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2 **IN THE JUSTICE COURT OF THE SEARCHLIGHT TOWNSHIP**
3 **COUNTY OF CLARK, STATE OF NEVADA**

4 In re:)
5 Access to Judicial Records of the) Order No. AO-1-2024
6 Searchlight Justice Court)
7

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

13 **WHEREAS**, in the case of DR Partners v. Board of County Commissioner, 116
14 Nev. 616 (2000), the Nevada Supreme requirements of NRS 239.010 must be based
15 upon a balancing or “weighing” of the interest of non-disclosure against the general
16 policy in favor of open government” and

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

20 **IT IS HEREBY ORDERED** that court staff is to stamp as “confidential,” and
21 treat as “non-public” the following specific documents:

- 22
- 23 1) Court-ordered counselling reports;
 - 24 2) Medical records, mental health records, or treatment records for a criminal
25 defendant (for example, HIV Toxicology reports and evaluation reports);
 - 26 3) Any reports or printouts generated from NCIC, NCJIS, or Scope (for example,
27 an “Electronic Warrant Descriptor”)
 - 28 4) Mark-up sheets or memos generated by court clerks or other court staff
(including legal memoranda prepared by law clerks or contracted or staff

1 attorneys);

2 5) Pre-Trial Questionnaire/Financial Affidavit;

3 6) Pre-Trial Information Sheets generated by staff of the Pretrial Service
4 Division;

5 7) Temporary Custody Records;

6 8) Defendant Information Sheets and Victim Information Sheets in TPO Cases;

7 9) Bench Warrant paperwork (except the coversheet signed by a judge);

8 10) Own Recognizance Release Forms;

9 11) Judges' Notes that are included in a case file as distinct documents;

10 12) Any document that is sealed pursuant to statute (for example, a sealed affidavit
11 in support of a search warrant)

12 13) All warrants of arrest and/or summonses and /or declarations in support
13 thereof filed by the State of Nevada shall be filed under seal until further order
14 of the Court (NRS 239B.030)

15
16 **IT IS FURTHER ORDERED** that if access to any of these enumerated
17 documents is requested, court staff will instruct the requester to fill out the Court's
18 "Motion for Disclosure of Non-Public information," and the justice of the peace in the
19 underlying case will then take appropriate action depending on the nature of the request.

20 **IT IS FURTHER ORDERED** that the following rules will apply to access to
21 criminal case files in the Searchlight Justice court:

22 The Justice of the Peace in the underlying case will consider the Motion and may do
23 any of the following:

24 1) Set for the matter for hearing to consider whether access should be
25 granted;

26 2) Deny the request in its entirety, or as to specific documents, for stated
27 reasons;

28 3) Grant the request in its entirety;

1 4) Grant the request under specified conditions, including but not limited to,
2 the redaction of specific sensitive information before access will be
3 allowed; and

4 5) Take any other action deemed appropriate to balance the privacy interest
5 in non-disclosure and the general policy in favor of open government.

6 **IT IS FURTHER ORDERED** that this Order shall become effective _____,
7 2024.

8 DATED this 21 day of MAY, 2024

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10 _____

11 Justice of the Peace
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