

Steve Sisolak
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Marcie Ryba
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**STATE OF NEVADA
DEPARTMENT OF INDIGENT DEFENSE SERVICES**

896 West Nye Lane, Suite 202 | Carson City, NV 89703-1578
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NEVADA STATE BOARD OF INDIGENT DEFENSE

******PUBLIC MEETING******

REGULAR BOARD MEETING / REGULATIONS WORKSHOP

March 26, 2020 @ 1:00 PM CANCELED

Location:

Nevada Supreme Court
201 S. Carson Street
Law Library # 107
Carson City, Nevada 89701

Video Conference Locations:

Grant Sawyer Building
555 E. Washington Avenue, Ste. 5100
Las Vegas, Nevada 89101

Elko County Justice Court
571 Idaho Street, Courtroom A
Elko, Nevada 89801

Eureka County Justice Court
701 S. Main Street
Eureka, Nevada 89316

Sixth Judicial District Court
25 West 5th Street
Winnemucca, Nevada 89445

Please Note: The Board may take action on any agenda item delineated for action (discussion /for possible action); likewise, no action may take place on non-agenda items, including public proposals.

A (+) plus sign proceeding an agenda item signifies that if the matter is an action item, in certain situations, the option exists to declare the meeting on that agenda item to be Closed (Executive) Session per NRS241.030.

All information or documents supplementing agenda items that are not otherwise confidential will be available at the board meeting in limited quantities.

****AGENDA****

1. **Call to Order / Roll Call**
2. **Public Comment** (The first public comment is limited to comments on items on the agenda. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes).
3. **Approval of the February 28, 2020 Minutes** (For possible action)
4. **Update on IFC Request: Increase in Funds Requested** (For possible action)
5. **Public Workshop: Review Discussion/Consideration/Potential Action for New Regulations** (For possible action)

NAC#

General Provisions

- 1 Definitions.
- 2 “Appointed attorney” defined.
- 3 “Ancillary services” defined.
- 4 “CLE” defined.
- 5 “Delivery system” defined.
- 6 “Expert Witness” defined.
- 7 “Indigent Defense Services” defined.
- 8 “Investigator” defined.
- 9 “Mitigation specialist” defined.
- 10 Scope of rules of practice.

Petitions for Regulation, Advisory Opinions and Declaratory Orders

- 11 Petition for action on regulation: Filing; contents.
- 12 Petition for action on regulation: Review; notice of decision.
- 13 Petition for declaratory order or advisory opinion: Authorization; filing; contents.
- 14 Petition for declaratory order or advisory opinion: Referral by Deputy Director to Director.

15 Petition for declaratory order or advisory opinion: Action by Department; record and notice of order or opinion.

16 Petition for declaratory order or advisory opinion: Request for Director to review decision of Deputy Director.

17 Advisory opinion: Oral response prohibited.

County Contribution for Indigent Defense Services

18 Maximum amount of county contribution for indigent defense services.

Minimum Standards

19 Minimum standards for provision of indigent defense services.

Training, education and qualification of attorney providing indigent defense services.

20 Definitions.

21 "Basic requirements" defined.

22 General requirements; waivers.

23 Initial application with the Department.

24 Challenge of Department Determination.

25 Qualifications for misdemeanor proceedings.

26 Qualifications for category B offenses for which the maximum penalty is less than 10 years, C, D, E felony or Gross Misdemeanor proceedings.

27 Qualifications for non-capital category A offenses or category B offenses for which the maximum penalty is 10 years or more.

28 Qualifications for death penalty cases.

29 Qualifications for direct or post-conviction appeals of felonies other than capital proceedings.

30 Qualifications for appellate counsel in capital proceedings.

31 Qualifications for juvenile delinquency proceedings.

32 Qualifications for dependency and neglect and termination of
parental rights cases.

33 Continuing Legal Education and Training.

Continuity of Representation

34 Continuity of Representation.

Attorney Compensation and Expenses

35 Attorney Compensation.

Uniform Reporting Data

36 Definitions.

37 “Adjudicated/Disposed/Closed” defined.

38 “Appointment” defined.

39 “Beginning pending” defined.

40 “Case” defined.

41 “End pending” defined.

42 “Felony” defined.

43 “Final adjudication” defined.

44 “Final adjudication” defined.

45 “Inactive status” defined.

46 “Juvenile case” defined.

47 “Misdemeanor” defined.

48 “New appointment” defined.

49 “Returned from warrant” defined.

50 “Set for review” defined.

51 Workloads of attorneys providing indigent defense services.

52 Reporting of workload data.

53 Time keeping.

Death Penalty Cases and Direct Appeals in Rural Counties

54 Death Penalty Cases and Direct Appeals in Rural Counties

Confidentiality of Records

55 Certain records relating to recommendations and complains to the Board of Indigent Defense Services and application of attorneys deemed confidential; certain records relating to disciplinary action deemed public records; exceptions.

6. Discussion and Announcement of Dates for Future Meetings

(For possible action)

- a. Reminder that there will not be a Board Meeting in April.
- b. As proposed at last meeting the May Board Meeting is scheduled for May 28, 2020 at 1:00 p.m.
- c. The Meeting for June is scheduled June 18, 2020, in Tonopah, Nevada at noon.

7. Public Comment (This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes.)

8. Adjournment (For possible action)

NOTE: Items may be considered out of order. The public body may combine two or more agenda items for consideration. The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The public body will limit public comments to three minutes per speaker and may place other reasonable restrictions on the time, place, and manner of public comments but may not restrict comments based upon viewpoint. We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Cynthia Atanzio at (775) 431-0527 as soon as possible and at least two days in advance of the meeting. If you wish, you may e-mail her at catanzio@dids.nv.gov. Supporting materials for this meeting are available at 896 W. Nye Lane, Suite 202, Carson City, NV 89703 or by contacting Cynthia Atanzio at (775) 431-0527 or by email at catanzio@dids.nv.gov.

Agenda Posted at the Following Locations:

1. Department of Indigent Defense Services, 896 W. Nye Lane, Suite 202, Carson City, NV 89703
2. Capitol Building, 101 North Carson Street, Carson City, NV 89701
3. Legislative Building, 401 N. Carson Street, Carson City, NV 89701
4. Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701
5. Grant Sawyer Building, Capitol Police, 555 E. Washington, Las Vegas, NV 89101
6. Nevada Supreme Court, 201 S. Carson Street, 1st Floor, Carson City, NV 89701
7. Eureka County Justice Court, 701 S. Main Street, Eureka, NV 89316
8. Elko County Justice Court, 571 Idaho Street, Elko, NV 89801
9. Sixth Judicial District Court, 25 West 5th Street, Winnemucca, NV 89445

Notice of this meeting was posted on the Internet: <http://dids.nv.gov> and <https://notice.nv.gov>