

**JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA**

1 In re:)
2 ACCESS TO JUDICIAL RECORDS)
3 OF THE LAS VEGAS JUSTICE COURT) **ORDER: #2004—PR—1**
4)

5 WHEREAS NRS 239.010 declares that all public records of a governmental entity,
6 “the contents of which are not otherwise declared by law to be confidential,” must be open at all
7 times during office hours to inspection by any person, and may be fully copied or an abstract or
8 memorandum may be prepared from those public books and public records; and

9
10 WHEREAS, in the case of DR Partners v. Board of County Comm'rs, 116 Nev. 616
11 (2000), the Nevada Supreme Court stated that “any limitation on the general disclosure
12 requirements of NRS 239.010 must be based upon a balancing or ‘weighing’ of the interests of
13 non-disclosure against the general policy in favor of open government,” and

14 WHEREAS the Court has determined that specific documents are sufficiently sensitive
15 that access to those documents should only be provided upon approval by a justice of the peace,

16
17 **IT IS HEREBY ORDERED** that court staff are to stamp as “confidential,” and treat as
18 “non-public,” the following specific documents:

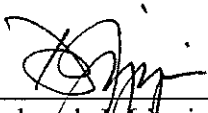
- 19 (1) Court-ordered counselling reports;
- 20 (2) Medical records, mental health records, or treatment records for a criminal defendant
21 (for example, HIV Toxicology reports and evaluation reports);
- 22 (3) Any reports or printouts generated from NCIC, NCJIS, or SCOPE
23 (for example, an “Electronic Warrant Descriptor”)
- 24 (4) Mark-up sheets or memos generated by court clerks or other court staff (including
25 legal memoranda prepared by law clerks or the Staff Attorney);
- 26 (5) Pre-Trial Questionnaire/Financial Affidavit;

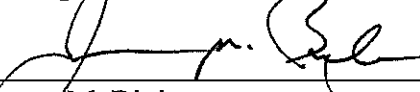
- 1 (6) Pre-Trial Information Sheets generated by staff of the Pretrial Services Division;
2 (7) Temporary Custody Records;
3 (8) Defendant Information Sheets and Victim Information Sheets in TPO Cases;
4 (9) Bench Warrant paperwork (except the cover sheet signed by a judge);
5 (10) Own Recognizance Release Forms;
6 (11) Judges' Notes that are included in a case file as distinct documents;
7 (12) Any document that is sealed pursuant to statute (for example, a sealed affidavit in
8 support of a search warrant).

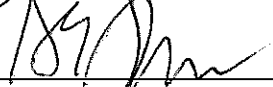
9 **IT IS FURTHER ORDERED** that if access to any of these enumerated documents is
10 requested, court staff will instruct the requester to fill out the Court's "Motion for Disclosure of
11 Non-Public Information," and the justice of the peace in the underlying case will then take
12 appropriate action depending on the nature of the request.
13


14 **IT IS FURTHER ORDERED** that this Order shall become effective on **December 1,**
15 **2004.**

16 Dated this 4th day of October, 2004.

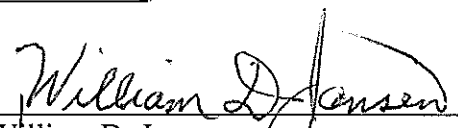
17 
18 _____
19 Deborah J. Lippis,
20 Chief Justice of the Peace

21 
22 _____
23 James M. Bixler,
24 Vice-Chief Justice of the Peace


25 
26 _____
27 Douglas E. Smith,
28 Justice of the Peace Department 2




Tony L. Abbatangelo,
Justice of the Peace Department 3



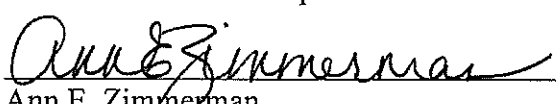
William D. Jansen,
Justice of the Peace Department 5



Nancy C. Oesterle,
Justice of the Peace Department 6



Karen P. Bennett-Haron,
Justice of the Peace Department 7



Ann E. Zimmerman,
Justice of the Peace Department 8