploitation.

TERESA BENITEZ-THOMPSON (Chief of Staff, Office of the Attorney General):
I was a licensed social worker, working on end-of-life issues for more than 12 years in hospice, inpatient, outpatient, acute care, palliative care and a critical care unit through the second wave of COVID-19.

I dealt with a lot of chronically ill people who had multiple hospitalizations and with people who suddenly became ill. The perception among people in a helping profession is you should encourage help from someone in your family. You do not have to worry because family members cannot take all your money and run away if you put someone on your account to help you when you are disabled or incapacitated.

Part of my shock when coming to the Office of the Attorney General was we are making referrals to Adult Protective Services that do not go anywhere. In my community, the perspective was people do not know about this. I told colleagues, "I think that is great that you guys made brochures. But they never made it to any of the folks that I work with or in the settings that I worked with." If the Legislature decides not to move forward on the issue, we need to pursue a much more robust education campaign.

When you help someone apply for Medicaid, five years of finances are examined. If someone has taken all of an applicant's money out of his or her account, the person cannot get Medicaid, essentially a person added to the account is gifted the money. Applicants say, "My son took the money and ran away," or "I put this friend on my account to help me write my checks and then they took all the money." We would make those statements part of the referral to Adult Protective Services to be investigated.

Those referrals will not happen anymore. People are not going to get Medicaid because they gave their money away. If they have no funds to pay for housing, they will sit in the hospital for six to seven months waiting for a hearing on guardianship. Once they get a guardian, the guardian has no funds and people still cannot get Medicaid. For those types of exploitation cases, that is the dilemma we are contemplating.

In regard to Senator Nguyen's point, applications for services tend to become backed up in different ways, depending on federal or State law. Most of them start at aged 60 or 63 and go up to aged 65 for eligibility for group or assisted living homes. Medicaid starts paying for all people in that age range. The concurrency with NRS 200 language is when those services start kicking in for people, the State must start to also provide services. If you want a number that is more reflective of eligibility of services, we could look at that. If the flat aged 60 cutoff seems offensive, we could tell you how many people need State services at aged 60 versus the ages of 63 and 65.

SENATOR NGUYEN:
I understand the intent of what you are trying to accomplish; we do not want people to be exploited. In your example, how many of those people are actively giving away their money to family and relatives if they qualify for Medicaid?

MS. WOODRUM:
I have formally represented Nevada Medicaid. If somebody is actively trying to gift money to qualify for those benefits, that is not particularly legal. We do hear about "creative estate planning" to qualify for services. I talked to an estate planning attorney who said it puzzled him that some people feel Medicaid is a goal because, while our social safety net is wonderful, elderly and vulnerable people are much off better being able to choose where they want to be, who takes care of them and what services they get.

The issue here is we are not talking about the odd check showing the intent of the gift. The issue is people who do not believe that if they add a joint account holder, they are gifting them that account. People are trusting more than they should because that is the expectation under the law.

That law was how we could pursue these individuals under exploitation clauses until 2018, when the court created a narrow intent out of whole cloth based on a prior case. In *Walch vs. State*, the POA created a joint bank account and then put all the assets in it. That was a narrow situation versus *Natko vs. State*. There were angry terms in that decision because of the idea of completely closing the door on egregious cases. Our hope is to open that door—not blow it wide open, not to capture anything other than the exploitation scenarios we have described.

SENATOR OHRENSCHALL:
My question is tangential to the language in S.B. 61. Has there been an effort by State or federal banking regulators to ensure older or vulnerable persons' eyes are wide open so they understand the difference between adding someone in a joint tenant on an account versus as a cosigner?

MS. WOODRUM:
Our banking partners are mandatory reporters of financial irregularities under the same statutory scheme for exploitation. Banking has become more centralized with large corporations. We do not have the dynamic like the family banker who might have the opportunity to advise older and vulnerable clients. Instead, bank staff is doing exactly what they are being asked when someone comes in with joint tenancy forms.

We have invited banks to be part of our elder abuse and later-life group. We invite banks to our coordinated community response meetings and give them outreach materials. We received a national grant to address abuse in later life. Unfortunately, we have not been successful in those efforts.

I can only speculate that sometimes when a customer asks a bank to do something, it may not be the most ideal moment to raise a concern. You do not want to seem ageist. You want to allow people to do the things they have stated they want to do with their bank accounts. Individuals come into the bank and say, "Here is my goal. Can you help me get to that goal, so that my son or daughter can look at my online bank account?" Usually, people come in and say they want to add a joint account holder. That is where we are trying to create the practice of people aligning what the options are to help make them whole if somebody betrays their trust.

SENATOR HANSEN:
As I read NRS 200, we have pages of attempts to try to protect vulnerable people. Undoubtedly at the time, with the laws we passed, one of the intentions was to protect vulnerable people in joint tenancy situations like you are describing. Then the courts had a narrow interpretation of what the Legislature intended to be broader.

The Office of the Attorney General is here today trying to restore the intent of the Legislature so when these kinds of situations happen, it can exercise its legal authority. Enforcement is not supposed to be tailored to the tiny window

of time at the beginning of the joint tenancy of the account. Is that correct? Why are we are almost arguing against you doing what we want you to do?

MS. WOODRUM:
The unique situation we have is NRS 200, which deals with exploitation of elder and vulnerable persons, and NRS 100, which is meant to give instruction to the banks, as Senator Ohrenschall pointed out, about how to handle joint accounts.

It is our position the Legislature never thought a provision that helps banks handle joint accounts would be used to block the intent of pursuing exploiters and people who abuse and neglect individuals who are elderly and vulnerable. That is where the potential for an amendment would be to NRS 100 where it says the mere fact that an account is held in joint tenancy does not convey all its assets. *Nevada Revised Statutes* 100 should mention older and vulnerable adults or create a reference to NRS 200.

We could perhaps simplify section 5 of S.B. 61 so anybody who is interpreting it could refer courts to the NRS 200 section on exploitation. We are trying to disrupt the lay of the land when it comes to joint tenancy of the average bank account. But we are talking about a unique situation. A judge once asked me, "Why is Adult Protective Services in chapter 200? That's a criminal chapter and is that just kind of how our statutes have evolved over time?"

Nevada Revised Statutes 200 is a weighty chapter addressing all sorts of crimes. The Office would like judges to consider the intent of the Legislature, and NRS 200 is a banking chapter meant to clarify who actually owns an account when someone is added to it. The intention is not a gotcha for banks if they inadvertently assist in adding questionable tenants to accounts. The bill would not negatively affect or be detrimental to their account holders; it would still allow banks to operate as they do now with joint accounts.

SENATOR HANSEN:
The bottom line is the Office wants to ensure the intent of the Legislature to protect vulnerable senior citizens in particular from this type of exploitation. You lack the tools to properly prosecute people who have abused others in these sorts of situations. You are actually complying with the intent of the Legislature.

MS. BENITEZ-THOMPSON:
Natko vs. State branched off in a new direction. We want to go back to an understanding of the status quo from here on out about how we can do this work. We are arguing *Natko vs. State* was a disruption in the interpretation timeline.

SENATOR STONE:
If somebody has a premeditated desire at the time he or she becomes a joint tenant to rip off the original account holder, that is where the law would be engaged. If a person became a joint tenant, then later had a nefarious desire to abscond with the funds, that is where the Office is running into problems, correct?

My dad was living in Los Angeles and had early dementia. Somebody came to his house and said, "You know, we are having some complaints from the county about the paint on your house. You need to repaint it. You're going to be getting a citation." The shysters convinced my dad to spend $30,000 on a $5,000 paint job. That is when my sister and I decided we need to be involved. I became the joint tenant on my dad's accounts and took care of his affairs. Everything was handled perfectly.

What happens when something happens to someone with an advanced directive? Let us say the person has an accident and becomes cognitively impaired. Or someone begins to have Alzheimer's disease and he or she has no children. Let us say my cousin says, "Hey, listen, I can help you with your affairs. Just sign me on and I will pay your bills for you." The relative or friend convinces the cognitively impaired or the patient or person with early Alzheimer's, "You know, my brother just got fired from his job because he does not have a car. And if he does not get a car, he is going to lose his house. He needs $40,000." The person who is cognitively impaired or has early Alzheimer's gets talked into giving the joint tenant the money, which cleans out the bank account.

How do you deal with a situation like that when aiding your ability to prosecute? I have seen in my many years working in county government that this is not the exception to the rule. A lot of senior citizens and vulnerable people get taken advantage of, oftentimes by somebody they knew, whether a friend or a relative. They need the protections you are seeking here today.

MS. WOODRUM:
The scenario you presented is a vulnerable person who has a family member jointly on the account. Now, a third party has come into the picture and is asking the vulnerable person or the joint account holder for money.

SENATOR STONE:
The joint account holder says,

> I have a relative or I have a friend that is going to lose their job because they do not have a car or the car was demolished in an accident, had no insurance. They need $40,000. You know who this person is. I hope you'll consider helping this person out.

The account holder says, "Yes, of course, I am going to help Johnny out," gives the joint owner the $40,000—and he or she has no money in the account anymore.

MS. WOODRUM:
At the beginning of your scenario, you said there was some sort of implied advance directive or legal tool. Would that be a scenario in which someone with, for example, POA or some authority over an account has a fiduciary duty? They would have a legal obligation to put themselves in the shoes of that account holder and act consistently with his or her interests. That is different than what people do when they have no estate planning whatsoever.

That is what I meant about a classic joint account situation whereby someone adds a family member to the account. The law recognizes both of them have the right to use and enjoy that account, which is fine. The issue is when these cases come up for referral. The triggering event for referral would be the original account holder is no longer making his or her rent, is not paying doctors and needs to qualify for benefits. Those events would make authorities look at that account and say, "Wait a minute, $40,000 flew out of this account two years ago. We need to look back five years before issuing a hardship waiver for him to qualify for Medicaid."

Senate Bill 61 is not on an island. Other legal tools would come into play. People could continue to make gifts. The issue is that when you are vulnerable and make a gift against your own interests, we start to ask whether you really understood what you meant to do at the time. However, if anyone wants to

give his or her money away, that person is more than welcome to do so under the law.

The issue is we worry when somebody is possibly in a vulnerable state and someone could exploit them. The giver is well-meaning and may not realize by giving away that $40,000, it may not come back. He or she may expect the third party to pay him or her back.

People in that situation do not get any of the legal safeguards, the contracts, leases and loan guarantees of other transactions. People are free to make decisions about their money. However, with elderly and vulnerable persons, we are concerned about them making decisions against their own interests with sizable funds.

Where undue influence comes in is when the trusted family member who knows better tries to wheel and deal with the person. He or she knows this is not a simple thing to ask and is using the confidential relationship to sway the individual's decision making. Each of these cases is fraught with family strife and already difficult to bring. The fact that a joint account is involved closes the door to otherwise valid prosecutions.

MS. BAHARAV:
To answer Senator Hansen's question, yes, the intent of S.B. 61 intent is to clarify the Legislature's intent, which was narrowed by the court. Senator Stone asked whether we would be able to prosecute a person who took $40,000 or so from someone's account when he or she is a joint tenant holder. As the law stands, we would have a very difficult time prosecuting the person who took the money due to *Natko vs. State*. Maybe when the person was added to the account, he or she did not intend to take the money; but something happened, as Ms. Woodrum mentioned, some triggering event caused that person to need additional funds.

The way we are intending to clarify the intention of the Legislature with S.B. 61 is to allow prosecution even if an account is held in joint tenancy. We would be able to look at all the factors associated with a particular situation to bring a case.

Senator Dondero Loop asked about older persons who get married. She asked if it is possible those cases would not be brought. I am the team chief of the elder

abuse and major fraud unit in Clark County. We are not prosecuting husbands and wives for using money in their joint accounts. We are not able to prosecute persons who are added to a bank account to assist in a caregiving capacity. We can no longer prosecute them because the people who added them to the account did not realize what they we are doing.

JOHN JONES, JR. (Nevada District Attorneys Association):
The Nevada District Attorneys Association supports S.B. 61. I want to make it clear this bill does not change any criminal penalties nor any existing elements to any criminal offenses. It simply allows law enforcement to consider all the evidence in a particular case, not just the evidence at a particular point in time.

Using Senator Dondero Loop's example, when a person goes to the bank to be added to a parent's account, it all could be on the up and up with everything perfectly legal. After that point, the person added to the account decides to take every single penny out of it. *Natko vs. State* says we cannot prosecute them for that, period and stop.

Once Senator Dondero Loop was legitimately added to her mother's account, she could have taken every dime of her mother's money, and there was nothing we could do about it. *Natko vs. State* has made our vulnerable citizens and seniors more open to exploitation. What this bill does is restore balance.

CADENCE MATIJEVICH (Washoe County):
Washoe County supports S.B. 61 with the understanding it is intended to provide protections for older and vulnerable persons, particularly those protected by the Washoe County Public Guardian's office.

The Guardian sees instances described today whereby it appears all of the evidence points to possible nefarious intent at the point the joint account is created. We do not know for certain. Thereafter, the circumstances certainly show that, but courts have no opportunity to pursue restitution of those funds on behalf of the original account holder.

STEVE WALKER (Lyon County; Douglas County):
When we get right to it, S.B. 61 benefits the efforts of public guardians. It solidifies the ability of a guardian to recoup funds from protected individuals who are being exploited by joint account holders. We agree with the legislation as written.

COLIN HAYNES (Senior Financial Intelligence Analyst, Las Vegas Metropolitan Police Department):
In the Seventy-second Session, I testified before the Legislature on a bill draft request brought forward to add conversion language to the definition of exploitation under NRS 205.090. I was investigating exploitation—the very scenarios brought forward today. We were seeing those a lot: an elderly person who would add a trusted person or a family member as a joint signatory on a bank account. Subsequently, the joint tenant would steal the money. *Nevada Revised Statutes* 205.090 was passed at that time; its language has since been amended.

To Senator Hansen's point, S.B. 61 is an attempt to reverse *Natko vs. State* and reinstate what was discussed by Legislators in 2003 and the situation that existed before the statute was amended. The Las Vegas Metropolitan Police Department supports this bill.

KATHLEEN JONES (Public Guardian, Elko County):
I have worked with the Elko County Public Guardian's Office for 21 years. I have had many cases of exploitation, but one is near and dear to my heart. It hurt to give the case to the Office of the Attorney General and the Elko County District Attorney's Office, knowing nothing could be done.

I was appointed as the guardian of an elderly man who trusted his son to take care of him. When the father began to fail physically and mentally, a guardian was appointed for him. He sold his family home, which constituted his retirement savings. His retirement and social security checks were deposited into the checking account his son had opened with him. Within eight months, every dime of the father's money was taken.

After the first month went by with this gentleman, I had to pay the nursing home fees and there were no funds in his account. All of the $327,000 was gone. Over eight months, evidence showed the son made several large withdrawals which included giving himself and his wife a $25,000 Christmas present. Also, there was a hefty down payment made on a home.

While the gentleman was in the nursing home, his son was able to get away with this exploitation because of the joint tenancy account law. The son was able to spend every single dime, including the victim's social security deposits.

While the father was in a nursing home, I had to find a way to pay his patient liability. I applied for Medicaid, but he was denied during the first application process because he had had $327,000 a year ago. But where did it go, did he give it away? Because Medicaid requires a five-year look back, he did not qualify. As guardian, I had to jump through the hoops of Medicaid to eventually apply for a hardship waiver to be able to pay for his future nursing home benefits. Eventually, can you imagine who probably had to pay? You, the taxpayers.

JOHN J. PIRO (Clark County Public Defender's Office):
The Clark County Public Defender's Office understands the intent of S.B. 61 and does not object to it. We would like to see that intent carried out but perhaps in a narrowly tailored way to capture the right people. Some of the language in the bill is too broad, but we will find a comparable fix.

Senator Harris brought up concerns which may be solved with rebuttable presumption language. It could make this a cleaner bill with a better legal standard.

There also are the concerns brought up by Senators Nguyen and Dondero Loop. My Office has had cases in which a grandfather is seeing a new romantic partner and the grandchildren are not happy about it. When something happens and the grandchildren see the money they may be entitled to dwindling, they get upset and complain to the district attorney or law enforcement. We work up those cases and get them dismissed, but the person charged with the crime is under the fear of incarceration during that time.

Making the language clearer is the most important part of fixing the problem because, as U.S. Supreme Court Justice Antonin Scalia said, "Trying to use legislative history and your briefs is like looking at a sea of your friends and picking out the ones that you like the most."

ERICA ROTH (Washoe County Public Defender's Office):
I echo the sentiments of my colleague, Mr. Piro. Section 5 of S.B. 61 is too broad. A fact pattern I would pose is what happens when one member of a married couple—usually the female—is the victim of domestic violence? She has a legal right to half the money in the joint tenancy account if she attempted to leave that marriage. Under S.B. 61, could this now be used against her as a tool in custody hearings to invoke more control over her?

When we are talking about language, that is what we are trying to home in on. We need to determine exactly who falls under the provisions of section 5.

JIM HOFFMAN (Nevada Attorneys for Criminal Justice):
Nevada Attorneys for Criminal Justice opposes S.B. 61 for the reasons discussed by Mr. Piro and Ms. Ross.

My yaya is 91 years old. She is in an Ohio hospice paid for by Medicaid. Yaya cannot manage her money anymore, so my mom and aunt are on a joint bank account with her. If you are using Medicaid to pay for hospice, there are lots of fiddly little rules about how much money you are allowed to have in your accounts and what things you are allowed to spend it on. It is a part-time job for my mom and my aunt to manage Yaya's bank account. They must make sure they are complying with all the state Medicaid rules, which entails jumping through a lot of hoops.

Senate Bill 61 creates a new set of hoops related to criminal prosecutions of people in my mom and aunt's position. Suddenly, there would be an entirely other set of rules they have to follow to avoid being accused of stealing. It is already emotionally difficult for people in that situation since they are dealing with the health decline of their loved one. Now, they would have to worry about prosecution. We want to make sure that the language does not unintentionally enable prosecution of people in my family's position.

MS. WOODRUM:
I thank you all for your sensitivity to the circumstances for individuals across the lifespan, whether you are thinking as a caregiver or about somebody who may in the future receive care. This discussion highlights how much Legislators' guidance is needed.

Where would S.B. 61 take us in the future? We have not had rampant prosecutions concerning the day-to-day use of joint accounts. However, S.B. 61 would enhance the possibility of bringing appropriate prosecutions to assist our social services partners to make people whole who have had their trust misplaced.

CHAIR SCHEIBLE:
We will close the hearing on S.B. 61. Seeing no more business before the Senate Committee on Judiciary, this meeting is adjourned at 2:39 p.m.

RESPECTFULLY SUBMITTED:

Pat Devereux,
Committee Secretary

APPROVED BY:

Senator Melanie Scheible, Chair

DATE:

EXHIBIT SUMMARY				
Bill	**Exhibit Letter**	**Introduced on Minute Report Page No.**	**Witness / Entity**	**Description**
	A	1		Agenda
	B	1		Attendance Roster
S.B. 34	C	2	Leslie Nino Piro / Office of the Attorney General, State of Nevada	Support Testimony
S.B. 34	D	2	Office of the Attorney General, State of Nevada	Proposed Amendment