

ONSITE VISIT REPORT

Nye County - Beatty and Pahrump

Visit date: March 10, 2025

I. Brief Narrative

Outreach and Compliance Advisor David Schieck traveled to Beatty and Pahrump to observe Beatty Justice Court law and motion calendar and to Pahrump to view 48 custody hearings and the District Court DCFS calendar

II. Forty-eight (48) Hour hearings.

Judge Sullivan in Beatty reported no issues with the 48 hour weekend hearings. He explained that the four (4) justices of the peace have agreed to a rotation on a monthly basis for 48 hour hearings search warrants or any other non-court day matters. This allows each of them to know when they are on call instead of the need for all of them to be available. Basically one judge will hear any 48 hour weekend cases for one month, regardless of location and then be off of rotation for three months. This should not impact the continued timely processing of cases.

III. Facilities for Attorney-client privileged communications.

In Beatty, Jason Earnest utilized the holding cell area with his in-custody client and then spoke with his other clients in the lobby area. There is a room available for attorney-client meetings if needed as reported in the March 20, 2024 Onsite Report for Beatty.

In Pahrump, only the 48 hours in-custody hearings were observed and the clients conversed with counsel in the courtroom.

IV. Interviews and Discussions with Attorneys

While in Pahrump observing DCFS cases, I met with attorney Chris Harrison and advised him of the conversation I had with Judge Wanker in Tonopah the previous week. Harrison indicated that he felt that Judge Wanker simply did not like him and was not going to change her opinion. He was not surprised that she was still referencing the recent jury trial in Pahrump.

V. Additional information

I observed the DCFS calendar on Monday afternoon in District Court Department 2. Although not covered by the Davis Stipulated Judgement, the Nye County contract attorneys are obligated to handle DCFS cases in addition to their criminal calendars. This impacts on the time available for criminal caseload requirements. There were 14 cases on calendar and all of the public defenders (including the newest three) had multiple cases and were occupied for most of the afternoon. Kelly Ford appeared via Zoom on her cases, and Jherna Shahani, in addition to her own cases, covered for Nathan Gent. The attorneys all appeared to be knowledgeable about their cases and clients. It was obvious that each had spent time on the cases, taking away from available time and resources for their criminal caseload.

VI. Recommendations

Remove DCFS cases from the contracts for criminal public defenders. This will eliminate conflicts from occurring and allow additional time and attention to the burdensome criminal caseload of the attorneys.

X. Next Steps

Continue to observe and monitor caseload and performance. There is the possibility that one or more of the current public defenders will not be renewing their contract effective July 1, 2025. It would be prudent to solicit applicants now in anticipation of contracts becoming available.

Dated, March 12, 2025

David Schieck

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