

FILED

MAR 27 2020

Ann L. Johnson
CLERK OF COURT

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

IN THE ADMINISTRATIVE MATTER OF
JUVENILE COURT OPERATIONS IN
RESPONSE TO COVID-19

Administrative Order: 20-12

Rule 1.30(b) of the Rules of Practice for the Eighth Judicial District Court of the State of Nevada charges the Chief Judge of the Eighth Judicial District Court with various responsibilities, such as supervising the administrative business of the EJDC, ensuring the quality and continuity of its services, supervising its calendar, reassigning cases as convenience or necessity requires, assuring the court's duties are timely and orderly performed, and otherwise facilitating the business of the EJDC.

On March 12, 2020, Governor Steve Sisolak declared a state of emergency in Nevada in response to the recent outbreak of the Coronavirus Disease (COVID-19). The District Court is closely monitoring local developments in response to COVID-19 and will continue to evaluate and implement measures to slow the spread of infection in our community. During this time, it is critical to prevent the spread of any illness among members of the court, counsel, staff, the public, and our valuable community partners. To further prevent the spread of disease, the Centers for Disease Control and Prevention recommends putting distance between yourself and other people. According to the CDC, the virus is spread mainly from people who are in close contact with one another—within about six feet.

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1 **I. In-Custody Juvenile Matters Will Proceed, but Matters for Juveniles**
2 **Hospitalized, Isolated or Quarantined Will be Continued.**
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4 Contested hearings, detention hearings, hearings for entry of plea, certification
5 hearings, disposition hearings, probation violation hearings, and parole violations for in-
6 custody juveniles will continue to be heard. Absent extraordinary circumstances, these
7 hearings shall be conducted through BlueJeans video. Clark County Juvenile Justice
8 Services is ordered to provide a means for juveniles to appear by video from juvenile
9 detention rather than transporting juveniles to Court. Appearances may be made from a
10 smart phone or tablet, so this should not pose any significant expense or inconvenience to
11 Juvenile Justice Services.

12 No in-custody juvenile who is hospitalized, isolated, or quarantined will be
13 transported to court or appear for a court proceeding. Those matters are to be continued
14 until the juvenile is no longer under any hospitalization, isolation, or quarantine.
15

16 All matters where the juvenile is out of custody will be continued for at least 30
17 days unless a District Court Judge determines that there is a critical need to hear an out-
18 of-custody matter. In those cases, the juvenile must appear before the District Court
19 Judge by BlueJeans video.

20 All specialty courts, Drug Court, DAAY Court, Diversion Court, and restitution
21 court appearances will be continued for 30 days. Emancipations will be continued unless
22 the court determines that there is a critical need for an emancipation.
23

24 No juvenile matter may proceed without the juvenile present either in person or by
25 alternative means. If the juvenile is unavailable, the matter will be continued.
26
27
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1 **II. Signatures on Juvenile Written Admissions**

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3 In order to ensure the rights of juveniles are being protected while the court allows
4 appearances by alternative means, all admissions must be in writing and include an
5 acknowledgement of rights and an acknowledgement of the standard terms and
6 conditions of probation or parole. Written admissions must be signed by the juvenile or
7 signed by the juvenile’s attorney as set forth in Administrative Order 20-10 and be e-filed
8 and accepted by the court prior to the hearing. For the week of March 30, 2020 only,
9 written admissions may be filed after the court appearance.

10 Using AO 20-10 as a model for when an attorney may sign a guilty plea
11 agreement on behalf of a defendant appearing by alternative means, if a juvenile is unable
12 to physically sign the written admission, the admission shall be signed by counsel in the
13 following manner:
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15 “Signature affixed by (insert name of defense counsel) at the direction of
16 (insert name of juvenile).”

17 The judge shall make a record that because of COVID-19 precautions that the juvenile
18 was unable to physically sign the written admissions. The juvenile shall be canvassed by
19 the judge taking the plea as follows:

- 20
- 21 • On page [say page number] of the admissions your attorney has signed your
22 name with a notation that they signed it at your direction. Is that correct?
 - 23 • Did you agree for your attorney to sign in place of your actual signature?
 - 24 • Before directing your attorney to sign for you, did you read the admissions
25 and talk to you[r] attorney about the terms contained in the written
26 admission?
 - 27 • Did you discuss that your attorney signing your name at your direction will
28 be treated the same as if you actually signed the agreement?
 - Do you agree to have the signature placed on the agreement by your
attorney to be treated the same as if you signed the admission agreement?
 - Did you knowingly, willingly, and voluntarily direct your attorney to sign
this agreement on your behalf?

1 **III. Appearances by Alternative Means**

2 Nevada Supreme Court Rules Part IX, governing appearances by telephonic and
3 audiovisual transmission expressly exclude juvenile proceedings. With the concurrence
4 of Chief Justice Kristina Pickering, this rule is suspended due to COVID-19.
5

6 Attorneys, probation officers, social workers, parents, guardians, and any other
7 necessary parties to a juvenile proceeding are strongly encouraged to appear by
8 alternative means. Video appearances are strongly preferred for this case type. Parents
9 or guardians who must attend hearings are encouraged to appear through alternative
10 means. For the appearance, parents or guardians may provide their e-mail addresses to
11 the juvenile's attorney, and the attorney is to follow the procedures outlined AO 20-10.
12 Specifically, appearances by alternative means are to be conducted in the following
13 manner:
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15 [A]ll appearances by alternative means by attorneys and out-of-custody
16 parties will be through BlueJeans video unless for technical reasons a
17 phone conference is necessary. Attorneys appearing by alternative means,
18 or having clients/witnesses/agency representatives/probations officers
19 appear by alternative means, must notify the department via email at least
20 one judicial day before the appearance, except in case of an
21 emergency. The attorney must provide emails for all persons making an
22 appearance so the department can provide a link for the appearance. If
23 arrangements need to be made on shorter notice, the judicial department
24 must be contacted by phone.

25 This order shall be reviewed no later than every 30 days and shall continue until
26 modified or rescinded by a subsequent order.

27 Entered this 27th day of March 2020.

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LINDA MARIE BELL
Chief Judge
Eighth Judicial District Court