Las Vegas Justice Court

Regional Justice Center
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May 1, 2025

Chair Miller and Members of the Committee,

My name is Jessica Goodey and I am a Justice of the Peace in Las Vegas Justice Court (LVJC) and Vice President of the Nevada Judges of Limited Jurisdiction (NJLJ). This letter is submitted in opposition to SB 450 on behalf of the LVJC and NJLJ. As section 2 of the bill relates to Justice Courts, that is where I will focus my comments, but we agree with the comments set forth by Mr. Frierson on behalf of the Eighth Judicial District Court and the written opposition submitted by Henderson Justice Court. However, there are a few disparities between sections 1 and 2 that should be addressed. First, Section 2 requires Justice Court marshals to be assigned from a pool, but no such requirement in Section 1 for District Court marshals. Similarly, Justice Court marshals are required to "perform any duty required by law" but a similar provision is not included in Section 1. Finally, Section 2 requires deputy marshal to attend each session of court "required by law." This could be construed to mean that marshal attendance is ***not*** required if a court creates a specialty calendar that is not required by law.

I am going to focus on the security issues SB 450 presents. Under existing law, I, as a Justice of the Peace appoint a deputy marshal to serve as my judicial marshal. As my judicial marshal, he is responsible for not only for my safety, but also the safety of everyone in my courtroom, as well as ensuring my courtroom runs well, orderly, and efficiently. Throughout our tenure together, we have established a rapport that is invaluable to how effectively and efficiently the courtroom runs. He is able to pick up on my non-verbal cues when I feel there is a potential safety issue and we have worked together to establish a pattern and practice of how we run the courtroom.

Outside of the courtroom, my marshal ensures my safety, as well as the rest of my team. We regularly participate in safety drills and scenarios so that we are prepared for the worst. My marshal is an integral part of our team. Prior to selecting him to serve in this role, I interviewed him to ensure that he was not only qualified, but that our personalities and approach to how we handle our official responsibilities matched.

SB 450 would take away our ability to select the right marshal for each individual judge. In fact, SB 450 gives the Board of County Commissioners the ability to assign marshals to their roles. It is unclear how or what criteria would be used to make those determinations, and how often the marshals could/would be reassigned. If SB 450 passes, I could have a different marshal in my court every day. This necessarily impacts the court's ability to run an efficient courtroom and to ensure the safety of everyone-the judge, the staff, and the community.

SB 450 also removes the ability of the judicial officers to assign marshals to tasks other than what is "required by law." This means that if I am speaking on behalf of the Court outside of the courthouse where my safety may be at risk, my marshal is not required to accompany me or provide for my safety. Likewise, I recently hosted third-graders in my courtroom over the course of 2 days for mock trials and to learn about the court system. We also hosted a high school class. These are not required by law as part of our official duties, but it is something we do to serve our community. My marshal was an integral part of that process, not only for the learning aspect for the kids and parents, but also to keep everyone safe. Under SB 450, he would not be required to participate or to ensure the safety of all those involved.

I cannot stress enough the importance of a having a marshal and judicial officer who are compatible. While I have full faith in the competency of all the marshals at LVJC, my court runs better and I feel safer when it is my marshal in there with me. And as I am sure the committee knows, attacks on the judiciary and on the court system are becoming more and more frequent. I unfortunately have been subject to threats from litigants appearing in my court. Knowing that I have a marshal who is dedicated to ensuring my safety is paramount to my ability to do my job. SB 450 significantly diminishes that.

In addition, we believe SB 450 presents a separation of powers issues, as it interferes with our ability to run our court and courtroom in the manner we feel is best. I can imagine a scenario in which I ask the marshal "assigned" to me to do something in my court and the marshal declines based on the instructions of his or her supervisor. It must be noted that SB 450 removes the ability for a judicial officer to appoint a marshal and replaces it with language that a marshal "may be assigned." Nothing in SB 450 gives the judicial officer any input on who "may be assigned" to their courtroom.

In addition, SB 450 presents a separation of powers issue. As set forth in the *City of Sparks* case, "… as to the Municipal Court's … marshals, … we affirm the portions of the district court's order prohibiting the City from interfering with the Municipal Court's management of its employees. . . *City of Sparks v. Sparks Mun. Ct.*, 129 Nev. 348, 372, 302 P.3d 1118, 1134 (2013)

Under SB 450, the marshals would not be subject to the court's supervision and management, which would be counter to the holding in the *Sparks* case.

Finally, we are concerned with the expansion of authority of the marshals. While the deputy marshals are fully POST-certified and qualified to affect civil or criminal service of process, expanding their ability to do so is rife with potential conflicts of interest. For example, if my marshal were to serve a civil complaint to a Defendant on a case that is subsequently randomly reassigned to my department, there would be a conflict of interest. In addition, there may be an appearance of impropriety with a judicial marshal affecting service of process, especially if the marshal is seen as more credible based upon their employment and involvement with the Court.

Thank you for your time and consideration on this bill.